HOUSE OF COMMONS DEBATES

OFFICIAL REPORT

SECOND SESSION—THIRTY-THIRD PARLIAMENT

36 Elizabeth II

VOLUME VI, 1987

COMPRISING THE PERIOD FROM THE SECOND DAY OF JUNE, 1987
TO THE THIRTIETH DAY OF JUNE, 1987

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HOUSE OF COMMONS

Tuesday, June 2, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

WAYS AND MEANS

TABLING OF NOTICE OF MOTION

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, pursuant to the provisions of Standing Order 84(1), I have the honour to lay upon the table copies of a ways and means motion to amend the Income Tax Act. Pursuant to Standing Order 84(2), I ask that an Order of the Day be designated for the consideration of the said motion.

* * *

PETITIONS

REQUEST FOR INQUIRY INTO USE OF CHEMICAL PESTICIDES

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is an honour and privilege to present a petition pursuant to Standing Order 106 from petitioners of Edmonton, Alberta; Denman Island, British Columbia; Pitt Meadows, British Columbia; Lillooet, British Columbia; Salmon Arm, British Columbia; Sooke, British Columbia; and Vancouver, British Columbia.

They are concerned that the increasing number of chemicals used as herbicides and insecticides are being proven to have deleterious effects on human health and believe that these chemicals also produce short and long-term harmful effects on non-target organisms in soil and water. They indicate that these same chemicals in past years have been registered and approved as safe for their various uses.

They call upon the House of Commons to initiate a full public inquiry into the safety, testing, registration, regulation and use of pesticides and the examination of alternative ways of controlling pests such as biological control and plant derived pesticides.

MEECH LAKE ACCORD—PUBLIC INPUT

Hon. Donald J. Johnston (Saint-Henri—Westmount): Mr. Speaker, it is an honour for me to present a petition pursuant to Standing Order 106(4). This petition is presented on behalf of residents of Ontario and Quebec. It concerns the subject of the Meech Lake Accord.

These citizens believe in a strong Canada where all Canadians are treated equally, fairly, and enjoy the same rights and protections regardless of the province in which they live. They believe that the provisions of the Meech Lake Accord threaten our freedoms under the Charter of Rights and place in jeopardy future national programs which may benefit Canadians from coast to coast.

They call upon Parliament to present to the people of Canada the true implications of the Meech Lake Accord and provide all Canadians with a formal opportunity to respond to the constitutional changes proposed by the Meech Lake Accord.

[*Translation*]

CANADA POST—OPPOSITION TO CORPORATE PLAN

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, I also have the privilege of presenting several petitions signed by hundreds of residents of the province of New Brunswick who call upon the House to turn down Canada Post's new corporate plan that creates two classes of citizens by installing superboxes on a permanent basis in rural as well as urban areas, and by closing rural post offices and thus depriving Canadians of the sole federal presence and reducing vital postal services in rural communities.

Thus your petitioners humbly pray that Parliament reject Canada Post's plan and urge the Corporation to deliver the mail to all Canadian taxpayers, without exception.

REQUEST TO INCLUDE A NEIGHBOURHOOD OF MONTREAL IN NEW ELECTORAL DISTRICT

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, I have the honour of presenting a petition signed by 200 residents of a section of the City of Montreal, located in the existing federal ridings of Saint-Jacques and Laurier and bounded to the north by Mount Royal, to the east by Saint-Laurent, to the south by Sherbrooke and to the west by Park. The petitions refer to the report of the Electoral Boundaries Commission, and state that although they agree with the principle of the change proposed by the Commission, in the past there has been no interaction between the undersigned residents and the residents of the proposed federal riding of Saint-Henri—Westmount.

Thus your petitioners humbly play that Parliament agree to include this section in the new riding of Laurier—Sainte-Marie, and not in the riding of Saint-Henri—Westmount as proposed by the Electoral Boundaries Commission for the Province of Quebec.

[*English*]

OPPOSITION TO PROPOSED CHANGES TO PATENT ACT

Mr. Rod Murphy (Churchill): Mr. Speaker, I have a number of petitions from people of the Province of Manitoba who are presently represented in the House by Conservative Members of Parliament. They are from the communities of Fannystelle, Brandon, Thornhill, Darlingford, Pine River, Morden and a number of other communities in the southern part of Manitoba.

They express their concern with the federal Government's intention to change the Patent Act. They believe it will unfairly hurt those Canadians whose health needs require the purchase of prescription drugs on a regular basis. They also believe this is just another example of the Canadian Government making concessions to the United States at the expense of average Canadians in the Government's free trade negotiations with that country.

• (1110)

The petitioners humbly pray and call upon Parliament to reject these proposals which will increase prescription drug prices for Canadians.

* * *

SENATE AND HOUSE OF COMMONS ACT

MEASURE TO AMEND

Mr. Bill Gottselig (Moose Jaw): moved for leave to introduce Bill C-257, an Act to amend the Senate and House of Commons Act (independence of Parliament).

Mr. Speaker: Shall the Hon. Member have leave to introduce the Bill?

Some Hon. Members: Agreed.

Mr. Gottselig: Mr. Speaker, the purpose of this Bill is to clarify the conflict of interests rules of the Senate and House of Commons Act by making express provisions for the right of Members of Parliament, who are members of a class such as farmers to participate in Government assistance programs on an equal basis with other members of that class who may qualify for such assistance.

Motion agreed to, Bill read the first time and ordered to be printed.

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I ask that all questions be allowed to stand.

Mr. Speaker: Shall all questions stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

HOUSE OF COMMONS

PROVISIONAL AND PERMANENT STANDING ORDERS

Mr. Speaker: Mr. Mazankowski, seconded by Mr. Jelinek, moves:

That all the provisional and permanent Standing Orders of the House in force on the date of notice of this motion, be amended as follows and be adopted as amended as the permanent Standing Orders of the House; provided—

Shall I dispense?

Some Hon. Members: No.

Mr. Gauthier: Mr. Speaker, since the Government wants to proceed unilaterally on amending these rules, we will insist that Standing Order 70(1) be applied today.

Mr. Riis: Mr. Speaker, I also want to register the concern of the Party I represent, that since the Government has decided to use this unilateral and rather dictatorial approach to change the rules to its satisfaction only, ignoring the roles of the Official Opposition and the other Opposition Party, we too expect that the entire motion will be read in both official languages.

Mr. Speaker: Mr. Mazankowski, seconded by Mr. Jelinek, moves:

That all the provisional and permanent Standing Orders of the House in force on the date of notice of this motion, be amended as follows and be adopted as amended as the permanent Standing Orders of the House; provided

1. that these permanent Standing Orders shall take effect on the first Monday sitting day following the adoption of this motion;

2. that all provisional and permanent Standing Orders in force on the date of notice of this motion, except Standing Order 4, along with the sessional and special Orders related thereto, extended by special Order May 22, 1987 to June 5, 1987, become permanent on the first sitting Monday following the adoption of this motion;

3. that Standing Order 4 remain provisional until December 31, 1987 and be amended by adding the following sub-paragraph (2): Notwithstanding Standing Order 4(1), a Minister of the Crown may set down on Notice a motion to provide for sittings of the House between June 30 and the Monday following Labour Day. No later than June 30, 1987, the said motion shall be proposed for debate during Routine Proceedings, and no later than two hours after the commencement of proceedings thereon, the Speaker shall put every question necessary to dispose of the said motion; and

4. that the Clerk of the House be authorized and instructed to print a revised edition of the Standing Orders of the House, renumbering as may be deemed necessary and making such technical and consequential changes as well as such changes to the Order Paper and Notices as may be required.

That paragraph (a) of Standing Order 2(5) be deleted and the following substituted therefor:

"(a) Any Member who wishes to be considered for election to the Office of Speaker shall, not later than 6.00 o'clock p.m. on the day preceding the day on which the election of a Speaker is expected to take place, in writing, so inform the Clerk of the House who shall prepare a list of such Members' names and shall provide the same to the Member presiding prior to the taking of the first ballot;"

That sub-paragraph (5)(h)(i) of Standing Order 2 be deleted and the following substituted therefor:

"(i) the Clerk of the House shall provide the Member presiding the names of the candidates for the next ballot, in alphabetical order, provided that the Clerk of the House shall first determine the number representing the least total number of votes cast and the Clerk shall exclude the names of all Members having received that total number of votes, together with the names of all Members having received five percent or less of the total votes cast, from the list of candidates so provided, and provided that in the event of every candidate receiving the same number of votes no names shall be excluded from the list so provided;"

That Standing Order 3(1) be deleted and the following substituted therefor:

"3. (1) The House shall meet on Mondays, Tuesdays and Thursdays at 11.00 o'clock a.m., on Wednesdays at 2.00 o'clock p.m. and on Fridays at 10.00 o'clock a.m. unless otherwise provided by Standing or Special Order of this House."

That Standing Orders 9(1) and 9(2) be deleted and the following substituted therefor:

"9. (1) At 6.00 o'clock p.m. on Mondays, Tuesdays, Wednesdays and Thursdays, and at 3.00 o'clock p.m. on Fridays, the Speaker shall adjourn the House until the next sitting day."

"(2) At 1.00 o'clock p.m. on any day except Friday on which a morning sitting is held, the Speaker shall leave the Chair until 2.00 o'clock p.m."

That paragraph (a) of Standing Order 9(4) be deleted and the following substituted therefor:

"(4)(a) Except during Private Members' Business, when the Speaker is in the Chair, a Member may propose a motion, without notice, to continue a sitting through a lunch or dinner hour or beyond the ordinary hour of daily adjournment for the purpose of considering a specified item of business or a stage or stages thereof subject to the following conditions:

(i) the motion must relate to the business then being considered provided that proceedings in any Committee of the Whole may be temporarily interrupted for the purpose of proposing a motion under the provisions of this Standing Order;

(ii) the motion must be proposed in the hour preceding the time at which the business under consideration should be interrupted by a lunch or dinner hour, Private Members' Hour or the ordinary hour of daily adjournment;

(iii) the motion shall not be subject to debate or amendment."

That Standing Order 11 be deleted and the following substituted therefor:

"11. At the ordinary hour of daily adjournment of the House, at 11.00 o'clock a.m. on Fridays or at the mid-day interruption, unless otherwise provided, the proceeding then under consideration shall stand over until the next sitting day or later the same sitting day after the period provided pursuant to Standing Order 19(4), as the case may be, when it will be taken up at the same stage where its progress was interrupted."

That paragraph (a) of Standing Order 13(4) be deleted and the following substituted therefor:

"(4)(a) When the Speaker has put the question on any debatable motion, except as provided pursuant to section (2) of this Standing Order, the bells to call in the Members shall be sounded for not more than thirty minutes; provided that, while the Members are being called in, either the Chief Government Whip or the Chief Opposition Whip may approach the Speaker to request that the division be deferred, in which case, the Speaker shall defer the said division until a specified time, but, in any case, not later than 6.00 o'clock p.m. on the next sitting day thereafter, when the bells to call in the Members shall be sounded for not more than fifteen minutes, except as provided for under section (5) of this Standing Order or Standing Order 49(2)."

That Standing Order 19(3) be deleted and the following substituted therefor:

"(3)(a) At 11.00 o'clock a.m. on Mondays, Tuesdays, Thursdays, at 3.00 o'clock p.m. on Wednesdays, and at 12.00 o'clock noon on Fridays, the House shall proceed to the ordinary daily routine of business, which shall be as follows:

Tabling of Documents (pursuant to Standing Orders 67 or 99(2))

Statements by Ministers (pursuant to Standing Order 19(6))

Presenting Reports from Inter-parliamentary Delegations (pursuant to Standing Order 101)

Presenting Reports from Committees (pursuant to Standing Order 99)

Introduction of Government Bills

Introduction of Private Members' Bills

First Reading of Senate Public Bills

Motions

Presenting Petitions (pursuant to Standing Order 106(4))

Questions on Order Paper.

(b)(i) When proceedings under 'Introduction of Government Bills' are not completed on a Monday, Tuesday or Thursday prior to the mid-day interruption, the ordinary daily routine of business shall continue immediately after oral questions are taken up notwithstanding Standing Order 19(4) until the completion of all items under 'Introduction of Government Bills', suspending as much of Private Members' Business as necessary.

(ii) When proceedings under 'Introduction of Government Bills' are not completed before the ordinary hour of daily adjournment, the House shall continue to sit to complete the ordinary daily routine of business up to and including 'Introduction of Government Bills', whereupon the Speaker shall adjourn the House."

That paragraph (b) of Standing Order 19(6) be deleted and the following substituted therefor:

"(b) A period of time corresponding to the time taken for the proceedings pursuant to paragraph (a) of this section shall be added to the time provided for government business as follows:

(i) on Mondays, Tuesdays and Thursdays, such an extension shall commence at 1.00 o'clock p.m. on the same sitting day, notwithstanding Standing Order 9(2), and any period remaining at 2.00 o'clock p.m. shall be added to the time provided for government business thereafter on the same sitting day; and

(ii) on Wednesdays and Fridays, the time provided for government business shall be extended by a period corresponding to the time taken for proceedings pursuant to paragraph (a) of this section.

Where the time provided for government business has been extended after 2.00 o'clock p.m. pursuant to this section, Private Members' Business, where applicable, and the ordinary hour of daily adjournment shall be delayed by a period of time corresponding to the period of extension after 2.00 o'clock p.m., notwithstanding Standing Orders 9(1), 19(7) and 66(1) or any order made pursuant to Standing Order 10(1)."

That Standing Order 19(7) be deleted and the following substituted therefor:

"(7) Except as otherwise provided in these Standing Orders, the order of business shall be as follows:

(Monday, Tuesday and Thursday)

(After the daily routine of business)

Government Orders.

Private Members' Business—from 5.00 to 6.00 o'clock p.m.:

Public Bills, Private Bills, Notices of Motions and Notices of Motions (Papers).

(Wednesday)

(After the daily routine of business)

Notices of Motions for the Production of Papers.

Government Orders.

(Friday)

(Before the daily routine of business)

Government Orders.

(After the daily routine of business)

Government Orders.

Private Members' Business—from 2.00 to 3.00 o'clock p.m.:

Public Bills, Private Bills, Notices of Motions and Notices of Motions (Papers)."

That Standing Order 24 be deleted and the following substituted therefor:

"24. (1) After notice pursuant to Standing Order 68(1), a government notice of motion shall be put on the Order Paper as an order of the day under Government Orders.

(2) Proposed motions under Government Orders for the House to go into a Committee of the Whole at the next sitting of the House when put from the Chair shall be decided without debate or amendment."

That section (1) of Standing Order 29 be deleted and the following substituted therefor:

"29. (1) Leave to make a motion for the adjournment of the House for the purpose of discussing a specific and important matter requiring urgent consideration must be asked for after the ordinary daily routine of business as set out in Standing Order 19(3) is concluded."

That sections (8) and (9) of Standing Order 29 be deleted and the following substituted therefor:

"(8) If the Speaker is satisfied that the matter is proper to be discussed, the motion shall stand over until 8.00 o'clock p.m. on that day, provided that the Speaker, at his or her discretion, may direct that the motion shall be set down for consideration on the following sitting day at an hour specified by the Speaker."

That Standing Order 29(11) be deleted and the following substituted therefor:

"(10) When a request to make such a motion has been made on any Friday, and the Speaker directs that it be considered the same day, it shall be considered forthwith."

That Standing Order 29(13) be deleted and the following substituted therefor:

"(12) The proceedings on any motion being considered, pursuant to sections (8) or (10) of this Standing Order, may continue beyond the ordinary hour of daily adjournment but, when debate thereon is concluded prior to that hour in any sitting, it shall be deemed withdrawn. Subject to any motion adopted pursuant to Standing Order 9(4)(b), at 12.00 o'clock midnight on any sitting day except Friday, and at 4.00 o'clock p.m. on Friday, the Speaker shall declare the motion carried and forthwith adjourn the House until the next sitting day. In any other case, the Speaker, when satisfied that the debate has been concluded, shall declare the motion carried and forthwith adjourn the House until the next sitting day."

That Standing Order 32 be deleted and the following substituted therefor:

"32. Notwithstanding Standing Order 31, the order of precedence shall not contain, at any time, more than twenty motions and public bills originating in the House of Commons at second reading, nor fewer than ten items, when there are sufficient items contained in the list which have not been given a position on the order of precedence."

That paragraph (1)(a) of Standing Order 36 be deleted and the following substituted therefor:

"36. (1)(a) The Standing Committee on Private Members' Business shall meet within five sitting days of the order of precedence being established pursuant to Standing Order 31, and from time to time thereafter, and may select after consultation with, among others, the Members proposing the items, not more than six items from among the twenty items in the order of precedence and an appropriate number from among any subsequent items for which the order of precedence is established and such selected items shall be designated as 'votable items'. In making its selection, the Committee shall not take into account the number of Members jointly seconding an item, but shall allow the merits of the items alone to determine the selection and shall report thereon, from time to time. At no time shall there be more than six selected items on the order of precedence."

That Standing Order 38 be deleted and the following substituted therefor:

"38. The proceedings on Private Members' Business shall not be suspended except as provided for in Standing Orders 19(3)(b), 19(9), 29(11), 37 and 39(2) or as otherwise specified by Special Order of this House. No Private Members' Business shall be taken up on days appointed for the consideration of business pursuant to Standing Orders 69, 82(5) and 84(4)."

That the following new section be added after Standing Order 39(2):

"(3)(a) When a Member has given at least twenty-four hours' written notice that he or she is unable to be present to move his or her motion under Private Members' Business on the date required by the order of precedence, and if that item of business is not one which has been designated as 'votable' by the Standing Committee on Private Members' Business, the Speaker, with permission of the Members involved, may arrange for an exchange of positions in the order of precedence with a Member whose motion or bill in the order of precedence has not been so designated.

(b) In the event that the Speaker has been unable to arrange an exchange, the House shall continue with the business before it prior to 'Private Members' Hour', provided that there shall be no extension of the sitting pursuant to Standing Order 9(4)(a), and any division on a debatable motion shall be deferred until 6.00 o'clock p.m. on the next sitting day. For the purposes of this section, Standing Order 13(5) relating to deferred divisions on a Thursday shall apply."

That paragraph (c) of Standing Order 40(3) be deleted.

That Standing Order 41(1) be deleted and the following substituted therefor:

"41. (1) The order for the first consideration of any subsequent stages of a bill already considered during Private Members' Business, of second reading of a private bill and of second reading of a private Member's public bill originating in the Senate shall be placed at the bottom of the order of precedence."

That Standing Order 48 be deleted and the following substituted therefor:

"48. Except as otherwise provided in any Standing or Special Order of the House, and unless otherwise disposed of, at not later than 6.00 o'clock p.m. on a Monday, Tuesday, Wednesday or Thursday, or 3.00 o'clock p.m. on Friday, on the fifteenth sitting day following the date on which a notice of motion made pursuant to Standing Order 46(2) appeared on the Order Paper, the same shall be deemed to have been moved and adopted by the House."

That sections 2 and 3 of Standing Order 55 be deleted and the following substituted therefor:

"(2) When second reading or third reading of a government bill is being considered, no Member except the Prime Minister and the Leader of the Opposition shall speak for more than:

(a) forty minutes if that Member is the first, second or third speaker;

(b) twenty minutes following the first three speakers, if that Member begins to speak within the next eight hours of consideration when second reading is being considered or within the next four hours of consideration when third reading is being considered; and following the speech of each Member a period not exceeding ten minutes shall be made available, if required, to allow Members to ask questions and comment briefly on matters relevant to the speech and to allow responses thereto;

(c) ten minutes if a Member speaks thereafter.

(3) When the business of private Members is being considered, no Member shall speak for more than ten minutes, provided that the Member moving the item may speak for not more than twenty minutes."

That Standing Order 65(2) be deleted and the following substituted therefor:

"(2) A Member who is not satisfied with the response to a question asked on any day at this stage, or a Member who has been told by the Speaker that the

question is not urgent, may give notice that he or she intends to raise the subject matter of the question on the adjournment of the House. The notice referred to herein, whether or not it is given orally during the oral question period provided pursuant to Standing Order 19(4), must be given in writing to the Speaker not later than one hour following that period the same day."

That Standing Order 68(1) be deleted and the following substituted therefor:

"68. (1) Forty-eight hours' notice shall be given of a motion for leave to present a bill, resolution or address, for the appointment of any committee, for placing a question on the Order Paper or for the consideration of any notice of motion made pursuant to Standing Order 46(2); but this rule shall not apply to bills after their introduction, or to private bills, or to the times of meeting or adjournment of the House. Such notice shall be laid on the Table before 6.00 o'clock p.m. (on a Friday before 3.00 o'clock p.m. or filed thereafter with the Clerk before 5.00 o'clock p.m.), and be printed in the Notice Paper of that day. Any notice filed with the Clerk pursuant to this section shall thereupon be deemed to have been laid on the Table in that sitting."

That Standing Order 70(2) be deleted and the following substituted therefor:

"(2) When a debate on any motion made after the start of the sitting (after 11.00 o'clock a.m. on Fridays) and prior to the reading of an Order of the Day is adjourned or interrupted, the order for resumption of the debate shall be transferred to and considered under Government Orders."

That paragraph (a) of Standing Order 82(4) be deleted and the following substituted therefor:

"(4)(a) Forty-eight hours' written notice shall be given of motions to concur in interim supply, main estimates, supplementary or final estimates, to restore or reinstate any item in the estimates. Twenty-four hours' written notice shall be given of an opposition motion on an allotted day or of a notice to oppose any item in the estimates, provided that for the supply period ending not later than June 30, forty-eight hours' written notice shall be given of a notice to oppose any item in the estimates."

That Standing Order 82(5) be deleted and the following substituted therefor:

"(5) For the period ending not later than December 10, six sitting days shall be allotted to the business of supply. Nine additional days shall be allotted to the business of supply in the period ending not later than March 26. Ten additional days shall be allotted to the business of supply in the period ending not later than June 30. These twenty-five days are to be designated as allotted days."

That paragraphs (a) and (b) of Standing Order 82(15) be deleted and the following substituted therefor:

"(a) Not later than the third sitting day prior to May 31, the Leader of the Opposition may give notice during the time specified in Standing Order 68(1) of a motion to extend consideration of the main estimates of a named department or agency and the said motion shall be deemed adopted when called on 'Motions' on the last sitting day prior to May 31;

(b) On the sitting day immediately preceding the final allotted day, but in any case not later than ten sitting days following the day on which any motion made pursuant to paragraph (a) of this section is adopted, at not later than 6.00 o'clock p.m. on a Monday, Tuesday, Wednesday or Thursday, or 3.00 o'clock p.m. on a Friday, the said committee shall report, or shall be deemed to have reported, the main estimates for the said department or agency; and"

That Standing Order 89(1) be deleted and the following substituted therefor:

"89. (1)(a) At the commencement of the first session of each Parliament, a Striking Committee of seven Members, the membership of which shall continue from session to session, shall be appointed, whose duty it shall be to prepare and report to the House within the first ten sitting days after its appointment, and thereafter, within the first ten sitting days after the commencement of each session and within the first ten sitting days after the Monday following Labour Day, lists of Members to compose the standing committees of the House and to act for the House on standing joint committees.

(b) The Striking Committee shall not present a second report pursuant to this Standing Order between the Monday following Labour Day and the end of that calendar year."

That Standing Order 89(3) be deleted and the following substituted therefor:

"(3) The Striking Committee shall also prepare and report lists of Members to act for the House on the following standing joint committees:

(a) Official Languages, to consist of fifteen members; and

(b) Regulations and Other Statutory Instruments, to consist of eight members.

Provided that a sufficient number of members of the said joint committees shall be appointed so as to keep the same proportion in such committees as between the memberships of both Houses."

That the following new section be added after Standing Order 92(2):

"(3)(a) Notwithstanding Standing Order 96(1), no standing or standing joint committee shall sit at the same time as a legislative committee on a bill emanating from or principally affecting the same department or agency.

(b) During periods coinciding with the hours of sittings of the House, priority shall be given to the meetings of legislative committees over those of standing, special and joint committees.

(c) During periods when the House stands adjourned, priority shall be given to meetings of standing, special and joint committees, according to the schedule established from time to time by the Chief Government Whip, in consultation with representatives of the other parties."

That the following new paragraph be inserted immediately after paragraph (b) of Standing Order 92(4):

"(c) The Liaison Committee shall be empowered to report from time to time to the House."

That Standing Order 93(1) be deleted and the following substituted therefor:

"93. (1) Without anticipating the decision of the House, within five sitting days after the commencement of debate on second reading of a bill which is to be referred to a legislative committee, the Striking Committee shall meet to prepare, and shall report not later than the following Thursday, a list of members of such a legislative committee, which shall consist of not more than thirty Members and which shall be organized only in the event that the House adopts the motion for second reading and reference to a legislative committee of the said bill. Upon the presentation of such a report of the Striking Committee, the same shall be deemed adopted."

That sections (4), (5), (6) and (7) of Standing Order 93 be deleted and the following substituted therefor:

"(4) When the Chairman appointed pursuant to section (2) of this Standing Order is unable to act in that capacity at or during a meeting of the legislative committee, the Chairman shall designate a member of the committee to act as Chairman at or during the said meeting and such an acting Chairman shall be vested with all the powers of the Chairman at or during the said meeting."

That Standing Order 94(2) be deleted and the following substituted therefor:

"(2) The membership of standing and joint committees shall be set out in the report of the Striking Committee, which shall prepare lists of Members in accordance with Standing Order 89. Once the report of the Striking Committee is concurred in, the membership shall continue from session to session within a Parliament, subject to such changes as may be effected from time to time."

That sections (4) and (5) of Standing Order 94 be deleted and the following substituted therefor:

"(4) Changes in the membership of any legislative or special committee shall be effective immediately after notification thereof, signed by the Member acting as the Chief Whip of any recognized party, has been filed with the clerk of the committee."

That Standing Order 96(3)(c) be deleted and the following substituted therefor:

"(c) Management and Members' Services shall include, among other matters, the review of and report, to the Speaker as well as the Board of Internal Economy, on the administration of the House and the provision of services and facilities to Members provided that all matters related thereto shall be deemed to have been permanently referred to the Committee upon its membership having been established; and the review of and report on the effectiveness, management and operation, together with the operational and expenditure plans of all operations which are under the joint administration

and control of the two Houses and other related matters as the Committee deems fit;"

That Standing Order 96(4) be deleted and the following substituted therefor:

"(4) So far as this House is concerned, the mandate of the Standing Joint Committee on:

(a) Official Languages shall include, among other matters, the review of and report on official languages policies and programs including the annual report of the Commissioner of Official Languages, which shall be deemed, for the purposes of the House, permanently referred to the Committee immediately they are laid upon the Table; and

(b) Regulations and other Statutory Instruments shall include, among other matters, the review and scrutiny of statutory instruments which are permanently referred to the Committee pursuant to the provisions of section 26 of the Statutory Instruments Act.

Provided that both Houses may, from time to time, refer any other matters to the joint committees."

That Standing Order 99(2) be deleted and the following substituted therefor:

"(2) Within 150 days of the presentation of a report from a standing or special committee, the government shall, upon the request of the committee, table a comprehensive response thereto."

That Standing Order 101 be deleted and the following substituted therefor:

"101. Within twenty sitting days of the return to Canada of an officially recognized inter-parliamentary delegation composed, in any part, of Members of the House, the head of the delegation, or a Member acting on behalf of him or her, shall present a report to the House on the activities of the delegation."

That the following new section be added immediately after Standing Order 104(3):

"(4) The office of the Minister who recommended the appointment shall provide the curriculum vitae of such an appointee or nominee to the committee upon written application from the clerk of the committee."

That the chapter title preceding Standing Order 106 be deleted and the following substituted therefor:

"Public Petitions"

That Standing Order 106(2) be deleted and the following substituted therefor:

"(2) In order to be certified, pursuant to section (1) of this Standing Order, every petition shall:

(a) be addressed to the House of Commons or to the House of Commons in Parliament assembled;

(b) contain a clear, proper and respectful prayer requesting that Parliament see fit to take some action within its authority;

(c) be written, typewritten or printed on paper of usual size;

(d) be free of erasures or interlineations;

(e) have its subject matter indicated on every sheet, if it consists of more than one sheet of signatures and addresses;

(f) contain only original signatures and addresses written directly onto the petition and not pasted thereon or otherwise transferred to it; and

(g) contain at least twenty-five signatures, together with the addresses of the signatories, from persons other than Members of Parliament."

That Standing Order 116 be deleted and the following substituted therefor:

"116. When a Minister of the Crown, from his or her place in the House, states that a majority of the representatives of the several parties have come to an agreement in respect of a proposed allotment of days or hours for the proceedings at any stage of the passing of a public bill, the Minister may propose a motion, without notice, during proceedings under Government Orders, setting forth the terms of the said proposed allocation; provided that for the purposes of this Standing Order an allocation may be proposed in one motion to cover the proceedings at both the report and the third reading stages of a bill if that motion is consistent with the provisions of Standing Order 114(13). During the consideration of any such motion no Member may speak more than once or longer than ten minutes. Not more than two hours after the commencement of proceedings thereon, the Speaker shall put every question necessary to dispose of the said motion. Any proceeding interrupted pursuant to this Standing Order shall be deemed adjourned."

That Standing Order 117 be deleted and the following substituted therefor:

"117. A Minister of the Crown who from his or her place in the House, at a previous sitting, has stated that an agreement could not be reached under the provisions of Standing Order 115 or 116 in respect of proceedings at the stage at which a public bill was then under consideration either in the House or in any committee, and has given notice of his or her intention so to do, may propose a motion, during proceedings under Government Orders, for the purpose of allotting a specified number of days or hours for the consideration and disposal of proceedings at that stage; provided that the time allotted for any stage is not to be less than one sitting day and provided that for the purposes of this Standing Order an allocation may be proposed in one motion to cover the proceedings at both the report and the third reading stages on a bill if that motion is consistent with the provisions of Standing Order 114(13). During the consideration of any such motion no Member may speak more than once or longer than ten minutes. Not more than two hours after the commencement of proceedings thereon, the Speaker shall put every question necessary to dispose of the said motion. Any proceedings interrupted pursuant to this Standing Order shall be deemed adjourned."

That the following new Standing Order be inserted immediately before Standing Order 132:

"131.1 (1) A petition for a private bill may be presented by a Member at any time during the sitting of the House by filing the same with the Clerk of the House.

(2) Members presenting petitions for private bills shall be answerable that such petitions do not contain impertinent or improper matter.

(3) Every Member presenting a petition for a private bill shall sign his or her name on the back thereof.

(4) Petitions for private bills may be either written or printed; provided always that when there are three or more petitioners the signatures of at least three petitioners shall be subscribed on the sheet containing the prayer of the petition.

(5) On the next day following the presentation of a petition for a private bill, the Clerk of the House shall lay upon the Table the report of the Clerk of Petitions thereon and such report shall be printed in the Votes and Proceedings of that day. Every petition so reported upon, not containing matter in breach of the privileges of this House and which, according to the Standing Orders or practice of this House, can be received, shall then be deemed to be read and received.

(6) No debate shall be permitted on the report but a petition referred to therein may be read by the Clerk of the House at the Table, if required."—The Deputy Prime Minister and President of the Privy Council.

• (1210)

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Madam Speaker, I am pleased to introduce this motion after it was clearly and articulately read in both official languages. Perhaps our viewers out there will get a clear impression of what we are trying to do here in entrenching a system of rules and procedures into our permanent Standing Orders.

The motion I have presented to the House has as its principal objective the enshrinement of the parliamentary reform process which has been experimental and provisional for the past two years. The adoption of this motion will make all of those reforms permanent Standing Orders. In so doing this motion confirms the Government's commitment to meaningful and very thorough parliamentary reform.

It is fair to say that Members on all sides of the House have expressed their desire to see these changes continue. I think

there is also general agreement that the reforms have succeeded in making the House more workable and in enhancing the role of Members in policy formation and examination. We believe, therefore, that now is the time to enshrine these provisional orders into the permanent Standing Orders.

Today's debate is very important, indeed, historic. Moreover, it is very positive for the future of parliamentary democracy as it has evolved in this country. The election of the Speaker by all of us in this House by ballot is made permanent by the motion, with two changes. The 5 per cent of vote minimum requirement for each candidate as proposed by the committee is adopted with a change to require Members wishing to be a candidate for the speakership to write in their candidacy rather than, as was the case last September, to write that they are not candidates.

Here again, as with any system of parliamentary order and rules, we learn through practice, and establish our rules and regulations by precedent and by the application and interpretation of those rules.

As well, the legislative committees are made permanent with no change in their powers and mechanisms except for the priority and queuing process which all Parties agreed to last September after many Members, particularly those in the opposition caucuses, realized that the system was becoming overloaded. We are satisfying this concern of the committee's April 7 report which examined the reforms. I think we all recognize that the government caucus could have placed an impossible burden on the opposition caucuses by having a dozen legislative committee meetings all at the same time. We recognize that that would have ultimately been damaging to the institution, so we have agreed to the queuing procedure.

Then there are the major reforms provisionally in place since the spring of 1986 which we propose to make permanent with minor changes which, I submit, will lead to improved workability. The standing committees would remain, with all the new powers the House gave them, but with some minor changes dealing with when they are struck and how membership can be changed. Committee scrutiny of Order in Council appointees and nominees would be made permanent with a clear mechanism for obtaining curricula vitae for committees calling such people before them. The review of delegated legislation, which members have used only once, will become permanent as well. Later this year we will revise wording to suit the Standing Committee on Regulations and Other Statutory Instruments.

I want to touch on the types of so-called procedural reforms proposed by the McGrath committee in Chapter 7 of its final 1985 report. These were largely, but only provisionally, implemented in our current rules. We are making a change to only one of them and that is Routine Proceedings, and I will come back to that later because, unfortunately and regrettably, the Opposition have not been able to agree with this element of the motion before us today.

We propose no change to the new process for Private Members' Business except for two improvements. One is to double the time for the speech by the Hon. Member moving any item to 20 minutes from 10 minutes. Second is the provision of a mechanism to allow private Bills, those from petitioners in the country, to be debated and, as the House wishes, enacted. The committee requested this, too. The special order agreed to by the House last December respecting how non-votable items may be relocated in the precedence list when a Member cannot be present has worked well and it, too, will become a permanent order.

The opposition House Leaders could not agree on behalf of their caucuses on either doing Private Members' Business at the end of each opposition or allotted day or somehow blending it into the day, so this is one proposal of the committee which we cannot accept. We will keep the *status quo* and not conduct Private Members' Business on those days.

• (1220)

The purpose was quite clear. Private Members' Business is not conducted on the 25 allotted days and the procedural committee and we, in our discussions, tried to find a way in which Private Members' Business could be conducted on days allocated for opposition debate. Unfortunately, I regret and I am sure many Private Members regret that we were unable to work out a solution which would accommodate that worthy objective.

As well, the motion proposes to remove any appeal to the House on a Member's request for an emergency debate. There is a provision where an appeal can be made if a Speaker finds a prima facie case of emergency under Standing Order 29. We sense that that was somewhat repugnant in as far as it applies to the stature of the Speaker, and any challenge would constitute a challenge to the Speaker. Therefore, we have removed that.

If the Speaker rules and finds an emergency under Standing Order 29, the debate will proceed on the basis of his or her assessment. It is made clear that once the decision is made and the Speaker rules on it, the debate is on.

If there is a debate on Friday, it will continue for up to four hours as on other days and will remain open to an extension by Standing Order 9(4), as provided for in the current provisional rules.

We have agreed to loosen up the format requirements for the presentation of petitions, again as the procedure committee requested.

With respect to the business of supply, my opposition colleagues agreed with us that it would be appropriate to move some of the spring opposition days to the fall and winter supply periods in order to give more balance to the timing of those debates. I believe we all have recognized what we have gone through in the last month or so, with 13 opposition days compressed into a very short period. We tried to work out a more suitable arrangement to even out those days.

Therefore, included in this motion, is a provision to provide six allotted days in the fall, the supply period ending December 10; nine days during the winter months, the supply period ending March 26; and 10 days rather than 13 days in the spring supply period which ends June 23, for a total of the 25 allotted days as currently exists.

With respect to comprehensive responses to committee reports, I want to thank the Opposition for agreeing to the extension of 30 days for the time allowed for a comprehensive reply by the Government to a committee report. Currently, the time allowed for a comprehensive reply is 120 days. The Government requested 180 days and we negotiated a compromise of 150 days. I want to thank the Opposition House Leaders for their support and co-operation in that regard.

The motion also sets out the mechanism to give effect to the substantive, consequential changes to our current rules. As one can appreciate, this requires a lot of work and I want to thank, on behalf of all of us, the Clerk's Office, the people at the table and our own respective staff for their precise assistance in putting together the details of the motion.

These minor changes to the parliamentary reforms have been arrived at after some 15 months of experience and considerable consultation with all Members, particularly Members opposite. Members in various quarters of the House will know that we have extended, by special order, the expiry of these rules from December, 1986 to April 15, 1987, then again to May 29, and finally to June 5.

My hon. friend, the House Leader of the New Democratic Party, will know especially that the increasingly smaller extensions were made at his request and supported by my friend, the Liberal House Leader and myself, to in effect force us into doing the work and making the decisions to enable us to "fish or cut bait", as the expression goes. We believe that the time is appropriate to move, and I think there is a genuine desire to see that these provisional rules become formalized, fine-tuned, and modified to take into account the experience that we have gained over the last 15 months.

It must be pointed out that throughout there has been an extended and thorough consultative process. After the December extension last year, the House Leaders agreed that at the end of January our staffs would meet to review the rules, operations, and any changes that might be considered or proposed from various quarters. We also wanted to survey our caucus concerns and wait for the review and the report of the procedural committee which came down on April 7. By mid-March, we agreed to have an exchange of documents or positions, and they were examined and dealt with by April 1. On April 2, our staff met and proposals from our side were identified.

We then extended the reform rules expiry date from April 15 to May 29. By early May, I undertook to have all the Government's proposals shared for discussion among the three Parties' leadership and caucuses. The Opposition received the full written proposals on May 15 and the House Leaders' staffs were to meet to exchange and develop positions.

By the end of May, House Leaders were scheduling more frequent meetings to explore possibilities or concerns growing out of the Government's proposals. The time expired and we made a one-week extension from May 29 to June 5 to allow all caucuses to be fully apprised.

Last week we had meetings almost daily, and sometimes twice a day, in which there was a good deal of negotiation. I say to my colleagues that I believe everyone acted in good faith and that in those areas of disagreement, naturally the concerns are genuinely felt.

There were several areas in which agreement could not be reached in the original package that was presented to the opposition Parties for their consideration. However, many of those proposals were dropped. On the other hand, there were areas where we believe changes are necessary, notwithstanding the absence of agreement.

The motion before the House today provides for moving time allocation on Bills during Government Orders rather than under the routine proceeding called Motions. There was not full agreement worked out among the Parties of the House on this change, but we believe it is necessary in order to encourage the orderly disposition of the business of the House.

The proposal in today's motion to move the presentation of petitions down the sequence list daily, and to split Introduction of Bills into two separate routine proceedings—the first for Government Bills and the second for Private Members' Bills—and to provide that the first category will all be called each sitting day, is the best way we envisage overcoming the possibility of another procedural impasse of the sort we worked our way through last November on Bill C-22.

The Chair's rulings at that time, while a guide to the House, are not able to prevent a recurrence, given the way the routine proceedings work and the limited time we have for them each day.

As the Speaker and his predecessors have said, the rights of the Opposition to be able to delay by use of procedure, but chiefly by length of debate rather than repeated dilatory tactics, have to be balanced by the fundamental right of a government to be able to propose its business to the House.

• (1230)

If a government, despite its numbers in the House, is not able to introduce a Bill, subject to due notice period and subject to two possible recorded votes, before the clock runs out every day for Routine Proceedings, I submit that all Members will have abdicated their side of the balanced responsibility which is at the heart of the parliamentary system.

I quote the Speaker's own words in the ruling of April 14 on an impasse on the same difficult Bill:

Our procedures are being used for purposes for which they were never originally intended, and the public could be pardoned for believing that our rules have no logical basis at all.

The Chair continues:

Routine proceedings are an essential part of House business and if they are not protected the interests of the House and the public it serves are likely to suffer severely.

Furthermore, the Speaker said:

No procedures should be sanctioned which permit the House to be brought to a total standstill for an indefinite period. Division bells are no substitute for debate.

Finally, the Chair made a request of the House which I think goes to the substance of what we are trying to do here, and it was summarized as follows:

I would hope that the difficulties of the Speaker in this situation will encourage Hon. Members to reconsider the present rules with a view to making changes which would secure the sanctity of Routine Proceedings.

That is precisely what we have tried to do in this proposal. Our view is that for any Member to oppose the motion before us today would be for such a Member to sanction such questionable parliamentary conduct and the Chair has set out the choice just that starkly.

Our proposal will not restrict dilatory motions; quite the opposite. Such motions can still be used as a legitimate procedural tool to delay introduction of a Bill. However, the Bill will be introduced before that day is concluded. The debate may then begin, which is what we are all here to do.

These changes, I submit, are consistent with the spirit of parliamentary reform to make the House a more orderly, workable and effective institution. There are many Members of this House, on all sides, who have dedicated themselves to that purpose. I know the Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie), the Hon. Member for Ottawa—Vanier (Mr. Gauthier) and the House Leaders of the two respective Opposition Parties, as well as Members on this side, have on many occasions cast aside their partisan or political differences in order to work towards improving the rules and procedures of this institution because it is an institution of which we are all proud. It is an institution which brings us all together and really reflects all the dimensions of Canada.

We believe the rules which are proposed in the contents of this resolution maintain a good balance between the Government's ability to get its legislation through the House and the Opposition's ability to oppose it. The motion before us today in its timing and content attempts in a fair manner to pull as many things together as are important at this time and in these circumstances.

My hon. friend, the House Leader of the New Democratic Party, has kept pressing for a deadline to make the reforms permanent and today's motion does that. It makes the reform of Parliament permanent, the opposite of which will be the case if such a motion is not disposed of.

The motion implies we will defer until later this year a number of minor improvement changes recommended by sources in the House and sources supporting the House. Many of these proposals are under study by the procedural committee which has been preoccupied with other items and tasks with respect to redistribution and has not been able to devote the kind of attention to these proposals that it will once that business is disposed of. I expect those proposals will be made permanent as well when they come forward.

Other administrative issues are still before the Board of Internal Economy. The House Leaders have had many clerical improvements identified in their talks. We do not see them as difficulties but we did agree to hold off going ahead with them until the procedural committee has worked them all out.

Therefore, adoption of this motion is not the end of reform, but the guarantee of a solid permanent base with more to come. To reject this motion this week or later would be to jettison very many good, hard-earned things. I can strongly recommend this motion to the House. We are all ready to live by its terms as quickly as it calls for.

Notwithstanding the fact that there are some difficulties and differences of opinion, I am pleased to indicate to you, Madam Speaker, and to the House, that since this debate started, there have been discussions among all Parties to see during the course of the debate today whether in fact some of the outstanding issues may be resolved and worked out in such a manner that we could move this motion ahead on a positive and more unanimous basis. There are some outstanding issues which we are still prepared to negotiate. I understand there is the establishment of a bit of a *ad hoc* committee composed of representatives of all the Parties which will be meeting at one o'clock, and perhaps later on this day, to see whether in fact we can work out some of the difficulties and overcome some of the disagreements which may be inherent in this motion.

We stand willing as always to work in that sort of conciliatory, co-operative fashion. I hope that throughout the course of the day these particular problems might be resolved and that we can move this motion ahead with the unanimity and support which I believe the motion clearly deserves.

Hon. Herb Gray (Windsor West): Madam Speaker, when the Government House Leader began his speech, he said that the principle objective of the motion before us was the enshrinement, the making permanent, of the interim rules under which we are currently operating. If this were the case, we would not be having this debate. Unfortunately, this is not the case. There is a lot more in the motion before us than simply making permanent those portions of our rules which are here on an interim basis.

The Government wants permanent changes in the rules which were not in the interim rules and wants permanent changes which were not in the McGrath Report. It wants permanent changes which were not in the report of the committee on procedure which was tabled in this House only a few weeks ago.

The Government House Leader has described at some length changes in the rules described in his motion arrived at by consensus, by agreement, among the House Leaders of the

Parties in this House. It shows that the Opposition Parties have not simply been negative when it comes to further changes in the rules. They have not been obstructive when it comes to further changes in the rules, including changes to which the Government was favourable. However, the current Parliamentary Committee on Elections, Privileges and Procedure only reported in April, and it was only after that that we learned with certainty exactly what the Government wanted to achieve to suit its purposes on matters such as Routine Proceedings and time allocation and other issues as well.

• (1240)

The Government House Leader finally admitted in the concluding minutes of his speech that the Government is acting in the way it is with respect to Routine Proceedings and time allocation because of its unhappiness over the time taken by the House in the consideration of only one Bill out of many, Bill C-22, the Bill on prescription drugs. The time in question was certainly not excessive in view of the importance of the Bill to millions of Canadians. The time was certainly not excessive in view of the fact that the Bill is now law.

The Government is now in a position to move on to other elements of its legislative program, but it is not doing that. Instead it is taking the time of the House with this motion that flies in the face of our tradition of bringing about changes in our rules, a tradition that this is done by consensus and not by the Government attempting to force rules changes on the House with its majority.

Beginning in 1982 successive committees have had our rules and procedures under active consideration. As a result, both recommendations, as well as constructive non-partisan consultations by the House Leaders of all three Parties, a great deal of progress has been made toward making the House of Commons more modern and more effective as a democratic institution.

When I say "effective" I do not mean merely efficient. We have all come to accept that the House deals with the business that the government places before it. We in opposition may disagree with government measures. We may seek to alter or delay their proposals. But we recognize that the House, in the fullness of time, does deal with these measures, though this does not mean that we must ultimately, as opposition Parties, approve them.

In fact the record of this Parliament clearly demonstrates that we have been willing to deal with government legislation such as it is. We have opposed, generally vigorously, that legislation which we have considered bad. But the legislative record of this Parliament, in terms of its quantity at least, has not been, by comparison, bad.

Although we differ in our interpretation of the benefits to our country of the amount of legislation proposed by the Government, the governing Party, the Conservative Party, has already trumpeted exactly this fact in its own propaganda, its own information that it conveys to its supporters and to the country.

We do not believe that this Government has presented much in the way of good legislation. But it has been able to get a large quantity of its legislation—good, bad or indifferent—through the House. Therefore it can be said with certainty that this has not been an obstructive Parliament.

I referred to the need of the House to be an effective democratic institution because it is not here merely to serve as a mill for government legislation. Parliament is here to study, to present improvements and, at times, to oppose government legislation. But also one of the most important roles of Parliament, a role just as important as legislating, is to hold the Government to account. To accomplish this we have developed in Parliament an adversarial system. The principal responsibility to hold government to account is given to the Official Opposition. Obviously, that is the role of other opposition Parties as well.

Governments are in office because they hold a majority in the House. By virtue of that majority they can, and in the long run do, control most of the legislative business of Parliament. There are rules to assure this outcome. As I have already said, these rules have worked effectively to this end during this Parliament.

We must bear in mind that the rules are already overwhelmingly stacked in the Government's favour. The Government controls the agenda of Parliament. The Government has the power to limit debate. This Government especially does not shrink from doing so.

Also the Government—in the final analysis when it comes to information it has to be said—controls much of the information with which Parliament must attempt to work. However, along the way, in order to fulfil its function of holding the government majority to account, the opposing minority must have ample opportunity to criticize and to alert the public to government measures or actions that it deems to be hostile, contrary to the public interest.

This requires debate. Sometimes it requires delay. The rules of the House have been purposefully designed to this end. They are not devices for playful or blind partisanship. They exist to hold governments to account and to permit the public to have an ongoing say as to how it is governed.

In this Parliament we in the Opposition have used the instruments that the rules give us to enable the public to have time to become aware of and to have its say about government legislation. We have sometimes been more active in this than on other occasions. However, every time we have used the rules it has been for the democratic purposes for which they were designed. We may have, on occasion, vexed the Government and its supporters, but I suggest that has happened only when there have been either serious differences of opinion as to what is the best course for the country, or all too often on those occasions when the Government has breached or crossed the fine line from use to abuse of power.

I do not apologize for using the rules to express legitimate dissent when it comes to government legislation, policy, conduct, or to seek correction, generally of government misbehaviour, or to get time to say what is wrong with government legislation or to give to the public the time it needs to understand the implications of government proposals and to have its say about them. But what we have not done in this Parliament is simply to obstruct.

That is why I do not understand why the Government has chosen this time to act in a unilateral and arbitrary manner in an attempt to curtail even more the already severely limited devices by which the Opposition may act to hold the Government to account, to have some checks and balances in a system already strongly tilted toward the government of the day.

Early in this Parliament a special committee under the able chairmanship of the Hon. James McGrath took a long and, if I may say so, idealistic look at the way Parliament operates. The result was a comprehensive report recommending sweeping changes in our procedures. Some of us were skeptical about the value of every element, every part of the report. I confess that I was among the skeptics. Nevertheless, in what can only be described as a true leap of faith, we undertook to experiment with a new set of Standing Orders based on the report of the committee.

By and large those of us who were skeptics have really had our skepticism alleviated and softened because the rules, with some fine tuning here and there have, generally speaking, worked. We have now reached the stage where it makes sense to conclude the experiment and to give a final seal of approval to a generally sound system. Without question there is room for more fine tuning. But, I ask, is it not time to make these provisional Standing Orders permanent?

Insofar as fine tuning is concerned, the Standing Committee on Elections, Privileges and Procedure has taken a good look at the rules. As I have said, it made a useful, in fact an excellent, report in April on issues of some importance. I understand it is to make another report later this month on lesser issues.

I want to say that in this report the members of the committee did not find it necessary to recommend the changes the Government is trying to force through the House, in the motion before us, to Routine Proceedings or Government Notices of Motion. I submit that is the Government's real objective in the motion which we are debating today.

• (1250)

It was with a view to making the experimental rules permanent that the House Leaders of all Parties have been meeting for the last several weeks. We have discussed the rules in much detail and have reached the consensus, as the Government House Leader has reported, on a number of useful matters of a fine-tuning nature.

We agreed on some lesser changes about such things as the method of electing the Speaker, the taking of divisions, certain arrangements concerning Private Members' Business and committees, the system of dealing with the business of supply, the form of petitions and other matters that have come to our attention either through the Standing Committee report or by becoming obvious in the day-to-day operation of the House.

When I left for my constituency late last Friday afternoon I felt reasonably confident that we had almost worked out, by consensus, arrangements satisfactory to all Parties whereby the experimental rules could be made permanent with more fine tuning to be done in the future. It was, therefore, a considerable surprise to me to learn that the Deputy Prime Minister (Mr. Mazankowski) had given notice late on Friday of the motion we now have before us. We in the official Opposition cannot support this motion as it now reads. We believe that changes to our rules ought to be made in a spirit of consensus and, therefore, ought not include matters to which one or more of the Parties cannot reconcile themselves.

It may be argued by government speakers that there have been exceptions to this, but I submit that they have been very rare and have dealt with situations which have accumulated over months and years and not because of the Government's pique or irritation about not having its way as quickly as it wanted with one Bill.

We certainly cannot support the Government's unilateral, inexplicable and indefensible encroachment upon one of the principles of parliamentary reform since 1982, that being the fixed parliamentary calendar. The Government has made no case at all for any departure from our practice of adjourning on fixed dates including the adjournment at the end of June until after Labour Day. It was this Government that decided last August to end the parliamentary session and take an extra month off, the month of September. We in the Official Opposition objected to that action at that time. Since then the Government has set the parliamentary agenda and cannot, on the basis of the record of legislation dealt with, make a case of Opposition obstruction.

If the Government has mismanaged—and it has—its own agenda, it should not attempt to blame the rules or the Opposition in an effort to repair self-inflicted damage. We do not see before us any legislation that is so pressing that the rules of the House have to be altered. We certainly oppose this part of the proposal.

We are not talking about a routine step which existed before the rule changes in 1982 whereby at the end of every period of the year, especially before adjournments in the summer and at Christmas, we negotiated on whether or not we were to sit for longer periods. The change the Government wants to make to enable the House, at the Government's will, to sit after the end of June is as much a change in the rules as is any other part of the motion.

If the Government can force through a change in the foundation of the rules with regard to the parliamentary calendar through this motion, what will be next? Will it be Question Period? Will it be having three readings on Bills? Is the Government really signaling to us that it wants to tear

down the essential concept of serious and deliberate parliamentary consideration of legislation? Is it really signaling to us that it wants to sweep away the embarrassment it faces daily through that fundamental check and balance in our system, the daily Question Period?

We also oppose the Government's proposal to alter radically the method by which the House deals with its routine business. The Government seeks to justify this attack on one of the limited methods by which the Opposition may call public attention to the Government's legislation which it believes is harmful to the public interest, or to the Government's misbehaviour. It is doing so on the basis of one isolated incident regarding Bill C-22.

I recall that when the governing Party was in Opposition it used the same procedure involving Routine Proceedings when it was unhappy with the Bill of the Government of the day to change the system of freight rates, which we called the Crow Rate. In spite of that the Bill eventually passed, but the Government of the day did not rush into the House and attempt to change the rules on Routine Proceedings out of annoyance with the way the then Opposition, the Conservative Party which is now the Government, used the rules to get more time to consider and make the public understand the implications of the Crow Rate legislation.

The Government has given no explanation of why it has to operate differently all of a sudden. Perhaps the perspective of being temporarily on the Government side has a wonderful effect on judgment, but it certainly has not improved the judgment of the Conservative Government.

As I have said, the incident with regard to Bill C-22 was resolved in the Government's favour and has not been repeated. The usages which the Government seeks to end by modifying Routine Proceedings have been so rare that no one can justly refer to them as abuses. Similarly, I am astonished to see the proposed limitation of the length of the first speech in opposition to the third reading of a Bill. This, too, is a device which, while having been used on occasion, has not been abused. It is a particularly important device for registering differences of opinion on legislation, and, most important, because of the existence of the time allocation rules it cannot in itself derail a government program.

Indeed, this is of such insignificant bother to the Government, or should be, that the Deputy Prime Minister never once raised it in our House Leaders' discussions. We learned of the point for the first time when we read the motion which the Government tabled without giving notice late last Friday afternoon.

As I said earlier, the current rules of the House are stacked in favour of the Government. Even the most determined Opposition cannot, when the day is done, totally stop the Government from obtaining passage of its legislation unless, of course, public opinion is raised against it to such an extent that the Government itself cannot ignore it, as happened when the Government tried to cut the old age pension.

We can and on occasion must make the passage of legislation we deem to be objectionable in the public interest a difficult process, but in doing so we are carrying out a role essential in a democracy. We are ensuring that the views of the public are heard and, hopefully, considered by the Government. Similarly, when we perceive that the Government is acting contrary to the public interest we must have devices by which we can put pressure on the Government, or at least demonstrate to the public the Government's misconduct or lack of concern and consideration for the public interest.

May I call it one o'clock, Madam Speaker?

The Acting Speaker (Mrs. Champagne): I was just about to ask the Hon. Member for Windsor West (Mr. Gray) whether he wished to continue for a few minutes or wished to have the floor again at three o'clock.

It being one o'clock, I do now leave the Chair until two o'clock.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

ENVIRONMENTAL AFFAIRS

EFFECT OF FUTURE ENERGY DEVELOPMENTS ON ENVIRONMENT

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, the Brundtland Report on the Environment and Development says that energy is necessary for daily survival. Future development crucially depends upon its long-term availability in increasing quantities from sources which are dependable, safe, and environmentally sound. At present, no single source or mix of sources is at hand to meet this future need.

Choices must be made, but in the certain knowledge that choosing an energy strategy inevitably means choosing an environmental strategy.

Patterns and changes in energy used today are already dictating patterns well into the next century. The key elements of sustainability which must be reconciled are sufficient growth of energy supplies to meet demand needs; energy efficiency and conservation measures, such that waste of primary resources is minimized; public health, recognizing the problems of risks to safety inherent in energy sources; and protection of the biosphere and prevention of more localized forms of pollution.

RIGHT TO LIFE

SUPPORT URGED FOR MOTION TO PROTECT RIGHTS OF THE UNBORN

Mr. Bill Gottselig (Moose Jaw): Mr. Speaker, after many weeks of waiting I understand that the Private Member's Motion of my colleague, the Hon. Member for Grey—Simcoe (Mr. Mitges), will be voted upon this afternoon. This is a truly historical occasion, as Members of the House have not had the opportunity to vote on an item concerning the rights of the unborn child for many years.

Hundreds of thousands of pro-life Canadians will be watching the actions of all Hon. Members this afternoon. Voters have made their views known over the last several months by letters, telephone calls, petitions, and personal visits to Members of Parliament. There used to be a myth that standing up for the rights of the unborn child might be committing political suicide. The vote this afternoon will dispel that myth once and for all. Support for this motion from many areas of the country has been overwhelming.

Passage of the motion will allow the House to continue discussions on the legal rights of the unborn child. I urge all Hon. Members to be in the House this afternoon and to vote in favour of Motion M-37. It is literally time to stand up and be counted.

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HOUSE OF COMMONS

STANDING ORDERS—PROPOSED AMENDMENTS

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, as everyone knows, the Government has put down a motion in respect of changing the Standing Orders of the House. If no agreement regarding the motion can be arrived at sometime today, the motion will be passed unilaterally.

I bring to the attention of the House and the public that the last time the Standing Orders were changed unilaterally was in 1969 when the Liberal Government brought in the current time allocation provisions by the use of the old closure motion. I think the time before that when the Standing Orders were changed unilaterally was back to 1913 or something like that.

If this unilateral motion goes ahead, we will be looking at a very serious set-back for both the spirit and substance of parliamentary reform. I have been part and parcel of that reform process since the setting up of the Lefebvre committee in 1982. In the last five years we have seen a great deal of progress in Parliament. The Prime Minister (Mr. Mulroney) has been very good since 1984 in encouraging that process.

I would certainly hope that the Government will think twice—and I know that it is thinking twice—and will be open to suggestions, negotiation, and improvement, so that we will not be forced to spoil the spirit of parliamentary reform which has existed in this place in recent years by having a unilateral change in the Standing Orders imposed upon Parliament.

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HISTORIC EVENTS

ITALY—ANNIVERSARY OF REPLACEMENT OF MONARCHY

Mr. Bob Pennock (Etobicoke North): Mr. Speaker, today, June 2, is National Day in Italy. This special holiday commemorates the day in 1946 when the Italian people voted in a national referendum to replace the monarchy with a republic.

Since the Second World War, Canada and Italy have grown progressively closer in many respects and today enjoy a truly special relationship. This special relationship is largely the result of the many thousands of Italians who chose to make Canada their home.

Italian Canadians embody all the best that Canada has to offer. While maintaining and promoting their Italian heritage, they are fiercely Canadian and embrace with a vengeance all the country has to offer.

The Italian population in Canada have added greatly to the diversity and development of our country. Their entrepreneurial spirit is much the same as the first pioneers who settled Canada. Their continued drive and determination to succeed has benefited us all.

In April I had the opportunity to participate in bilateral discussions with Canadian and Italian representatives, which culminated in the signing of the Second Cultural Agreement.

I know all Canadians will join with me in celebrating Italy's National Day.

* * *

[*Translation*]

AWARDS AND DECORATIONS

TRIBUTE TO EIGHT CANADIAN AND QUEBEC AUTHORS

Mrs. Lucie Pépin (Outremont): Last week in Toronto, Mr. Speaker, eight Canadian and Quebec authors were honoured by Madam Jeanne Sauvé. The 1987 Governor General Award was presented by Madam Sauvé to Northrop Frye, Régine Robin, Alice Munro, Al Purdy, Sharon Pollock, Cécile Cloutier, Anne Legault and Yvon Rivard.

On behalf of all my colleagues, I extend to them our sincere congratulations. Among these seven award winners, Mrs. Legault and Mrs. Régine Robin are Montrealers, and Mr. Yvon Rivard lives in the City of Outremont. He is well-known in Montreal and Quebec literary circles and was singled out for this award for his third novel, *Les silences du corbeau*. His readers, both men and women, have come to acknowledge that his vast talents are reflected in his style, the poetry of his

language and his skillful use of the French language. *Les silences du corbeau* attests as well to the depth of the sentiments and ties which seem to bind the author and his main character.

Mr. Rivard and the other award winners do Canadians and Quebecers proud. They epitomize the quality of our culture. Again I congratulate them, especially Mr. Rivard who hails from the magnificent riding of Outremont.

* * *

THE ENVIRONMENT

MAJOR CONTRIBUTION OF QUÉBEC EAST

Mr. Marcel R. Tremblay (Québec East): Mr. Speaker, to promote the quality of the environment through information, education and research, the Government has designated the first week of June as "Environment Week" throughout Canada.

Mr. Speaker, let me single out the major contribution of two leading industries located in my riding of Québec East which did not skimp and invested millions of dollars to improve the quality of our environment. I am referring to Reed Company which, since 1981, has spent in excess of $40 million for water and atmospheric treatment by acquiring, among other things, a water purifier designed to clean sewage and eliminate toxic waste.

Thanks to a grant of $800,000 from the Conservative Government, the Québec Urban Community has invested more than $3 million over the past three years to improve air quality and fight pollution.

In conclusion, Mr. Speaker, I think it is fitting to mention the efforts made by my Government to reach a mutually satisfying acid rain agreement with the Americans who, of course, are doing irreparable damage to our agriculture and forests.

* * *

• (1405)

[*English*]

HOUSE OF COMMONS

STANDING ORDERS—PROPOSED AMENDMENTS

Mr. Rod Murphy (Churchill): Mr. Speaker, as was mentioned by my colleague, the Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie), today is the first time that the Government of this country has tried to change the Standing Orders since 1969 without the co-operation of the two opposition Parties.

In that previous debate one of the more eloquent Conservative speakers said it would be the rape of Parliament if the Government changed the Standing Orders of this place without the consultation and co-operation of the two opposition Parties.

We in both opposition Parties are negotiating, trying to have a package deal with the Government so that the Government's right to proceed is matched by the public's right to be informed on the legislation and to be involved in the discussions and debate of that legislation through the committee process. If we do not get that co-operation from the Government it sends a signal to the whole population of Canada that it is not part of the process and that parliamentary reform is dead.

* * *

TERRORISM

INTERNATIONAL MEETING ON MEASURES TO CURTAIL TERRORISM

Mr. John Oostrom (Willowdale): Mr. Speaker, last Thursday officials from Canada and the seven most industrialized countries, the United States, Britain, Italy, Japan, West Germany, France, as well as officials from Denmark and Belgium, met in Paris to discuss international terrorism. This was the first ever anti-terrorism summit to formalize co-operation between Governments in the fight against individuals who have no regard for human life.

If terrorism is to be eradicated from the face of this planet all nations must ensure that all available information on groups bent on overthrowing or undermining democratic countries or getting attention for some cause, be accessible.

Co-operation in Europe has already produced concrete results. France has managed to curtail Middle East terrorism while Italy has broken up the Red Brigades. Last week the French, acting on Italian intelligence, helped break up a network of the Red Brigades in Paris.

Now for the first time Canada, the United States and Japan will be part of this link to curtail terrorism. This is the only way to assure our citizens that individuals such as Francesco Piperno, a convicted Red Brigade terrorist seeking refugee asylum in Canada, will be immediately returned.

* * *

MUNICIPAL AFFAIRS

NEED FOR INFRASTRUCTURE IMPROVEMENTS

Mr. George Henderson (Egmont): Mr. Speaker, this week the Federation of Canadian Municipalities is holding its annual convention in Ottawa. In a recent statement the Federation said that "municipal infrastructure in Canada is in

crisis" and cited the need for greater intergovernmental co-operation to repair and maintain the roads, sewers and bridges in towns and cities across Canada. However, the Minister of Finance (Mr. Wilson) has chosen to ignore the Federation's recommendations.

This is a national problem, from coast to coast. For instance, in the community of East Royalty, P.E.I., the sewer system is in a disgraceful condition and threatens to become a serious health hazard. A proposal was made by the community council to repair the sewers by using the UI Job Creation Program. At least 40 jobs would have been created. However, the Department of Employment and Immigration rejected this proposal.

Despite his supposedly tough stand on waste disposal, the Minister of the Environment (Mr. McMillan) seems unconcerned by the dangerous situation in this community, which, indeed, is in his own riding. The people of East Royalty have been betrayed three times by the Conservative Government.

• (1410)

I urge the Ministers to reconsider their shameful disregard for public health and safety and to help these municipalities immediately.

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[*Translation*]

MINES AND MINING

GOVERNMENT'S CONTRIBUTION

Mr. Guy St. Julien (Abitibi): Mr. Speaker, on May 20, 1987, the Minister of State for Forestry and Mines (Mr. Merrithew) released a comprehensive policy designed by the Government of Canada to coordinate all federal measures dealing with metals and minerals.

The aim of this new policy, which provides for a flexible form of Government intervention to support the minerals and metals sector, is to promote the development of this industry as a basis for regional economic development and to assist workers and communities that have been affected by industrial restructuring.

While pursuing these objectives, the Government of Canada recognizes and respects the primacy of the provinces in managing their natural resources. Recognition of the need to work in co-operation with the provincial Governments is a fundamental principle of federal activity in the minerals and metals sector.

Mr. Speaker, that is what this Conservative Government is doing for Canada, for Quebec and for Abitibi and Témiscamingue.

S. O. 21

[*English*]

HOUSE OF COMMONS

STANDING ORDERS—PROPOSED AMENDMENTS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, the Speaker of the House of Commons and the institution of Parliament are to serve all Members of Parliament. The rules and regulations of Parliament are designed to serve all Members of all Parties and are not designed to serve only the Government and Progressive Conservative Party members. This is why opposition Members of the House of Commons are outraged today at the fact that the Government has decided to change the rules of Parliament unilaterally to suit its plans.

Parliament must not be made subservient to the Progressive Conservative Government. Parliament must continue to be responsible to the people of Canada. That is the parliamentary tradition we have grown to treasure, and we must defend it today by stopping the Government's unilateral and quite frankly dictatorial approach which is to ram changes to the rules of Parliament through Parliament by using its 210-Member majority.

The Government cannot blame its failures and its inadequacies on the rules of Parliament. The Government has clearly proven to the people of Canada that it cannot govern adequately and that it cannot conduct the business of government within the traditional parliamentary calendar. It therefore seeks to blame parliamentary rules for its abysmal failure.

The Government, with the largest parliamentary majority in Canadian history, cannot conduct the business of the House of Commons by following the time-proven practices of Parliament and therefore has been forced to stoop to the bully-boy tactic of forcing its will through Parliament. This is certainly a very dark day for the parliamentary traditions of Canada.

* * *

ENVIRONMENT WEEK

NEED FOR ACTION BY ALL CANADIANS—TRANSBOUNDARY POLLUTION

Mr. Stan Darling (Parry Sound—Muskoka): Mr. Speaker, we are in the midst of Environment Week and it must not be spent merely dusting off our nature books and counting four-leaf clovers. Environment Week should signify the need for action by all Canadians. Preserving our fragile environment must become our national sport.

As Chairman of the federal Special Committee on Acid Rain, I am attending the Canada-U.S. Interparliamentary Union Conference in Vancouver this weekend. It will afford a valuable opportunity to buttonhole American Congressmen to express Canada's dissatisfaction with transboundary pollution in North America.

While we in Canada are not without fault in polluting our own backyard, the U.S. should be made aware that we are in fact working hard toward acid rain abatement in our own country. It is up to this generation to fix the errors of its forefathers, so ensuing generations may enjoy life unencumbered by the ravages of sulphur dioxide and nitrogen oxide.

In this, the eleventh hour, we are learning that acid rain is threatening human health as it has already claimed many subspecies. Let us not become the lemmings of the 20th century. It is crucial that there be 52 environment weeks every year.

* * *

EXTERNAL AFFAIRS

U.S.S.R.—CALL FOR WITHDRAWAL FROM AFGHANISTAN

Mr. Gordon Taylor (Bow River): Mr. Speaker, are Canadians softening to the sweet talk of Mikhail Gorbachev? Remember the Helsinki Final Act of 1975 in which all adhering states, including Canada and the Soviets, pledged "to respect human rights and fundamental freedoms . . . "? Four years later the Soviet Communists invaded Afghanistan, ruthlessly killed women and men, and as the Canadian Ambassador told the United Nations "used butterfly-shaped bombs to kill children".

• (1415)

No thoughtful Canadian wants war and certainly not a nuclear war. But remember the people of Afghanistan did not want war either and the Hungarian people only wanted freedom when Communist tanks rolled in.

Unilateral disarmament does not work. It will be time enough to stop Cruise testing in Canada and to reduce our Army, Navy and Air Force after the Communists withdraw completely from Afghanistan and get out of Ukraine, Hungary and Poland.

It will be time enough to let down our defences and disarm NATO after Gorbachev denounces the Communist objective to rule the world. Until then let us keep our powder dry.

* * *

AIR CANADA

INTEREST RATE CHARGED ON CREDIT CARD TRANSACTIONS

Mr. Howard Crosby (Halifax West): Mr. Speaker, the Parliament of Canada was effective in pressing the chartered banks into reducing interest rates on credit card transactions. It is now time for the Government of Canada, particularly the Minister of Transport (Mr. Crosbie), to look at Crown corporations and their interest charges on credit transactions.

Air Canada, through its En Route credit card, has been charging 19 per cent and more for credit card transactions. First, it does not incur the expenses of financial institutions on credit card transactions, and second, it gets special consideration from the Government of Canada with respect to the use of the En Route card.

It is time for Parliament and the Government of Canada to make Crown corporations practise what the Government of Canada has been preaching. I call upon the Minister of Transport to investigate Air Canada, determine what interest rate it is charging, and put an end to onerous interest rates.

ORAL QUESTION PERIOD

[*Translation*]

THE CONSTITUTION

MEECH LAKE AGREEMENT—GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I have a question for the Deputy Prime Minister, in the absence of the Prime Minister. I carefully read the answers given by the Deputy Prime Minister yesterday on the subject of the procedure to be followed by Parliament once an agreement is concluded between the Prime Minister of Canada and his provincial counterparts.

The Deputy Prime Minister admitted that in 1982, amendments to the Constitution had been proposed by Parliament, but he did not say whether the Government would allow any amendments to the agreement expected to result from today's meeting. I therefore want to ask him very specifically: Will the existing precedents on constitutional matters be followed? Will it be possible to amend the accord or will the Government use its overwhelming majority in the House to block constructive amendments that would reflect the concerns of many Canadians?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I am not prepared to discuss details on something that is being negotiated at this very hour. Surely the Right Hon. Leader of the Opposition would accept that.

My answer is the same today as it was yesterday. We are hopeful an agreement will be concluded this afternoon. If that is the case, I will be prepared to sit down with the Right Hon. Member's seat-mate, his House Leader, and the NDP House Leader, to work out a satisfactory arrangement so this matter can be debated by Parliament in such a manner that all Members would have an opportunity to deal with this very important issue.

PRIME MINISTER'S STATEMENT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Deputy Prime Minister is confusing what is happening behind closed doors between the Prime Minister

and the Premiers. We are not asking about how it is going or what the substance is. We are asking him about the procedure to be followed if an agreement is reached. I want to refer to what the Prime Minister told the House of Commons on May 4 as reported at page 5689 of *Hansard*. When asked about parliamentary amendments to the Meech Lake Accord the Prime Minister said:

> —by and large, this is what we are going to bring forward into the House of Commons and this is what will be ratified by provincial Legislatures.

Which is the correct position? Does the Government have an open mind about amendments, as the Deputy Prime Minister seems to have suggested yesterday? Or does the Government have a closed mind and will use its huge majority to block any amendments to the Accord which may be presented in the House of Commons?

• (1420)

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, if there is any attempt to confuse the issue, it is coming from the Right Hon. Leader of the Opposition. That does not surprise me, given the signals that are coming from that Party. We are not sure where they really stand on the issue of constitutional reform or on this particular Accord.

I am glad that he quoted the Prime Minister. As I said yesterday, and as the Prime Minister has indicated from day one, this is a very important issue. We are open to full parliamentary debate on the issue. I am prepared to sit down with the House Leaders to work out a satisfactory resolution to that. I am sure it will be done in the interests of the Right Hon. Leader of the Opposition and of all other Hon. Members of the House of Commons.

NATURE OF DEBATE IN PARLIAMENT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, we are asking the Deputy Prime Minister a very clear question not only in his capacity as Deputy Prime Minister of this country but as Government House Leader.

We are not talking about the substance, we are simply asking the Deputy Prime Minister about the procedure. Constitutionally, this Parliament has the right to amend any accord. Politically, the Deputy Prime Minister and the Prime Minister, with their massive majority in the House of Commons, have the opportunity to block any reasonable amendment to the Meech Lake Accord.

Will we have a meaningful debate on the Accord, if it is successful, or is this going to be a charade? He can answer that question, if he has the authority to do so.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, that clear question has had a clear answer. I have responded to it before.

This issue was reported to the House on May 1. On May 11 we had a debate. We were prepared to extend the hours of debate and engage in a lengthy debate on the Monday when this matter was introduced. We were prepared to extend it for two or three days. Hon. Members opposite were really not interested and really wanted to limit it to one speaker per Party.

We invited them to participate because we wanted their views and their comments to be taken into consideration prior to the final drafting. We asked for their advice at that time, and I am sure we will do so again. The fact is that the process has not been clearly established, but I have expressed a clear willingness to work with my counterparts to establish a satisfactory process that would be in the interests of all Hon. Members of the House.

REQUEST FOR COMMITTEE HEARINGS

Hon. Bob Kaplan (York Centre): Mr. Speaker, we are asking about parliamentary debate, but we are also asking about committee hearings which give an opportunity to Canadian people to speak through the committees of Parliament.

Yesterday the Deputy Prime Minister refused to indicate whether or not there would be committee hearings. On May 26 in the Senate, Senator MacEachen asked the Government House Leader:

> Can I conclude from what the Leader of the Government has said that, in any event, there will be committee study, whether undertaken separately in each House or jointly?

The reply by the Senate Government Leader was:

> Yes, honourable senators.

Was the Government Leader in the Senate speaking for the Government when he said there would be committee hearings? Will there be committee hearings?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I must say that I find it strange that everyone is negotiating on behalf of the House Leader of the Liberal Party while he sits idly in his seat. I am not sure whether his job is under attack or whether he feels threatened, but one must wonder what is going on over there.

As I said before, I am sure the distinguished House Leader of the Liberal Party will be prepared to sit down with me, as will the Hon. House Leader of the New Democratic Party, to work out a satisfactory resolution. I certainly do not want to close off any option at this particular time.

POSSIBLE PASSAGE OF RESOLUTION BEFORE SUMMER RECESS

Hon. Bob Kaplan (York Centre): Mr. Speaker, I hope one option will be closed off. It is the option in the statement made by the Government Leader in the other place who said, on the same day:

> Let me state it as my personal opinion that I hope and believe that it will be possible for all legislatures to have passed these resolutions in their respective legislatures before the summer recess.

Does the Government seriously intend that this important change in Canada's Constitution be settled and concluded before the summer recess? Surely not.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, if the Hon. Member wants to make representations to his House Leader, as part and parcel of the negotiations that will take place, I suggest that he do it either in his caucus or through some other format rather than on the floor of the House of Commons.

* * *

• (1425)

MUNICIPAL AFFAIRS

UPGRADING OF INFRASTRUCTURES—GOVERNMENT'S REJECTION OF REQUEST FOR FUNDS

Mr. David Orlikow (Winnipeg North): Mr. Speaker, my question is directed to the Minister of the Environment. Can the Minister explain why his Government rejected so quickly the proposal by the Federation of Canadian Municipalities for upgrading public works such as sewer and water facilities in our cities—to be funded in its proposal by the three levels of government—especially in cities such as Halifax and Dartmouth in the Minister's own Atlantic region where 80 per cent of wastes are simply dumped into the surrounding harbour?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, the previous Government abolished the program which led to infrastructure spending in provincial jurisdiction. We are not resuscitating that program. I think the Hon. Member knows that the debt equity ratio of municipalities is about one-third of the federal Government's debt compared to its revenues. We are just not in a position to move further unless there is a particular federal purpose which makes sense.

GOVERNMENT POSITION

Mr. David Orlikow (Winnipeg North): Mr. Speaker, the Minister of the Environment suggested to the municipalities that they finance this by increasing their water bills. The President of the Federation of Canadian Municipalities pointed out this would cost $1,000 annually in water rates. In its submission to the Government, the FCM based its proposal on a study done by Informetrica, that any federal contribution would be recovered through increased taxation, lower unemployment insurance and social assistance costs on the 280,000 person-years of work which would be created. Why does the Government not pay some attention to that proposal by Informetrica?

Hon. Tom McMillan (Minister of the Environment): Mr. Speaker, I find it passing strange that the municipalities say they do not have the money to invest in water works at a time when they are charging their consumers one-half of what the Americans charge their consumers for water, and at a time when the Europeans are charging their consumers four times what Canadian municipalities are charging consumers for water. If the municipalities need revenues to invest in municipal works within their jurisdiction, not within federal jurisdiction, they might well be advised to seek revenue from that source.

COSTS OF UPGRADING

Mr. David Orlikow (Winnipeg North): Mr. Speaker, I wonder if the Minister would advise me how to answer a letter I received from the Mayor of Moncton, New Brunswick, who, to my knowledge, is not a New Democrat. He states, and I quote:

> Municipal infrastructure is the foundation upon which all economic activity is built. If our transportation, water and sewer systems fail, so also our economy will fail.

He points out that the proposal would only cost the federal Government $1 billion a year and would bring tremendous benefits by way of employment and improving the environment.

Hon. Tom McMillan (Minister of the Environment): Mr. Speaker, the amount the Federation of Canadian Municipalities attaches to the total cost of waterworks within provincial jurisdiction is $12 billion, not $1 billion. That is $12 billion which the federal Government does not have, nor do we have the jurisdiction. It is provincial jurisdiction, not federal jurisdiction. If the provinces want us to pay for works within their jurisdiction, are they going to offer to pay for works within our jurisdiction, for example, airports, national defence and other obligations we must meet with a deficit of about $30 billion left over from the previous Government?

* * *

THE CONSTITUTION

INCLUSION OF ABORIGINAL RIGHTS

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, my question is directed to the Deputy Prime Minister. In 1982 we recognized certain aboriginal rights in Section 25 and Section 35 of the Constitution and provided for three federal-provincial conferences to consider the entrenchment of Indian self-government. Would the Deputy Prime Minister assure us that nothing agreed upon today would derogate from those aboriginal rights in the Constitution and that aboriginal rights will be on the list of those matters to be considered in the second round? Would he assure the House of that?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I think the Hon. Member would share the view that this Government has worked very hard and very vigorously in trying to resolve that particular issue. With one member of the Canadian family left out of the constitutional framework, it has been very difficult

to deal with that issue. Naturally, we hope that the success of today will pave the way for success in considering the other very important matter which the Hon. Member has raised. I can assure the Hon. Member that we are as determined to address that issue today as we have been over the last two years.

• (1430)

CREATION OF NEW PROVINCES

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, that is hopeful. We will be giving close attention to whatever happens today.

The Northwest Territories and Yukon have asked that the unanimity rule for amendments not apply to the creation of new provinces. Surely the federal Government and the provinces can accept that request. Will the Minister confirm that? It is a simple enough matter.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I think the Hon. Member is aware of the fact that Yukon and the Northwest Territories have chosen to take legal action in this regard. I think it would be inappropriate for me to comment as a result of the action which is being taken.

* * *

TRADE

CANADA-UNITED STATES NEGOTIATIONS—EFFECT ON AMHERSTBURG

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, my question is for the Minister for International Trade. The largest employer in Amherstburg, a small town in my constituency, General Chemical Company of Canada has released a position paper on free trade in which it states: "—the tariffs on (its products) are vital to its survival". It warns that over 1,600 jobs will be lost by its "probable" need to close under free trade. This would be a human tragedy for a small town of 8,500 people. Is the Minister prepared to meet with company and town representatives and to listen to their very strong representations about how free trade would hurt the town of Amherstburg?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I will certainly take the Hon. Member's suggestion into account. But I must point out that the whole history of Canada has shown that as tariff barriers come down jobs grow and Canadian companies thrive. It is only when the barriers are erected that Canadian companies have trouble.

I think that the Hon. Member's constituents should be reassured by the performance of Canadians generally and Canadian companies which are world-class competitors among the world's largest trading nations.

EMPLOYMENT

COMMUNITY FUTURES PROGRAM

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, the details of this case are documented in black and white in a company document which makes it clear that its survival as a company and the 1,600 jobs involved are very much at stake.

I ask the Minister of Employment and Immigration to immediately start negotiations, discussions, with town and company officials to make Amherstburg eligible for the Community Futures Program of his Ministry so that this immense human problem can be avoided.

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, since the New Democratic Party has not really looked upon the Jobs Strategy as a valid one, I am surprised that the Hon. Member is suggesting this way of including that industry in the program. However, our criteria are fair and equitable, and since we look at all the applications we receive across the country, if the community in question meets those criteria, its application will be taken into consideration.

* * *

[*English*]

THE CONSTITUTION

MEECH LAKE ACCORD—PROCESS OF RATIFICATION

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, my question is for the Deputy Prime Minister. Again today the Deputy Prime Minister has refused to answer a very basic question with regard to the constitutional Accord. When the Leader of the Opposition asked him whether the House will have the fundamental right to amend the legal text the Minister's answer was, and I repeat: "We are ready to negotiate this with House Leaders of Parties".

The following question begs to be asked. Will the Government now say clearly that Parliament will enjoy its traditional right, or will it admit that what it wants to do is use its huge majority to steamroll the text of the Accord through the House as a *fait accompli*? What is it that the Government wants to do?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the Hon. Member is simply whistling in the dark. The answer to his question is the same as it was earlier today and the same as it was yesterday.

[*Translation*]

AMENDING CONSTITUTIONAL TEXT—CITIZENS' RIGHTS—GOVERNMENT POSITION

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, I'll say where we stand, we of the Opposition. We are not

about to negotiate the rights of citizens to come and be heard before a committee. That is an inalienable right. We are not about to negotiate the right of Canadians to amend the text that is tabled in the House through their Members. That is a fundamental right.

Where does the Government stand on the issue? Will the rights of Canadians be protected? Or does the Government want to use steamroller tactics and get this agreement through the House as is, at any cost? It has a choice, and now I want to know what that choice is.

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, while the Hon. Member may not have confidence in the ability of his House Leader to negotiate something that is fair, reasonable, and protective of the rights of members of the Liberal Party, I can assure him that I have confidence in his ability to do that. Why does the Hon. Member not allow his House Leader to take up that challenge? I am sure he will be pleasantly surprised when he sees the final result.

* * *

VISIBLE MINORITIES

INTERNMENT OF JAPANESE CANADIANS DURING WORLD WAR II—COMPENSATION ISSUE

Mr. Ernie Epp (Thunder Bay—Nipigon): Mr. Speaker, my question is for the Minister responsible for multiculturalism. The Minister is responsible for the redress Japanese-Canadians were promised by the Prime Minister in June of 1984. However, as offered in a number of meetings, it is no more than a community fund of $12 million, ignoring non-monetary items. Does the Minister believe that compensation equal to 48 cents per Canadian citizen can possibly represent a fair compensation to Japanese-Canadians whose lives were disrupted and who lost all their property during and after the Second World War?

Hon. David Crombie (Secretary of State of Canada): Mr. Speaker, the Government's position on this matter was, of course, outlined in a letter to the National Association of Japanese Canadians. The Hon. Member has a copy of that letter.

I have since met with the association. We have agreed that we will continue to meet over the next couple of weeks. At that time we will discuss all the issues to see if there is any common ground.

MINISTER'S POSITION

Mr. Ernie Epp (Thunder Bay—Nipigon): Mr. Speaker, has the Minister considered the precedent of the federal Government's UFFI compensation program under which 53,091 individuals received some $225 million to rectify a mistake the Government made in its insulation program before ruling out individual compensation as part of the Japanese-Canadian redress package?

Hon. David Crombie (Secretary of State of Canada): Mr. Speaker, throughout the 20 to 25 meetings I have held over the last months on this issue there have been a number of historical analogies raised with respect to injustices experienced by other Canadians at other times. The Hon. Member raises for the first time an analogy with respect to urea formaldehyde foam insulation. I suppose, off the top of my head, I would have to say that it is probably inappropriate. If he would like to write me a letter on the matter, I am willing to give it further consideration.

ACKNOWLEDGEMENT OF INJUSTICES—AMENDMENT OF WAR MEASURES ACT

Mr. Alan Redway (York East): Mr. Speaker, my question is a supplementary one to the Minister responsible for multiculturalism. Will the Minister advise the House and the Canadian people if, notwithstanding the lack of a settlement with respect to the question of compensation to Japanese Canadians, he and the Government will proceed with an apology to Japanese Canadians and with changes to the War Measures Act?

• (1440)

Hon. David Crombie (Secretary of State): Mr. Speaker, that is a good question and it was raised the other day in my meeting with the National Association. We have agreed upon non-monetary items, the most important two of which are the acknowledgment of the injustice and the changing of the War Measures Act in order that the injustices will not recur. I was willing to proceed with those. We are proceeding with regard to the War Measures Act because there are other Ministries concerned with changes to the War Measures Act.

With regard to the acknowledgment of the injustices, or the apology as the Hon. Member refers to it, I have indicated that I was willing to proceed with that but I have been asked by the National Association of Japanese Canadians not to proceed with the apology or acknowledgment.

* * *

GOVERNMENT ADVERTISING

AWARDING OF CONTRACTS

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, my question is directed to the Deputy Prime Minister and pertains to the Prime Minister's buddy and campaign co-worker, Roger Nantel, who has been receiving approximately $4,250 a day for each of the 1,000 days since the last election or, if you prefer, $4.25 million in advertising contracts without public tender.

Does the Deputy Prime Minister not agree with me that this is a very expensive price to pay for putting the friends of the

Prime Minister at the public trough, even if they were good campaign workers? Is this another case of a friend in greed being a friend indeed?

[*Translation*]

Hon. Monique Vézina (Minister of Supply and Services): Mr. Speaker, I should like first of all to clarify the situation. Roger Nantel and Nantel Communications are not registered with our Department of Supply and Services, therefore, they have never been awarded advertising contracts. We have awarded contracts to Media Canada Inc., which is a firm devoted to placing ads in various media. Mr. Speaker, could anybody blame the Government for following the normal process and obtaining the best value for its dollars? That is what we got from Media Canada Inc.

AWARDING OF ADVERTISING CONTRACTS—HOLDING OF PUBLIC HEARINGS BY PARLIAMENTARY COMMITTEE—GOVERNMENT POSITION

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I have a whole file of contracts awarded to Mr. Nantel and his companies. It is clear that being a friend of the Prime Minister can be a rewarding experience. Is the Prime Minister or the Deputy Prime Minister prepared to authorize immediately the holding of public hearings by a Parliamentary committee to bring about a more equitable distribution of advertising contracts instead of having them awarded to "pals" of the party in power?

Hon. Monique Vézina (Minister of Supply and Services): Mr. Speaker, I have just explained that Media Canada Inc. is not an advertising agency but a firm devoted to placing ads in various media. The Liberal Government had such arrangements itself. Media Canada Inc. is a decentralized organization, and we get the job done at a lower cost than with the agency chosen by the previous administration. Can anybody blame us for carrying out a decentralization and getting the best value for our money?

* * *

[*English*]

EXTERNAL AFFAIRS

VIOLENCE IN SRI LANKA

Mr. David Kilgour (Edmonton—Strathcona): Mr. Speaker, I have a question for the Secretary of State for External Affairs. Approximately 2,000 Canadians of Sri Lankan origin demonstrated outside this building earlier today. Will the Minister tell us what information he has obtained from Colombo and whether Canada will be prepared to perform a mediation role if invited to do so?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, we have not been invited to perform a mediation role. It would be inappropriate for me to comment on an invitation we have not received. We are deeply troubled by the continuing violence in Sri Lanka, and in particular by the killing of some 29 Buddhist priests. We hope both parties will agree to return to negotiations that have been disrupted and which were based on proposals made on December 19.

I expect that the Hon. Member, who has taken an interest in these questions for a long time, had an opportunity to meet with interested Canadians and others who were demonstrating today. I would welcome hearing from him directly any recommendations he may want to bring to my attention.

* * *

CANADA POST CORPORATION

SERVICE TO BUSINESS COMMUNITY

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, my question is for the Minister responsible for the Post Office. I am sure he is aware that in places like Winnipeg, Manitoba; London, Ontario; and Hamilton, Ontario the Post Office is cutting back on service to the business community. Instead of delivering mail, as it has up until now, twice a day in the downtown business districts, delivery has been reduced to once a day.

Is the Minister prepared to intervene to restore this service, or is this just a natural consequence of his orders to the Post Office to eliminate its deficit and not be involved in any revenue-generating activities?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, when the Canada Post Corporation was formed as a Crown corporation in 1981 with the agreement of all Parties in the House it was for the purpose of eliminating political interference so that we would not have situations of Ministers interfering to do this or that according to the political exigencies of the day. I think that is a good policy and it is a policy that I am following.

My recollection of the conclusions of the Marchment Committee Report is that the most important thing that people wanted was assurance that the mail would be delivered on time. The Post Office is working toward that goal and is making some progress. As I have pointed out in the House before, independent auditors will report to this House and the country once every three months on how well the Post Office is succeeding.

Mr. Keeper: Mr. Speaker, I wonder whether the Minister recognizes the difference between political interference and his responsibility to provide policy direction for the Post Office.

BUSINESS COMMUNITY PETITIONS

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, the Minister should know that not only do people want their mail delivered on time, they want good service. We have begun to receive petitions which indicate quite clearly that the

business community is fed up. People living in Winnipeg and Hamilton want service. They are fed up with the cost of postage going up at the same time as mail service is declining.

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, as I have indicated, the information I have is that postal service is in fact getting better. We will have independent third-party auditors. I do not know what system the Hon. Member would prefer to that. Independent third-party auditors will report to the House on a quarterly basis on the level of service. Wild accusations about what is happening serve no useful purpose, as I believe the Hon. Member knows.

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FEDERAL-PROVINCIAL AFFAIRS

NEGOTIATION OF HIGHWAYS AGREEMENT WITH PROVINCE OF NOVA SCOTIA

Mr. Lawrence I. O'Neil (Cape Breton Highlands—Canso): Mr. Speaker, my question is for the Minister of Transport. The Minister is aware of the interest in Nova Scotia in the new highways agreement between the Government of Canada and the Province of Nova Scotia. Can the Minister give us a status report on the negotiations with the Province of Nova Scotia?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, there have been such negotiations. I believe I will be in a position to announce something in that direction before too many suns go down. I know of the Hon. Member's intense interest in this subject and in particular in the roads in his own area. He has made my life, in that connection, a nightmare during the last several months.

* * *

[*Translation*]

OFFICIAL LANGUAGES ACT

GOVERNMENT'S ALLEGED FEAR OF BACKLASH IN WEST—REQUEST FOR CLARIFICATION

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, my question is directed to the Minister responsible for official languages. I wonder if . . . Perhaps the Deputy Prime Minister could reply. The tabling of amendments to the Official Languages Act has been delayed once more. We have been waiting for them for two and a half years. According to Senator Lowell Murray, the introduction of the Bill has been deferred until next fall. Mr. Murray has told us that this delay is the result of the fear the Government has of a backlash from Western Canada following the Meech Lake Constitutional Accord.

Could the Minister or Ministers involved indicate to us why the Government fears such an adverse reaction from Western Canada about our official languages?

[*English*]

Hon. David Crombie (Secretary of State): Mr. Speaker, the process of consultation and revision with regard to the Official Languages Act continues. I met last Sunday with Alliance Québec. I am meeting in the coming week in Thunder Bay with the Fédération francophone du Québec. That process will continue. The Government is very interested in and concerned about bringing the Bill in. As I said, the process continues.

[*Translation*]

ALLEGATIONS CONCERNING ACT—GOVERNMENT POSITION

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, we have been waiting for three years already. I believe that the Bill is ready to be introduced. I am concerned about the backlash from Western Canada, because newspapers have been referring to the linguistic plan of the Department of Energy, Mines and Resources as a "program for apartheid". What is worse, the Hon. Member for Calgary has been referring to it as "outright discrimination". The Minister of Energy, Mines and Resources himself has been described as the "Canadian Peter Botha", emphasizing "racist programs" and so on. I ask the Government, which is doing nothing to deny these allegations, to stand up and say where it stands, to defend the Official Languages Act and to introduce this Bill in the House for us to study. Who is right, the Hon. Member for Calgary or the Government, which is doing nothing?

• (1450)

[*English*]

Hon. David Crombie (Secretary of State of Canada): Mr. Speaker, there is no backlash which I have experienced at all. I think the Hon. Member should be a little careful before he raises those kinds of questions in the House.

I might say, as well, that I spoke with Alliance Quebec and all its representatives last weekend. The Anglophones in Quebec are very supportive of the Bill. This is also true with the Francophone communities outside Quebec.

I can tell the Hon. Member and all Members who have an interest in this matter that we will proceed with the appropriate consultation and do it right. I agree with him that we have been waiting for three years. We have been waiting longer than that. It was this Government which at least had the gumption to take on the task.

HARBOURS AND PORTS

MAINTENANCE OF SMALL CRAFT HARBOURS—FEDERAL FUNDING

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, my question is for the Minister of Transport. Last week the Minister announced that there would be $270,000 spent to extend the breakwater at Torbay, Newfoundland. There is no doubt that the work was needed, because small craft harbours are a disgrace all across Canada, and particularly in Newfoundland.

Since the Minister seems to be having more success in getting money for small craft harbours than the Minister of Fisheries, will he add his support to getting the funding proposal for small craft harbours through Cabinet where it has been stalled for at least three months?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, this will be bad news for the hon. gentleman, but the small craft harbours proposal has been dealt with in a very positive manner. At the appropriate time and place it will be announced. It will be announced in more than one place. It will be announced in place upon place, harbour upon harbour. Across this great Dominion there will be announcements about the small craft harbours program.

As a matter of fact, tomorrow I intend to announce that $900,000 will be spent to repair the main breakwater at St. Bride's, Newfoundland, in the district of St. John's West, which was badly damaged by storms during the past winter. It is just the first of many such announcements.

Some Hon. Members: Hear, hear!

Mr. Manly: Mr. Speaker, we appreciate those announcements. I hope the Government does not have to spend more money on public relations than it is to spend on the harbours themselves.

AMOUNT OF FUNDING

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, departmental officials have said that unless the funding is upgraded from $48.5 million, which it is now, to $120 million per year, 150 small craft harbours will be closed across Canada in the next five years, 47 of them in Newfoundland alone.

Can the Minister assure the House and communities across Canada that there will be adequate funding so that all small craft harbours will be maintained and the communities will not lose their harbour facilities?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, it gives me great pleasure to have the opportunity to thank and to congratulate my colleague, the Minister of Fisheries and Oceans, who is not here today and who is too shy and unassuming to take any credit for the tremendous work he has done on behalf of fishermen, ports, harbours, and facilities in the country.

I can promise the hon. gentleman that, without any assistance from him whatsoever, there will be a fine program of improving harbours and fishery facilities across the country.

The hon. gentleman is no better informed than his candidate in St. John's East who appeared before a Senate committee the other day and did not know that $40 million was to be spent on drug research at Memorial University in Newfoundland when our new legislation passes the House. He is just as well informed as his candidate who is going down to ignominious defeat in that district.

* * *

[*Translation*]

REGIONAL INDUSTRIAL EXPANSION

ANNOUNCEMENT OF CLOSURE OF A GM CENTRE IN MONTREAL—GOVERNMENT POSITION

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, my question is directed to the Minister of Regional Industrial Expansion. On March 31, 1987, the Canadian Government and the Quebec Government made a $220 million loan, interest-free over thirty years, to General Motors Corporation. That $600 million gift over 30 years was made under the proviso there would be no loss of jobs at GM in Quebec. This morning, it was announced that GM Corporation will close its truck centre in Montreal, a loss of 131 jobs in Montreal. What is the Government prepared to do to prevent the shutdown of that GM truck centre in Montreal and to protect the 131 jobs that have been there for 25 years as well as the families of the employees involved?

Hon. Michel Côté (Minister of Regional Industrial Expansion): Mr. Speaker, the Hon. Member is fully aware no doubt that some industries, especially the automotive industry, are facing difficulties of international competition, for which reason rationalization decisions must be taken such as in the case unfortunately of GM in Sainte-Thérèse. I have assured the Corporation and I would like to assure the Hon. Member of our concern in this matter and our intention to look carefully at how the Government can help again those workers. Again I would like to stress, Mr. Speaker, that since September 1984 this Government created numerous opportunities, and I think our overall assistance to General Motors in Sainte-Thérèse points to this Government's concern not only for maintaining jobs but also for creating new opportunities, not only in Quebec but across Canada.

INDUSTRIAL DEVELOPMENT OF REGIONS—GOVERNMENT POLICY

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, certainly with those $220 million, interest-free loans

over 30 years the small business sector would have created more jobs than that.

Here is my question, and I would like to know if the Minister can give a yes or no answer. Is the shutdown of that truck centre caused by the opening of a Volvo-GM Heavy Truck Company plant in the United States? Are our Canadian jobs going down to the United States? Is that this Government's free trade policy?

Hon. Michel Côté (Minister of Regional Industrial Expansion): Absolutely not, Mr. Speaker. I think indeed that our effort in the case of GM's Sainte-Thérèse plant, a $110 million assistance, not only as I said maintained existing jobs but also helped increase certain jobs in Quebec, in Ontario and in each of the regions especially in the regions involved, at GM in Sainte-Thérèse. There again one of the regions where Government help was needed to build the industrial base that is essential to their economic welfare.

* * *

[*English*]

HUMAN RIGHTS

EL SALVADOR—UNION WORKERS FIRED UPON BY MILITARY

Mr. Dan Heap (Spadina): Mr. Speaker, my question is for the Secretary of State for External Affairs. Last Thursday, according to telephone reports, in El Salvador the United Workers of El Salvador were demonstrating peacefully for the release of hundreds of political prisoners illegally held in Mariona Prison, when the military opened fire on them, seriously wounding Julio Portillo, the Secretary-General of the union, in the back.

I would ask the Minister whether he will request the Duarte Government to account for this violence and for the growing attacks during the last few months by the Duarte Government against trade unionists.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, once again the Hon. Member has brought to my attention on the floor of the House information I did not previously have. I will look into the matter and will report back to him.

I can report to him, with regard to the question he raised the other day, that my officials here had no information in Ottawa in respect of Antonio Hernandez. We have requested our Embassy in San José to make inquiries. I will advise the Hon. Member of the results of those inquiries as soon as I receive them.

Mr. Heap: I thank the Minister for the information on the previous request. The request I have just given was sent yesterday to the Minister's office, but perhaps it has not arrived yet.

An Hon. Member: Did you send it through the Post Office?

Mr. Heap: No, it was sent from my office to the Minister's office, not by way of Alberta or any of the loons out there.

Some Hon. Members: Oh, oh!

Mr. Heap: Mr. Speaker—

An Hon. Member: That is good for the NDP!

Mr. Andre: Ray Martin says thank you.

Mr. Speaker: The Hon. Member.

An Hon. Member: He was referring to Tory MPs.

Mr. Heap: Mr. Speaker, my reference was only to members of Alberta who are present in this House.

Some Hon. Members: Too late.

Mr. Heap: I would like to ask the Minister further—

An Hon. Member: Keep it up; you are doing well.

Ms. Copps: What about the NDP MLAs in Alberta?

Mr. Speaker: Perhaps the Hon. Member could get straight to the question.

• (1500)

BOMBING OF OSCAR ROMERO COMMITTEE OFFICE

Mr. Dan Heap (Spadina): Mr. Speaker, will the Minister inquire about the bombing on the same day last Thursday of the office of the Oscar Romero Committee of Mothers for the Detained and Disappeared with the wounding of two mothers, the destruction of all their files, and the threat made the next day by the Minister of National Defence to break up their weekly peaceful marches asking for news of their husbands, brothers and sons who have disappeared?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I will make that inquiry and I would hope that the Hon. Member will demonstrate in this House some of the moderation that his Party sometimes proposes to others of us.

I should say to him, just as I will pursue those inquiries so will I ensure that his reference to myself and the other residents of Alberta are not lost upon the electorate and the public of Alberta.

Some Hon. Members: Hear, hear!

NATIONAL PARKS

EXPANSION OF PARKS SYSTEM

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, my question is for the Minister of the Environment. We are disappointed that the release today of the report by the Task Force on Park Establishment was not accompanied by a statement in the House by the Minister, considering that the establishment of future national parks is a matter of great importance because of the potential that if offers to future generations of Canadians, especially as this is Environment Week.

Briefly, since the Minister received this report in November last year, does he now have a long-term plan for expanding the national parks system for the benefit and the enjoyment of future generations of Canadians?

Hon. Tom McMillan (Minister of the Environment): Yes, Mr. Speaker. I think it is something akin to a disgrace if not a scandal that over the years when the Liberal Party was in power this great country of ours, which borders on three oceans, did not have a single marine park. For the first time in our history, thanks to the present Government, we have a national marine park policy, which I released last summer.

Concerning terrestrial parks, we are working very hard, for example, with the Government of B.C. on the establishment of a national park on the Queen Charlotte Islands at South Moresby. We are accelerating negotiations with Saskatchewan for a Grasslands national park, and our other priorities include the establishment of a national park in the Bruce Peninsula in Ontario. Those are among our priorities in the context of our total commitment to complete as best we can, within our own mandate, the entire national parks system, which is only half completed.

Mr. Caccia: Mr. Speaker, the Minister is rewriting history on marine parks because, if he knew his facts properly, he would know that the foundations for a national marine park system were laid by the previous Liberal Government.

FUNDS FOR ESTABLISHING NEW PARKS

Hon. Chas. L. Caccia (Davenport): The question I would like to pursue, Mr. Speaker, is one that relates to a recommendation in this report, namely, that Canadians be asked to reach deep into their pockets, in addition to paying taxes, and make donations to the Government of Canada to acquire future parks. Considering the fact his colleagues are willing to dole out $5 billion for nuclear submarines, why can the Government of Canada not fund the future network of parks by drawing that money from present revenues, namely, general revenue, that the Government of Canada receives from the average taxpayer?

Hon. Tom McMillan (Minister of the Environment): Mr. Speaker, this Government, for example, established with the Government of the Northwest Territories the framework for a national park at Ellesmere Island. That park was funded, and will be funded, entirely from the general revenues of the Crown. We intend to do the same thing with the Bruce, with Grasslands and with the other priorities that I have identified.

Mr. Speaker: I should advise Hon. Members that I have a question of privilege from the Hon. Member for Hamilton East.

* * *

PRIVILEGE

ALLEGED USE OF DENIGRATORY WORD

Ms. Sheila Copps (Hamilton East): Mr. Speaker, I have a question of privilege arising from Question Period. You no doubt heard the comments of the Hon. Member for Spadina (Mr. Heap) which are a denigration of the postal workers in Alberta. Certainly as Members of Parliament on this side of the House we do not dump on people who are delivering the mail by calling them goons. In fact we believe the Member should withdraw, should apologize to this House and should also apologize to the postal workers in Alberta, and to all Albertans.

Mr. Dan Heap (Spadina): Mr. Speaker, under the circumstances, considering the hearing difficulties of the Hon. Member who has just spoken, I am glad to have a chance to clear up what was said.

Having received an interruption from one of the Hon. Members from Alberta distracting the question away from El Salvador to Nicaragua, I said that I had not sent the information by any "loons"—not goons, "loons"—from Alberta and then explained that I was referring to those Albertans who are in this House.

Some Hon. Members: Oh, oh!

Mr. Heap: There was no reference to postal workers, and I wish the Member for Hamilton East (Ms. Copps) would wash her ears.

Some Hon. Members: Oh, oh!

Mr. John Nunziata (York South—Weston): Mr. Speaker, I am sure the "blues" will show whether the Hon. Member for Spadina (Mr. Heap) referred to Albertans as loons or goons. In any event, regardless of what phrase was used by the Hon. Member, it was used in an extremely derogatory fashion. One would expect, whether Albertans were called loons or goons, that an apology should be forthcoming.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, as a Member of Parliament for Alberta, I would say that we have had some strange defenders before—

Some Hon. Members: Oh, oh!

Mr. Clark (Yellowhead): —but I am prepared to let the record stand, because we have an indication of the view of the people of Alberta by a spokesman of the New Democratic Party.

Mr. Alex Kindy (Calgary East): Mr. Speaker, sitting quite close to the Member from the New Democratic Party I could hear exactly what he said. He called the people of Alberta "loons". I have a point of privilege here. It is not appropriate for a Member of the NDP to describe the people of Alberta in that way.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, as someone who was born—

Mr. Crosbie: Thank God for that.

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

Mr. Speaker: If we all try very hard we may be able to improve this exchange. The Hon. Member.

Mr. Riis: I hope there was no question about that fact, Mr. Speaker.

As an Albertan by birth, I want to make it perfectly clear that in spite of some of the fun that some Members have had in terms of whether certain unparliamentary words were used to refer to a single Member in the House who was interjecting and interrupting during Question Period—

Some Hon. Members: No.

Mr. Riis: —I want to make it perfectly clear that the Hon. Member for Spadina (Mr. Heap) was referring to a single Member of Parliament—

Mr. McDermid: Sneaky.

Mr. Riis: —who was not behaving in a particularly parliamentary fashion by doing what everybody in the Conservative Party is now doing, that is, yelling and screaming, to interrupt the person speaking at the moment.

Mr. Heap: Mr. Speaker, I will admit that I did not realize what would flow from this. Certainly I did not think that any question would be raised as to whether the Hon. Member for Kamloops (Mr. Riis) was born or brought by another kind of bird than the one I mentioned.

Therefore, I request the permission of yourself and the House to withdraw entirely the reference to loons from anywhere whatever.

• (1510)

Mr. Speaker: I thank the Hon. Member and other Hon. Members. I am sure no offence was meant against any particular species of bird.

POINT OF ORDER

CORRECTION TO ANSWER DURING QUESTION PERIOD

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, I rise on a point of order. I would just like to correct the record for yesterday. As reported in *Hansard* at page 6592, I answered a question. It is not the fault of the *Hansard* reporter, but it is an important answer so I just want to correct it. The sentence reads:

> The power of nations, their circumference, nothing matters to us—we will see that the law is administered to them—

There should be a full stop after the word "them". Then it should read: "In the disputed area we have to abide by international custom, by international law". The answer does not make sense as it now stands. Since I always make sense, I want to have the record attest to the fact that what I said was sensible.

Mr. John Nunziata (York South—Weston): Mr. Speaker, I seek some direction from the Chair. The Hon. Member would have had an opportunity yesterday, upon receipt of his "blues", to send the "blues" back to the *Hansard* people to correct the record. I would suggest that it is inappropriate for him to raise the matter today in order to try to clarify the record. To allow that to happen would set a dangerous precedent for lazy Members who do not read their "blues" and do not send their "blues" back for corrections. I would ask the Hon. Member from Newfoundland to start reading his "blues" and acting a little more responsibly.

Hon. Herb Gray (Windsor West): Mr. Speaker, with your permission, may I make a comment on this point of order? The House would want to seek your guidance on the approach taken by the Minister of Transport (Mr. Crosbie). I understood him to say that he wished to rise to correct the record of *Hansard* because the answer he gave did not make any sense. I would like to ask you if it is appropriate to correct answers in *Hansard* if, as an afterthought, the Hon. Member who used the words decides that the words in question do not make any sense. This may be very useful for the Minister of Transport in particular, but I wonder if this is an appropriate reason to correct *Hansard*.

Mr. Speaker: I suppose the only helpful thing the Chair can say is that it shows some good sense to want to correct the record rather than to leave it as it is.

With respect to the practice to which the Hon. Member for York South—Weston (Mr. Nunziata) referred, it has not been unusual in the past for an Hon. Member to rise the next day to make the correction, but the Hon. Member for York South—Weston, of course, is completely right. All Hon. Members, if they have the opportunity and if they are able to check the "blues", would be able to make those corrections before the next day and, as a consequence, not take the time of the House. I thank Hon. Members for interventions.

GOVERNMENT ORDERS

[*English*]

HOUSE OF COMMONS

PROVISIONAL AND PERMANENT STANDING ORDERS

The House resumed consideration of the motion of Mr. Mazankowski:

That all the provisional and permanent Standing Orders of the House in force on the date of notice of this motion, be amended as follows and be adopted as amended as the permanent Standing Orders of the House; provided

1. that these permanent Standing Orders shall take effect on the first Monday sitting day following the adoption of this motion;

2. that all provisional and permanent Standing Orders in force on the date of notice of this motion, except Standing Order 4, along with the sessional and special Orders related thereto, extended by special Order May 22, 1987 to June 5, 1987, become permanent on the first sitting Monday following the adoption of this motion;

3. that Standing Order 4 remain provisional until December 31, 1987 and be amended by adding the following sub-paragraph (2): Notwithstanding Standing Order 4(1), a Minister of the Crown may set down on Notice a motion to provide for sittings of the House between June 30 and the Monday following Labour Day. No later than June 30, 1987, the said motion shall be proposed for debate during Routine Proceedings, and no later than two hours after the commencement of proceedings thereon, the Speaker shall put every question necessary to dispose of the said motion; and

4. that the Clerk of the House be authorized and instructed to print a revised edition of the Standing Orders of the House, renumbering as may be deemed necessary and making such technical and consequential changes as well as such changes to the Order Paper and Notices as may be required.

That paragraph (a) of Standing Order 2(5) be deleted and the following substituted therefor:

"(a) Any Member who wishes to be considered for election to the Office of Speaker shall, not later than 6.00 o'clock p.m. on the day preceding the day on which the election of a Speaker is expected to take place, in writing, so inform the Clerk of the House who shall prepare a list of such Members' names and shall provide the same to the Member presiding prior to the taking of the first ballot;"

That sub-paragraph (5)(h)(i) of Standing Order 2 be deleted and the following substituted therefor:

"(i) the Clerk of the House shall provide the Member presiding the names of the candidates for the next ballot, in alphabetical order, provided that the Clerk of the House shall first determine the number representing the least total number of votes cast and the Clerk shall exclude the names of all Members having received that total number of votes, together with the names of all Members having received five percent or less of the total votes cast, from the list of candidates so provided, and provided that in the event of every candidate receiving the same number of votes no names shall be excluded from the list so provided;"

That Standing Order 3(1) be deleted and the following substituted therefor:

"3. (1) The House shall meet on Mondays, Tuesdays and Thursdays at 11.00 o'clock a.m., on Wednesdays at 2.00 o'clock p.m. and on Fridays at 10.00 o'clock a.m. unless otherwise provided by Standing or Special Order of this House."

That Standing Orders 9(1) and 9(2) be deleted and the following substituted therefor:

"9. (1) At 6.00 o'clock p.m. on Mondays, Tuesdays, Wednesdays and Thursdays, and at 3.00 o'clock p.m. on Fridays, the Speaker shall adjourn the House until the next sitting day."

"(2) At 1.00 o'clock p.m. on any day except Friday on which a morning sitting is held, the Speaker shall leave the Chair until 2.00 o'clock p.m."

That paragraph (a) of Standing Order 9(4) be deleted and the following substituted therefor:

"(4)(a) Except during Private Members' Business, when the Speaker is in the Chair, a Member may propose a motion, without notice, to continue a sitting through a lunch or dinner hour or beyond the ordinary hour of daily adjournment for the purpose of considering a specified item of business or a stage or stages thereof subject to the following conditions:

(i) the motion must relate to the business then being considered provided that proceedings in any Committee of the Whole may be temporarily interrupted for the purpose of proposing a motion under the provisions of this Standing Order;

(ii) the motion must be proposed in the hour preceding the time at which the business under consideration should be interrupted by a lunch or dinner hour, Private Members' Hour or the ordinary hour of daily adjournment;

(iii) the motion shall not be subject to debate or amendment."

That Standing Order 11 be deleted and the following substituted therefor:

"11. At the ordinary hour of daily adjournment of the House, at 11.00 o'clock a.m. on Fridays or at the mid-day interruption, unless otherwise provided, the proceeding then under consideration shall stand over until the next sitting day or later the same sitting day after the period provided pursuant to Standing Order 19(4), as the case may be, when it will be taken up at the same stage where its progress was interrupted."

That paragraph (a) of Standing Order 13(4) be deleted and the following substituted therefor:

"(4)(a) When the Speaker has put the question on any debatable motion, except as provided pursuant to section (2) of this Standing Order, the bells to call in the Members shall be sounded for not more than thirty minutes; provided that, while the Members are being called in, either the Chief Government Whip or the Chief Opposition Whip may approach the Speaker to request that the division be deferred, in which case, the Speaker shall defer the said division until a specified time, but, in any case, not later than 6.00 o'clock p.m. on the next sitting day thereafter, when the bells to call in the Members shall be sounded for not more than fifteen minutes, except as provided for under section (5) of this Standing Order or Standing Order 49(2)."

That Standing Order 19(3) be deleted and the following substituted therefor:

"(3)(a) At 11.00 o'clock a.m. on Mondays, Tuesdays, Thursdays, at 3.00 o'clock p.m. on Wednesdays, and at 12.00 o'clock noon on Fridays, the House shall proceed to the ordinary daily routine of business, which shall be as follows:

Tabling of Documents (pursuant to Standing Orders 67 or 99(2))

Statements by Ministers (pursuant to Standing Order 19(6))

Presenting Reports from Inter-parliamentary Delegations (pursuant to Standing Order 101)

Presenting Reports from Committees (pursuant to Standing Order 99)

Introduction of Government Bills

Introduction of Private Members' Bills

First Reading of Senate Public Bills

Motions

Presenting Petitions (pursuant to Standing Order 106(4))

Questions on Order Paper.

(b)(i) When proceedings under 'Introduction of Government Bills' are not completed on a Monday, Tuesday or Thursday prior to the mid-day interruption, the ordinary daily routine of business shall continue immediately after oral questions are taken up notwithstanding Standing Order 19(4) until the completion of all items under 'Introduction of Government Bills', suspending as much of Private Members' Business as necessary.

(ii) When proceedings under 'Introduction of Government Bills' are not completed before the ordinary hour of daily adjournment, the House shall continue to sit to complete the ordinary daily routine of business up to and including 'Introduction of Government Bills', whereupon the Speaker shall adjourn the House."

That paragraph (b) of Standing Order 19(6) be deleted and the following substituted therefor:

"(b) A period of time corresponding to the time taken for the proceedings pursuant to paragraph (a) of this section shall be added to the time provided for government business as follows:

(i) on Mondays, Tuesdays and Thursdays, such an extension shall commence at 1.00 o'clock p.m. on the same sitting day, notwithstanding Standing Order 9(2), and any period remaining at 2.00 o'clock p.m. shall be added to the time provided for government business thereafter on the same sitting day; and

(ii) on Wednesdays and Fridays, the time provided for government business shall be extended by a period corresponding to the time taken for proceedings pursuant to paragraph (a) of this section.

Where the time provided for government business has been extended after 2.00 o'clock p.m. pursuant to this section, Private Members' Business, where applicable, and the ordinary hour of daily adjournment shall be delayed by a period of time corresponding to the period of extension after 2.00 o'clock p.m., notwithstanding Standing Orders 9(1), 19(7) and 66(1) or any order made pursuant to Standing Order 10(1)."

That Standing Order 19(7) be deleted and the following substituted therefor:

"(7) Except as otherwise provided in these Standing Orders, the order of business shall be as follows:

(Monday, Tuesday and Thursday)

(After the daily routine of business)

Government Orders.

Private Members' Business—from 5.00 to 6.00 o'clock p.m.:

Public Bills, Private Bills, Notices of Motions and Notices of Motions (Papers).

(Wednesday)

(After the daily routine of business)

Notices of Motions for the Production of Papers.

Government Orders.

(Friday)

(Before the daily routine of business)

Government Orders.

(After the daily routine of business)

Government Orders.

Private Members' Business—from 2.00 to 3.00 o'clock p.m.:

Public Bills, Private Bills, Notices of Motions and Notices of Motions (Papers)."

That Standing Order 24 be deleted and the following substituted therefor:

"24. (1) After notice pursuant to Standing Order 68(1), a government notice of motion shall be put on the Order Paper as an order of the day under Government Orders.

(2) Proposed motions under Government Orders for the House to go into a Committee of the Whole at the next sitting of the House when put from the Chair shall be decided without debate or amendment."

That section (1) of Standing Order 29 be deleted and the following substituted therefor:

"29. (1) Leave to make a motion for the adjournment of the House for the purpose of discussing a specific and important matter requiring urgent consideration must be asked for after the ordinary daily routine of business as set out in Standing Order 19(3) is concluded."

That sections (8) and (9) of Standing Order 29 be deleted and the following substituted therefor:

"(8) If the Speaker is satisfied that the matter is proper to be discussed, the motion shall stand over until 8.00 o'clock p.m. on that day, provided that the Speaker, at his or her discretion, may direct that the motion shall be set down for consideration on the following sitting day at an hour specified by the Speaker."

That Standing Order 29(11) be deleted and the following substituted therefor:

"(10) When a request to make such a motion has been made on any Friday, and the Speaker directs that it be considered the same day, it shall be considered forthwith."

That Standing Order 29(13) be deleted and the following substituted therefor:

"(12) The proceedings on any motion being considered, pursuant to sections (8) or (10) of this Standing Order, may continue beyond the ordinary hour of daily adjournment but, when debate thereon is concluded prior to that hour in any sitting, it shall be deemed withdrawn. Subject to any motion adopted pursuant to Standing Order 9(4)(b), at 12.00 o'clock midnight on any sitting day except Friday, and at 4.00 o'clock p.m. on Friday, the Speaker shall declare the motion carried and forthwith adjourn the House until the next sitting day. In any other case, the Speaker, when satisfied that the debate has been concluded, shall declare the motion carried and forthwith adjourn the House until the next sitting day."

That Standing Order 32 be deleted and the following substituted therefor:

"32. Notwithstanding Standing Order 31, the order of precedence shall not contain, at any time, more than twenty motions and public bills originating in the House of Commons at second reading, nor fewer than ten items, when there are sufficient items contained in the list which have not been given a position on the order of precedence."

That paragraph (1)(a) of Standing Order 36 be deleted and the following substituted therefor:

"36. (1)(a) The Standing Committee on Private Members' Business shall meet within five sitting days of the order of precedence being established pursuant to Standing Order 31, and from time to time thereafter, and may select after consultation with, among others, the Members proposing the items, not more than six items from among the twenty items in the order of precedence and an appropriate number from among any subsequent items for which the order of precedence is established and such selected items shall be designated as 'votable items'. In making its selection, the Committee shall not take into account the number of Members jointly seconding an item, but shall allow the merits of the items alone to determine the selection and shall report thereon, from time to time. At no time shall there be more than six selected items on the order of precedence."

That Standing Order 38 be deleted and the following substituted therefor:

"38. The proceedings on Private Members' Business shall not be suspended except as provided for in Standing Orders 19(3)(b), 19(9), 29(11), 37 and 39(2) or as otherwise specified by Special Order of this House. No Private Members' Business shall be taken up on days appointed for the consideration of business pursuant to Standing Orders 69, 82(5) and 84(4)."

That the following new section be added after Standing Order 39(2):

"(3)(a) When a Member has given at least twenty-four hours' written notice that he or she is unable to be present to move his or her motion under Private Members' Business on the date required by the order of precedence, and if that item of business is not one which has been designated as 'votable' by the Standing Committee on Private Members' Business, the Speaker, with permission of the Members involved, may arrange for an exchange of positions in the order of precedence with a Member whose motion or bill in the order of precedence has not been so designated.

(b) In the event that the Speaker has been unable to arrange an exchange, the House shall continue with the business before it prior to 'Private Members' Hour', provided that there shall be no extension of the sitting pursuant to Standing Order 9(4)(a), and any division on a debatable motion shall be deferred until 6.00 o'clock p.m. on the next sitting day. For the purposes of this section, Standing Order 13(5) relating to deferred divisions on a Thursday shall apply."

That paragraph (c) of Standing Order 40(3) be deleted.

That Standing Order 41(1) be deleted and the following substituted therefor:

"41. (1) The order for the first consideration of any subsequent stages of a bill already considered during Private Members' Business, of second reading of a private bill and of second reading of a private Member's public bill originating in the Senate shall be placed at the bottom of the order of precedence."

That Standing Order 48 be deleted and the following substituted therefor:

"48. Except as otherwise provided in any Standing or Special Order of the House, and unless otherwise disposed of, at not later than 6.00 o'clock p.m. on a Monday, Tuesday, Wednesday or Thursday, or 3.00 o'clock p.m. on Friday, on the fifteenth sitting day following the date on which a notice of motion made pursuant to Standing Order 46(2) appeared on the Order Paper, the same shall be deemed to have been moved and adopted by the House."

That sections 2 and 3 of Standing Order 55 be deleted and the following substituted therefor:

"(2) When second reading or third reading of a government bill is being considered, no Member except the Prime Minister and the Leader of the Opposition shall speak for more than:

(a) forty minutes if that Member is the first, second or third speaker;

(b) twenty minutes following the first three speakers, if that Member begins to speak within the next eight hours of consideration when second reading is being considered or within the next four hours of consideration when third reading is being considered; and following the speech of each Member a period not exceeding ten minutes shall be made available, if required, to allow Members to ask questions and comment briefly on matters relevant to the speech and to allow responses thereto;

(c) ten minutes if a Member speaks thereafter.

(3) When the business of private Members is being considered, no Member shall speak for more than ten minutes, provided that the Member moving the item may speak for not more than twenty minutes."

That Standing Order 65(2) be deleted and the following substituted therefor:

"(2) A Member who is not satisfied with the response to a question asked on any day at this stage, or a Member who has been told by the Speaker that the question is not urgent, may give notice that he or she intends to raise the subject matter of the question on the adjournment of the House. The notice referred to herein, whether or not it is given orally during the oral question period provided pursuant to Standing Order 19(4), must be given in writing to the Speaker not later than one hour following that period the same day."

That Standing Order 68(1) be deleted and the following substituted therefor:

"68. (1) Forty-eight hours' notice shall be given of a motion for leave to present a bill, resolution or address, for the appointment of any committee, for placing a question on the Order Paper or for the consideration of any notice of motion made pursuant to Standing Order 46(2); but this rule shall not apply to bills after their introduction, or to private bills, or to the times of meeting or adjournment of the House. Such notice shall be laid on the Table before 6.00 o'clock p.m. (on a Friday before 3.00 o'clock p.m. or filed thereafter with the Clerk before 5.00 o'clock p.m.), and be printed in the Notice Paper of that day. Any notice filed with the Clerk pursuant to this section shall thereupon be deemed to have been laid on the Table in that sitting."

That Standing Order 70(2) be deleted and the following substituted therefor:

"(2) When a debate on any motion made after the start of the sitting (after 11.00 o'clock a.m. on Fridays) and prior to the reading of an Order of the Day is adjourned or interrupted, the order for resumption of the debate shall be transferred to and considered under Government Orders."

That paragraph (a) of Standing Order 82(4) be deleted and the following substituted therefor:

"(4)(a) Forty-eight hours' written notice shall be given of motions to concur in interim supply, main estimates, supplementary or final estimates, to restore or reinstate any item in the estimates. Twenty-four hours' written notice shall be given of an opposition motion on an allotted day or of a notice to oppose any item in the estimates, provided that for the supply period ending not later than June 30, forty-eight hours' written notice shall be given of a notice to oppose any item in the estimates."

That Standing Order 82(5) be deleted and the following substituted therefor:

"(5) For the period ending not later than December 10, six sitting days shall be allotted to the business of supply. Nine additional days shall be allotted to the business of supply in the period ending not later than March 26. Ten additional days shall be allotted to the business of supply in the period ending not later than June 30. These twenty-five days are to be designated as allotted days."

That paragraphs (a) and (b) of Standing Order 82(15) be deleted and the following substituted therefor:

"(a) Not later than the third sitting day prior to May 31, the Leader of the Opposition may give notice during the time specified in Standing Order 68(1) of a motion to extend consideration of the main estimates of a named department or agency and the said motion shall be deemed adopted when called on 'Motions' on the last sitting day prior to May 31;

(b) On the sitting day immediately preceding the final allotted day, but in any case not later than ten sitting days following the day on which any motion made pursuant to paragraph (a) of this section is adopted, at not later than 6.00 o'clock p.m. on a Monday, Tuesday, Wednesday or Thursday, or 3.00 o'clock p.m. on a Friday, the said committee shall report, or shall be deemed to have reported, the main estimates for the said department or agency; and"

That Standing Order 89(1) be deleted and the following substituted therefor:

"89. (1)(a) At the commencement of the first session of each Parliament, a Striking Committee of seven Members, the membership of which shall continue from session to session, shall be appointed, whose duty it shall be to prepare and report to the House within the first ten sitting days after its appointment, and thereafter, within the first ten sitting days after the commencement of each session and within the first ten sitting days after the Monday following Labour Day, lists of Members to compose the standing committees of the House and to act for the House on standing joint committees.

(b) The Striking Committee shall not present a second report pursuant to this Standing Order between the Monday following Labour Day and the end of that calendar year."

That Standing Order 89(3) be deleted and the following substituted therefor:

"(3) The Striking Committee shall also prepare and report lists of Members to act for the House on the following standing joint committees:

(a) Official Languages, to consist of fifteen members; and

(b) Regulations and Other Statutory Instruments, to consist of eight members.

Provided that a sufficient number of members of the said joint committees shall be appointed so as to keep the same proportion in such committees as between the memberships of both Houses."

That the following new section be added after Standing Order 92(2):

"(3)(a) Notwithstanding Standing Order 96(1), no standing or standing joint committee shall sit at the same time as a legislative committee on a bill emanating from or principally affecting the same department or agency.

(b) During periods coinciding with the hours of sittings of the House, priority shall be given to the meetings of legislative committees over those of standing, special and joint committees.

(c) During periods when the House stands adjourned, priority shall be given to meetings of standing, special and joint committees, according to the schedule established from time to time by the Chief Government Whip, in consultation with representatives of the other parties."

That the following new paragraph be inserted immediately after paragraph (b) of Standing Order 92(4):

"(c) The Liaison Committee shall be empowered to report from time to time to the House."

That Standing Order 93(1) be deleted and the following substituted therefor:

"93. (1) Without anticipating the decision of the House, within five sitting days after the commencement of debate on second reading of a bill which is to be referred to a legislative committee, the Striking Committee shall meet to prepare, and shall report not later than the following Thursday, a list of members of such a legislative committee, which shall consist of not more than thirty Members and which shall be organized only in the event that the House adopts the motion for second reading and reference to a legislative committee of the said bill. Upon the presentation of such a report of the Striking Committee, the same shall be deemed adopted."

That sections (4), (5), (6) and (7) of Standing Order 93 be deleted and the following substituted therefor:

"(4) When the Chairman appointed pursuant to section (2) of this Standing Order is unable to act in that capacity at or during a meeting of the legislative committee, the Chairman shall designate a member of the committee to act as

Chairman at or during the said meeting and such an acting Chairman shall be vested with all the powers of the Chairman at or during the said meeting."

That Standing Order 94(2) be deleted and the following substituted therefor:

"(2) The membership of standing and joint committees shall be set out in the report of the Striking Committee, which shall prepare lists of Members in accordance with Standing Order 89. Once the report of the Striking Committee is concurred in, the membership shall continue from session to session within a Parliament, subject to such changes as may be effected from time to time."

That sections (4) and (5) of Standing Order 94 be deleted and the following substituted therefor:

"(4) Changes in the membership of any legislative or special committee shall be effective immediately after notification thereof, signed by the Member acting as the Chief Whip of any recognized party, has been filed with the clerk of the committee."

That Standing Order 96(3)(c) be deleted and the following substituted therefor:

"(c) Management and Members' Services shall include, among other matters, the review of and report, to the Speaker as well as the Board of Internal Economy, on the administration of the House and the provision of services and facilities to Members provided that all matters related thereto shall be deemed to have been permanently referred to the Committee upon its membership having been established; and the review of and report on the effectiveness, management and operation, together with the operational and expenditure plans of all operations which are under the joint administration and control of the two Houses and other related matters as the Committee deems fit;"

That Standing Order 96(4) be deleted and the following substituted therefor:

"(4) So far as this House is concerned, the mandate of the Standing Joint Committee on:

(a) Official Languages shall include, among other matters, the review of and report on official languages policies and programs including the annual report of the Commissioner of Official Languages, which shall be deemed, for the purposes of the House, permanently referred to the Committee immediately they are laid upon the Table; and

(b) Regulations and other Statutory Instruments shall include, among other matters, the review and scrutiny of statutory instruments which are permanently referred to the Committee pursuant to the provisions of section 26 of the Statutory Instruments Act.

Provided that both Houses may, from time to time, refer any other matters to the joint committees."

That Standing Order 99(2) be deleted and the following substituted therefor:

"(2) Within 150 days of the presentation of a report from a standing or special committee, the government shall, upon the request of the committee, table a comprehensive response thereto."

That Standing Order 101 be deleted and the following substituted therefor:

"101. Within twenty sitting days of the return to Canada of an officially recognized inter-parliamentary delegation composed, in any part, of Members of the House, the head of the delegation, or a Member acting on behalf of him or her, shall present a report to the House on the activities of the delegation."

That the following new section be added immediately after Standing Order 104(3):

"(4) The office of the Minister who recommended the appointment shall provide the curriculum vitae of such an appointee or nominee to the committee upon written application from the clerk of the committee."

That the chapter title preceding Standing Order 106 be deleted and the following substituted therefor:

"Public Petitions"

That Standing Order 106(2) be deleted and the following substituted therefor:

"(2) In order to be certified, pursuant to section (1) of this Standing Order, every petition shall:

(a) be addressed to the House of Commons or to the House of Commons in Parliament assembled;

(b) contain a clear, proper and respectful prayer requesting that Parliament see fit to take some action within its authority;

(c) be written, typewritten or printed on paper of usual size;

(d) be free of erasures or interlineations;

(e) have its subject matter indicated on every sheet, if it consists of more than one sheet of signatures and addresses;

(f) contain only original signatures and addresses written directly onto the petition and not pasted thereon or otherwise transferred to it; and

(g) contain at least twenty-five signatures, together with the addresses of the signatories, from persons other than Members of Parliament."

That Standing Order 116 be deleted and the following substituted therefor:

"116. When a Minister of the Crown, from his or her place in the House, states that a majority of the representatives of the several parties have come to an agreement in respect of a proposed allotment of days or hours for the proceedings at any stage of the passing of a public bill, the Minister may propose a motion, without notice, during proceedings under Government Orders, setting forth the terms of the said proposed allocation; provided that for the purposes of this Standing Order an allocation may be proposed in one motion to cover the proceedings at both the report and the third reading stages of a bill if that motion is consistent with the provisions of Standing Order 114(13). During the consideration of any such motion no Member may speak more than once or longer than ten minutes. Not more than two hours after the commencement of proceedings thereon, the Speaker shall put every question necessary to dispose of the said motion. Any proceeding interrupted pursuant to this Standing Order shall be deemed adjourned."

That Standing Order 117 be deleted and the following substituted therefor:

"117. A Minister of the Crown who from his or her place in the House, at a previous sitting, has stated that an agreement could not be reached under the provisions of Standing Order 115 or 116 in respect of proceedings at the stage at which a public bill was then under consideration either in the House or in any committee, and has given notice of his or her intention so to do, may propose a motion, during proceedings under Government Orders, for the purpose of allotting a specified number of days or hours for the consideration and disposal of proceedings at that stage; provided that the time allotted for any stage is not to be less than one sitting day and provided that for the purposes of this Standing Order an allocation may be proposed in one motion to cover the proceedings at both the report and the third reading stages on a bill if that motion is consistent with the provisions of Standing Order 114(13). During the consideration of any such motion no Member may speak more than once or longer than ten minutes. Not more than two hours after the commencement of proceedings thereon, the Speaker shall put every question necessary to dispose of the said motion. Any proceedings interrupted pursuant to this Standing Order shall be deemed adjourned."

That the following new Standing Order be inserted immediately before Standing Order 132:

"131.1 (1) A petition for a private bill may be presented by a Member at any time during the sitting of the House by filing the same with the Clerk of the House.

(2) Members presenting petitions for private bills shall be answerable that such petitions do not contain impertinent or improper matter.

(3) Every Member presenting a petition for a private bill shall sign his or her name on the back thereof.

(4) Petitions for private bills may be either written or printed; provided always that when there are three or more petitioners the signatures of at least three petitioners shall be subscribed on the sheet containing the prayer of the petition.

(5) On the next day following the presentation of a petition for a private bill, the Clerk of the House shall lay upon the Table the report of the Clerk of Petitions thereon and such report shall be printed in the Votes and Proceedings of that day. Every petition so reported upon, not containing matter in breach of the privileges of this House and which, according to the Standing Orders or practice of this House, can be received, shall then be deemed to be read and received.

(6) No debate shall be permitted on the report but a petition referred to therein may be read by the Clerk of the House at the Table, if required."—The Deputy Prime Minister and President of the Privy Council.

Hon. Herb Gray (Windsor West): Mr. Speaker, as I was saying when the House rose at one o'clock, the current rules of the House are stacked in favour of the Government. Even the most determined Opposition cannot, when day is done, totally stop the Government from obtaining passage of its legislation unless of course public opinion is raised against it to such an extent that the Government itself cannot ignore it. I was using as an example of that the way public opinion, together with the efforts of the opposition Parties, caused the Government to back down from its totally wrong attempt to cut the old age pension.

We can and on occasion must make the passage of legislation that we deem objectionable a difficult process. However, in doing so, we carry out a role essential in a democracy and we are also making sure that the views of the public are heard and hopefully are considered by the Government of the day. Similarly, when we perceive that the Government is acting contrary to the public interest, we must have devices by which we can put pressure on the Government or at least demonstrate to the public the Government's misconduct.

Never in this Parliament has this Opposition abused the extremely limited rules available to it for these purposes. Indeed, in agreeing to the provisional rules, we even gave up the device that, in the minds of many, had been abused by the Opposition before the last election, and I am talking about the tactic of bell ringing.

I also want to reiterate how important it is for all Members of the House that the rules of the House continue to say without change or derogation that this House operates on a fixed calendar. This was one of the great, important and fundamental reforms that came into effect in 1982, and I want to say again, contrary to what is one of the purposes of the motion before us, that fundamental aspect of our rules should not be swept aside just because a government has not been able to manage properly or effectively its legislative program and is therefore not able to get completed as much of that program as it would like within a particular legislative period. Those portions of the rules stipulating that we sit according to a fixed calendar are as much a part of our rules and Standing Orders as the provisions for a daily Question Period, as the provisions for three readings of Bills, and as the provisions for taking votes in connection with the making of decisions on Bills.

I submit that in the motion before us, the Government is making an unseemly, unjustified and unreasonable power grab which is not, in the long run, in the interests of either side of the House or, more importantly, in the interests of our country. We in the Official Opposition oppose this power grab and will do so with all our vigour.

The Government must realize that in spite of its current parliamentary majority, this is not a one-Party state. The parliamentary majority of the Government has not made this country into a one-Party state. The House has not become an appendage of the Government. It does not belong to the Government. The Government's majority has not turned this House into nothing more than an instrument of the Government's will. The House of Commons belongs to all the Members elected to it and to all the Parties represented in it. Therefore, it belongs ultimately not to the Government but to the Canadian people.

What the Government is trying to do with this motion is completely unacceptable to the Official Opposition, and it breaks the long tradition of changing the rules and procedures of this House on the basis of consensus. In the meantime, we do believe it would be wrong at this time to abandon the current experiment in parliamentary reform altogether. Regrettably, the Government's ill-advised initiative makes fine tuning of the interim rules difficult at this point in time, but with a view toward salvaging at least the progress made so far, I conclude by moving, seconded by the Member for Ottawa—Vanier (Mr. Gauthier):

That the motion be amended by deleting all of the words after the first semi-colon and by substituting the following: "and

That the Clerk of the House be authorized and instructed to print a revised edition of the Standing Orders of the House, renumbering as may be deemed necessary and making such technical and consequential changes as may be required."

• (1520)

[*Translation*]

The Acting Speaker (Mrs. Champagne): With permission from Hon. Members, the Chair would like to take under advisement the amendment that has just been tabled by the Hon. Member for Windsor West (Mr. Gray), and in the meantime, to pursue the debate by recognizing the Hon. Member from the third party. I recognize the Hon. Member for Kamloops—Shuswap (Mr. Riis).

[*English*]

Mr. Nelson A. Riis (Kamloops—Shuswap): Madam Speaker, this is a very dark day for parliamentary democracy. It is a very bleak day for Canada's Parliament. We are forced to debate a motion that the Government introduced in a roundabout way to change the rules of the House of Commons. It is a unilateral, dictatorial, we know best, big brother approach to Parliament. It says the Progressive Conservative Party forming the Government of Canada knows what is best for the country. It knows how a Government of Canada ought to proceed with changing the rules of the House of Commons.

It is very important to recognize, as you do from your chair, that you are a servant of this House, Madam Speaker. You are as much a servant of opposition Members as you are a servant of government Members. You serve all Members of the House on an equal, fair and just basis. So, too, do the rules and regulations and traditions and procedures of the House of Commons serve all Members. They are not in place to provide service to the Government only, to enable it only to facilitate its business.

Parliament recognizes the role of the Official Opposition and other opposition Parties in the development of the business of the House of Commons. The tradition in Canada has always been that whenever the rules and regulations of the House of Commons are changed, it is only after considerable negotiation and discussion among all of the players. The government Party and the opposition Parties get together and spend weeks or months until they come to an agreement on changes which benefit this House. Those changes are then introduced as changes to the Standing Orders.

Today such is not the case. Today we see a Government which has decided what is best in the way of rules and regulations for the House of Commons and then acted unilaterally. It has done an end run around the negotiating process and imposed a set of regulations on the House of Commons.

I want to say how shocked I was, after spending many, many weeks with my colleagues on both sides of the House trying to negotiate and come to an understanding, to find when I opened up the Order Paper for Monday that the Government decided to introduce what it thought were appropriate changes to the Standing Orders. No agreement, no understanding, no consensus, no coming together. I very much regret that the Government decided to move in that fashion. I am pleased to say there is still some hope that a negotiated settlement can be achieved, but I think this motion illustrates how the Government really sees Parliament.

That ought not to come as a shock or surprise to the people of Canada. That is the very same political Party, the Progressive Conservative Party of Canada, that stormed the Speaker's chair. I remember sitting in my seat when Members of that Party went up to the Chair and screamed at the top of their lungs at the Speaker in order to disrupt Parliament. They did not like a particular piece of legislation. However, that did not work so they decided to abandon the House of Commons and close it down for around 16 days. No business was conducted because the Progressive Conservatives decided that they knew best. They decided they could overrule the House of Commons. They could overrule the traditions and practices and rules and regulations of Parliament. I think it shocked Canadians to their souls to learn that the Progressive Conservatives, who often gave the impression of being staunch supporters of democratic traditions, were prepared to storm the Speaker's chair and close down Parliament for days.

I want to read some very important and appropriate words to the House of Commons:

> We on this side of the House in more than one party believe that a fundamental issue is at stake—perhaps the fundamental issue.
>
> I refer to the right of parliament to control itself and thereby to control the government. This question has arisen before and we know it is an issue over which passions can be aroused on both sides of the house. It is also, in the context of this country at this time, an issue which can become obscured and partisan and, indeed, the subject of passionate debate.
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> All hon. members know that legislatures do not today everywhere enjoy the high repute in which we would like to see legislatures held. There is now a popular impression in some quarters that legislatures are an obstacle to good government. That impression offers to those who genuinely seek reform the natural temptation to change more than is needed and a temptation to change the purpose of parliament in the name of improving its procedures.
>
> This impatience with legislature, therefore, requires special vigilance on the part of defenders and friends of parliament. I assume that all of us, being here, would support and defend the purposes of parliament.
>
> It is not a simple task, in an age impressed by urgency and efficiency, to defend an institution whose purpose is to deter legislation that is bad, sometimes to delay, and sometimes indeed to oppose to the end bad legislation. It is not easy to make Canadians, who are accustomed to their freedoms, aware when these freedoms are under threat. I would hope that no one on either side of the house would use the weaknesses of legislatures in the public esteem to weaken parliament further.
>
> The great majority of the members of this house know that if parliament becomes a rubber stamp it becomes useless.
>
> That is the main reason for being here, and one weapon we possess is our ability on occasion to compel the government to reassess its measures and force it to change or even to halt a course of action which we believe to be inadequate or wrong. If that were not necessary parliament would not be necessary. But governments make mistakes, even governments with computers. A government which knows it must face an effective opposition will take more care than will a government which has the power under its rules to disarm the opposition.
>
> Members of a government are subject to fault like the rest of us. The function of the opposition is by our probing to reveal and correct those faults, by our presence and by our powers to make the government more careful, to make the government more compassionate, to make the government more responsive to the needs of the people of this country.
>
> There are some facts to establish about parliament and about parliamentary reform. The first is that the problems that frustrate Canada were not created here in parliament, and they will not be solved by a mere amendment of the rules of parliament. It was not the rules of parliament that caused inflation, created a crisis in housing, or slowed the sales of grain. It is not the reform of parliament which will produce a satisfactory foreign policy, bring growth to our economy, reduce unemployment, end the alienation of the young or reduce the strains within Confederation. Parliament is not the cause of these frustrations, and parliament ought not to be the victim or the scapegoat of them.
>
> —there is no magic in procedure, no magic that will cause the government to draft more and better laws quickly, above all, no magic that will produce policies and solutions where there have been none produced to date.
>
> If this government had no opposition at all to face it would still be behind. It would still face a backlog of things it should be doing and problems it has not been able to solve. That, after all, is the fate of governments in a changing and complex time, in a changing and complex country. We are not going to transform the capacity of this government simply by amending the rules of parliament. There is no magic wand, and there should be no attempt to suggest that these or any other changes to the rules will suddenly and as if by magic make the government efficient.
>
> The third fact is that the purpose of parliamentary reform is not simply to serve efficiency, as the hon. member who introduced the motion seemed to believe, important though efficiency naturally is. The purpose, rather, is to work out a process of debate and legislation which is consistent with the democratic values of the Canadian people.
>
> We do not simply need a procedure which passes laws. We need a procedure which also passes the demanding test of free and adequate debate. It is not enough to be concerned merely with the efficiency of the process. I would assume that the legislative process in the Soviet Union is very efficient. But we are a different kind of country and the rules of our parliamentary debate must reflect and protect that difference. We must not demean the importance of debate.
>
> there must also be time for adequate discussion here. The right of discussion and debate, the associated right of inquiry and the consequent capacity to arouse and inform public opinion, is the single most important safeguard the country has against arbitrary, secret or unresponsive government. This is the place in Canada where grievances can be raised with most effect. To

arbitrarily limit the right of members to speak is to limit the capacity of the government to understand and respond to the problems of Canadians.

We believe that government has the right and responsibility to govern. The rules of parliament should help the Government to govern well. We support the reform of parliament. We support it enthusiastically and out of conviction. But we draw the line at certain fundamental and unnecessary changes which would deform parliament and make it ineffective.

We draw the line at proposals which would put parliament in the hands of the government because that, we believe, would reverse the appropriate relation. Parliament must not be made subservient to the government. Parliament must continue to be responsible to the people through parliament. That is a parliamentary tradition and we defend it today, not because it is an old tradition or even because it is a British tradition but because it is a good tradition and the best safeguard we have against arbitrary government. It is, in the final analysis, the only safeguard we have.

I could go on and read much more of this very important debate that occurred on December 10, 1968. It was a speech uttered by the Hon. Robert L. Stanfield, Leader of the Opposition at that time. Mr. Stanfield was concerned that the Liberals of the day were bringing in changes to the Standing Orders which he felt would facilitate the Government's plans at the expense of the role and effectiveness of the Opposition.

• (1530)

Nearly 20 years have elapsed and today we see a repeat performance by the Conservative Government of the day because it has been unable to complete its business in the traditional calendar time.

I point out that for decades Governments have been able to complete their business in the traditional calendar year. As my friend, the Member for Cowichan—Malahat—The Islands (Mr. Manly), points out, the Government did not even recall Parliament until October of this year and as a result of an extra four weeks of summer recess and because of its hopelessness, abysmal record, inexperience and unwillingness to co-operate, the Government cannot complete its agenda within the prescribed calendar year and wants to extend the sitting into the summer.

I humbly suggest that if we sat for 12 months of the year, sat through Christmas and Easter, I suspect the same problem would exist. The Government would indicate that it is unable to deal effectively with the challenges and issues facing Canada. It simply cannot run the Government effectively and efficiently.

As the Hon. Robert Stanfield, the then Leader of the Opposition said in 1968, the rules of the House of Commons do not make a Government effective. It is the Government itself.

I also want to quote some words of the Hon. Stanley Knowles who said, during that debate: "If we are here to make a shambles of it, we can do it no matter how good the rules are. If we are here to do the business of the people of Canada, we can do that even if the rules are not as good as they might be. Nevertheless, we think there are reforms that must be made.

Today, we reflect that precise view. After participating with other Parties in parliamentary reform for many weeks, months and years, and recognizing changes in society, it is obvious that changes in the House of Commons are appropriate and necessary. However, we must remind members of the Government that the rules are only as good as the players. A speed limit of 90 kilometres on one of our highways is only as effective as the willingness of the people to co-operate with the rules.

Let us consider the reason for these changes. The Government has indicated on a number of occasions that it wants to conduct the business of the House, referring to the so-called drug Bill, Bill C-22, when the Opposition stalled the passage of that Bill for some time. That is what we did, but it is our job. We did not stop the Bill or prohibit the Government from completing its agenda to change the patent laws for prescription drug companies. However, we wanted to focus the attention of Canadians on what we believe is a very Draconian and punitive piece of legislation. We believe we have accomplished that goal and that Canadians are aware that the Government introduced a drug Bill that will give a monopoly to a foreign drug company for ten years so that it can charge whatever it wants before any competition is permitted in Canada. That would obviously drive up the price of prescription drugs in the future, and we believe that is inappropriate. Therefore, we used the procedures of the House of Commons to focus attention on that particular issue.

The Government is wrong to suggest that it was prohibited from completing its agenda because, unfortunately, the Bill did pass through the House. The Government's arguments that the Opposition has been able to keep it from conducting its business are hollow.

While we have many concerns about reform, I believe this is not the place to negotiate changes to the Standing Orders or to the rules and procedures of the House of Commons. However, it is an opportunity to reflect on the procedure that has been used and on the process of parliamentary reform to improve the rules and regulations of the House.

Many of us were shocked and aghast at the fact that the Government decided to make an end run, circumvent the process and do what it felt best in terms of changing the rules of Parliament rather than complete the round of negotiations we had been undertaking for so many weeks and months.

While we are concerned about the process, we are still hopeful, since this motion has not passed, that there is still time for the three political Parties in Parliament to work together to attempt a negotiated settlement with which we can all live and in which there will be give and take on both sides. We remain optimistic and we are here to co-operate as an effective opposition in Parliament. We believe that part of our role is to keep the Government honest, to keep it on the straight and narrow, to focus attention and oppose whenever we believe it is appropriate.

We hope the Government will see fit to negotiate a final conclusion to this particular stalemate in reforming the rules, regulations and traditions of the House of Commons.

• (1540)

Mr. Robinson: Madam Speaker, I appreciated hearing my distinguished colleague's remarks with respect to the proposed changes to the Standing Orders. I have a couple of questions I would like to put to him and I would like to ask him to elaborate on a few of the points he made. Let us face it, Madam Speaker, those Canadians who are watching this particular debate with respect to the Standing Orders are not sitting on the edges of their seats gripped with excitement at the contents of the debate. Yet I think it is important that members of the public understand clearly the implications of these proposals by the Government on this important institution of Parliament.

With that in mind, I would ask the Hon. House Leader for my Party to tell us whether, to the best of his recollection, there has been any time since he was elected, and I believe he was elected in 1980, that any Government, whether the former Liberal Government, the former Conservative Government or this Government, has made any attempt to use this kind of heavy-handed process to impose changes to the Standing Orders on the House of Commons.

I think it is important that Canadians understand clearly the history of this place and that these kinds of changes to the Standing Orders which govern this House are traditionally made by way of discussion, consensus, agreement and give and take. I would like the Hon. House Leader to indicate the history of this particular matter with respect to the imposition of changes in the Standing Orders of the House of Commons.

Perhaps the Hon. Member could also indicate why it was that this Parliament in fact moved to a fixed parliamentary calendar. He will recall, as I certainly do, the days not that long ago when Members of Parliament never knew from one day to the next or from one week to the next when the House would adjourn. He will know of the particular burdens that placed on Members of Parliament who were attempting to have some sense of their own personal agendas, which, obviously, is of some importance as well.

I would ask the Hon. House Leader to amplify on those two particular concerns, first, with respect to the way in which the Government is seeking to change the Standing Orders of this House and, second, why he has placed, quite properly in my view, such importance on the changes with respect to the fixed parliamentary calendar.

Mr. Riis: I thank my hon. friend from Burnaby for those various questions. I will answer them in order as best I can. First, the decision to extend the hours of Parliament into the summer, in my opinion, is a reflection of the inability of the Government to do its business. It has the largest majority in the history of Canada. One would think that if there was any Government which could do its business in the time prescribed, it ought to be this Government. Presumably that is not the case.

Any effective individual, family, business, farm, fisherman, and so on, who wants to conduct his or her affairs in the most positive way must do it with some ability to plan ahead. It was in that spirit that Members of the House of Commons from all Parties agreed that it was in the best interests of us all to know when the session ended and when it began. From that came a calendar year so that we could all plan our lives in order to be the most effective and efficient Members of Parliament possible. We might now see that changed.

The second question was with respect to the process. I have only been a Member of Parliament for seven plus years, but in that time I have seen the tremendous interest of all Members in parliamentary reform. The very prestigious McGrath committee spent a great amount of time, reflecting the views of all political Parties, on what it felt were appropriate changes to the parliamentary rules and regulations. We also had the appropriate standing committee headed by the distinguished Chairman, the Hon. Member for Peace River (Mr. Cooper). Working with his colleagues from all political Parties he came up with some extremely thoughtful recommendations in terms of what was felt should be changes to the rules and regulations of Parliament. All of us have felt comfortable with that process and supportive because we knew the quality of the members of the committee and of their commitment to parliamentary reform. When they made their recommendations, it was with very little debate that the House of Commons supported the principle of the changes they proposed.

It is for that reason that the frustration exists as it does today. After all of that work for all those years by so many Members of the House of Commons, we arrive at the point where we find on the Order Paper that the Government has taken unilateral action while negotiations, I might say, were in process. In fact, we were so close to completing the negotiations, that the House Leader for the Government even suggested we extend the deadline we set for ourselves twice so we could complete the negotiations. We all left last week feeling that we had finally reached the end. We felt satisfied that there had been give and take on both sides. That is why there is such a high level of frustration today.

I suspect that if Members of the House were reflecting their views as they actually feel them and reflecting their feelings as they actually see them, they too would feel a certain element of frustration that the process, I would say, nearly broke down, when there was still optimism and hope that the process would be completed to everyone's satisfaction.

Mr. Belsher: Mr. Speaker, The Hon. Member has suggested that the process of Parliament has broken down. The process has not broken down at all, Madam Speaker, but is really functioning the way it is supposed to function. The Hon. Member also made much of the fact that the Government has an enormous number of members and in that way can force through any type of legislation. I think what he has failed to

realize is that the process of getting legislation through, the process of even getting some of the Bills on the Order Paper, has been at times frustrated by members of the Opposition, even at first reading.

Would the Member not agree that the motion before us would facilitate at least getting an orderly part of the Government's business onto the floor of the House of Commons in the way which is envisaged in the motion before us?

Mr. Riis: Madam Speaker, what I do not want to be drawn into, and I appreciate the legitimacy of the intent behind the Hon. Member's question, is a discussion on what the House Leaders and various Members interested in parliamentary reform have been doing for many months and years, and are still doing today. All I can say in response to the Hon. Member's legitimate question is that just in the last little while we have passed many Bills. Many Bills have been introduced into this House. I am holding only a small portion. Every single one, with the exception of one, has been introduced with no difficulty whatsoever. With respect to one single Bill out of hundreds, there was a couple of days before the Government could introduce it.

In the tradition of Parliament, which recognizes the rule of an Opposition by its very definition of being "Parliament", and recognizing the role of the opposition Parties to focus attention on Bills they have deemed not to be in the best interests of Canada, to have focused their attention on one single Bill out of perhaps hundreds for a few days, is that inappropriate? By his question I suspect he is saying it is. As a parliamentarian, I say that it is not inappropriate.

If the Opposition had been holding up every single Bill, or the vast majority of Bills the Government was attempting to introduce, then I would say, yes, they have a point. However, one single Bill out of so many was, if you like, slowed down for a few days. It has been subsequently introduced, went through all stages and was passed. It is signed, sealed and delivered. That is the way Parliaments are supposed to function. I think what the Hon. Member is saying to me is that if he had his way there ought to be no Opposition, just a Government, so it can do things in the fastest and most efficient way possible. That might work for some countries, and they need not be named, countries which only believe in doing government work in the most efficient fashion and having no opposition whatsoever, certainly not an opposition with any power. That is a tradition, of course, that this country has never accepted, and I hope it never will.

• (1550)

Mr. Scott Fennell (Ontario): Madam Speaker, I would like to start off by saying that the Hon. Member doth protest too much. With respect to the Hon. Member who just spoke, it is interesting to note that over the past two weeks there were continual meetings regarding the change in the rules. However, the Hon. Member was only here for one of those meetings.

Mr. Riis: Madam Speaker, I rise on a point of order. I am surprised at the insensitivity and the unparliamentary nature of the language of my hon. colleague. He well knows the traditions of Parliament. An Hon. Member does not refer to the absence of another Hon. Member. The implication is that Members of Parliament are always carrying out their responsibilities and duties in a responsible and honourable way. For the Hon. Member to attack someone on a personal level obviously indicates that the substance of his argument is extremely weak.

The Acting Speaker (Mrs. Champagne): I am sure that the Hon. Member for Ontario (Mr. Fennell) will be a little more careful in his remarks.

Mr. Fennell: Madam Speaker, I was not referring to the Hon. Member's location, to his absence from Ottawa or to what he was doing. I was not referring to that. I was only talking about meetings.

I would like to make a point with respect to the bell-ringing episode to which the Hon. Member referred so much in his speech. The Hon. Member will recall that this was a very important incident in parliamentary history. It had to do with an omnibus Bill being imposed upon Parliament, something that had never happened before. The bell-ringing episode, much and all as it was regrettable, brought a stop to that practice. So the bell-ringing is important because it allowed us to stop that omnibus Bill. It was eight weeks that we spent down in the basement of this building trying to work out the details of the broken up portion of the National Energy Program that, as Hon. Members know, and as the western group that got together in Vancouver was quoted in *The Globe and Mail* today as saying, it was one of the things that really hurt the West.

Mr. Manly: That's not why they're getting together in 1987.

Mr. Epp (Thunder Bay—Nipigon): What about Bill C-22 and its effects?

Mr. Fennell: Bill C-22 happens to be very popular legislation in my riding. I have not heard one argument against it. I have heard many arguments for it. Members opposite can yell about it all they want, but in my riding it is very popular. At last there is some research going on in my riding that was not going on before. There are millions of dollars being spent. Lilly and Anca and two others are all spending millions of dollars on research. That helps Canadians. It stops the brain-drain from Canada.

Mr. Manly: The price of drugs is going up!

Mr. Fennell: This is something which is terribly important. However, we are not talking about Bill C-22. We are talking about the importance of administration in the House of Commons.

We used dilatory motions. I will admit that we used some of the same tricks ourselves when I was in opposition, and I was ashamed.

Mr. Gauthier: You wrote the book.

Mr. Fennell: I was ashamed of some of the tricks.

Mr. Manly: You should be ashamed of what you are doing now.

Mr. Fennell: That is the reason we changed the rules. We changed the rules so that we could work and manage this House and manage the affairs of the nation effectively. That is precisely the reason we did it. It is important to Canada to have a responsible Government. We came in with a majority and we should use it. The people of Canada said that they want us to rule the country as it has never been ruled before. The economy has never been better. We promised the Canadian public that we would create jobs. We have created 800,000-plus jobs.

Mr. Robinson: In Ontario!

Mr. Fennell: We promised the Canadian public that we would lower interest rates. Interest rates went down.

What I am saying is that we are fighting for the Canadian public, not for the individuals who sit on the other side of this House.

One thing Members opposite have put more emphasis on than anything else is the fact that in this motion they might have to sit—might—into the month of July. The motion does not state that we will sit. It leaves the option—

Mr. Manly: Where were you last September?

Mr. Fennell: I was down here.

If there is an important piece of legislation, we can deal with it here during the summer months and not have the nation shut out from dealing with important legislation. It is only a stall on the part of Members opposite. If they really want to stall, they can stall themselves into July very easily.

With respect to the petitions that are presented day after day—

Mr. Manly: The right of the people!

Mr. Fennell: They have to work hard to get that many petitions. One has to work extremely hard to get that many petitions, or else get one's workers to work very hard. One has to go around to canvass people from door to door.

Mr. Manly: People have the right to be heard.

Mr. Fennell: I am not against petitions. I am against the misuse of the time of the House of Commons.

Many things that have been agreed to in this motion are very important. The details with respect to Fridays are very important. I do not recognize many of the people from the NDP who are ever here on Friday. Perhaps one Member from—

Mr. Manly: Madam Speaker, I rise on a point of order. I do not think it is parliamentary for the Hon. Member to refer to the presence or absence of Members of any particular Party on any given day. It is absolutely certain that New Democrats are here on Fridays every bit as much as other Members are, while others are travelling to their ridings.

Mr. Fennell: I am not arguing about members of the NDP, the Liberals or the Conservatives. I happen to have been a Member of the House for eight years and I have always sat on Fridays. That was my—

Mr. Gauthier: Duty day.

Mr. Fennell: That was not my choice, that is what was imposed upon me. I got to enjoy Fridays. As my colleague, the Whip of the Official Opposition, understands, we used to have an interesting time on Fridays. We always had a chance for debate. It is a great day.

Let me refer to the shortening of the hours on Friday. The hours are not being reduced. They are being changed so that we would sit through lunch. We will still sit five hours. However, instead of sitting from 11 a.m. until 5 p.m. we will sit from 10 a.m. until 3 p.m. That is something that was approved by all Members of the House as a result of a petition carried out by one of my colleagues. So it is a good idea.

Mr. Epp (Thunder Bay—Nipigon): No one objected to that.

Mr. Fennell: We dealt with cleaning up situations with respect to Private Members' Bills. For instance, why should the mover of a Private Members' Bill not have the opportunity to talk for a longer period of time than everyone else? He is the man who wrote the Bill. This is just cleaning up some errors that were in the original rules. It will allow the mover of the motion or Bill to start with 20 minutes and everybody else to follow with 10. I think that is equitable.

I would now like to talk about Opposition Days. I know that it has been a hardship for members of the Liberal Party and the New Democratic Party during the past month in which we have jammed in 13 Opposition Days all at once in this supply period. What we have tried to do is to allocate the days so that they are more evenly spread out over the year. Instead of 13 days there will be 10. I think that makes sense. It is hard when members of the Opposition have to prepare for Opposition Days day after day after day. It is hard to get speakers and to get the right material together and to be aware.

There is a change in the rules with respect to allowing the Whips to change the membership on legislative and special committees. I would like to talk about committees because I have very firm views on them. During the discussions I did not change my views with respect to this issue, and I think that the Opposition Whip will accept that. However, I feel that it is an

impossible situation right now to try to operate the committees on the basis on which they were set up, especially for a Government with a large number of Members. I think it is very difficult. There was a system in our committees which was a system I liked. It allowed me the freedom to get on to the committee. The system was that there would be *x* members and *x* alternates. I was originally put on one committee but I did not like that committee. The way I got on to other committees was by sitting on the committee until I finally became an alternate member. I sat on that committee for hours, days, months and years and finally became a regular member. It was a means to an end. In such a large group as we have it is difficult to move upward in a committee. I succeeded in that because one of the alternates did not appear as often as I did, then one of the regular members did not appear as regularly as I did or ask questions on the regular basis on which I did. In that way, I, as a hard-working Member of the House, was able to work myself up in the committee. That shows that seniority is not all that counts.

• (1600)

I think that is equitable and fair. I did not push it in these amendments because I have had co-operation from the Opposition Whip with regard to other changes in the rules. I think we can still run the committees to everyone's satisfaction through the changes we made in November.

We eliminated the Parliament Committee and included it with the Committee on Management and Members' Services. We decided to reduce the Committee on Regulations and Other Statutory Instruments because no one attended it. It is not of major interest to Members of the House of Commons. We have previously tried to work out the priorities among the legislative and standing committees and are now trying to refine that. We have tried to ensure that standing committees never sit when the House is in session. Legislative committees only will sit at that time.

There have been some difficulties with Bills which have previously been reviewed by the Finance Committee being referred to legislative committees. An excellent example of a case in which there was co-operation from all sides is that of Bills C-42 and C-56. The Finance Committee had already studied those Bills. It would be ridiculous to refer them to a legislative committee because, as the Whip, I would simply move the people from the Finance Committee to the legislative committee. That would really not mean anything.

I recall being the chairman of a legislative committee on a Bill. The entire Finance Committee was simply moved to the legislative committee. The committees have independent chairmen, but the problem in that case was that the original intent was that no witnesses would appear before the legislative committee. However, in this case the Minister had said that there would be an opportunity to call witnesses when the Bill was in committee, and that is when it went to a legislative committee rather than the standing committee.

The major changes relate to Orders of the Day. We had to find a way to advance government motions. There were so many dilatory motions every day that we were never able to proceed with debate on Bills. I accept that this place should be democratic, but I do not believe that it should be controlled by the Opposition without any input from the Government. The problem is that dilatory motions continually slow down the proceedings of the House and we never have a chance to debate the Bills we want to debate, only the dilatory motions. That is not accomplishing anything in the governing of the nation.

Mr. Lewis: Madam Speaker, I rise on a point of order. I would like to indicate to the House that the Government has absolutely no intention of extending the hours today between four and five o'clock. Debate should proceed on this motion until five o'clock with no such indication from any Member on the government side.

Mr. Fennell: Madam Speaker, I thank the Parliamentary Secretary. However, I had a good crowd and was enjoying it and now I will lose my audience. I guess my hon. friend, the Parliamentary Secretary to the President of the Privy Council (Mr. Lewis), felt I may have been playing to the audience a bit.

It is important to debate Bills. There is a limit to the amount of time you can discuss a Bill. I recall a ridiculous situation which took place when we were in opposition before the rules were changed. I was told that I had to keep talking for an hour and a half but I had only had a few minutes to prepare my speech. That was silly, but we had to do it because it was our opportunity to get our points across. We have removed the right of speaking for an hour and a half and the maximum time allowed is now 20 minutes, which makes a lot of sense to me. As a matter of fact, I think that ten minutes would probably be adequate to get your points across. In order to speak for a full 20 minutes one must have done thorough research. I have done thorough research on a Bill many times and seen the Bill pass before I had an opportunity to speak on it. That can be a little discouraging.

I think the Opposition is making a big to do about nothing. When Members realize that we have tried to simplify the processes in the House they will understand the Government's strong wish to govern the country. We believe the Opposition is important and we do listen to it. However, as I indicated before, committees provide a better opportunity and more time to really study a Bill. We do not accomplish nearly as much as we could in the House and not nearly as much as is accomplished in committees. I think limiting debate in the House and providing more time for debate in committees would solve some of the frustrations of the Opposition.

When I was in opposition I found committees to be the place where I could express myself and work toward making changes which, little as they were, were important. I recall that there were 49 amendments moved to the National Energy Program. They were not major but some were of great importance to us.

The intent of this motion is to permit the Government to govern and eliminate the time spent on dilatory motions. I think it is very important that we accept these changes. They are not moved with antagonism or animosity. There is no hidden agenda. The intent is simply to deal with legislation out in the open as we have been elected to do, but not to be controlled and directed by the Opposition for time immemorial.

I notice that you are on the edge of your seat, Madam Speaker. I would like to express my sincere appreciation for the opportunity to speak on this motion today.

• (1610)

Mr. Belsher: Madam Speaker, I have a question for the Hon. Member for Ontario (Mr. Fennell). What times can he envision that Bills will be sent to a standing committee rather than to a legislative committee? Is that inherent in the motion before us, or do all Bills have to go to a legislative committee?

The reason I ask that question is that there is legislation which has been prepared from White Papers into which the standing committees have had a great deal of input. They have conducted hearings across the country, and during the hearing process they have often said that there will be another opportunity for people to make a presentation on what they feel should be done with legislation after the Bill has been brought before Parliament and goes to a committee.

If Bills are only to go to legislative committees, the composition of a legislative committee will not necessarily be a mirror of the people who are on the standing committee. I should like to hear the Hon. Member's comment on that point.

Mr. Fennell: Madam Speaker, a very important discussion took place in that regard. There was much discussion that perhaps legislative committees were not really a necessity. However, it was decided by many that they serve their purpose in certain instances.

I refer to Bill C-42 and Bill C-56, two financial Bills which have already been studied by the Standing Committee on Finance and Economic Affairs. In effect they have gone back to that committee by agreement. This also transpired in the cases of Bills C-18 and C-19. The Hon. Member was on that committee. They went to the Standing Committee on Transport and they were important to that committee because it had already reviewed the National Transportation Act in advance. It had already heard the witnesses, so all it really had to do was go across the country to review it with certain witnesses to get input on the possibility of change or amendments to the two Acts.

I think it must be based upon agreement by all Parties. For instance, it is the people on the Finance Committee, from both the New Democratic Party and the Liberal Party, who have worked with the Conservatives to convince their House Leaders that it would be a good idea to refer it to a standing committee as opposed to a legislative committee. It is really an agreement among all Parties, but it depends upon what has transpired—

Mr. Belsher: Is that still there?

Mr. Fennell: That is still there; the option is there. We can or cannot do it.

[*Translation*]

Mr. Gauthier: Madam Speaker, I have a question for my friend the Hon. Member for Ontario (Mr. Fennell). A short while ago, the Parliamentary Secretary to the House Leader came to the House and said: I can promise you that we are not going to use Standing Order 9(4)(a). And in order for people to understand what it means, I would like him not only to elaborate on this, but also to answer a question. This Standing Order makes it possible for a Member, when the Speaker is in the Chair, to—

> —propose a motion, without notice, to continue a sitting through a lunch or dinner hour or beyond the ordinary hour of daily adjournment for the purpose of considering a specified item of business or a stage or stages thereof—

Only if 25 or more Members then rise to oppose it is the motion deemed to have been withdrawn. During our negotiations with the Government ... It is because I know the Conservative Whip is favourable to this idea that I direct my question to him.

[*English*]

In discussions with the Government, I, for one, proposed that to demand that the Opposition needs 25 people to oppose a motion under Standing Order 9(4)(a) to prolong a sitting of the House beyond the normal adjournment hour was unjust because it exceeded a quorum in the House by 5, the quorum being 20. It also requires that members of the Liberal Party and the NDP who have small numbers in the House be involved in a difficult and sometimes demanding race to this place because we have committees sitting or other things to do. We must all run in here between four o'clock and five o'clock to prevent the Government from extending the sitting past the adjournment hour.

I suggested—and I still propose it—that a new rule should be written where 10 per cent would be the factor involved—10 per cent of the Government or 10 per cent of the combined Opposition. That could stay on the books for years to come as an objective figure which would be used to decide whether or not we should have a motion under Standing Order 9(4)(a).

That would provide fairness and would provide members of my caucus and me with an element of justice in terms of representation. For example, the Government has 211 Members, and 10 per cent would mean that it must have 21 people in place to prevent the Opposition from moving a motion under Standing Order 9(4)(a) to extend debate beyond the normal adjournment hour. It would also give us, in terms of our numbers, the fairness of having 10 per cent, which would be seven, to prevent the Government from proceeding with a motion under Standing Order 9(4)(a).

Does the Whip on the government side not understand that logic? Would he not agree that at this stage where we are indeed rewriting the books that would be a fairer approach to House business, that it would be in keeping with the spirit of the McGrath committee, and that it would be a much more just and equitable position?

Mr. Fennell: Madam Speaker, as the Hon. Opposition Whip indicated, we have had discussions on this matter. I am sympathetic. I believe that 25 is too high.

I would like to state what my opinion is right now, but he has put me in a somewhat embarrassing position because at the present time there are meetings going on right across the hall.

Mr. Gauthier: They are watching you.

Mr. Fennell: They are probably watching me to see what reaction I have to this question.

Mr. Gauthier: Inspire them.

Mr. Fennell: They may expire me, that is, keep me in this job forever. If I stated that 10 per cent or 20 per cent was right, they may come charging out of that room and hit me over the head before I could finish answering the question.

Let me say that I am very sympathetic to my friend, the chief Opposition Whip. However, I am frightened of my own colleagues who might be tough on me—

Mr. Gauthier: You are an honest man.

Mr. Fennell: —if I come up with an answer in advance of the conclusion of that meeting.

Mr. Gauthier: That is the best answer I have heard you give in the House of Commons.

Mr. Crosby: Madam Speaker, I should like to make a comment and also ask a question of the Hon. Member for Ontario (Mr. Fennell).

As I read the foreword to the Standing Orders of the House of Commons, it makes it clear that the House has been deliberating the Standing Orders since December, 1984, and that the rules of the House currently in effect have been adopted, changed, and in a sense are in a state of limbo because they are merely provisional rules.

I want to point out to Members of the House of Commons that the Standing Orders are more than just rules governing Members of the House of Commons in their day to day debates and deliberations. They in fact establish the internal procedure for the House of Commons, which is of interest to a much broader segment of the public and the community than merely Members of the House of Commons. There is a great and grave public interest in some stability and some permanency to the rules which govern the processes and procedures of the House of Commons.

One can imagine the difficulties of a person or institution interested in a Bill before the House of Commons not knowing what are the lengths of debates, how long debate could be protracted, and a variety of other matters.

My question to the Hon. Member for Ontario is: Is it not generally in the interest of Canadians to have Standing Orders of the House of Commons which make it clear what are the rules of the House, what rules govern the processes and procedures? Does he not think that that interest goes beyond the membership of this Chamber and extends to other interested parties, so that the Government would be derelict in its duty if it did not intervene to create this permanence in relation to the Standing Orders of the House of Commons, and so that the deliberation which has gone on over three years will finally be put to an end and everybody will know what are the rules, processes, and procedures of the House of Commons?

Mr. Fennell: I should like to say that the Hon. Member for Halifax West (Mr. Crosby) probably has one of the greatest grasps of Parliament. He understands it. He understands the implications to the public. I really appreciate the Member asking that question. I failed to bring out the fact that we are trying to adjust provisional rules. As I said before, I spoke an hour and a half one day. I remember days when the Hon. Member for Halifax has spoken for an extended period of time, but that is not what the public wants. People want us to have fast and concise debate. They want to hear the arguments on both sides instead of the rambling of the past. The Member brought forward a very important point to Canadians who elected us to come here.

• (1620)

The Acting Speaker (Mrs. Champagne): Earlier today, the Hon. Member for Windsor West (Mr. Gray) proposed to move an amendment which reads as follows:

> That the motion be amended by deleting all of the words after the first semi-colon and by substituting the following: "and
>
> That the Clerk of the House be authorized and instructed to print a revised edition of the Standing Orders of the House, renumbering as may be deemed necessary and making such technical and consequential changes as may be required."

The Chair has had the opportunity to review the Hon. Member's motion. Because of Citation 424(3) and (5) in Beauchesne's Fifth Edition, I have little choice but to rule it out of order. If the amendment were allowed and adopted, the effect would be to render the main motion unintelligible. The amendment, therefore, is not acceptable.

Resuming debate. The Hon. Member for Papineau (Mr. Ouellet).

Hon. André Ouellet (Papineau): Madam Speaker, I want to speak on the motion proposed by the Government and indicate at the outset that I am very disappointed by the action of the Government. I have listened carefully to what has been said by the Government House Leader and also by the Government

Whip. They both tried to explain that they want to improve the procedural package concerning the House of Commons.

Quite clearly, when you scrutinize this resolution you see that the Government intends to substantially—radically, in fact—change the procedures of the House of Commons, not in keeping with the effort put forward in recent months by Members of Parliament on both sides of the House who have served on committees and reviewed the rules of the House of Commons. The Lefebvre committee, the McGrath committee and more recently the Cooper committee have done important work in consultation with representatives of both sides of the House. Indeed, we could say that the report of the Special Committee on Reform of the House of Commons, chaired by James McGrath, was a report arrived at through consensus, through diligent work by members of the three Parties represented in the House of Commons with a view to bringing forward a balanced package that favours not exclusively the Government but favours equally the Government and the Opposition, and, above all, favours parliamentarians. It was an effort to enhance the role of the private Member.

From the report of the Special Committee on Reform of the House of Commons let me cite what a new Member of Parliament, the Hon. Member for Calgary South (Mrs. Sparrow) said:

> As a new Member of Parliament, I do not know the mechanics of this institution as well as some of my colleagues. I am absolutely amazed at how little input private Members have into the formulation of legislation, policies and/or regulations. It appears to me that most of the time we are told what a minister will be announcing in 48 hours and we do not have access, any means to study or contribute or change the finished product. But Members must go to their constituencies to explain and support the decision of the government. Sometimes this is extremely difficult.

These are the words of the Member for Calgary South, a member of the Government, who was expressing her view on entering Parliament and hoping for radical change in the way Parliament operates.

In the early stages, the Prime Minister (Mr. Mulroney), the Government House Leader and the Government sustained and supported the McGrath report and tried to implement it, although I have to say there are a number of important issues that have not yet been dealt with that have been referred to the new Board of Internal Economy, which issues until dealt with, will not make for a major change in our parliamentary procedures.

A significant step in the right direction has been taken so far, but there is another major step to be taken on which the Government is very hesitant. Not only is the Government not ready to go further in implementing the McGrath report, but it has just made an about-face with the motion introduced by the Government House Leader. In fact, these proposals, as we see them, coming as they appear to do in isolation from the philosophical framework which guides the reform process, reflect the need of the Government House Leader. They reflect exclusively the desire of the Government, frustrated in implementing some of its legislation, to take control of Parliament, to take control away from the back-benchers on both sides of the House, to take it away from the Opposition and basically impose *le baillon* to prevent the Opposition from speaking out and speaking out legitimately against some of the measures which the Government is introducing. This is regrettable.

One may look at some of the changes the Government wants to make and one could sympathize with the desire of the Government to re-address some of the anomalies that exist in Routine Proceedings. One can see here obviously that the Government is feeling the frustrations of excessive dilatory tactics that have been used recently by the New Democratic Party. The Government is, therefore, anxious to assert its control of the House. Unfortunately, we have to ask ourselves if this control is coming at too high a price. Does this not come at a time when, in a spirit of reforming Parliament and giving more authority to the private Members, the Government is seizing the passage of permanent new rules to give itself some authority? That is to a certain degree frightening. I refer to the decisions of the Government without any consensus, without any appropriate consultation and agreement with the opposition Party, whether it be the Liberal Party or the New Democratic Party, to go ahead and change substantially some of the procedures to which we have been accustomed, in particular, our dealings with third reading stage. The decision of the Government to curtail debate on third reading in the way it wants to do it is unacceptable. The decision to amend Standing Order 117 is, to me, unacceptable. The decision to change unilaterally Standing Orders 13, 19 and 48 is also unacceptable.

• (1630)

I would like to remind Hon. Members and members of the Government in particular that the consensus arrived at in the McGrath report to do away with bell-ringing is a prime example of how Members on both sides of the House could put their partisan approach aside and try to work out procedures that would be in the best interests of good order in Parliament. I accept without any hesitation that the Government has a legitimate point in trying to redo Routine Proceedings and in trying to find ways to implement certain timetables for legislation. However, to do so unilaterally and without proper consultation and appropriate consensus sets a very, very bad precedent. On one hand, the Government has every right to want its legislation passed, but it must accept on the other hand that the Opposition has the right to fight as much as possible under the rules of the House of Commons against legislation the Opposition thinks is unacceptable.

The way the Government is trying to curtail debate on second reading, at report stage and on third reading is, to me, too much. If these rules are accepted, there will be the possibility of a Minister rising in the House and, without any notice, deciding that his legislation, which he thinks is good although all members of the Opposition and a large segment of the population are against it, will pass. He will move a motion that will be debated for only two hours and will preclude the continuation of debate at report stage and at third reading of

the Bill. Therefore, a very drastic form of closure will be imposed on a piece of legislation simply because of the will of a Minister. I think that is unprecedented and very dangerous.

I am not saying that the Government should not find better ways of dealing with legislation. I am not saying that the Government should not have the right legitimately to expect that its legislation be accepted, but the way it is proceeding is, to me, frightening.

I also want to say that there is no *quid pro quo* in the proposals submitted by the Government. Time and time again, the Opposition Whip has asked a question which was nicely received by the Government Whip but was not answered. Under our current rules, we need only 20 Members to have a quorum. To ask the Opposition to have 25 Members present in the House of Commons in order to prevent the Government from prolonging the debate at the end of the day and making sure that the legislation that normally would not be accepted is passed is asking too much of the Opposition. There are 40 Members of the Loyal Opposition. This means that in order to prevent the Government from speeding up the process of passage of legislation, we would need to have 25 opposition Members present.

As you know, Madam Speaker, parliamentarians are asked to do many tasks. They are asked to be in here, to be in committee, to be in their constituencies and to represent the interests of their Parties at numerous meetings here and abroad. Therefore, it is impossible to ask an Opposition that is as small as we are to block the dictatorial will of 210 Members. Certainly the Government must come to its senses and use more appropriate numbers which would allow the Opposition to prevent unlimited debate on legislation.

I would like to deal with the proposals for Private Members' Bills. I know that through the good auspices of the Clerk of the Table, it is now possible to allow a substitute for an Hon. Member who cannot debate his Bill. The Clerk is now in a position to ask for other Members of the House to substitute for the Member who cannot be present and a different Bill can be looked at at the end of the day. The reality is, however, that if this fails, the one hour goes back to the Government. It should not go back to the Government.

The Government has enough time to look at its own affairs, and I think it is unfair to give Private Members' time to the Government. I do hope that the rules in this regard will make it crystal clear that if for one reason or another a Member is unable to deal with his Private Member's initiative, the time that would normally be given to Private Members' hour will not be given back to the Government. This is not asking too much and I believe that in the interests of Private Members, it is very important.

I would like to say something about a recommendation that is not very controversial but one which I believe is important. Both the McGrath and the Lefebvre committees opposed any nomination process for the Chair. All Members except those who wish to withdraw from consideration should be eligible to receive ballots.

As was seen in the election of the present Speaker, campaigning is resented by most Hon. Members and is seen as inappropriate. The present system is intended to foster thought and discussion by MPs on the selection of the new Speaker. By having to declare themselves to be candidates, it is clear that the House could be deprived, as it almost was on the last occasion, of the candidature of a Member who is not willing to declare himself. The process should be more subtle than a declaration of candidacy. The character of the election does not lend itself to a horse race.

The Standing Committee on Elections, Privileges and Procedure has also recommended that the election process be improved by removing low-ranking nominees who receive less than a certain percentage of the votes. I think this is reasonable and I am glad the Government is willing to accept it. However, by inviting declarations, the House might see persons running for reasons other than the desire to seek the speakership. I think this is a step backward. I suggest that this proposal be reviewed by the Government and not be put forward for implementation. I think it will not be helpful in the election of the Speaker.

The major thrust of the McGrath report was the theme of increasing the influence of Members of Parliament. I am not saying it was to increase the powers of Members of Parliament. The House of Commons does not govern. It is clear that Ministers of the Crown are responsible to the House for the Government of Canada. However, there has always been what Edward Blake called the great power of the House to advise. This is the area which may be of direct interest to persons who must deal regularly with Government and who may have ideas about how to do things better. Clearly, if we are to implement the rules the Government wants to implement, Ministers are going to become very, very powerful. They are going to dictate the agenda and there will be absolutely no possibility of Members of the House, Opposition or Government, intervening to improve the legislation.

• (1640)

The McGrath committee had in mind improving the rules of the House of Commons to give more power to Members in reviewing legislation and Estimates in committee. To a certain degree we are doing that, but to a larger degree we are short of implementing all of the McGrath report recommendations. I certainly regret that three recommendations, one for an electronic voting system, another for the establishment of an appropriate small secretariat to support the activity of the Board of Internal Economy, and one regarding televising the work of committees, were not accepted.

Although everything has not been accepted by the Government, I think the gist of the recommendations of the McGrath report which have been implemented temporarily should now be made permanent. The desire of the Government to do differently should not be entertained at this time. Therefore, I

move, seconded by the Hon. Member for Prince Albert (Mr. Hovdebo):

> That the motion be amended by deleting all of the words after the word "That" and by substituting the following:
>
> "all the provisional and permanent Standing Orders of the House in force on the date of notice of this motion be adopted as the permanent Standing Orders of the House; and
>
> That the Clerk of the House be authorized and instructed to print a revised edition of the Standing Orders of the House, renumbering as may be deemed necessary and making such technical and consequential changes as may be required."

The Acting Speaker (Mrs. Champagne): The Chair will reserve its decision on the motion and advise as soon as possible.

Questions and comments.

Mr. Blaikie: Madam Speaker, my comment relates to the issue of electing the Speaker as raised by the Hon. Member for Papineau (Mr. Ouellet). I ask all Members to think seriously about what the Government has suggested in that regard. I hope that even as I speak an agreement is being worked out which will make some of my remarks redundant, but I want Members to think about this matter.

The Standing Committee on Elections, Privileges and Procedure was asked as part of its general review of the Standing Orders to look at the question of the election of the Speaker. There were at least two problems we wanted to address. One was what I call decluttering the ballot. We needed a mechanism to get the names of people who were not getting very much or any support off the ballot more quickly than was the case in our first experience of that procedure. We also needed a procedure whereby we could avoid what happened to the former Member for Yukon. He was unable to get his name off the ballot because he was not here in person to do so.

We made two suggestions. One, that there be a 5 per cent threshold below which your name would come off the ballot. Second, that Members be able to take their name off the ballot either by phone, telegram or whatever, so they would not have to come all the way from Yukon or wherever they might be in order to do so. That would have solved both problems.

The Government accepted the 5 per cent recommendation and then went on to recommend a nominating procedure, that is to say, people would have to actively put their name in nomination for Speaker. That procedure was rejected by the Lefebvre committee in 1982-83. It was rejected by the McGrath committee in 1984-85. It was rejected by the Standing Committee on Elections, Privileges and Procedures. All three groups unanimously agreed that it would be unseemly and take away from the process if people had to actively put their name in nomination for the speakership. It would lead to campaigning and various other things we do not want to see associated with the process by which a person becomes Speaker of the House of Commons.

It is important that the Government recognize that at the heart of the election of the Speaker is the idea that the House has control over its own processes. The election of the Speaker was both the symbol and substance of that reform. Therefore, it is most inappropriate for the Government to go against the unanimous recommendation of three committees of this House and decide by itself, as part and parcel of this unilateral motion, that it knows better and will implement an active nomination procedure.

I think the Government has become aware in the last little while about our concerns over this measure. Whether there is or is not an agreement, I hope the Government will see its way clear to change this particular aspect of the motion. Whether intended or not, and I do not think it was intended, this goes right to the heart and symbol of reform: Election of the speaker. If the Government can unilaterally change that procedure against the unanimous recommendations of three committees of this House, then parliamentary reform will indeed have suffered a setback. I ask the Hon. Member for Papineau to comment on that.

[*Translation*]

Mr. Ouellet: Madam Speaker, this is clearly disquieting because the Government, taking advantage of the deadline for Parliament to reach a conclusion on our interim rules and make them permanent, introduced a whole series of proposals that have nothing to do with the parliamentary process nor the proposals put forward by the McGrath Report. The Hon. Member is right in saying this move originates from the Government and is based neither on the McGrath Report nor the Lefebvre Report nor the Cooper Report.

The other proposal to unilaterally change the parliamentary calendar also is disquieting. Thanks to parliamentary reform, orders that were made in the past, Members for some years have been in a position to know there would be recesses on predetermined dates—Easter, during the summer, or Christmas. Now the Government is unilaterally moving to change a calendar that was approved unanimously by the three political parties in this House, that introduced a little more common sense, a little more dignity into our parliamentary work, that allows each and everyone of us with family responsibilities to know that at Easter, during the summer or at Christmas we, as any other individual working outside this House, can go home and fully enjoy the statutory holidays.

Again, the Government acting unilaterally, without consulting anybody, is about to change the parliamentary calendar that was agreed upon in the past. It is my hope it will come to reason rather than insisting on changing that parliamentary calendar that has proved itself and is absolutely essential in my view to the dignity of all Members in this House.

The Acting Speaker (Mrs. Champagne): The Chair, having reviewed the amendment put forward by the Hon. Member for Papineau (Mr. Ouellet), finds it acceptable.

• (1650)

[*English*]

Resuming debate.

Mr. Benjamin: Questions and comments.

The Acting Speaker (Mrs. Champagne): The period for questions and comments is finished.

Mr. Blaikie: Not according to my reading of the clock.

The Acting Speaker (Mrs. Champagne): The Chair noted the time between 4.41 p.m. and 4.51 p.m. as the ten-minute period. The Hon. Member for Halifax West (Mr. Crosby) has the floor.

Mr. Howard Crosby (Halifax West): Madam Speaker, I listened intently to the remarks by the Hon. Member for Papineau (Mr. Ouellet) and others during this debate. While I want to make a positive presentation, I want to address myself particularly to the remarks of the Hon. Member for Papineau.

I will say that his presentation was well balanced and quite fair. I think he made some important criticisms of the rules that would be in effect if this motion before the House respecting the Standing Orders were passed.

However, he failed to deal with the realities of the situation. The rules currently in force are provisional rules. If action is not taken to make the Standing Orders permanent, that is to say the permanent rules for the process and procedure of the House, we will revert to the situation that existed in December, 1984. If Members of the House cannot agree upon a set of rules as the Standing Orders of the House of Commons, and no action is taken, we will go back to the situation that existed on December 7, 1984.

I believe the Member for Papineau and other Members have failed to address that situation. We are in a legislative limbo with respect to the Standing Orders of the House of Commons, and that is not a satisfactory situation.

No one would disagree with the proposition that the best way to obtain rules for governing any forum, particularly the House of Commons, is by the advice and consent of all Members. Unanimity is the desirable state. However, what is done when that state cannot be achieved? Do we abandon our obligations as a Government? Do we fail to put into force what the Government thinks ought to be the rules that prevail and govern the processes and procedures of the House of Commons? Clearly it is the duty and obligation of the Government to act in the absence of achievement of the consent that would be required for unanimity.

I do not see how any Member can seriously take the position that Members of the House are the sole custodians of the rules of the House, and must achieve unanimity to effect any change. If this was the Ottawa Lawn Tennis Club one could agree with that proposition. However, this is the legislative body for Canada. We owe an obligation not to ourselves simply as Members of the House of Commons, but to all Canadians who view this as the forum for public discussion of legislation and other parliamentary matters. It is essential that this House of Commons have permanent rules enshrined in Standing Orders of the House of Commons.

The obligation of the House is to provide Standing Orders of a permanent character. It is not our obligation, duty, or responsibility to await until we achieve that highly desirable state of unanimity, and keep everyone in a state of limbo with respect to the rules and processes of the House. That would be a totally selfish attitude.

I find it difficult to accept the position of Members of Parliament who state that unless they agree, unless they have the rules the way they want them to be, they will withhold consent and thereby prevent the unanimity with respect to the Standing Orders that we all desire.

The Government has not only the mandate to act, it has the responsibility to act. That responsibility is not just to Members of the House of Commons, but to all Canadians.

When we consider the changes that are brought about through this motion, I think any Member of the House of Commons—particularly the Member for Winnipeg—Birds Hill (Mr. Blaikie) who has pored over the rules of the House day after day, time after time—realize and recognize that the current rules do not form a perfect document. Change is necessary and desirable.

For example, I find fault with the current rules that relate to legislative committees. I think they are a misconception of the work and mandate of a legislative committee. I do not believe they provide anything positive in terms of the improvement in the processes and procedures in dealing with Public Bills before the House of Commons. I believe that change is essential.

I particularly have objection to the manner in which Private Members' Business is now carried out in the House of Commons. Anyone who suggests that it is not in the interests of all Members of the House and the Canadian public generally who are interested in parliamentary affairs to limit speeches in the House of Commons, to have sensible timing of debate so that debate cannot be protracted beyond all reasonable limits, is not taking his or her duties as a parliamentarian seriously.

I suggest that every poll that has been taken, every public opinion that has been expressed, has contained the complaint that the House of Commons delays and takes dilatory action with respect to matters before the House of Commons. That can be justified sometimes in order to attract public attention to a particular matter, but it has become the rule in the House of Commons to delay and use delaying tactics. The result is that the public suffers. Members of the House of Commons are paid to be here and the public awaits our action. It is the public that hopefully benefits from parliamentary action. Therefore, we do ourselves and the people of Canada no justice

when we employ dilatory tactics. Any rule that is intended to stop and desist from this practice must have some benefit.

During the last months we have seen the provisions with respect to petitions misused, if not abused. I do not mean to cast any aspersions on particular Members, because a Member is entitled to use the rules as they exist. They are entitled to the technicalities of the law, but at the same time the Government has the obligation to remove mischief in the rules if it is preventing the ordinary transaction of business in the House of Commons.

In summary, I believe that is the point of the motion. It brings to a head the matter that has been long delayed over a three and a half year period. The House has failed to achieve the desired unanimity and it is time for the Government to act.

The Acting Speaker (Mrs. Champagne): I regret to interrupt the Hon. Member. It being five o'clock, the House will now proceed to consideration of Private Members' Business as listed on today's Order Paper.

• (1700)

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*English*]

THE CONSTITUTION ACT, 1982

RIGHT TO LIFE OF UNBORN HUMAN PERSONS

The House resumed from Thursday, April 2, consideration of the motion of Mr. Mitges:

That, in the opinion of this House, the Government should consider the advisability of amending the *Constitution Act, 1982*, to include unborn human persons, and that the Governor General issue a Proclamation under the Great Seal of Canada to amend section 7 of the Canadian Charter of Rights so that it reads as follows;

"7. Everyone including a human foetus or unborn being has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice."

And the amendment of Mr. Domm:

That the motion be amended in the paragraph numbered 7 in the English version, by adding immediately after the word "unborn" the word "human".

The Acting Speaker (Mrs. Champagne): When the motion was last before the House, the Hon. Member for Western Arctic (Mr. Nickerson) had the floor, with one minute left. He is not present so I will recognize the Hon. Member for Simcoe North (Mr. Lewis).

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Madam Speaker, I am pleased to have this opportunity to speak on this very important motion. Protection for the unborn and the laws relating to abortion are issues on which fundamentally differing and opposing views are strongly and genuinely held by many Canadians. In view of the lack of consensus for major change in the abortion law, and because the existing law strikes an acceptable balance for Canadians who hold opposing views, it is the Government's position that it would be inappropriate to bring forth such an amendment.

Section 7 of the Charter is the broadest and most general of the guarantees of legal rights. It guarantees to everyone the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice. The Supreme Court of Canada has interpreted Section 7 as giving the courts authority to assess the substantive as well as the procedural content of our laws.

Not long after the Charter came into force, those provisions of the Criminal Code providing for abortions under certain circumstances were challenged in the Saskatchewan courts by Mr. Joe Borowski. After a very thorough analysis of the law, the Saskatchewan Court of Queen's Bench ruled that Section 7 of the Charter did not provide protection for the unborn and that the term "everyone" in Section 7 did not include unborn human beings. Recently, the Saskatchewan Court of Appeal upheld this decision. Mr. Borowski may now appeal the decision to the Supreme Court of Canada.

From quite a different perspective, Section 7 of the Charter has been invoked by Dr. Henry Morgentaler in an attempt to assert that the Criminal Code provisions on abortion conflict with the mother's rights to life, liberty and security of the person. The issues raised in this case have been argued before the Supreme Court of Canada and we are awaiting its decision. As Members will observe, the effect of the Charter guarantees on the law in this area has not yet been determined by the Supreme Court of Canada. Therefore, quite apart from the substantive policy concerns, it would be inappropriate to move in this area without having had the benefit of the Supreme Court's final determination in this regard.

The motion put forward by the Hon. Member calls upon the Government to give consideration to amend the Constitution to provide protection for the unborn. Such an amendment would clearly affect the legislative powers of the provinces and the constitutional amending formula would therefore apply. The current constitutional amending formula provides that such an amendment would have to be authorized by resolutions of the Senate, the House of Commons and the legislative assemblies of two-thirds of the provinces having 50 per cent of the population of all the provinces.

Canada's First Ministers have agreed to a schedule of discussions for amendments to the Constitution. This issue has not been scheduled for consideration and it is unlikely that a consensus could be obtained either for the inclusion of this issue in the discussions or for its subsequent adoption.

In my opinion, this is not a proper way to initiate a constitutional amendment with far reaching and significant ramifications. Much work needs to be done before such an amendment could be considered. We would need to determine, first of all, what the implications are for a number of laws and practices which currently exist. The laws relating to abortion would perhaps be most directly affected, but we must also look at

other laws relating to children and the provision of medical care.

Second, we would need to approach the provinces and determine if there is support for such an amendment. The Constitution cannot be amended simply because the federal Government thinks it is desirable. Instead, the terms of any amendment must be worked out in close consultation with the Governments of the provinces.

I would interject here, Madam Speaker, that that is exactly what is going on as we speak today.

Those who support this motion must carefully consider the implications of such a resolution. The most immediate effect of the proposed amendment would be on the provisions of the Criminal Code relating to abortion, but it is unclear what the larger effect of such a Charter amendment would be. Presumably, if the Charter were to be amended, abortions could not be undertaken unless the principles of fundamental justice have been observed in relation to the interests of the unborn human being. Also, the principles of fundamental justice would have to be observed in relation to the interests of the mother since the current criterion for abortion is a demonstration of danger to the life or health of the mother.

What would the principles of fundamental justice include in such a case? According to the Supreme Court of Canada, Section 7 of the Charter provides a basis to review the substantive content of laws as well as the procedural aspects. If this amendment to the Charter is enacted, the substantive content of the Criminal Code provisions on abortion, and their impact on the life, liberty and security of the person of both the foetus and the mother, could very well be at issue. So would the procedures for determining if an abortion should be performed. The courts would be called upon to determine whether these procedures are consistent with the principles of fundamental justice for both the foetus and the mother.

There are also a number of questions about the effect of the proposed amendment on our therapeutic abortion laws which have not been answered. For example, are the current therapeutic abortion committees an appropriate procedural safeguard for constitutional purposes? Would we need a court? Would we need to provide a mechanism for independent representation of the foetus before such committees? If so, what would that be and how would a person represent the interests of the foetus? Given the serious time constraints, what procedures would be necessary to adequately protect the interests of the mother as well as the foetus?

I believe that these and many other unanswered questions must be considered prior to initiating any amendment to the Charter to give protection to the unborn. At the present time, the law seeks to draw a balance between the interests of the mother and the foetus. Would the balancing of interests continue, and if so, what sort of constitutional protection for the rights of the unborn would be best?

In addition to the effect that this amendment might have on the laws relating to abortion, there are a great variety of laws relating to children and the health of mothers which might be affected. The resolution would provide a guarantee of security of the person for unborn human beings. Does this mean that those acting on behalf of the unborn child could prevent a pregnant mother from engaging in acts which might be harmful to the foetus such as smoking, drinking or eating improperly? How would such protections be enforced?

Before we could agree to amend Section 7, we would have to consider carefully the effect of such an amendment on our laws and practices. We would have to give the provinces the time to consider the implications of such an amendment.

In summary, I do not think that this is the time to approve such a motion. Much work remains to be done before we could consider a resolution to provide constitutional protection for the rights of the unborn. Even proponents of this objective have unresolved concerns. For example, the Canadian Conference of Catholic Bishops has not endorsed this motion as the most suitable means to implement the right to life of the foetus. Moreover, the interpretation of Section 7 of the Charter, as it relates to the rights of the unborn, is still before the courts. We should await the definitive word of the courts before considering changes to the Charter.

The legal implications of such an amendment require further consideration at both the federal and provincial levels. Were we to proceed, we would have to know the effect of such an amendment on existing laws and practices. This would enable us to put new laws in place and to frame the constitutional amendment in a way that would best achieve our objectives. There is an appropriate process for constitutional amendment. It relies upon close consultation with the provinces and their agreement with the amendment. That is our Canadian tradition, one which continues to serve us well.

The Hon. Member has proposed a very important matter for debate, something about which all Canadians have deep beliefs and strongly held convictions. Although the Government feels it is inappropriate to consider amendments to the laws dealing with therapeutic abortion now, the debate on this motion has been an important airing of views.

• (1710)

Ms. Pauline Jewett (New Westminster—Coquitlam): Madam Speaker, may I say to the Hon. Member for Simcoe North (Mr. Lewis) that I think he brought out a great many of the complications that would arise legally and in respect of other Acts should this motion pass. I hope that all Hon. Members listened thoughtfully and carefully to the incredible number of complications which he showed would occur if this motion were to pass. I will address other aspects of the motion, but I wanted to mention first how important I think the contribution of the Hon. Member were.

As we all know, the real intent of the motion is to outlaw all therapeutic abortions and effectively return abortions to the back alleys. The foetus as an unborn human person is what the motion is all about. I agree with the Hon. Member who has

just spoken that it would be useful to see what the courts finally determine on this issue.

I would like to refer to the Reverend Tom Harpur who, as I think all Members will know, writes a regular column in *The Toronto Star*. I wish to refer to an article he wrote on April 26, 1987, in which he refers to "the oft-repeated slander that abortion is murder." He also states:

> It is time to challenge directly the sloppy thinking that jumps from saying a fetus is a potential human being or a human-being-in-process to saying it is *already* a human being or a person.
>
> Potentialities are indeed important, but they emphatically do not have the same value as actualities.
>
> In our Western morality, people have an ultimate value. Fetuses have value but not an equal value with actual persons.
>
> Specifically, they do not have the ultimate value of the pregnant woman.

Mr. Harpur then goes on to quote, surprisingly, a conservative fundamentalist scholar, W. A. Criswell, in this matter of emphasizing the relative value of the foetus as contrasted with the ultimate value of the woman. Professor Criswell wrote:

> I have always felt that it was only after a child was born and had life separate from its mother that it became an individual person. And it has always, therefore, seemed to me that what is best for the mother and the future should be allowed.

Finally, Mr. Harpur's article points out that according to the Bible what makes us persons is:

> —our God-like ability and responsibility to make hard choices, our capacity for relationships, and our powers of self-transcendence and self-awareness.
>
> This description is applicable to the pregnant woman in a way and in a depth that is simply not true of the fetus.
>
> There must be good reasons for terminating a pregnancy. But it is part of our freedom and responsibility as persons to make the ultimate decision about these ourselves.
>
> To compel a woman to bear a child against her will or to force her to abide by what others define as adequate or inadequate reasons for an abortion, is a form of naked, authoritarian violence.
>
> It is a denial of God's call to her to be a fully adult person taking responsibility for what is best for her own life and that of her family.

In practice, we are rapidly coming to a position of denying access to women to therapeutic abortions. It is shocking that in Prince Edward Island it is not possible to get a therapeutic abortion, and it is practically impossible in Newfoundland. In a letter received from a Dr. R. C. Gustafson of Kamloops, he points out that it is becoming clear that women in the whole of the southern interior of British Columbia are going to be denied equal access to safe therapeutic abortions. I only wish that there were time to read his full letter—

Mr. Scowen: Go ahead.

Ms. Jewett: If Hon. Members will give me unanimous consent I will read the whole letter.

The main point he makes in his letter is that the attempts by hospital boards to abolish therapeutic abortion committees are actually contrary to the requirements of both the Criminal Code and the Canada Health Act. They are allowing the relevant section of the Criminal Code to be restricted by lesser jurisdictions and the intent of the Canada Health Act to be flagrantly violated.

The Canada Health Act, as Hon. Members will recall since we passed it unanimously, forcefully promoted the principle of unimpeded and equitable access to health care free from constraints such as user fees or extra billing. Obliging a woman to go from the southern interior of British Columbia to Vancouver or to Washington State is the equivalent of user fees or extra billing, as Dr. Gustafson points out.

He ends his letter, a letter he sent to the Minister of National Health and Welfare (Mr. Epp), with these words: "No less an issue than the humane and equitable provision of health care to women is at stake."

Ultimately, then, the matter is for a woman and her physician to determine. It is interesting that this was so fully recognized in a recent poll in British Columbia. Indeed, if one considers the poll carefully one will see that should this motion pass and should the Government take it up and should there be an attempt to amend the Constitution to abolish abortion, then I do not think the amendment will get very far in British Columbia.

The poll to which I refer is the first conducted in five years in B.C. by United Communications Research on Lower Mainland. The results of the poll were aired on B.C. TV on the evening of May 21, 1987. With respect to the question about the decision on abortion being up to a woman and her doctor, 87 per cent agreed while only 12 per cent disagreed. Some 87 per cent of British Columbians in the Lower Mainland said that abortion was a matter to be determined by a woman and her doctor. There was hardly any difference between the two major political Parties. Members of the Social Credit Party were 82 per cent agreed while 17 per cent disagreed. In the New Democratic Party 91 per cent agreed while 8 per cent disagreed.

I would like to conclude my comments by reading from a letter from the Vancouver branch of the YWCA which reflects not only the views of the Young Women's Christian Association in British Columbia but throughout Canada. The letter states in part:

> The YWCA membership reflects our multicultural pluralistic society with its wide variety of accepted religions, political beliefs and life styles. Our purpose impels us to openness and understanding of the principles and values of others. As an organization we support the individual right to freedom of choice for women on a large range of issues affecting our lives.
>
> This freedom of choice extends to our position on reproductive rights and the right of a women to self determination regarding unwanted pregnancies. We believe that the discussion of pregnancy and its continuation or cessation should be a private matter of individual conscience decided by a woman and her physician.

● (1720)

Let us not return to abortion on the back streets. Let us think again of Tom Harpur's words:

> To compel a woman to bear a child against her will or to force her to abide by what others define as adequate or inadequate reasons for an abortion, is a form of naked, authoritarian violence.

[*Translation*]

Mrs. Lise Bourgault (Argenteuil—Papineau): Madam Speaker, as a women and a parliamentarian, I am of course particularly interested in the motion by the Hon. Member for Grey—Simcoe (Mr. Mitges) concerning a proposal to amend Section 7 of the Canadian Charter of Rights and Freedoms as follows, and I quote:

> —a human foetus or unborn unbeing has the right to life, liberty and security of the person;

Madam Speaker, 110 residents in my riding have sent me form letters in which they ask me to support this motion. I have taken a very careful look at the procedure used by the Hon. Member which, although in itself quite commendable, and the Hon. Member is indeed to be commended on his initiative, is indirectly an attempt to deal with the abortion issue.

Madam Speaker, in my humble opinion, the very principle of this motion contradicts the same Charter of Rights and Freedoms the Hon. Member would have amended. How could the Charter, thus amended to include fetal rights, be used before the courts who would have to deal with an issue of this nature? Are the rights of the pregnant mother less important than those of the unborn child, and vice versa? How, Madam Speaker, will we protect the rights of the unborn child? Will there be court injunctions on a woman's uterus? Another example, Madam Speaker. If we have two spouses, one of whom wants the pregnancy to come to term while the other does not, what happens? An injunction would have to be granted to one of the spouses, but how do we carry out the injunction? Would there be prisons for pregnant women?

Madam Speaker, this may seem rather ridiculous, but it is exactly the kind of situation this motion brings to mind. Madam Speaker, adopting this motion would make women the slaves of their reproductive organs and expose them to court actions by any group acting to protect the interests of the foetus.

Madam Speaker, should the courts or legislation that would arise from this amendment to the Charter order a mother not to smoke, not to drink, not to eat this or that, not to practise certain sports, not to do this or do that, if the neighbours happen to think the mother's habits are endangering the health of the foetus?

Let us be logical with ourselves, Madam Speaker. I beseech my colleagues in this House to vote against a motion which in effect is impractical, inapplicable, and unrealistic, a motion which in my humble opinion misses the real point. What our Parliament should be debating today is the situation of thousands of children who are presently being abused, who are deprived of the care they deserve, abandoned children, children who are hungry and cold. Those children, Madam Speaker, should be protected. Our time should be spent developing a true family policy, a policy concerned with the prevention and support that the State should be bringing to families or women pregnant with an unwanted child, in order to help those women, through adequate action, keep their child until he or she is born instead of having an abortion.

In my opinion, Madam Speaker, this motion hits squarely at the autonomy, the dignity and the safety of women in Canada, and I shall therefore vote against that motion for all the reasons I have mentioned, while hoping that the Government and every concerned Canadian man and woman will strive together to develop a true family policy in Canada.

[*English*]

Mr. Paul Gagnon (Calgary North): Madam Speaker, the Member for Grey—Simcoe (Mr. Mitges) should be congratulated for bringing this motion before the House. The Government should certainly be congratulated for having changed the rules to allow such a debate.

This is a very contentious issue. I sought input from my constituents and asked them the following question:

> There are a number of questions; cost, use of medical talent and space, falling birth rates . . . and many others; but none addresses the central question—is the foetus a human life?

I received a number of replies, some of which I would like to read into the record. These are the "no" replies, if I may call them that. One reads:

> What I do if I miss my period is my business and not the business of government—lawyers or clergy.

That is a very direct response. Another reads:

> "Is a foetus a human life" is not the central question, it is the central excuse. Abortion has been going on for thousands of years and will continue to go on for thousands of years—nothing will stop it— "back alley butchers" will be sought out or self induced abortion methods will be used—more women and girls will die impaled on knitting needles or will poison themselves with Drano.

The last "no" response which I will read into the record says:

> Firstly, while you stated that your belief is that abortion is a moral issue, I contend that it is a religious one since the premise that abortion is murder depends on whether or not the fetus has a soul. If, for instance, I believe that the soul does not enter into the body until sometime after a viable birth, and you believe that it happens at the moment of conception, and neither of us . . . can present absolute proof, then, it must be accepted that this is a religious matter. Therefore for you . . . to force your belief on me . . . is a violation of my rights and therefore unconstitutional. In other words, it is not your right to stop me from having an abortion—it is not my right to make you have one!!!

This writer goes on to say:

> It is no argument to point out that the fetus is a living organism therefore it is wrong to stop its growth . . . . Sperm and ovum are living cells but there is no need to confer citizenship on them . . . . I am also aware that our present birth rate is inadequate to support our economy and that immigration will become a necessity. If Canadians are not happy—with this alternative, then maybe we have to look at why women are choosing not to have children. To force them to have children is untenable—

Those were the "nos". I will read the responses of some of those who believe in this legislation. One response reads:

> In vitro fertilization has given us irrefutable scientific evidence of the fact that life begins at conception.
>
> Your life and mine can be commenced in a dish in a laboratory—is a human womb really necessary to bring a baby to a viable point? Yes, from conception onward, all that is added is oxygen and nutrition. Everything we are now, we were then. The only thing that has changed is the place of residence from the womb to the world.

Another "yes" response reads:

I also do not know whether a foetus is a human life. However this does not prevent me from forming a belief based on the available information. I strongly believe that human life begins at conception—for those who disagree I have a question—Can you afford to be wrong?

A third reply reads:

Women are screaming "I have a right to control my body". Let me say as a woman, that I have a "right" to say no before jumping in the sack with someone. That is my ultimate control over my body—when I choose—to engage in—intercourse and a child is conceived—there is where my rights end and the right of another life begins.

• (1730)

Of the correspondence which I received—and there were in excess of 1,700 letters—the most touching and heart-warming letter was one from a nurse. I should like to quote it:

As a nurse working with first and second trimester abortions, I would like to make you aware of some concerns I, and also my colleagues, have.

Abortions are legal here up to 20 weeks gestation. They are done by injecting the amniotic fluid with digoxin—to kill the baby, and prostaglandin—to induce labour. The woman then delivers a dead baby. Many of these foetuses are larger than those being cared for in intensive care—dates are very unsure sometimes and abortions are done past 20 weeks . . . On Wednesday, 17 December, someone at the lab got fed up and sent back a foetus which was over 500 grams (or viable weight) and it had to have a death certificate filled out. The weight on the lab report was 640 grams. The weight on the report for vital statistics read 560 grams.

Before extra billing was banned, we saw many foetuses larger than this—

The abortion committee approves all requests. The diagnosis is always given as depression . . . For my one and a half years here I have seen only one abortion done because of foetal abnormalities and none done for medical reasons of the mother's.

Aside from these moral and legal questions, second trimester abortions are very dangerous. The woman's body is not ready for labour and she often experiences severe pain . . . The placenta rarely delivers spontaneously and the woman bleeds profusely—

Another problem we have is that sometimes the doctor can't safely inject the woman so a procedure is done that results in a live birth. We are told to wrap this gasping, wriggling, crying infant, and leave it to die . . . One was born weighing one kilogram and was taken to intensive care but was left to die since it was an abortion.

This personal issue is a central issue to me. It deals with the sanctity of life. I cannot prove, nor can I disprove, whether or not a foetus has a soul.

I was amazed that my seat-mate from New Westminster—Coquitlam said that a mother had more rights than a child. Are we to wind up having first-class and second-class citizens? This bothers me.

I should like to draw an analogy. If I went hunting and saw a bush move, prudency would dictate that I should not start shooting into the bush in case it was not the animal I was hunting but another human being. That same sort of prudency dictates that we do not terminate foetuses unless we can absolutely, irreversibly prove that they are not human beings.

What we do in Government is to look after the disadvantaged. What can be more disadvantaged than a foetus?

As I read into the record earlier, let me repeat:

I strongly believe that human life begins at conception—for those who disagree I have a question—Can you afford to be wrong?

We cannot afford to be wrong. We do not know the answers. We have to say yes to this Bill.

[*Translation*]

Mr. Jean-Guy Hudon (Parliamentary Secretary to Secretary of State for External Affairs): Madam Speaker, first I want to thank you for recognizing me. I will try to shorten my remarks because I realize that although we have little time left a number of Members would like to speak to this motion.

Madam Speaker, there was a time when charity was a virtue, but these days it has become an organization. There was a time as well when education was dispensed by a system, by institutions, schools, families, and by the Church. Oftentimes nowadays they have lost sight of certain values, and the Parliament of Canada is fully expected to fill the void created by undeveloped values.

Madam Speaker, I enjoy these theoretical debates because they enable me to discuss openly with people and, without accusing those who are for or against, or without making anyone feel guilty, I will vote against this motion because, as the Hon. Member for Argenteuil—Papineau (Mrs. Bourgault) said earlier, we are not necessarily speaking to the basic issue.

I see my colleague from Bourassa (Mr. Rossi) on the other side who stated in an interview somewhere that he had already changed his mind about capital punishment, and when I began the debate on capital punishment, Madam Speaker, I was like him, I was in favour of the death penalty.

I once asked myself this question: If, on the eve of the vote in the House of Commons, my son were killed in a bank robbery, would my vote necessarily be the same if, instead of being the victim, he were the killer? If I am not sure I would still vote the same way, I must forget my emotions and take a dispassionate view.

Madam Speaker, I am here because I want to try and build a better world. I won't make a criminal of my daughter if some day she says: Dad, I don't want this baby. Madam Speaker, I would do everything I could to prevent her. I would tell her: Isabelle, we can raise that baby, we will take care of it because it's your child. But, Madam Speaker, I would not let my daughter go to court with a bunch of lawyers, all because she would be considered to have committed a crime.

In fact, my only alternative, Madam Speaker, would be to dig into my pockets and give her some money and tell her to get an abortion in the United States. But I don't want to do that. I don't want to put people through a judicial system that would put a terrific burden of guilt on them. But I also think that using abortion as a means of contraception is absolutely degrading. Yes, degrading. However, legislation is not going to make abortion any less degrading. I find it depressing and repugnant. I can find nothing positive in that kind of outlook.

However, Madam Speaker, branding my children and your children as criminals is not going to help me build a better world for those children. I do not really like the implications of free choice but to me, the important thing is not to criminalize

but to respect the choice someone has made, which may be a terrible choice but not criminal.

[*English*]

Mr. John Nunziata (York South—Weston): Madam Speaker, I appreciate the opportunity to make some very brief submissions with regard to the motion before us. I intend to support the motion but, before commenting upon the reasons for supporting it, it is important to point out the inconsistency which is present with regard to some of those who intend to vote in favour of and some of those who intend to vote against the particular motion.

In my view life is sacred, regardless of what stage in life, whether it is before birth or after birth. It seems somewhat inconsistent for some of those who intend to vote for this particular motion, indeed the mover of the motion, to support capital punishment on the one hand and to be opposed to abortion on the other hand.

Similarly, a number of Members in the House, most notably in the New Democratic Party, are adamantly opposed to capital punishment—and some argue because human life is sacred—yet they appear to be unanimously in favour of abortion. There is a basic inconsistency in that logic.

In my view the central issue is: When does life begin? If we conclude that life begins after birth, then there is really no need for this particular amendment, because Section 7 of the Constitution provides that any person is entitled to life, liberty, and the other provisions in the Charter of Rights and Freedoms. In that event there is really no need to entrench the rights of the innocent unborn.

However, if we conclude that life begins at some moment before birth, it would follow that the unborn person, the foetus, should be entitled to each and every protection afforded to living human beings under the Charter of Rights and Freedoms.

• (1740)

Why would one distinguish between an unborn and a living person when in the Constitution itself we do not distinguish between black and white? We do not distinguish between short and tall. We do not distinguish between an able-bodied human being and a disabled human being. We say that the Canadian Charter of Rights and Freedoms applies to every person. I should point out, Madam Speaker, that the Charter applies to those who are not Canadian citizens. Every person living in Canada is entitled to the protection of the Charter of Rights and Freedoms. So we do not distinguish in the Constitution itself with regard to human beings.

Why would one distinguish between a living person and a foetus if one concludes that life begins before birth? The central issue, as far as I am concerned, is, when does life begin? On a balance of probabilities—I have come to the conclusion in my own mind—and I am basically voting according to my own morality and conscience on this issue, not necessarily reflecting the views of the majority of my constituents, if you will—that life begins at some point before birth. Whether that is one second before birth, three months before or nine months before birth, life begins, in my view, before birth.

Let me give an example of why I believe that life begins before birth. If a pregnant woman were to be shot and murdered on the eve of giving birth, and both the foetus and the mother were murdered, would you argue that the person who perpetrates that crime should be charged with one count of murder or two counts of murder? I would argue that the perpetrator of that crime should be charged with two murders, that of the mother and that of the foetus. One could argue about property rights to substantiate one's argument with regard to when life begins. As a parent, if I were to will my assets to my children, and let us assume that I died the day before my wife gave birth, would anyone suggest that that unborn child should not be entitled, by law, to a share of my estate or my assets? I would suggest that the unborn child in terms of property rights should be entitled to a part of that estate. I notice that Members opposite are heckling. They may disagree with where I stand, but I ask that they grant me the common courtesy of listening.

Some Hon. Members: Hear, hear!

Mr. Nunziata: I listened attentively when they spoke.

Unfortunately, we do not have an opportunity to speak at length. I know there are people on both sides of the House who intend to vote for and against this motion. I am appreciative of the fact that it is a free vote, at least as far as our Party is concerned and as far as the Government is concerned. I would ask that people in the House respect one another's point of view. I may disagree with those who believe in abortion who may be opposed to this motion, but I respect their points. I simply ask in return that they respect mine as a Member of Parliament. I am entitled to express my opinion and to vote this afternoon. I intend to vote for this resolution.

Mr. Vince Dantzer (Okanagan North): Madam Speaker, I am most pleased, as most Members are, to have the opportunity to speak on this important motion. It is an issue that is one of the most important to have come before the House during the years that I have been a Member. I believe it is a national scandal that we kill by abortion between 60,000 to 70,000 human beings. I commend the Hon. Member for Gray—Simcoe (Mr. Mitges) for his courage, conviction and determination to bring this matter before the House.

The matter is difficult, contentious and, as a result, the debate has been emotional and at time acrimonious. It is a matter of deeply held principles, and there can be little compromise between those who are for abortion and those who oppose it. Those who oppose the motion and are for abortion believe that easy access to abortion is the right of women who wish to terminate an unwanted pregnancy. They believe the issue is a personal one for the woman involved. Those in favour

of the motion—and I am one of those—believe, to put it bluntly, that abortion is murder.

That is a strong statement, and why do I make it, Madam Speaker? I believe that a human being with untold potential is present from the moment of conception. I believe that every human being has the right to life. I believe that no one and no Government has the right to take an innocent life—and I emphasize the word innocent—or to kill an innocent human being. A human being is present from the moment of conception. This is a fact affirmed by modern science. It is a fact that can be proved genetically and was accepted as fact by the World Council on Abortion held in Washington in 1967.

From the moment of conception onward, there is human life. The first cell is a being. It is alive. It is an individual and it is human. It is not a carrot or a vegetable. It is not a cat. It is not an animal. What is conceived from human is human. The foetus is a human being with potential. It has all the genetic information and the developmental dynamism needed to become a fully developed human adult. Even a newborn baby is still mostly potential. It is important to remember that every human being is and remains a human being with potential. We all continue to grow and mature. Only death ends the process of growth which begins at conception.

Let me examine briefly some of the arguments used by pro-abortionists who support easy access to abortion. It is argued that a woman has control over her body and it is her choice alone whether to abort that pregnancy or to carry the child through to birth. There is undoubtedly truth in the statement that we all have or should have control over our own bodies. But even here there are caveats.

No society has condoned self-mutilation and no society has condoned suicide as a universal good. The fact remains that we are stewards, not owners of our bodies and our life. As stewards we have a duty to promote and preserve life and health. We are not the cause of our own existence and must not be the direct cause of the cessation of that existence, be it our own or someone else's.

The issue, of course, is whether the unborn child is a part of the mother, a part of her body such as, for instance, a wart. Or is it a separate human being distinct from the mother altogether, although of course depending upon her? If it is only a bunch of tissue, everyone would agree that the mother could remove that tissue at will for reasons of health. However, I submit that the evidence is clear that the foetus and unborn child is a separate being. Biological evidence shows that from the moment of conception onward, the embryo or foetus is a unique and distinct individual, a living human being having its own distinct genetic make-up different from that of the mother and the father.

• (1750)

The embryo has its own organs, its own growth dynamism, its own circulatory system and its own functions. Even the placenta is not part of the mother. It is an organ of the baby, and while the blood of the mother and baby meet, they do not mix but are kept separate by the placental membrane.

No one has the right to kill that human being which is in the foetus any more than a criminal has the right to kill innocent people. For the state to forbid abortion is no more an invasion of a woman's privacy than it would be an invasion of privacy to prevent a criminal from killing innocent human beings.

Again, it has been argued that abortion should be allowed because it is not reasonable to force a woman who has been raped or becomes pregnant incestuously to bear the child for the full term and subsequently give birth to the child. My reply is that I do not understand how killing the innocent child solves the problems of rape or incest.

[*Translation*]

Mrs. Mailly: Madam Speaker, on a point of order.

The Acting Speaker (Mrs. Champagne): The Hon. Member for Gatineau (Mrs. Mailly), on a point of order.

Mrs. Mailly: Madam Speaker, it is really too bad we will not have enough time for a complete debate on this motion. Actually, I have some doubts as to the relevance of the comments that were made. There has been no mention of the Constitution. I thought that the prupose of the motion was to include the word "foetus" in the Constitution. This has nothing to do with the life of a child or whatever . . . I don't think we are being relevant here, Madam Speaker. We have not been addressing the subject, and I would ask for more time so that we can do so.

[*English*]

The Acting Speaker (Mrs. Champagne): Under the Standing Order I have no choice but to interrupt the debate at this time.

[*Translation*]

It being 5.51 p.m., pursuant to Standing Order 36(2), the time allowed for the consideration of this motion has now expired. Therefore, the question is as follows:

[*English*]

The question is on the amendment of the Hon. Member for Peterborough (Mr. Domm). Is it the pleasure of the House to adopt the amendment?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the yeas have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Call in the Members.

[*Translation*]

And the bells having rung:

The Acting Speaker (Mrs. Champagne): The Hon. Member for Ottawa—Vanier (Mr. Gauthier) rises on a point of order.

Mr. Gauthier: As this is a historical vote, Madam Speaker, I think we should innovate. I suggest that you ask for unanimous consent—

• (1800)

[*English*]

—that unanimous consent be sought to proceed with the vote beginning with the mover of the motion and proceeding on that same side of the House row by row and then coming to the other side to finish the vote. It would be row by row starting with the mover of the motion.

Mr. Lewis: Madam Speaker, in keeping with parliamentary reform I suggest that this is a Private Members' motion and which side of the House a person is on should have no bearing on the vote. I suggest we take it by the easiest method possible for the Table.

Some Hon. Members: Hear, hear!

The Acting Speaker (Mrs. Champagne): Is the House in agreement that the division be taken by rows?

Some Hon. Members: Agreed.

• (1810)

The Acting Speaker (Mrs. Champagne): We will proceed as follows: As is customary, Hon. Members in favour of the motion will be asked to indicate their position first, followed by Hon. Members who are opposed.

I will ask all Members in the first row to my right who are in favour of the motion to rise together, whereupon their names will be called by a Clerk, beginning with the Hon. Member seated closest to the Chair. When the name of a Member in the row has been called and recorded, that Member will resume his or her seat.

When the taking of the names of Hon. Members in the first row to my right has been completed, I will ask Members in the second, third, fourth, and fifth rows on my right to proceed in a similar manner.

I will then ask Members in the first row to my left, regardless of their Party affiliation, who are in favour of the motion to rise and remain standing until their names have been called. We will carry on similarly with other rows on my left.

Once the votes of Hon. Members supporting the motions have been completed in this manner, I will then invite Hon. Members in the first row to my right who are opposed to the motion to rise. I will proceed similarly through the remaining rows to my right and follow the same procedure for Hon. Members to my left.

It bears repetition that the taking of names of Hon. Members in every row will begin with the Hon. Members seated closest to the Chair and will continue consecutively to the far end of the row. This will be so to my right, regardless of rank. It will be so to my left, regardless of rank or Party affiliation.

The House divided on the amendment (Mr. Domm), which was negatived on the following division:

(*Division No. 132*)

YEAS

Members

Attewell
Belsher
Binns
Blenkarn
Cardiff
Coates
Comeau
Cooper
Crosby
(Halifax West)
Crouse
Dantzer
Darling
Domm
Forrestall
Fraleigh
Fretz
Friesen
Frith
Gagnon
Gervais
Gormley
Gottselig
Greenaway
Gustafson
Hardey
Henderson
Holtmann
Hopkins
Horner
Jepson
Kilgour
Killens
Kindy
MacLellan
Malone
McKenzie
Minaker
Mitges
Nicholson
(Niagara Falls)
Nunziata
O'Neil
Oostrom
Pietz
Plourde
Porter
Price
Ravis
Redway
Reimer
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Scott
(Victoria—Haliburton)
Scowen
Stackhouse
Stevens
Taylor
Towers
Turner
(Ottawa—Carleton)
Vankoughnet
Warner
Wenman
White
Wilson
(Swift Current—
Maple Creek)—64

NAYS

Members

Allmand
Andre
Angus
Axworthy
Benjamin
Bertrand
Blackburn
(Brant)
Blackburn
(Jonquière)
Blaikie
Blais
Bosley
Boudria
Bourgault
Brightwell
Broadbent
Browes
Caccia
Cassidy
Clark
(Yellowhead)
Clark
(Brandon—Souris)
Collins
Cossitt
Crofton
Daubney
de Jong
Desjardins
Dick
Dorin
Duguay
Ellis
Epp
(Thunder Bay—
Nipigon)
Ferland
Foster
Fulton
Gagliano
Gauthier
Gérin
Graham
Gray
(Windsor West)
Grisé
Gurbin
Hamelin
Heap
Hicks
Hnatyshyn
Hudon
Jacques
Jardine
Jewett
Joncas

Keeper
Kempling
Landry
Langdon
Lawrence
Layton
Leblanc
Lewis
MacDonald
(Kingston and
the Islands)
Mailly
Manly
McDermid
McDougall
(St. Paul's)
McInnes
McKinnon
McLean
Merrithew
Murphy
Nystrom
Orlikow
Pépin
Plamondon
Reid
Riis
Robichaud
Robinson
Sparrow
Speyer
Tardif
(Charlesbourg)
Tobin
Tremblay
(Québec-Est)
Tupper
Vézina
Waddell
Winegard
Wise
Young —87

● (1820)

The Acting Speaker (Mrs. Champagne): I declare the amendment lost.

The next question is on the main motion. Is it the pleasure of the House to adopt the said motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion, the nays have it.

And more than five Members having risen:

Mr. Gauthier: Madam Speaker, I think if you seek unanimous consent, you would find that—

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): Shall I dispense with the ringing of the bells?

Some Hon. Members: Agreed.

The House divided on the motion (Mr. Mitges) which was negatived on the following division:

(*Division No. 133*)

YEAS

Members

Attewell
Belsher
Binns
Blenkarn
Cardiff
Coates
Comeau
Cooper
Crosby
(Halifax West)
Crouse
Dantzer
Darling
Domm
Forrestall
Fraleigh
Fretz
Friesen
Frith
Gagnon
Gervais
Gormley
Gottselig
Greenaway
Gustafson
Hardey
Henderson
Holtmann
Hopkins
Jepson
Kilgour
Killens
Kindy
MacLellan
Malone
McKenzie
Mitges
Nicholson
(Niagara Falls)
Nunziata
O'Neil
Oostrom
Pietz
Plourde
Porter
Price
Ravis
Redway
Reimer
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Scott
(Victoria—Haliburton)
Scowen
Stackhouse
Stevens
Taylor
Towers
Turner
(Ottawa—Carleton)
Vankoughnet
Warner
Wenman
White
Wilson
(Swift Current—
Maple Creek)—62

NAYS

Members

Allmand
Andre
Angus
Axworthy
Benjamin
Bertrand
Blackburn
(Brant)
Blackburn
(Jonquière)
Blaikie
Blais
Bosley
Boudria
Bourgault
Brightwell
Broadbent
Browes
Caccia
Cassidy
Clark
(Yellowhead)
Clark
(Brandon—Souris)
Collins
Cossitt
Crofton
Daubney
de Jong
Desjardins
Dick
Dorin
Duguay
Ellis
Epp
(Thunder Bay—
Nipigon)
Ferland
Foster
Fulton
Gagliano
Gauthier
Gérin
Graham
Gray
(Windsor West)
Grisé
Gurbin
Hamelin
Heap
Hicks
Hnatyshyn
Hudon
Jacques
Jardine
Jewett
Joncas
Keeper
Kempling
Landry
Langdon
Lapierre
Lawrence
Layton
Leblanc
Lewis
MacDonald
(Kingston and
the Islands)
Mailly
Manly
McDermid
McDougall
(St. Paul's)
McInnes
McKinnon
McLean
Merrithew
Murphy
Nystrom
Orlikow
Pépin
Plamondon
Prud'homme
Reid
Riis
Robichaud
Robinson
Sparrow
Speyer
Tardif
(Charlesbourg)
Tobin
Tremblay
(Québec-Est)
Tupper
Vézina
Waddell
Winegard
Wise
Young —89

● (1830)

After the taking of the vote:

Mr. Minaker: Madam Speaker, I rise on a point of order. I abstained from voting on the main motion because as it reads now if one were to vote in favour of it one would not allow the abortion of a horse or a cat. That is why I supported the amendment.

Some Hon. Members: Oh, oh!

The Acting Speaker (Mrs. Champagne): Order, please. If the Hon. Member, or any other Hon. Member, has a point of order to raise I will listen to it after the count has been announced.

And the Clerk having announced the result of the vote:

The Acting Speaker (Mrs. Champagne): I declare the motion lost.

* * *

BUSINESS OF THE HOUSE

Mr. Gauthier: Madam Speaker, I rise on a point of order. Before the House adjourns I would like to ask the Parliamentary Secretary to the Government House Leader what business will be called tomorrow.

The Acting Speaker (Mrs. Champagne): Order, please. I realize that the Hon. Member for Ottawa—Vanier (Mr. Gauthier) has risen on a point of order. I do not know if anyone has heard him, the Chair has not.

[*Translation*]

Mr. Gauthier: Madam Speaker, may I take this opportunity to ask the Parliamentary Secretary to the House Leader what will be the order of business tomorrow? Could he inform us what bill or motion or resolution we will be considering?

[*English*]

Mr. Lewis: Madam Speaker, tomorrow the House will continue debate on the motion which was before it today. We are meeting in an effort to expedite the process. The negotiations which have taken place to date among the Parties have been helpful. I expect to continue to make progress.

[*Translation*]

The Acting Speaker (Mrs. Champagne): It being 6.34 p.m., the motion to adjourn the House is now deemed to have been adopted. Accordingly this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 3(1).

The House adjourned at 6.34 p.m.

HOUSE OF COMMONS

Wednesday, June 3, 1987

The House met at 2 p.m.

Prayers

STATEMENTS PURSUANT TO S. O. 21

[*English*]

THE LATE PRIME MINISTER BARROW OF BARBADOS

Mr. J. M. Forrestall (Parliamentary Secretary to Minister of Regional Industrial Expansion): Mr. Speaker, I would like very briefly to indicate to the House my very deep personal sorrow and that of my wife at the passing of Prime Minister Barrow on the Island nation of Barbados. May I take this opportunity to join with you, Sir, and the Speaker of the Senate in extending our own family's deepest condolences to the family of the late Prime Minister Barrow.

• (1405)

May I say to my colleagues that Prime Minister Barrow was a great Commonwealth parliamentarian, a great Caribbeanist, a great strength for the eastern Caribbean states, and a great source of strength to democracy in that part of the world. The loss of his presence will be deeply regretted by those who pursue democracy, by those who have a compassion for their people, and by those who look to the Caribbean as it grows and strengthens.

Many will recall that Prime Minister Barrow was the father of confederation of the eastern Caribbean states, although it did not live in the sense that our Confederation lives and, indeed, is reborn today. Nevertheless, the path that he carved out for those island nations will be long remembered and cherished by all of those who were there and by all of those of Caribbean descent, particularly those of Barbadian descent here in the great country of Canada.

PUBLIC SERVICE

CORRECTIONAL SERVICE CANADA—SUPPORT FOR EARLY RETIREMENT OPTION

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, air traffic controllers, members of the Armed Forces and RCMP officers are all entitled to take early retirement. I think this is an entirely appropriate recognition of the demanding nature of their jobs and the importance of the services they provide. But I remind the House of another group of workers who perform an equally dangerous, stressful and important job and who do not now have the option of early retirement.

I refer of course to the employees of Correctional Service Canada about whom there seems to be a consensus in this House that they ought to have the opportunity for early retirement pursuant to the unanimous recommendations of the Sub-Committee on Penitentiaries 10 years ago. The Solicitor General (Mr. Kelleher) has written to the National President of the Union of Solicitor General Employees promising his support for the early retirement option. I know a number of my colleagues on this side of the House have indicated their support and have urged the Government to act.

Frankly, I do not understand the problem. There is substantial agreement in the House that Correctional Service employees deserve to have the option of early retirement open to them. This question is one which could be dealt with quickly and easily. The ball is now in the Government's court. I urge the Government to introduce the appropriate legislation as quickly as possible.

Canada's correctional workers have waited long enough.

* * *

ENVIRONMENT WEEK

NECESSITY TO PROTECT WATER RESOURCES

Mr. Norman Warner (Stormont—Dundas): Mr. Speaker, Canadians enjoy some of the most beautiful lakes and rivers in the world. With less than 1 per cent of the world's population Canada contains as much as 25 per cent of the global supply of fresh water.

All of us derive benefit from Canada's abundance of water assets. During Environment Week we should be especially mindful of the need for adequate protection of these resources.

In the past we were as a people not as vigilant as we should have been concerning the pollution of our waterways. But we

can look ahead for a better future if we ensure sound water management.

Much has been done already. At the federal level, agreements with the United States are contributing to protection against the ravages of industrial pollution. In many of our communities, urban and rural, programs have been enacted in recent years to undo the damage caused and to clean some of our lakes, rivers and canals.

We must do more. It is up to all of us.

* * *

• (1410)

REFUGEES

CRITICISM OF PROVISIONS OF BILL C-55

Miss Aideen Nicholson (Trinity): Mr. Speaker, recent public opinion polls on refugee policy show that Canadians are maintaining their traditional open-mindedness.

Most believe that Canada should continue to accept refugees in numbers appropriate to our ability to assist them to establish themselves and their families in our country.

Polls also indicate that Canadians want the Government to deal with the problems created by the backlog in our outmoded refugee determination process. But is the Government's Bill C-55 the right response? The Bill proposes pre-selection at our borders, a system which some suspect as being aimed more at finding reasons to send refugees elsewhere than at assessing the legitimacy of refugee claims.

The Bill proposes establishing a list of so-called safe countries for this purpose, but it does not explain on what criteria the list is to be set up, how quickly it can be revised in response to changing world events, or how the Government can guarantee safety in another country.

Clearing the backlog will, in itself, discourage abuse of Canada's refugee determination process and make it easier to serve and assist genuine refugees. Canadians, who were the proud recipients of the United Nations Nansen Medal for their enlightened approach to the world refugee crisis, must think twice about Bill C-55.

* * *

MUNICIPALITIES

ANNUAL CONFERENCE OF FEDERATION OF CANADIAN MUNICIPALITIES

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, on Sunday last delegates from across Canada began arriving in Ottawa to attend the Federation of Canadian Municipalities' Fiftieth Annual Conference which ends today.

Over 900 delegates representing 402 municipalities are attending the conference celebrating the theme "A golden past and a brilliant future". They have come from as far away and as diverse places as the District of West Vancouver in the West, St. John's in the East, and, of course, Swift Current, Saskatchewan.

The delegates are addressing important municipal issues, ranging from liability insurance to water infrastructure, to privatization in municipal government.

We congratulate these delegates on their commitment to their communities and their country. They and their predecessors have travelled to similar conferences over the past 50 years to discuss municipal issues, initiate ideas and to build on those ideas. These are the people who have led Canadian municipalities to a golden past. We welcome them to Ottawa and encourage them in building a brilliant future.

* * *

FISHERIES

CREATION OF SPORT FISHING CORRIDOR IN RIVERS INLET AREA OF BRITISH COLUMBIA

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, I want to call the attention of the House to a serious matter. It is the creation of an exclusive sport fishing corridor in the Rivers Inlet area, a previous commercial fishing area.

This action was unilaterally taken by the Department of Fisheries and Oceans, contrary to the recommendation of the Central Coast Advisory Board.

This sets a dangerous precedent and process under way, where one or two local individuals can override the wishes of the majority of the community and the established advisory boards. I call on the Minister to revoke the sport fishing corridor in the Rivers Inlet area and request the Central Coast Advisory Board, with the Department of Fisheries and Oceans, to work out an acceptable fishing plan for the area.

* * *

[*Translation*]

THE CONSTITUTION

TRIBUTE TO RIGHT HON. PRIME MINISTER

Mr. Gabriel Fontaine (Lévis): In 1534, Mr. Speaker, European explorator Jacques Cartier left Saint-Malo in France and sailed across the Atlantic on his way to become the storied discoverer of Canada. Soon after, French Europeans settlers were joined by English Europeans. It took only a few centuries for the descendants of these two great peoples to cross the whole Canadian continent from the Atlantic to the Pacific to create a huge new country whose population swelled with the arrival of many nationals from other countries.

In 1867 the Fathers of Confederation gathered in Charlottetown to witness a major constitutional event. Thanks to the good will of all regions of Canada their agreement prevailed until 1982, but the 1982 agreement turned out to be incomplete.

Today, June 3, 1987, ten Provincial Premiers representing four different political Parties have agreed on a historic definition of Canada. It is a consensus with history, with geography, with the economy, with our cultures, and with our various ethnic communities. Today, Mr. Speaker, we pay tribute to the architect of this event, to Canada's statesman, the Right Hon. the Prime Minister (Mr. Mulroney).

* * *

THE CONSTITUTION

QUEBEC'S PARTICIPATION—CONGRATULATIONS TO ARCHITECTS OF ACCORD

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, as Quebecers and Canadians I think we can rejoice in the constitutional accord which paved the way for Quebec's endorsing of the Canadian Constitution last evening or this morning.

And like everyone else, I should think, I extend my congratulations to the Premier of Quebec, the Hon. Robert Bourassa, and to Intergovernmental Affairs Minister Rémillard who, since the 1985 elections, has been criss-crossing the country in an attempt to convince the other Provincial Premiers that Quebec should be urged to join the Constitution.

In conclusion, Mr. Speaker, I also congratulate the Provincial Premiers who at last have come to appreciate the Canadian reality.

Some Hon. Members: Hear, hear.

Mr. Malépart: Mr. Speaker, I also want to congratulate the Leader of the Official Opposition (Mr. Turner) for being the first leader in Canada to demonstrate open-mindedness with respect to Quebec's participation in the Canadian Constitution.

* * *

THE CONSTITUTION

SIGNIFICANCE OF CONSTITUTIONAL ACCORD

Mrs. Lise Bourgault (Argenteuil—Papineau): Mr. Speaker, today the most important amendment since the patriation of our Constitution was signed.

Mr. Speaker, in concrete terms this means that Quebec has returned to the Canadian constitutional fold and that our Government has kept its promise to make Canada a united country, where the rights of English-speaking and French-speaking Canadians are respected.

For Quebec, it means that the province will be able to select and receive its own immigrants; to propose nominations for senators from Quebec; to propose nominations for the three judges representing one third of the Supreme Court; and to promote and protect the French character of that province, in addition to obtaining a non-derogation clause with respect to language rights.

Mr. Speaker, for the first time in our history, the right to financial compensation for opting out has been enshrined in the Constitution. A great victory for the provinces.

Mr. Speaker, today is a great day. It is the first day of a united and strong Canada, open to all and attuned to the needs of Canadians. A unique Canada in the image of its Prime Minister (Mr. Mulroney).

Mr. Speaker, no more confrontation and arrogance. Make way for positive action and a modern, united and generous Canada.

* * *

• (1415)

[*English*]

CHALLENGE '87

SEED PROGRAM—CATHOLIC YOUTH ORGANIZATION'S APPLICATION DENIED

Ms. Sheila Copps (Hamilton East): Mr. Speaker, I am outraged to learn that the application of the Catholic Youth Organization to the Challenge '87 SEED program has been denied.

The CYO depends upon student summer employment programs to provide one-on-one programs for exceptional children whose disability prevents them from taking part in regular camping activities. This is the only summer outlet for exceptional children, particularly those with social and emotional disabilities and severe learning problems.

More than 100 disabled children will miss out on summer camp this year because of the Mulroney Government's decision to cut off funding to the CYO.

Indeed it is truly a sad day for Canada when the Conservative Government wants to reduce the deficit on the backs of disabled children. How quickly Rick Hansen's struggle is forgotten.

[*Translation*]

THE CONSTITUTION

EXTRAORDINARY WORK ACCOMPLISHED BY PRIME MINISTER AND PROVINCIAL COUNTERPARTS

Hon. Bob Layton (Lachine): Mr. Speaker, I was and I am proud to be a Canadian, and from now on I will be even prouder.

Our Prime Minister (Mr. Mulroney) and the Premiers of the provinces have put in long hours of hard work to reach a consensus representing the various interests and cultures of this beautiful country of ours.

[*English*]

The naysayers, those "quick-blooming" critics of the last few days, were determined to undermine the political will for national reconciliation so strongly expressed in the last election. They even contradicted themselves.

However, in recognizing our differences and confirming our constitutional right to be different, this agreement to unite Canadians truly represents a superb best effort on the part of the Leaders of our Governments and particularly our Prime Minister (Mr. Mulroney).

[*Translation*]

Mr. Speaker, the Prime Minister indicated that consultations and discussions would continue. In any case, as an English-speaking Canadian and a Quebecer, I would like to thank our leaders for their exceptional work, and I think we should all celebrate their outstanding success.

* * *

THE CONSTITUTION

CONSTITUTIONAL ACCORD—NEGOTIATING TALENTS AND LEADERSHIP OF PRIME MINISTER

Mr. Richard Grisé (Chambly): Mr. Speaker, as of today we can say that we have a real Canada, united, dynamic, stronger than ever thanks to the efforts of our Prime Minister, the Right Hon. Brian Mulroney, who showed exceptional political know-how and a deep commitment to put an end to Quebec's constitutional isolation.

The Prime Minister and the ten Premiers, especially Quebec's Premier, Mr. Robert Bourassa, turned a page in this country's history, and Quebec's enthusiastic and honourable entry into the Constitution marks the beginning of a chapter that will allow us to build a new Canada for the coming decades. This Conservative Government proved capable of reaching an accord with ten provincial Governments representing four different parties, thereby meeting with courage, stamina and persistence the challenge of national reconciliation. This points to the negotiating and leadership abilities of our Prime Minister, who turned into a constitutional agreement the understanding in principle reached at Meech Lake.

Mr. Speaker, I feel great satisfaction today at being a Canadian and a Quebecer, and with the support of my constituents in Chambly, may I tell you, Mr. Prime Minister—

• (1420)

[*English*]

I want to thank the Prime Minister (Mr. Mulroney) for giving Canadians not two but one Canada.

Some Hon. Members: Hear, hear!

* * *

HOUSE OF COMMONS

PRESENCE IN GALLERY OF MINISTER OF JUSTICE OF ZIMBABWE

Mr. Speaker: I would like to bring to Member's attention the presence in the gallery of Mr. Edison Zvobgo, Minister of Justice of Zimbabwe.

Some Hon. Members: Hear, hear!

PRESENCE IN GALLERY OF CROWN PRINCE OF HASHEMITE KINGDOM OF JORDAN

Mr. Speaker: I would also like to draw the attention of Hon. Members to the presence in our gallery of his Royal Highness Crown Prince El-Hassan Bin Talal of the Hashemite Kingdom of Jordan.

Some Hon. Members: Hear, hear!

ORAL QUESTION PERIOD

[*English*]

THE CONSTITUTION

1987 CONSTITUTIONAL ACCORD—PUBLIC HEARINGS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I say to the Prime Minister that he has lived a very significant event in the history of our country. When the Prime Minister of Canada comes over to shake my hand, I shake his hand, but before congratulating him we will want to study—

Some Hon. Members: Oh, oh!

Mr. Turner (Vancouver Quadra): —the technical and legal language.

I want to ask a couple of questions about where we go from here. Both Premiers Pawley and Peterson suggested that there was a commitment to federal parliamentary hearings, House of Commons, Senate, or both, and public hearings, so that Canadians and parliamentarians can express their opinions.

Canadian Press quotes Premier Peterson as being happy with "plans for federal public hearings on the proposed

constitutional changes". He said that provincial hearings may also be held.

Would the Prime Minister take the House into his confidence as to his commitment, if any was given, to the Premiers to hold public hearings and to allow the parliamentary process to operate in some detail?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I think in a response the day after the original Accord at Meech Lake to a question from my friend, the Hon. Member for Saint-Denis, I signalled the intention of the Government to have full debate, full participation, in the analysis of any accord that might emerge. Inasmuch as one has emerged, there is a pre-ordained parliamentary process that must be followed in regard to the House and I have signalled to the Premiers my intention to make full use of an appropriate parliamentary vehicle to ensure public participation in and consideration of this important matter.

• (1425)

RATIFICATION PROCESS—ACCEPTABILITY OF AMENDMENTS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, in commenting after the meeting this morning at which the 10 Premiers and the Prime Minister signed the Accord, Premier Peterson stressed, again according to the Canadian Press report, that from here on in the constitutional debate will be slow and methodical and, if the public hearings point out flaws in the deal, the First Ministers can meet again to make changes before Parliament and provincial Legislatures formally ratify the amendments.

During the Prime Minister's necessary absence the last two days, I put questions to his colleague, the Deputy Prime Minister, attempting to ascertain from him whether amendments would be acceptable in a parliamentary committee and whether the Government would look constructively at suggestions made both in this House, in the other place, and indeed by members of the public who may be deeply concerned with the process.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, a few moments ago, over at the Conference Centre, the First Ministers signed an Accord, a provision of which was an undertaking by all of the First Ministers to bring forward the document to their respective Legislatures and, in my case, to the House of Commons, and to recommend it for acceptance by their respective Legislatures. In my case, it is my intention to bring forward the appropriate documents pursuant to the parliamentary requirements and I will bring them forward with the full recommendation that the House of Commons, after consideration, adopt the document in its entirety. I believe it represents a tremendous effort by 11 First Ministers over an extended period of time, and that would be my recommendation.

As I have just indicated, there will be an appropriate parliamentary hearing of this matter and that too is in train through the Deputy Prime Minister and will be part and parcel of this review.

[*Translation*]

PUBLIC HEARINGS—GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Prime Minister's words do not exactly reflect the thinking of Premier Peterson of Ontario and Premier Pawley of Manitoba. The Prime Minister knows perfectly well that the Quebec National Assembly held public hearings on the agreement in principle concluded at Meech Lake on April 30. In the circumstances, could the Prime Minister give the House the assurance that public hearings on today's Accord will also be held here on Parliament Hill, with sufficient latitude so that Canadians can express their views on the substance of the Accord?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the purpose of parliamentary hearings would be, of course, to invite Canadians to express their views on the substance of the Accord. As far as I am concerned, after living with this initiative for more than a year, I can only say that, as a parliamentarian, I would table the recommendation suggesting the adoption of the Accord by the Parliament of Canada. And we would then see what a parliamentary committee would do. In any case, if there is a commission of any kind, it will have a specific task, and we will wait for the results. As for my commitment and that of all the Premiers, it is to bring the resolution before our respective legislatures, with a recommandation for approval of the full text.

[*English*]

INTRODUCTION OF LEGISLATIVE MEASURE

Hon. Bob Kaplan (York Centre): Mr. Speaker, I want to be sure about what it is the Prime Minister has just said in a manner that was quite difficult to understand. Is he saying that the resolution will be introduced like any other government measure which members of the Conservative majority will be expected to support? Will it be a measure which is really a form of executive federalism, or will we have a form of federalism in which the Canadian people can participate within which government Members, like members of all Parties, will approach the hearings with an open mind about ways in which our Constitution can be carried forward from the achievement today of agreement by First Ministers to a consensus among the Canadian people?

• (1430)

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I do not know what could be more in keeping with our parliamentary traditions than having the Government House Leader sit down with the House Leader of the Official Opposition to attempt to determine the appropriate manner of dealing with this, consistent with our parliamentary traditions. That is exactly what the House Leader of the Government will do.

Oral Questions

LENGTH OF RATIFICATION PROCESS

Hon. Bob Kaplan (York Centre): Mr. Speaker, I want to ask the Prime Minister about a statement made in the Senate on May 26 by the Senate Leader in which he expressed the personal opinion, as reported at page 1051 of *Hansard*, that it will be possible for all Legislatures to have passed these resolutions before the summer recess.

Was the Government Leader in the other place speaking for the Government, or is it an understanding that this process may and should take longer than one month?

Right Hon. Brian Mulroney (Prime Minister): I do not know, Mr. Speaker. I did not see that statement by the Government Leader in the Senate. However, I have just indicated my view to the Leader of the Opposition as to the appropriate manner in which it ought to be handled.

The day after there were a number of questions, including two very incisive ones from the Member for Saint-Denis. In response thereto I think I covered the matter quite clearly and signalled my intentions with regard to how we could proceed if an accord were concluded. An accord having been concluded, we will follow through.

[*Translation*]

CONSTITUTIONAL RESOLUTION—CREATION OF NATIONAL COMMITTEE—GOVERNMENT POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Prime Minister, who indicated that the Government wants to hold hearings on the constitutional resolution. Have the Government and the provinces considered the possibility of having a committee that would include both federal and provincial Members, in other words, a truly national committee?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, there has been no formal consideration of that concept. In the course of our discussions, the idea may have been mentioned by some of the Premiers. For instance, the province of Manitoba, if I am not mistaken, has a special procedure in connection with certain "mandatory" parliamentary commissions. I believe the Manitoba Government has already made a formal commitment to set up a parliamentary committee in Winnipeg. Which means that this particular jurisdiction will necessarily be involved. Our intention would be, after consultation with the Deputy Prime Minister, the Official Opposition and the New Democratic Party, to set up the appropriate mechanism for this House.

[*English*]

INTRODUCTION OF RESOLUTION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, from the Prime Minister's answer I am not quite sure whether he was ruling out the possibility of having, on such an issue, a departure from traditional processes which could include a committee with federal representatives and representatives from provinces who would conduct these hearings. I understand that the Prime Minister is leaving open to discussion this possibility to be dealt with by the House Leaders.

Has the Government given any final consideration to the question of when it plans to bring a resolution before Parliament?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, our intention is to bring forward the resolution soon, but at the same time to have the Deputy Prime Minister negotiate with his colleagues with regard to the parliamentary mechanism about which we have been talking. It is our intention to have that parliamentary committee apply to the Parliament of Canada. That is our intention and there has been nothing at variance with that discussed with the Premiers.

TIMING OF INTRODUCTION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I have a final question on the process. The Prime Minister says "soon". Does he mean by that later this week or, for example, next week?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, we just signed it this morning at about six o'clock.

Mr. Hnatyshyn: Maybe we can do it this afternoon.

Mr. Mulroney: We would like to do it sooner rather than later.

[*Translation*]

POSSIBILITY OF AMENDING CONSTITUTIONAL ACCORD—GOVERNMENT POSITION

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, I wish to direct a question to the Prime Minister. When we examine the precedents concerning constitutional amendments and the way Parliament dealt with them we realize that most of the time the amendments adopted had to do with technicalities, the wording, although there have been a few substantial amendments as well. Since the Prime Minister seems to be quite prepared to hold public hearings so that Canadians may have their say, I find it rather difficult to reconcile that with the statement he made a few moments ago when he said his objective was the integral adoption of the accord he has just made with the Provincial Premiers. This is why I wonder whether he is open to the idea of amendments so that Canadians may come here to attend these hearings in the full knowledge that their endeavours may bring results, and that they are not wasting their time by coming here to make representations to a parliamentary committee.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the thrust of my response was that I was making a commitment. My objective is to recommend the adoption of the document, and that is still my intention. We will introduce it with a straightforward recommendation that the House of

Commons and the Senate adopt it as is because we believe that it is in the interest not only of Quebec but of Canada as a whole. That being said, I have already expressed our views with respect to the kind of parliamentary commission which might be appointed. We will see in due time what might come out of it.

REQUEST FOR ASSURANCES

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, given his position I find it normal that the Prime Minister would introduce the resolution before the House with the objective or at least the intention of having it adopted without amendments. Still I want to get back to the possibility of amendments. Although he was pleased, Manitoba Premier Pawley did say the accord is not perfect. Right after the conference, the Prime Minister of Canada himself indicated how satisfied he was to have reached this agreement, yet he admitted it is not perfect. So, without asking the Government to commit itself with respect to amendments it is not yet aware of, we would seek the assurance that at least the Government is open to the suggestion that amendments might be proposed and adopted.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, it has been acknowledged by both sides that although the document is not perfect it does constitute a homogeneous entity, the result of the sustained and dedicated work of a great many people over several months now: is it not? So in these circumstances I am prepared to recommend it in full, as the other First Ministers are committed to do before their own legislative assemblies. Now then, I have already indicated that the leaders of the Government and of the Opposition will hold discussions on a parliamentary commission or instrument, and we will see what comes out of it. The Hon. Member indicates that he has no amendment to propose, that is normal today, we will see in due course.

* * *

[*English*]

LABOUR RELATIONS

BRITISH COLUMBIA—PROVINCIAL GOVERNMENT'S APPLICATION FOR COURT INJUNCTION

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question is directed to the Minister of Labour. While very important talks were going on during the last number of hours with regard to improvements to Canada's Constitution, legal experts in British Columbia were saying that the Government of British Columbia has taken action which violated the Charter of Rights and Freedoms in our Constitution by requesting an injunction which, among other things, would prohibit citizens from pointing out errors in the government of the province, prohibit the circulation of written material advocating study sessions for employees, and much, much more. Is the Minister aware of this unprecedented initiative taken by the Province of British Columbia?

• (1440)

Hon. Pierre H. Cadieux (Minister of Labour): Yes, Mr. Speaker.

MINISTER'S POSITION

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, obviously my supplementary question is directed to the Minister of Labour.

Mr. Jelinek: Ask a question and you will get an answer.

Mr. Riis: Since the Minister is aware of this obvious violation of the Charter of Rights and Freedoms—

Some Hon. Members: Oh, oh!

Mr. Riis: —being aware of this, what actions has he taken? Has he made representations to his counterpart in the Government of British Columbia? If not, when does he plan to make those representations?

[*Translation*]

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I am aware of the legal action taken in British Columbia and I think I should let the courts make their own ruling.

* * *

[*English*]

REGIONAL DEVELOPMENT

ATLANTIC CANADA OPPORTUNITIES AGENCY

Mr. George Baker (Gander—Twillingate): Mr. Speaker, for over nine months now Members of Parliament have been trying to find out what the Atlantic Canada Opportunities Agency is all about. The Government has made some vague and nebulous statements that: "It will address problems of regional disparity and co-ordinate federal efforts in Atlantic Canada". The only federal efforts we know about in Atlantic Canada have been cuts ever since this Government took power.

I ask the Prime Minister why the Government has been so secretive about this program?

Some Hon. Members: Order.

Mr. Baker: Why has it refused to give any information at all about this program even to businessmen who require a year or two's advance notice in order to plan? Does the Government believe in the premise that anticipation is greater than realization? It has been over nine months since it was conceived. Isn't it about time you delivered?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I wish the Hon. Member would withdraw those sexist remarks.

Some Hon. Members: Oh, oh!

Mr. Mulroney: My hon. friend mentions his concern about the secretive nature. This has been very public. There were meetings with the Atlantic Premiers. I went to Charlottetown for a public meeting with them. I met with them again in Vancouver after the First Ministers' Conference. There was a meeting this morning involving Senator Murray after the Constitutional Conference, and there is one going on now. If my hon. friend is in St. John's on Saturday, he will find out a lot more.

Mr. Baker: I will be there for the Liberal leadership convention, Mr. Speaker.

Some Hon. Members: Oh, oh!

An Hon. Member: Way to go, George.

Mr. Speaker: The Hon. Member will put his question. Thank you.

AMOUNT OF GOVERNMENT FUNDING

Mr. George Baker (Gander—Twillingate): Mr. Speaker, the Department of Regional Industrial Expansion said recently that multi millions of dollars have been removed from Atlantic Canada since this Government took office. There have been cuts in transfer payments. There have been cuts in programs. The Fisheries Improvement Loans Program is about to end. It will finish at the end of this month after 33 years in Atlantic Canada, and the Minister of Fisheries and Oceans is scared to announce it.

I ask the Prime Minister will the amount of money which will be put into this new program at least match what has been removed by this very Government in the past two years? Will that amount of money be matched? If it will not be, how can the Government have the audacity to promise Canadians over and over that this will address the regional disparity problems of eastern Canada? You can't eat promises. Where is the beef?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I am delighted to hear that the Hon. Member is going to be in St. John's on Saturday. I want him to know that he has my vote.

Mr. Gauthier: It is his brother who is running.

Mr. Mulroney: Well, I will vote for the family.

Mr. Hnatyshyn: Baker's dozen.

Some Hon. Members: Oh, oh!

Mr. Mulroney: This is what happens when he stays up all night.

Some Hon. Members: Oh, oh!

Mr. Mulroney: I just want to tell my hon. friend something that, of course, he knows. There have been no cut-backs at all in the amounts allocated to Atlantic Canada. On the contrary, there has been a very, very sizable increase. The Atlantic Canada Opportunities Agency will represent an even further increase not only of opportunity, but of real dollars, to the benefit of Atlantic Canadians, which is something which has been long overdue by Governments over many, many years. It is an effort to reach out and to work with Atlantic Canadians with their participation, having designed the programs and mechanisms which will allow Atlantic Canadians a real role in the decision-making process which affects their lives.

* * *

MUNICIPAL AFFAIRS

MAYORS' REQUEST TO MEET PRIME MINISTER

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, my question is addressed to the Right Hon. Prime Minister. The mayors of 14 of Canada's largest municipalities have written to you, asking that they have the opportunity to meet with you—

Mr. Clark (Yellowhead): Order.

Some Hon. Members: Order.

Mr. Angus: Sorry. Through you, Mr. Speaker, my question to the Prime Minister asks whether he is prepared to meet with the mayors of 14 municipalities in Canada who want to ask him to reconsider federal funding or federal participation in rebuilding our aging cities. Will he meet with those mayors?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I should point out to the Hon. Member that I have personally met with representatives from the Federation of Canadian Municipalities on a number of occasions over the past two and a half years where this matter has come up. I have been very clear with them as to the position of the Government. We are in a position of major fiscal restraint. What the municipalities are asking us to do is to share with the provinces and municipalities in programs which are essentially the responsibility of the municipalities and the provinces.

I want to take great exception to a report in the paper the other day which said the Government was reneging on promises I have made. I have never made those promises. I have been quite up front in telling the municipalities exactly where we stood as a Government. Unfortunately, this is something that we just cannot afford at this point.

REQUEST THAT PRIME MINISTER MEET MAYORS

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, my supplementary question is directed to the Prime Minister

because, as he must recognize, he is the ultimate level of appeal within Cabinet, and both his Minister of Finance and his Minister of the Environment have said time and time again that the Government is not prepared to provide this funding.

Will the Prime Minister meet with these mayors so they can have an opportunity to appeal to him as Prime Minister to change the policy of his Government regarding a sharing of the income tax dollars with the property taxpayers so we can rebuild our very old and crumbling cities? Will he do that?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I want to make it quite clear that when I am speaking I am not speaking on behalf of myself as a single individual nor as a single Member of Parliament, I am speaking on behalf of the Government. We have considered this. We have reviewed the proposal of the FCM. Unfortunately, as I said to them and to the House on a number of occasions, this is an expense that, in a time of restraint where we are called upon to do more than we can afford to do in areas which are 100 per cent federal responsibility, we just simply cannot afford at this time.

RENEWAL OF MUNICIPAL INFRASTRUCTURES

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, my question is directed to the Prime Minister and is in regard to the same matter. The Federation of Canadian Municipalities made a proposal to the federal and provincial Governments for a five-year program to renew municipal infrastructure, including sewer and water systems and roads and bridges, for which each level of government would pay one-third of the cost. This program would not only provide a foundation for expanded economic activity but it would also directly create 280,000 jobs in all parts of the country.

Since the provinces and the territories are supportive of the program, how does the Government justify its outright rejection of the proposal? Why will it not reconsider?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think I have responded to that question in my previous answers. I think the Hon. Member may find he is a little off base when he says that all the provinces are supportive of this. What I suggested to the provinces and to the municipalities is that, since this is an area which is in their jurisdiction, if they feel as keenly as they do in presenting these proposals, surely they can get a start on it. Surely they can make a start on this as two orders of government and get on with the job, if the urgency is as strong as they suggest that it is.

• (1450)

GOVERNMENT POSITION

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, we have had similar programs by the federal Government in the past when there was a need. Does the Minister not understand that this program would be an investment in economic growth which would gradually reduce the deficit? Does he not understand that most of the federal contribution would be recovered in increased tax revenue and reduced welfare spending? Why is the Government taking such a restrictive position on this matter?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, it seems to me that the Government of which the Hon. Member was a member terminated those programs. Possibly the Hon. Member should be looking inside rather than outside for the answer to his question.

The Hon. Member has said that, surely, we have lots of money. We do not have lots of money because the previous Government wasted money year after year. It built up the deficit from $2 billion to $38 billion. It left this Government and the country in a position in which the debt was growing at the rate of 23 per cent per annum. We are getting that rate down.

But if the Hon. Member wants to take out his little pocket calculator he will find out that debt was doubled—

Mr. Speaker: Order, please.

Some Hon. Members: Hear, hear!

* * *

EXTERNAL AFFAIRS

VICTIMS OF BRAINWASHING EXPERIMENTS FUNDED BY CIA

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, my question is for the Prime Minister. Nine Canadians who were victims of brutal and unethical brainwashing experiments funded by the CIA in the late 1950s at the Allan Memorial Institute in Montreal have been seeking justice for a number of years in American courts.

In view of the commitment made over a year ago by the then Minister of Justice to consider seriously assisting these people financially, when will the Conservative Government finally move to assist the victims of these terrible experiments in their pursuit of justice against the CIA?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I want to thank the Hon. Member for his question. It gives me an opportunity to report to the House that I have in fact been pursuing the matter with his colleague, the Hon. Member for Winnipeg North, together with other representatives of that group who are involved in this particular litigation.

As the Hon. Member will know, the Government and my colleague, the Secretary of State for External Affairs, have been extremely helpful in facilitating their access to justice in the United States. I can only say to the Hon. Member that I am in a process of consulting and looking at this matter in conjunction with his colleague. I hope that we will be able to

come forward with some concrete results in the very near future.

REQUEST FOR FINANCIAL ASSISTANCE IN SEEKING LEGAL REDRESS

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, surely the Minister recognizes that his Government was able to come up with over $100,000 in payment to a former Conservative Member of Parliament who came up with a report saying that Canada had absolutely no legal or moral obligation to the victims of these terrible experiments.

I wish to ask the Minister of Justice this. It has been over one year now and one of the nine elderly victims has already passed away. How much longer do these Canadians have to wait before their Government will stand up for them and assist them financially in their pursuit of justice? How much longer must they wait?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I simply reiterate the point made by the Hon. Member. There is no legal responsibility on the Government. Notwithstanding that fact, we are attempting to analyse the situation with a view to determining what assistance might be possible.

I want to remind the Hon. Member of the fact that we have been most helpful. We have gone to very great effort to try to determine precisely the background of this matter which concerns circumstances that occurred some years ago. I think the Government has shown a sensitivity toward this particular situation. I hope the Hon. Member will appreciate that and applaud the Government for its actions up to this point in time.

* * *

DISASTERS

ANNIVERSARY OF AIR INDIA CRASH OFF IRISH COAST—HOMICIDE STATISTICS

Mr. Bill Domm (Peterborough): Mr. Speaker, June of 1987 marks the second anniversary of the Air India disaster which claimed the lives of some 329 passengers and crew on the flight which left a Canadian airport. An Indian inquiry has determined that the crash was caused by a bomb explosion in the forward cargo bay.

Can the Solicitor General explain why these 329 homicides have not yet appeared in Canadian statistical records? Will the Minister also answer this question? When they do appear will they appear in the year 1985 or in the year 1987?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I regret to inform the Hon. Member that I can only advise him that the crash is still under very active investigation. For that reason I cannot make any further comments on it at this time.

Mr. Nunziata: Supplementary, Mr. Speaker.

Mr. Speaker: Supplementary, the Hon. Member for York South—Weston.

REQUEST THAT ROYAL COMMISSION CONDUCT INVESTIGATION

Mr. John Nunziata (York South—Weston): Mr. Speaker, I rise on the same subject. While the Conservative Party may be interested in whether or not the tragic murder of over 300—

Some Hon. Members: Question!

Mr. Nunziata: —Canadians might be included in statistics, we in the Opposition are concerned about justice.

Some Hon. Members: Oh, oh!

Some Hon. Members: Sit down!

Mr. Speaker: If the Hon. Member has a question, he should put it.

Mr. Nunziata: Mr. Speaker, I ask the Solicitor General this. In view of the fact that it has been nearly two years since over 300 Canadians were murdered, will the Solicitor General on behalf of the Government of Canada initiate a royal commission inquiry into the deaths? There has not been one held in Canada while there has been one held in Cork, Ireland, and another in India. Will he give an undertaking to the House that there will be a royal commission inquiry to assist the police in order to prosecute those who are responsible for those murders?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I can only reply to the Hon. Member by advising him, as I have in the past, that there is indeed an ongoing investigation. It is extremely active. I do not think that the interests of that investigation would be served by a royal commission at this time.

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CANADIAN ARMED FORCES

BLACK WATCH REGIMENT—PARTICIPATION OF WOMEN IN PARADE

Mr. Derek Blackburn (Brant): Mr. Speaker, my question is for the Minister of National Defence concerning the fact that women of the Black Watch will not be allowed to parade before the Queen Mother this Saturday in Montreal.

Will the Minister ensure that the Queen Mother sees that Canada treats women as equals by directing the Black Watch to have women included in its parade on Saturday?

Hon. Perrin Beatty (Minister of National Defence): Mr. Speaker, I think this is an important question. Women will be

on parade when the Queen Mother visits Montreal on Saturday. I am expecting a list from my officials this afternoon of the functions they will be fulfilling.

Some Hon. Members: Hear, hear!

DISTRIBUTION OF ADMINISTRATIVE WORK

Mr. Derek Blackburn (Brant): Mr. Speaker, I thank the Minister for that very satisfactory answer. I would also like to ask him this.

Will the Minister ensure that every man in the militia also shares equally in its tasks, including what Captain Conway of the Watch calls "invaluable administrative work", which he apparently relegated to women only?

Hon. Perrin Beatty (Minister of National Defence): Mr. Speaker, the administration work is not relegated to women only. Indeed, the distinction that exists within the Black Watch is that administrative personnel who are not members of the infantry were not to be involved in the trooping of the colour. Both women and men are involved in that administrative work. The distinction was not made on the basis of whether a person was male or female. But I assure the House that women will be on parade when the Black Watch is parading on the weekend.

* * *

RAILWAYS

RAIL CAR INDUSTRY—STEELWORKERS' ACTION PLAN

Ms. Sheila Copps (Hamilton East): Mr. Speaker, I am glad that the Minister has made that more precise since Captain Conway said, according to his comments in the newspaper: "There's a lot of paperwork involved with this ceremony and every girl is necessary to get it done . . . "

However, my question is for the Minister of Transport.

Some Hon. Members: Oh, oh!

Some Hon. Members: Next question!

Ms. Copps: Mr. Speaker, the Minister of Transport will know that this is Railway Industry Week in Canada. In Hamilton on Monday we had a chance to meet with the United Steelworkers of America who were asking the Government what specific response it has to the seven-point plan of action which has been proposed by steelworkers to save the railway car industry in Canada.

Given that the Minister was asked a similar question in the last two weeks by our transportation critic, what specific answers has he for the steelworkers with respect to the Government's response to the railway action plan?

• (1500)

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, perhaps I should reply in the area of national defence. However, I think it is quite obvious that the nature of the rail transportation system in Canada has changed. The demand for rail cars has changed because of the faster turn around time. The Government has taken various actions in connection with trying to improve the demand for cars. For example, as of June 1 the Department of National Revenue is tightening up the regulations that apply to the leasing of U.S. rail cars on a temporary basis.

Incidentally, CN is purchasing 200 new centre beam flat cars this year from National Steel Company which was the low bidder on a competitive tender.

The demand for cars is not present for a number of reasons and we must balance that against the fact that we want our railways to be as low cost as possible and as competitive as possible, so we are not in a position to force them to buy cars that they do not feel they need.

MINISTER'S POSITION

Ms. Sheila Copps (Hamilton East): Mr. Speaker, the next Liberal Member of Parliament for Hamilton Mountain, Elizabeth Phinney, is here in Ottawa today. She specifically asked me to ask the Minister—

Some Hon. Members: Oh, oh! Order.

Ms. Copps: Is it not true that the reason he is backing off on the steelworkers' action plan is because he is sacrificing the railway car industry on the altar of free trade with respect to the Americans? Is that not the real reason?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, I am glad to be able to advise the Hon. Member that the next Progressive Conservative Member for the district of St. John's East, Mr. Tom Hickey, was in the gallery earlier this afternoon.

Some Hon. Members: Hear, hear!

Mr. Crosbie: I am sorry that our soon-to-be colleague has left the gallery, but I will pass on to him the warm plaudits of the House of Commons.

With respect to the Hon. Member's friend who is running in the Hamilton Mountain district—futilely I hope—hopefully she does not have the same kind of phobias about free trade as are exhibited by the paranoid Member who asked me that question.

Oral Questions

WESTERN GRAIN STABILIZATION ACT

REQUEST FOR AMENDMENT TO EXPAND COVERAGE

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, my question is directed to the Minister of State for the Canadian Wheat Board. It concerns the Western Grain Stabilization Act. The Minister knows that roughly 18 per cent of producers are presently outside the plan and that past producer contributions have been exhausted and the plan is in deficit. Is the Minister considering opening up the Western Grain Stabilization Act in order to permit those producers presently outside the plan to get into it on less onerous terms than is presently the case?

Hon. Charles Mayer (Minister of State (Canadian Wheat Board)): Mr. Speaker, the Hon. Member raises a question that is of increasing concern to producers who are outside the plan, given the fact that the fund is in a substantial deficit.

There have been representations and we have been seriously considering the suggestion that the Hon. Member makes. We will take his question as representation. I also point out that we have already made an improvement to the Act which has provided for record amounts of interim payments prior to spring seeding when farmers need their assistance the most.

We will look toward making additional improvements if we believe they can assist producers.

* * *

Mr. Speaker: The Hon. Member for Winnipeg North Centre.

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I must say that I am disappointed that the Minister who knew this question would be asked just left moments ago.

Some Hon. Members: Oh, oh!

An Hon. Member: It is after three o'clock.

Mr. Speaker: I am sorry, but I must advise the Hon. Member that that remark was quite out of order. It is after three o'clock. We started late today. The Chair tries to be as generous as possible in Question Period. Clearly, Ministers may have to leave. However, that comment is quite inappropriate. The Hon. Member for Montreal—Sainte-Marie.

[*Translation*]

TRANSPORT

JOB LOSSES IN INDUSTRIES RELATED TO RAILWAY TRANSPORT—GOVERNMENT POSITION

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, I wish to direct a question to the Minister of Transport. Considering that he is often off the track, I would like to remind him that the future Liberal Member for St. John's East, Mr. Neary, was here, as well as the future Liberal Member for Yukon.

My question to the Minister is this: Yesterday, in Montreal, over 500 employees of Bombardier, Canadian Steel Wheel and Laforge took part in a demonstration to ask the Conservative Government—Mr. Laberge, the Prime Minister's friend, or maybe I should say his former friend, was there—what it intends to do to put an end to the loss of jobs in railway transportation related industries. Will the Minister be satisfied with watching the parade go by or will he take concrete action to save jobs in Canada?

[*English*]

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, the workers whom the Hon. Member is talking about work for Bombardier. I hope they will be as competitive as possible and will get as much work as possible in Canada or elsewhere. Naturally, we will do anything we can to assist Bombardier in achieving that purpose.

[*Translation*]

MEASURES TO BE TAKEN SO THAT BOMBARDIER EMPLOYEES DO NOT LOSE JOBS

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, I have a question for the President of the Treasury Board.

The Minister told us that there is nothing he can do to help Bombardier, and the President of the Treasury Board has spent a lot of money. There has been the Picard Report, and a whole series of reports, but there are no jobs.

In view of the fact that his colleague has contradicted him, could the Minister indicate what concrete action he can take to prevent Bombardier employees from losing their jobs in September? Will he take action, in view of the Minister of Transport's refusal to do so?

Hon. Robert de Cotret (President of Treasury Board): Mr. Speaker, I would simply like to indicate to my hon. friend that the Commission set up under the chairmanship of Mr. Picard was completely voluntary and did not cost a cent, except for the translation of the final report. I wish to emphasize the contribution of the Montrealers who devoted their time and energy to make quite valuable recommendations to the Government to alleviate the economic ills of the Greater Montreal region.

Also, over the past few years, more jobs have been created in the Greater Montreal region than had been the case for a great many years before. The jobs, therefore, are there.

[*English*]

Mr. Speaker: The Hon. Member for Winnipeg North Centre.

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CANADA POST CORPORATION

ESTABLISHMENT OF POST OFFICES IN DRUG STORES

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I want to direct a question to the Government. It concerns the Post Office. Is the Government aware that in the inner cities of places like Winnipeg and Hamilton, senior citizens who live next to a post office must go to a drug store post office eight blocks beyond that post office, or take a bus past the post office next door in order to get their parcels and registered mail? Is that what the Government means by convenience when it establishes post offices in drug stores? Why must people go beyond the post office next door? When will it deliver decent postal service in this country?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, without in any way accepting the premise of the question, I will take it as notice and ask the Hon. Minister to get back to the Hon. Member, hopefully this afternoon.

Mr. Speaker: I regret to advise the Chamber that the time for Question Period has expired.

• (1510)

ROUTINE PROCEEDINGS

[*Translation*]

1987 CONSTITUTIONAL ACCORD

TABLING OF TEXT IN BOTH OFFICIAL LANGUAGES

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I have the honour of tabling, in both Official Languages, the text of the 1987 Constitutional Accord, signed by the First Ministers of Canada today.

Order Paper Questions

LABOUR

TABLING OF DOCUMENT

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I have the honour of tabling, in both official languages, a document entitled *Canadian Position with Respect to Conventions and Recommendations Adopted at the 70th, 71st and 72nd Sessions of the International Labour Conference, Geneva, 1984, 1985 and 1986.*

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INTERPARLIAMENTARY DELEGATION

TABLING OF SIXTH REPORT OF THE CANADIAN SECTION OF AIPLF

Ms. Carole Jacques (Montreal—Mercier): Mr. Speaker, pursuant to Standing Order 101, I have the honour of tabling, in both official languages, the Sixth Report of the Canadian Section of the International Association of French-speaking Parliamentarians.

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[*English*]

FORGIVENESS OF CERTAIN OFFICIAL DEVELOPMENT ASSISTANCE DEBTS ACT

MEASURE TO ENACT

Hon. Monique Landry (for the Secretary of State for External Affairs) moved for leave to introduce Bill C-62, an Act relating to the forgiveness of debts incurred or assumed in respect of certain official development assistance loans made by the Government of Canada to the Governments of Togo and of the Islamic Republic of Mauritania and also to the former East African Community.

Mr. Speaker: Shall the Hon. Minister have leave to introduce the Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Order Paper Questions

Mr. Pierre Blais (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the following questions will be answered today: Nos. 90, 120 and 131.

[*Text*]

DEPARTMENTAL MINISTERS' OFFICES

Question No. 90—**Mr. Boudria:**

1. Since September 4, 1984, what was the total cost of renovating, redecorating and refurnishing the departmental office of each Cabinet Minister?

2. What were the names of the contractors awarded contracts to perform such work and (*a*) in each case, what was the amount of the contract (*b*) were the contracts awarded by public tender and, if not, for what reason?

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): 1. For the period September 4, 1984 to September 30, 1986, present Cabinet Ministers have occupied 62 departmental offices. The approximate average cost of renovating, redecorating and refurnishing each office is $15,973.

2. (a) and (b). As most of the works contracted were for minor alterations requiring no public tender (see Government Contracts Regulations), contracts were mostly awarded by individual designation, invited quotation, from the Central Contractor Index or to the building owners.

Items were mostly purchased from sole source suppliers, approved suppliers or standing offers.

For the reasons mentioned above, a detailed listing of suppliers and contractors has not been provided as it would prove to be time consuming and costly.

PARKINSON'S DISEASE AND CANCER STATISTICS

Question No. 120—**Mr. Caccia:**

1. For each of the past five years, how many cases of (*a*) Parkinson's disease (*b*) cancer have been diagnosed in Saskatchewan?

2. How does this compare on a per capita basis with (*a*) other provinces (*b*) the national average?

3. Do the figures for either disease depart from the average and, if so, for what reason?

Hon. Monique Vézina (Minister of Supply and Services): Statistics Canada reports:

1(a) Parkinson's disease. No national or provincial statistics are available on the incidence of Parkinson's disease.

1(b), 2(a), 2(b) Cancer only. Table one below shows the number and corresponding rates per 100,000 population of new primary cancers which were diagnosed in Saskatchewan residents from 1981 to 1985. The figures do not include non-melanoma skin cancers. Comparative figures for Canada, and for the highest and lowest provinces are shown for 1981 and 1982.

Table 1

Number and Crude Rate of New Primary Cancers Diagnosed in Saskatchewan Residents, 1981 to 1985, Compared to Canadian Rates, 1981 and 1982

	1981	1982	1983	1984	1985
Numbers (1)					
Saskatchewan	3,346	3,415	3,358	3,565	3,755
Rates per 100,000					
Population					
Saskatchewan	346	349	338	354	368
Canada (2)	333	335	—	—	—
Provincial Range (2)	210-390	219-387	—	—	—

Notes: (1) excludes non-melanoma skin cancer
(2) national data are not yet available after 1982.

Sources: For 1981 and 1982, *Cancer in Canada*, Statistics Canada, Catalogue 82-207. For 1983-1985: Figures supplied by the Saskatchewan Cancer Registry.

3. Comparison. Cancer rates for Saskatchewan tend to fall close to their average rate for all of Canada. The rates calculted in Table 1 however, are called crude rates, as they do not adjust for differences in the age structure of the populations of the various provinces.

These crude rates for Saskatchewan tend to be just above the national average, because Saskatchewan has an older population than most provinces and because cancer rates are much higher in order than in younger age groups.

In Table 2, age adjusted rates are calculated separately for males and females for Saskatchewan for 1981 and 1982. These rates, which adjust for differences in the age structure between the Saskatchewan and Canadian populations, show that Saskatchewan's rates for 1981 and 1982 fall slightly below the national average.

Table 2

Number and Age-Standardized Rates of New Primary Cancers Diagnosed in Saskatchewan Residents, 1981 and 1982, by Sex, Compared to Canadian Rates

	Males		Females	
	1981	1982	1981	1982
Numbers (1)				
Saskatchewan	1,875	1,924	1,471	1,491
Age Standardized Rates Per 100,000 (1,2)				
Saskatchewan	289	294	254	250
Canada	315	316	280	275

Notes: (1) excludes non-melanoma skin cancer
(2) rates are age-standardized to the 1971 Canadian population

Sources: *Cancer in Canada*, Statistics Canada Catalogue 82-207.

GRANTS TO ORGANIZATIONS WITHIN METROPOLITAN TORONTO

Question No. 131—**Mr. Redway:**

Since September 4, 1984, did the Department of Consumer and Corporate Affairs make grants and/or loans to persons or corporations, non-governmental organizations and governments within metropolitan Toronto and, if so, in each case, what was the (*a*) purpose (*b*) amount?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Since September 4, 1984, the Department of Consumer and Corporate Affairs issued three grants (Grants

and Contributions Program) to non-governmental organizations within metropolitan Toronto. The details are as follows:

(a) Purpose	(b) Amount
1. To assist the organization in completing the production in both official languages of a publication intended to assist students to better understand the functioning of the market.	$ 16,000
2. To ensure competent and professional advocacy of the consumer interest at the national levels to support training of consumer organizations and to cover direct costs associated with the preparation of a brief on Canadian financial institutions.	$150,000
3. To ensure competent and professional advocacy of the consumer interest at the national level and in support of the advocacy training of consumer organizations.	$110,000

[*Translation*]

Mr. Blais: I ask, Mr. Speaker, that the remaining questions be allowed to stand.

Mr. Speaker: The questions enumerated by the Parliamentary Secretary have been answered. Shall the remaining questions stand?

Some Hon. Members: Agreed.

* * *

MOTIONS FOR PAPERS

Mr. Pierre Blais (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

Mr. Speaker: Shall all notices of motions stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

HOUSE OF COMMONS

PROVISIONAL AND PERMANENT STANDING ORDERS

The House resumed from Tuesday, June 2, consideration of the motion of Mr. Mazankowski:

That all the provisional and permanent Standing Orders of the House in force on the date of notice of this motion, be amended as follows and be adopted as amended as the permanent Standing Orders of the House; provided

1. that these permanent Standing Orders shall take effect on the first Monday sitting day following the adoption of this motion;

2. that all provisional and permanent Standing Orders in force on the date of notice of this motion, except Standing Order 4, along with the sessional and special Orders related thereto, extended by special Order May 22, 1987 to June 5, 1987, become permanent on the first sitting Monday following the adoption of this motion;

3. that Standing Order 4 remain provisional until December 31, 1987 and be amended by adding the following sub-paragraph (2): Notwithstanding Standing Order 4(1), a Minister of the Crown may set down on Notice a motion to provide for sittings of the House between June 30 and the Monday following Labour Day. No later than June 30, 1987, the said motion shall be proposed for debate during Routine Proceedings, and no later than two hours after the commencement of proceedings thereon, the Speaker shall put every question necessary to dispose of the said motion; and

4. that the Clerk of the House be authorized and instructed to print a revised edition of the Standing Orders of the House, renumbering as may be deemed necessary and making such technical and consequential changes as well as such changes to the Order Paper and Notices as may be required.

That paragraph (a) of Standing Order 2(5) be deleted and the following substituted therefor:

"(a) Any Member who wishes to be considered for election to the Office of Speaker shall, not later than 6.00 o'clock p.m. on the day preceding the day on which the election of a Speaker is expected to take place, in writing, so inform the Clerk of the House who shall prepare a list of such Members' names and shall provide the same to the Member presiding prior to the taking of the first ballot;"

That sub-paragraph (5)(h)(i) of Standing Order 2 be deleted and the following substituted therefor:

"(i) the Clerk of the House shall provide the Member presiding the names of the candidates for the next ballot, in alphabetical order, provided that the Clerk of the House shall first determine the number representing the least total number of votes cast and the Clerk shall exclude the names of all Members having received that total number of votes, together with the names of all Members having received five percent or less of the total votes cast, from the list of candidates so provided, and provided that in the event of every candidate receiving the same number of votes no names shall be excluded from the list so provided;"

That Standing Order 3(1) be deleted and the following substituted therefor:

"3. (1) The House shall meet on Mondays, Tuesdays and Thursdays at 11.00 o'clock a.m., on Wednesdays at 2.00 o'clock p.m. and on Fridays at 10.00 o'clock a.m. unless otherwise provided by Standing or Special Order of this House."

That Standing Orders 9(1) and 9(2) be deleted and the following substituted therefor:

"9. (1) At 6.00 o'clock p.m. on Mondays, Tuesdays, Wednesdays and Thursdays, and at 3.00 o'clock p.m. on Fridays, the Speaker shall adjourn the House until the next sitting day."

"(2) At 1.00 o'clock p.m. on any day except Friday on which a morning sitting is held, the Speaker shall leave the Chair until 2.00 o'clock p.m."

That paragraph (a) of Standing Order 9(4) be deleted and the following substituted therefor:

"(4)(a) Except during Private Members' Business, when the Speaker is in the Chair, a Member may propose a motion, without notice, to continue a sitting through a lunch or dinner hour or beyond the ordinary hour of daily adjournment for the purpose of considering a specified item of business or a stage or stages thereof subject to the following conditions:

(i) the motion must relate to the business then being considered provided that proceedings in any Committee of the Whole may be temporarily interrupted for the purpose of proposing a motion under the provisions of this Standing Order;

(ii) the motion must be proposed in the hour preceding the time at which the business under consideration should be interrupted by a lunch or dinner hour, Private Members' Hour or the ordinary hour of daily adjournment;

(iii) the motion shall not be subject to debate or amendment."

That Standing Order 11 be deleted and the following substituted therefor:

"11. At the ordinary hour of daily adjournment of the House, at 11.00 o'clock a.m. on Fridays or at the mid-day interruption, unless otherwise provided, the proceeding then under consideration shall stand over until the next sitting day or later the same sitting day after the period provided pursuant

to Standing Order 19(4), as the case may be, when it will be taken up at the same stage where its progress was interrupted."

That paragraph (a) of Standing Order 13(4) be deleted and the following substituted therefor:

"(4)(a) When the Speaker has put the question on any debatable motion, except as provided pursuant to section (2) of this Standing Order, the bells to call in the Members shall be sounded for not more than thirty minutes; provided that, while the Members are being called in, either the Chief Government Whip or the Chief Opposition Whip may approach the Speaker to request that the division be deferred, in which case, the Speaker shall defer the said division until a specified time, but, in any case, not later than 6.00 o'clock p.m. on the next sitting day thereafter, when the bells to call in the Members shall be sounded for not more than fifteen minutes, except as provided for under section (5) of this Standing Order or Standing Order 49(2)."

That Standing Order 19(3) be deleted and the following substituted therefor:

"(3)(a) At 11.00 o'clock a.m. on Mondays, Tuesdays, Thursdays, at 3.00 o'clock p.m. on Wednesdays, and at 12.00 o'clock noon on Fridays, the House shall proceed to the ordinary daily routine of business, which shall be as follows:

Tabling of Documents (pursuant to Standing Orders 67 or 99(2))

Statements by Ministers (pursuant to Standing Order 19(6))

Presenting Reports from Inter-parliamentary Delegations (pursuant to Standing Order 101)

Presenting Reports from Committees (pursuant to Standing Order 99)

Introduction of Government Bills

Introduction of Private Members' Bills

First Reading of Senate Public Bills

Motions

Presenting Petitions (pursuant to Standing Order 106(4))

Questions on Order Paper.

(b)(i) When proceedings under 'Introduction of Government Bills' are not completed on a Monday, Tuesday or Thursday prior to the mid-day interruption, the ordinary daily routine of business shall continue immediately after oral questions are taken up notwithstanding Standing Order 19(4) until the completion of all items under 'Introduction of Government Bills', suspending as much of Private Members' Business as necessary.

(ii) When proceedings under 'Introduction of Government Bills' are not completed before the ordinary hour of daily adjournment, the House shall continue to sit to complete the ordinary daily routine of business up to and including 'Introduction of Government Bills', whereupon the Speaker shall adjourn the House."

That paragraph (b) of Standing Order 19(6) be deleted and the following substituted therefor:

"(b) A period of time corresponding to the time taken for the proceedings pursuant to paragraph (a) of this section shall be added to the time provided for government business as follows:

(i) on Mondays, Tuesdays and Thursdays, such an extension shall commence at 1.00 o'clock p.m. on the same sitting day, notwithstanding Standing Order 9(2), and any period remaining at 2.00 o'clock p.m. shall be added to the time provided for government business thereafter on the same sitting day; and

(ii) on Wednesdays and Fridays, the time provided for government business shall be extended by a period corresponding to the time taken for proceedings pursuant to paragraph (a) of this section.

Where the time provided for government business has been extended after 2.00 o'clock p.m. pursuant to this section, Private Members' Business, where applicable, and the ordinary hour of daily adjournment shall be delayed by a period of time corresponding to the period of extension after 2.00 o'clock p.m., notwithstanding Standing Orders 9(1), 19(7) and 66(1) or any order made pursuant to Standing Order 10(1)."

That Standing Order 19(7) be deleted and the following substituted therefor:

"(7) Except as otherwise provided in these Standing Orders, the order of business shall be as follows:

(Monday, Tuesday and Thursday)

(After the daily routine of business)

Government Orders.

Private Members' Business—from 5.00 to 6.00 o'clock p.m.:

Public Bills, Private Bills, Notices of Motions and Notices of Motions (Papers).

(Wednesday)

(After the daily routine of business)

Notices of Motions for the Production of Papers.

Government Orders.

(Friday)

(Before the daily routine of business)

Government Orders.

(After the daily routine of business)

Government Orders.

Private Members' Business—from 2.00 to 3.00 o'clock p.m.:

Public Bills, Private Bills, Notices of Motions and Notices of Motions (Papers)."

That Standing Order 24 be deleted and the following substituted therefor:

"24. (1) After notice pursuant to Standing Order 68(1), a government notice of motion shall be put on the Order Paper as an order of the day under Government Orders.

(2) Proposed motions under Government Orders for the House to go into a Committee of the Whole at the next sitting of the House when put from the Chair shall be decided without debate or amendment."

That section (1) of Standing Order 29 be deleted and the following substituted therefor:

"29. (1) Leave to make a motion for the adjournment of the House for the purpose of discussing a specific and important matter requiring urgent consideration must be asked for after the ordinary daily routine of business as set out in Standing Order 19(3) is concluded."

That sections (8) and (9) of Standing Order 29 be deleted and the following substituted therefor:

"(8) If the Speaker is satisfied that the matter is proper to be discussed, the motion shall stand over until 8.00 o'clock p.m. on that day, provided that the Speaker, at his or her discretion, may direct that the motion shall be set down for consideration on the following sitting day at an hour specified by the Speaker."

That Standing Order 29(11) be deleted and the following substituted therefor:

"(10) When a request to make such a motion has been made on any Friday, and the Speaker directs that it be considered the same day, it shall be considered forthwith."

That Standing Order 29(13) be deleted and the following substituted therefor:

"(12) The proceedings on any motion being considered, pursuant to sections (8) or (10) of this Standing Order, may continue beyond the ordinary hour of daily adjournment but, when debate thereon is concluded prior to that hour in any sitting, it shall be deemed withdrawn. Subject to any motion adopted pursuant to Standing Order 9(4)(b), at 12.00 o'clock midnight on any sitting day except Friday, and at 4.00 o'clock p.m. on Friday, the Speaker shall declare the motion carried and forthwith adjourn the House until the next sitting day. In any other case, the Speaker, when satisfied that the debate has been concluded, shall declare the motion carried and forthwith adjourn the House until the next sitting day."

That Standing Order 32 be deleted and the following substituted therefor:

"32. Notwithstanding Standing Order 31, the order of precedence shall not contain, at any time, more than twenty motions and public bills originating in the House of Commons at second reading, nor fewer than ten items, when

there are sufficient items contained in the list which have not been given a position on the order of precedence."

That paragraph (1)(a) of Standing Order 36 be deleted and the following substituted therefor:

"36. (1)(a) The Standing Committee on Private Members' Business shall meet within five sitting days of the order of precedence being established pursuant to Standing Order 31, and from time to time thereafter, and may select after consultation with, among others, the Members proposing the items, not more than six items from among the twenty items in the order of precedence and an appropriate number from among any subsequent items for which the order of precedence is established and such selected items shall be designated as 'votable items'. In making its selection, the Committee shall not take into account the number of Members jointly seconding an item, but shall allow the merits of the items alone to determine the selection and shall report thereon, from time to time. At no time shall there be more than six selected items on the order of precedence."

That Standing Order 38 be deleted and the following substituted therefor:

"38. The proceedings on Private Members' Business shall not be suspended except as provided for in Standing Orders 19(3)(b), 19(9), 29(11), 37 and 39(2) or as otherwise specified by Special Order of this House. No Private Members' Business shall be taken up on days appointed for the consideration of business pursuant to Standing Orders 69, 82(5) and 84(4)."

That the following new section be added after Standing Order 39(2):

"(3)(a) When a Member has given at least twenty-four hours' written notice that he or she is unable to be present to move his or her motion under Private Members' Business on the date required by the order of precedence, and if that item of business is not one which has been designated as 'votable' by the Standing Committee on Private Members' Business, the Speaker, with permission of the Members involved, may arrange for an exchange of positions in the order of precedence with a Member whose motion or bill in the order of precedence has not been so designated.

(b) In the event that the Speaker has been unable to arrange an exchange, the House shall continue with the business before it prior to 'Private Members' Hour', provided that there shall be no extension of the sitting pursuant to Standing Order 9(4)(a), and any division on a debatable motion shall be deferred until 6.00 o'clock p.m. on the next sitting day. For the purposes of this section, Standing Order 13(5) relating to deferred divisions on a Thursday shall apply."

That paragraph (c) of Standing Order 40(3) be deleted.

That Standing Order 41(1) be deleted and the following substituted therefor:

"41. (1) The order for the first consideration of any subsequent stages of a bill already considered during Private Members' Business, of second reading of a private bill and of second reading of a private Member's public bill originating in the Senate shall be placed at the bottom of the order of precedence."

That Standing Order 48 be deleted and the following substituted therefor:

"48. Except as otherwise provided in any Standing or Special Order of the House, and unless otherwise disposed of, at not later than 6.00 o'clock p.m. on a Monday, Tuesday, Wednesday or Thursday, or 3.00 o'clock p.m. on Friday, on the fifteenth sitting day following the date on which a notice of motion made pursuant to Standing Order 46(2) appeared on the Order Paper, the same shall be deemed to have been moved and adopted by the House."

That sections 2 and 3 of Standing Order 55 be deleted and the following substituted therefor:

"(2) When second reading or third reading of a government bill is being considered, no Member except the Prime Minister and the Leader of the Opposition shall speak for more than:

(a) forty minutes if that Member is the first, second or third speaker;

(b) twenty minutes following the first three speakers, if that Member begins to speak within the next eight hours of consideration when second reading is being considered or within the next four hours of consideration when third reading is being considered; and following the speech of each Member a period not exceeding ten minutes shall be made available, if required, to allow Members to ask questions and comment briefly on matters relevant to the speech and to allow responses thereto;

(c) ten minutes if a Member speaks thereafter.

(3) When the business of private Members is being considered, no Member shall speak for more than ten minutes, provided that the Member moving the item may speak for not more than twenty minutes."

That Standing Order 65(2) be deleted and the following substituted therefor:

"(2) A Member who is not satisfied with the response to a question asked on any day at this stage, or a Member who has been told by the Speaker that the question is not urgent, may give notice that he or she intends to raise the subject matter of the question on the adjournment of the House. The notice referred to herein, whether or not it is given orally during the oral question period provided pursuant to Standing Order 19(4), must be given in writing to the Speaker not later than one hour following that period the same day."

That Standing Order 68(1) be deleted and the following substituted therefor:

"68. (1) Forty-eight hours' notice shall be given of a motion for leave to present a bill, resolution or address, for the appointment of any committee, for placing a question on the Order Paper or for the consideration of any notice of motion made pursuant to Standing Order 46(2); but this rule shall not apply to bills after their introduction, or to private bills, or to the times of meeting or adjournment of the House. Such notice shall be laid on the Table before 6.00 o'clock p.m. (on a Friday before 3.00 o'clock p.m. or filed thereafter with the Clerk before 5.00 o'clock p.m.), and be printed in the Notice Paper of that day. Any notice filed with the Clerk pursuant to this section shall thereupon be deemed to have been laid on the Table in that sitting."

That Standing Order 70(2) be deleted and the following substituted therefor:

"(2) When a debate on any motion made after the start of the sitting (after 11.00 o'clock a.m. on Fridays) and prior to the reading of an Order of the Day is adjourned or interrupted, the order for resumption of the debate shall be transferred to and considered under Government Orders."

That paragraph (a) of Standing Order 82(4) be deleted and the following substituted therefor:

"(4)(a) Forty-eight hours' written notice shall be given of motions to concur in interim supply, main estimates, supplementary or final estimates, to restore or reinstate any item in the estimates. Twenty-four hours' written notice shall be given of an opposition motion on an allotted day or of a notice to oppose any item in the estimates, provided that for the supply period ending not later than June 30, forty-eight hours' written notice shall be given of a notice to oppose any item in the estimates."

That Standing Order 82(5) be deleted and the following substituted therefor:

"(5) For the period ending not later than December 10, six sitting days shall be allotted to the business of supply. Nine additional days shall be allotted to the business of supply in the period ending not later than March 26. Ten additional days shall be allotted to the business of supply in the period ending not later than June 30. These twenty-five days are to be designated as allotted days."

That paragraphs (a) and (b) of Standing Order 82(15) be deleted and the following substituted therefor:

"(a) Not later than the third sitting day prior to May 31, the Leader of the Opposition may give notice during the time specified in Standing Order 68(1) of a motion to extend consideration of the main estimates of a named department or agency and the said motion shall be deemed adopted when called on 'Motions' on the last sitting day prior to May 31;

(b) On the sitting day immediately preceding the final allotted day, but in any case not later than ten sitting days following the day on which any motion made pursuant to paragraph (a) of this section is adopted, at not later than 6.00 o'clock p.m. on a Monday, Tuesday, Wednesday or Thursday, or 3.00 o'clock p.m. on a Friday, the said committee shall report, or shall be deemed to have reported, the main estimates for the said department or agency; and"

That Standing Order 89(1) be deleted and the following substituted therefor:

"89. (1)(a) At the commencement of the first session of each Parliament, a Striking Committee of seven Members, the membership of which shall continue from session to session, shall be appointed, whose duty it shall be to prepare and report to the House within the first ten sitting days after its appointment, and thereafter, within the first ten sitting days after the commencement of each session and within the first ten sitting days after the

Monday following Labour Day, lists of Members to compose the standing committees of the House and to act for the House on standing joint committees.

(b) The Striking Committee shall not present a second report pursuant to this Standing Order between the Monday following Labour Day and the end of that calendar year."

That Standing Order 89(3) be deleted and the following substituted therefor:

"(3) The Striking Committee shall also prepare and report lists of Members to act for the House on the following standing joint committees:

(a) Official Languages, to consist of fifteen members; and

(b) Regulations and Other Statutory Instruments, to consist of eight members.

Provided that a sufficient number of members of the said joint committees shall be appointed so as to keep the same proportion in such committees as between the memberships of both Houses."

That the following new section be added after Standing Order 92(2):

"(3)(a) Notwithstanding Standing Order 96(1), no standing or standing joint committee shall sit at the same time as a legislative committee on a bill emanating from or principally affecting the same department or agency.

(b) During periods coinciding with the hours of sittings of the House, priority shall be given to the meetings of legislative committees over those of standing, special and joint committees.

(c) During periods when the House stands adjourned, priority shall be given to meetings of standing, special and joint committees, according to the schedule established from time to time by the Chief Government Whip, in consultation with representatives of the other parties."

That the following new paragraph be inserted immediately after paragraph (b) of Standing Order 92(4):

"(c) The Liaison Committee shall be empowered to report from time to time to the House."

That Standing Order 93(1) be deleted and the following substituted therefor:

"93. (1) Without anticipating the decision of the House, within five sitting days after the commencement of debate on second reading of a bill which is to be referred to a legislative committee, the Striking Committee shall meet to prepare, and shall report not later than the following Thursday, a list of members of such a legislative committee, which shall consist of not more than thirty Members and which shall be organized only in the event that the House adopts the motion for second reading and reference to a legislative committee of the said bill. Upon the presentation of such a report of the Striking Committee, the same shall be deemed adopted."

That sections (4), (5), (6) and (7) of Standing Order 93 be deleted and the following substituted therefor:

"(4) When the Chairman appointed pursuant to section (2) of this Standing Order is unable to act in that capacity at or during a meeting of the legislative committee, the Chairman shall designate a member of the committee to act as Chairman at or during the said meeting and such an acting Chairman shall be vested with all the powers of the Chairman at or during the said meeting."

That Standing Order 94(2) be deleted and the following substituted therefor:

"(2) The membership of standing and joint committees shall be set out in the report of the Striking Committee, which shall prepare lists of Members in accordance with Standing Order 89. Once the report of the Striking Committee is concurred in, the membership shall continue from session to session within a Parliament, subject to such changes as may be effected from time to time."

That sections (4) and (5) of Standing Order 94 be deleted and the following substituted therefor:

"(4) Changes in the membership of any legislative or special committee shall be effective immediately after notification thereof, signed by the Member acting as the Chief Whip of any recognized party, has been filed with the clerk of the committee."

That Standing Order 96(3)(c) be deleted and the following substituted therefor:

"(c) Management and Members' Services shall include, among other matters, the review of and report, to the Speaker as well as the Board of Internal Economy, on the administration of the House and the provision of services and facilities to Members provided that all matters related thereto shall be deemed to have been permanently referred to the Committee upon its membership having been established; and the review of and report on the effectiveness, management and operation, together with the operational and expenditure plans of all operations which are under the joint administration and control of the two Houses and other related matters as the Committee deems fit;"

That Standing Order 96(4) be deleted and the following substituted therefor:

"(4) So far as this House is concerned, the mandate of the Standing Joint Committee on:

(a) Official Languages shall include, among other matters, the review of and report on official languages policies and programs including the annual report of the Commissioner of Official Languages, which shall be deemed, for the purposes of the House, permanently referred to the Committee immediately they are laid upon the Table; and

(b) Regulations and other Statutory Instruments shall include, among other matters, the review and scrutiny of statutory instruments which are permanently referred to the Committee pursuant to the provisions of section 26 of the Statutory Instruments Act.

Provided that both Houses may, from time to time, refer any other matters to the joint committees."

That Standing Order 99(2) be deleted and the following substituted therefor:

"(2) Within 150 days of the presentation of a report from a standing or special committee, the government shall, upon the request of the committee, table a comprehensive response thereto."

That Standing Order 101 be deleted and the following substituted therefor:

"101. Within twenty sitting days of the return to Canada of an officially recognized inter-parliamentary delegation composed, in any part, of Members of the House, the head of the delegation, or a Member acting on behalf of him or her, shall present a report to the House on the activities of the delegation."

That the following new section be added immediately after Standing Order 104(3):

"(4) The office of the Minister who recommended the appointment shall provide the curriculum vitae of such an appointee or nominee to the committee upon written application from the clerk of the committee."

That the chapter title preceding Standing Order 106 be deleted and the following substituted therefor:

"Public Petitions"

That Standing Order 106(2) be deleted and the following substituted therefor:

"(2) In order to be certified, pursuant to section (1) of this Standing Order, every petition shall:

(a) be addressed to the House of Commons or to the House of Commons in Parliament assembled;

(b) contain a clear, proper and respectful prayer requesting that Parliament see fit to take some action within its authority;

(c) be written, typewritten or printed on paper of usual size;

(d) be free of erasures or interlineations;

(e) have its subject matter indicated on every sheet, if it consists of more than one sheet of signatures and addresses;

(f) contain only original signatures and addresses written directly onto the petition and not pasted thereon or otherwise transferred to it; and

(g) contain at least twenty-five signatures, together with the addresses of the signatories, from persons other than Members of Parliament."

That Standing Order 116 be deleted and the following substituted therefor:

"116. When a Minister of the Crown, from his or her place in the House, states that a majority of the representatives of the several parties have come to an agreement in respect of a proposed allotment of days or hours for the proceedings at any stage of the passing of a public bill, the Minister may propose a motion, without notice, during proceedings under Government

Orders, setting forth the terms of the said proposed allocation; provided that for the purposes of this Standing Order an allocation may be proposed in one motion to cover the proceedings at both the report and the third reading stages of a bill if that motion is consistent with the provisions of Standing Order 114(13). During the consideration of any such motion no Member may speak more than once or longer than ten minutes. Not more than two hours after the commencement of proceedings thereon, the Speaker shall put every question necessary to dispose of the said motion. Any proceeding interrupted pursuant to this Standing Order shall be deemed adjourned."

That Standing Order 117 be deleted and the following substituted therefor:

"117. A Minister of the Crown who from his or her place in the House, at a previous sitting, has stated that an agreement could not be reached under the provisions of Standing Order 115 or 116 in respect of proceedings at the stage at which a public bill was then under consideration either in the House or in any committee, and has given notice of his or her intention so to do, may propose a motion, during proceedings under Government Orders, for the purpose of allotting a specified number of days or hours for the consideration and disposal of proceedings at that stage; provided that the time allotted for any stage is not to be less than one sitting day and provided that for the purposes of this Standing Order an allocation may be proposed in one motion to cover the proceedings at both the report and the third reading stages on a bill if that motion is consistent with the provisions of Standing Order 114(13). During the consideration of any such motion no Member may speak more than once or longer than ten minutes. Not more than two hours after the commencement of proceedings thereon, the Speaker shall put every question necessary to dispose of the said motion. Any proceedings interrupted pursuant to this Standing Order shall be deemed adjourned."

That the following new Standing Order be inserted immediately before Standing Order 132:

"131.1 (1) A petition for a private bill may be presented by a Member at any time during the sitting of the House by filing the same with the Clerk of the House.

(2) Members presenting petitions for private bills shall be answerable that such petitions do not contain impertinent or improper matter.

(3) Every Member presenting a petition for a private bill shall sign his or her name on the back thereof.

(4) Petitions for private bills may be either written or printed; provided always that when there are three or more petitioners the signatures of at least three petitioners shall be subscribed on the sheet containing the prayer of the petition.

(5) On the next day following the presentation of a petition for a private bill, the Clerk of the House shall lay upon the Table the report of the Clerk of Petitions thereon and such report shall be printed in the Votes and Proceedings of that day. Every petition so reported upon, not containing matter in breach of the privileges of this House and which, according to the Standing Orders or practice of this House, can be received, shall then be deemed to be read and received.

(6) No debate shall be permitted on the report but a petition referred to therein may be read by the Clerk of the House at the Table, if required."—The Deputy Prime Minister and President of the Privy Council.

And the amendment of Mr. Ouellet (p. 6658).

Mr. Speaker: The Hon. Member for Ottawa—Vanier (Mr. Gauthier).

Mr. Gauthier: Thank you, Mr. Speaker.

Mr. Mazankowski: The Hon. Member for Halifax West (Mr. Crosby) has the floor.

Mr. Gauthier: I was recognized.

Mr. Fennell: Mr. Speaker, I rise on a point of order. I must interject here because the Hon. Member for Halifax West (Mr. Crosby) had been on for eight minutes yesterday when we reached five o'clock. I am sure the Hon. Opposition Whip was here and will acknowledge that fact. He has only 10 minutes or 12 minutes remaining, so I would appreciate him being given that opportunity.

Mr. Gauthier: Mr. Speaker, I rise on the same point of order. I am in your hands. I was recognized because I stood in my place. I want to participate in the debate. I have no objection to the other Member being recognized, if he wants to finish his remarks. I did not know that. I just go by the Speaker's rulings; I do not go by other people in the House.

Mr. Rossi: He was not standing.

Mr. Crosby: I was standing.

Mr. Speaker: The Chair wishes to apologize to the Hon. Member for Ottawa—Vanier (Mr. Gauthier). It was the error of the Chair. In fact, as all Hon. Members now know as a consequence of the interjection of the Hon. Member for Ontario (Mr. Fennell), the Hon. Member for Halifax West (Mr. Crosby) has the floor. I assure the Hon. Member for Ottawa—Vanier that he will be recognized as soon as is appropriate.

Mr. Gauthier: Thank you, Mr. Speaker.

Mr. Howard Crosby (Halifax West): Mr. Speaker, I realize that I am a long way from your chair, but I think the record clearly shows that I had the floor at the termination of the debate at five o'clock last evening, and I was standing in my place. I am sure the Hon. Member for Ottawa—Vanier (Mr. Gauthier) will have an opportunity to make his remarks.

I want to point out, in the interests of all Hon. Members of the House, and in addition to the comments which I made yesterday, that is, June 2, 1987, that negotiations in respect of the establishment of new Standing Orders are continuing, so I understand. I think that anything which is said in respect of the motion now before the House of Commons must be uttered with knowledge that negotiations are ongoing.

I think the Deputy Prime Minister and Government House Leader (Mr. Mazankowski), has made every effort to achieve unanimity in respect of the adoption of permanent Standing Orders for the House of Commons. I think he is to be congratulated for continuing that task, even as the motion to adopt permanent Standing Orders is before the House of Commons.

We have seen in the past day, the past 24 hours, an excellent example of the desirability of achieving unanimity among those interested parties in respect of the adoption of the Meech Lake Accord. We all know what difficulties stand in the way of achieving a degree of unanimity with any legal process or procedure. I encourage the Deputy Prime Minister and the Government House Leader, in fact, all three House leaders, to continue their efforts to achieve unanimity.

• (1520)

The motion now before the House concerning the Standing Orders represents in that respect a failure to achieve concurrence among Members of the House and among the House Leaders. It must be clearly pointed out and recognized that everybody agrees the desirable course is consultation, consent and concurrence. When that concurrence cannot be achieved, when unanimity is not achievable, then the Government must act. It is in that context, the necessity for government action to establish permanent Standing Orders for the conduct of the business of the House of Commons, that I make these remarks.

The motion before the House, as I indicated yesterday, Madam Speaker, is to prevent the difficult situation that would arise if the House of Commons reverted to the Standing Orders that existed on December 7, 1984. In the absence of an agreement to continue the current revised, changed and amended Standing Orders of the House, we would be back to the situation that existed over three and a half years ago and we would have lost the beneficial changes that have been made in the interval. We would also miss the opportunity to make even more effective changes to the rules.

The process of changing the rules of the House of Commons is interesting. It was pointed out by an opposition Member yesterday that there had been no change in the rules since 1969 that was not achieved through unanimous consent of the Members of the House of Commons, an indication in itself that insufficient attention has been paid to amending from time to time the Standing Orders of the House. These are not rules and regulations to be written in stone and left unchanged for decades. The House must find on a day-to-day basis that there are obvious areas in which the rules under which the House operates can be improved. When that capability of improving the processes and procedures of the House is thrown away simply because of the difficulty involved in establishing amending provisions, then I do not think we have discharged our responsibility, either to ourselves or to the broader public interested in the procedures of the House of Commons.

The fact that amendments have not been made in the past is no excuse for reviewing the situation in light of current experiences and seeking to achieve better rules and regulations for the conduct of the business of the House. I think the fact that the rules of the House tend to be cast in stone is something that is not in the interests of all Members. If and when the rules are adopted, it should be on the understanding that they can be changed from time to time as experience dictates. I think we have taken the attitude that the rules are virtually inflexible and unchangeable, and as a result the procedures and processes in the House have become stilted and formalized to the point that they no longer reflect the desire of elected Members of Parliament to effect changes or to achieve new levels of efficiency, in the conduct of public business.

I spent three weeks this year at Westminster in the Parliament of the United Kingdom. I had the opportunity to observe at first hand the conduct of the British House of Commons. One is amazed at the maturity with which Members of the House of Commons there, the House Leaders and indeed individual Members, conduct the public business in that historic parliamentary forum.

We have in the new rules that are being presented, along with the motion introduced by the Deputy Prime Minister, new provisions with respect to time allocation. If we had in this House of Commons the kind of maturity that has been achieved in the U.K. House of Commons, we probably would not need rules respecting time allocation. I was amazed in speaking to the House Leaders of all Parties in the U.K., the Conservative Party, the Labour Party, the SDP and the Liberal Party, that they have no difficulty in deciding among themselves how much time to allow for a particular Bill or other measure introduced in the House of Commons. The arguments generated in their discussion relate to whether there may be one day, two days or three days of debate allowed. They may have some difficulty in coming to a specific agreement, but in no case does one Party prolong and protract debate for the purpose of achieving some other matter that the Party seeks to achieve in the House of Commons. The bargaining does not extend to the forcing of the Government into actions that it might not otherwise be willing to take or that are not necessarily in the interests of the public or part of government policy.

Mr. Keeper: Do they ring bells?

Mr. Crosby: In short, Madam Speaker, the rules are not used to blackmail the Government into actions. I think that is the path down which this House has trod to its detriment. Whatever was the experience in the past, I do not think any Member or any opposition Party ought to hold the Government to ransom by use of the rules of the House.

It may be justified in very extreme cases but it is now occurring almost on a day to day basis. I do not cast any aspersions or accusations of improper conduct on any Member of the House or any political Party that uses the technicalities of the rules as they are currently constituted. That practice has grown. But there comes a time in the history of this House that we ought to aspire to the kind of maturity evidenced in the British House of Commons to try to change those things.

There are many other ways of making points and appealing to the public on a particular meritorious issue. There is no need to torture the rules of practice and procedures in any chamber, and especially the House of Commons, being the national Parliament of Canada, in order to achieve the purposes of one Member or one political Party.

It is in that difficult context, in that difficult parliamentary situation, in which we look at the motion presented by the Deputy Prime Minister. The changes that are introduced with the motion clarify some difficult areas. On balance I think the changes will result in a more efficient operation of the House and the better conduct of the public business. That is our responsibility as Members, to see that those kinds of effective changes are put into operation. I recognize and realize that bargaining takes place, and I understand that. I hope that kind

of bargaining will achieve the unanimity which is in everybody's view, I am certain, the best way to achieve change.

In the absence of a bargaining process which results in change, action becomes necessary. That is what the Government through the motion of the Deputy Prime Minister has done. I am sure the House Leaders of the other Parties even at this moment have the opportunity to negotiate and continue bargaining in order to achieve the changes through that process. While that process is ongoing, action is required. The action has been taken. It is here before us. The rules of the House can be changed now by positive action within the House of Commons.

As I have indicated, and I want to underline that point, we are in a legal limbo with respect to the Standing Orders of the House of Commons. We have delayed and failed to come to a final decision on the substance and contents of the Standing Orders. Quite frankly, we do not have the right to continue that delay indefinitely into the future. Failure to achieve unanimity is no excuse for inaction. That is the point we all have to consider. It is not the best way, but it is the only way when agreement cannot be achieved.

• (1530)

I support the motion. I hope other Hon. Members will see fit to do so as well, recognizing that the Government has been forced to put an end to the protracted debate and discussions on the Standing Orders. The Government has been forced to take action to make the rules permanent.

As I said yesterday, Members of the House of Commons are not the only ones who have a stake in the Standing Orders of the House of Commons. There is a broader community across all sectors and elements of Canadian society that look to the House of Commons for direction and guidance. There is more at stake in the public business conducted in the House of Commons than the interests of Members of the House. It is in that broader public concern about action in the House of Commons that we seek to have permanent Standing Orders for all to see, read and be governed by.

Mr. Keeper: Madam Speaker, I enjoyed my colleague's comments with regard to House procedures, but I am a bit curious about them. He said that it does not make good sense for opposition Parties to use the rules to hold up legislation. Obviously we in the Opposition do that in order to allow time for debate in the nation so that the full weight of public opinion can come to bear on any action the Government is seeking to undertake.

I wonder how the Hon. Member squares the statement he made today with the behaviour of his own Party when it was in Opposition. I am thinking particularly of the bell-ringing incident. At that time, the operation of the House of Commons was held up for at least a couple of weeks. Is the Hon. Member simply taking his line of argument from the fact that he is now in Government? Will what he is saying now have no bearing at all upon his behaviour and the behaviour of his colleagues when they are back in Opposition in what will probably be a very short time?

Mr. Crosby: Madam Speaker, I will ignore the last sentence of the Hon. Member's remarks because I thought the question he posed was a fair one and one that requires explanation. In order to explain my position on it, I think we have to go back to the time of the bell-ringing incident.

At that time, there was presented to the House of Commons a constitutional measure which members of the Progressive Conservative Opposition felt was not in the interests of the Canadian people. In order to draw attention to that constitutional measure, and particularly to the process by which it was presented for final approval, it was necessary and essential for us to do something in a dramatic way. We did this so that all Canadians would become aware of what was taking place and would respond to it.

The only alternative that appeared at the time was to find some method to hold up the process in the House of Commons until a broad public awareness could be achieved. The time did go on too long, but while the House of Commons was suspended negotiations were taking place.

Let me point out to the Hon. Member that there was a tremendous risk involved in that process. Had the public decided that the constitutional measure was a proper one and that the Progressive Conservative Opposition of the day had acted improperly in holding up the process in the House of Commons, each of us involved would have suffered greatly at the hands of the public. We took a risk because we thought that public awareness and action required it.

I believe that when there is such an extreme situation, Hon. Members are justified in using the rules of the House of Commons to delay or disrupt the proceedings in a legal way, not by civil disobedience. I would like to distinguish between the kind of tactic that is legal in a technical way and the day-to-day obstruction of the business of the House that is used to achieve other measures. Continual dilatory conduct is quite different.

Let me add that in the case of Bill C-22, for example, members of the Opposition, and I credit them for this, made Canadians aware of the contents of the Bill. They generated public discussion. However, to continue day after day to delay the Bill achieved no useful purpose. I challenge the Opposition in this way. If that Bill is so bad, pass it so that the bad effects of the Bill will be felt by all Canadians. If the Bill is so bad, all Canadians will punish the Government for passing that kind of legislation. In other words, if the position of the Opposition is that a legislative measure is bad, it should do its job and then let it pass. If it is bad, the Government will suffer for it.

Mr. Keeper: Madam Speaker, I must say that it should be obvious to all Canadians that the Hon. Member's argument suits the side of the House on which he is sitting. It astounds me that the Hon. Member has said that when his Party was in Opposition and it perceived an issue that should come to the

attention of the public it was okay to use the rules, but now that he is in Government and we in the Opposition are attempting to bring questions to the attention of the public through the rules, that is not allowed.

What bothers me about the procedure and arguments being used today is that if we are to have rule changes, those rule changes must be negotiated. We have here a demonstration of the Government using the heavy hand of its vast majority to ram rule changes through the House. I would ask the Hon. Member to lean on his colleagues so that they will negotiate these rule changes rather than ram them through the House just because they have such a large majority. The Hon. Member should keep in mind that he may be simply making the House more efficient for another Party that will take office shortly.

Mr. Crosby: Madam Speaker, that is fair enough. If we make the House of Commons more efficient for whomever is in charge of the public affairs, then we will have accomplished something worth while.

I agree with practically everything my colleague has said. I agree with the value of unanimity and with the practice of negotiation. However, he has failed to recognize that that process has gone on for three and a half years and has placed the Standing Orders of the House of Commons in a legal limbo. The time for negotiation has passed and the time for action has come. That action has been taken.

There is no reason why negotiations cannot continue and supplement the motion before the House of Commons. That can happen at any time, and I hope it does. However, that does not mean that the Government has to lie down, roll over and have the House of Commons remain in a state of legal limbo while negotiations continue. There is nothing wrong with a two-track system.

Mr. Benjamin: Madam Speaker, the Hon. Member said that the Opposition should not expect the Government to roll over and lie down. On the other side of the coin, he suggested in an earlier response to my colleague that the Opposition is to roll over and lie down. He said it is to be irresponsible, and should not do all it can quite properly do under the rules to prevent, delay or obstruct legislation or to persuade the Government to change its mind. Is the Hon. Member suggesting that the Opposition is not entitled to use the rules in every way it can to do the job that it is its duty and responsibility to do? Are opposition Members supposed to lie down and roll over?

Mr. Crosby: Madam Speaker, I think that is a total misconstruction of what I said. I cannot put a question to the Hon. Member, but if I could I would. There comes a time when the Opposition has done its duty. It has opposed the measure and has made its opposition clear. It has communicated its position to the public and has made the public aware of the issue before the House of Commons. Its job is done, its duty has been performed and it is time to get on with the business of governing Canada.

It is the duty of the Opposition to oppose measures, bring them to the light of day and have all aspects of the matter fully debated and considered. However, when that job is done, then the Opposition can rest and let that terrible measure which has been imposed go into operation. If this is as bad as the Opposition thinks it is, time will punish the proponents of the measure.

• (1540)

Mr. Benjamin: You're advocating an anarchy.

Mr. Bill Blaikie (Winnipeg—Birds Hill): Madam Speaker, Hon. Members, including the Hon. Member for Halifax West (Mr. Crosby) who just spoke, should keep in mind that when we are speaking about the possibility of the Government acting unilaterally to change the Standing Orders—and I say "possibility" because I hope there may yet be an agreement—we are talking about a very unusual occurrence in the life of Parliament. The last time the Standing Orders were changed unilaterally was in 1969 when it was done by a Liberal Government.

At that time the Conservative Party, true to its rhetoric when in Opposition, bewailed the fact that the Liberal Government would act in such a unilateral way. The Conservative Party also bewailed occasions upon which Liberal Governments used time allocation and closure. Yet, it is under the Progressive Conservative Government that time allocation has become a routine matter. It hardly catches the attention of the public any more. The Conservative Party built a political reputation in opposition to the use of time allocation. A great irony has befallen the Conservative Party. It has now become captive to the very political evil which it denounced for so many decades. Such is the tragedy of power, I suppose.

As I said, this is a very unusual move by a Government and is more unfortunate at this time because we are in the fifth year of what I regard as a very important five-year period in the life of Parliament which began with the setting up of the Lefebvre Committee on Parliamentary Reform in 1982 after the parliamentary crisis precipitated by the ringing of the bells for 16 days by the Conservatives, the same people who are now so self-righteous about the use of Routine Proceedings to hold matters up for a couple of days.

We are in the fifth year of this five-year period of reform during which a great many good reforms have been achieved by agreement. I am concerned that by moving to act unilaterally the Government will bring an end to that spirit. We will be able to demarcate those years; 1982-87 Parliamentary Reform, Rest in Peace. From here on in it will be parliamentary war with regard to how the Government and the Opposition relate to each other.

I do not say that to be rhetorical or cute. I say it because I have a genuine concern that that which I and a number of

other Members in the House have worked so hard to build over the last five years will be seriously damaged by this.

It did not have to be the way. It is this way partly because the Government sought to mix agendas which should not have been mixed. The purpose of extending the date for the expiry of the provisional orders past April of this year was that House Leaders would have time to consider the recommendations of the Standing Committee on Elections, Privileges and Procedure with respect to the provisional Standing Orders. I got up in the House and said that and the Government House Leader (Mr. Lewis) got up and agreed with me.

That which is before us now at the time of the expiry of the additional period for the provisional Standing Orders is not a negotiated response only to the Standing Orders. The Government has thrown in a couple of other things which it did not like. That is fair enough. It is okay for the Government to perceive problems in the Standing Orders, but it should not have tried to deal with them in the same context as it would deal with the provisional orders.

If the Government had concerns about the use of Routine Proceedings to prevent it from moving time allocation or to prevent it from introducing Bills, that could have been dealt with separately.

The Government has very seriously risked poisoning the whole matter of parliamentary reform by injecting into a process which should have concerned itself only with the provisional Standing Orders the poison of having to deal with technical matters, *vis-a-vis* Government and Opposition, which would have been better dealt with separately. The Opposition as well perceives problems with the way in which things work in Parliament and it would have been far better to have dealt with that separately than to slip into a process which otherwise dealt with the provisional Standing Orders and reform the matters with respect to Routine Proceedings which they have.

I am very, very critical of the Government for doing that. The Government did not have to mix those two agendas, but it has and we now have to find our way out of it if we can. I hope that will be possible. In the meantime I would like to comment on some of the things which are in the motion.

Yesterday I said how concerned I was about the Government's refusal to accept the unanimous recommendation of the Lefebvre Committee, the McGrath Committee and the Standing Committee on Elections, Privileges and Procedures with regard to the procedure for the nomination of the Speaker. All three of those committees rejected the notion that people should actively have to place their name for nomination for Speaker. Yet the Government decided that it knew better than those three committees. I am told that the Government is reconsidering that. I said a lot more about this yesterday and I recommend that those who are interested in the longer argument read what I said yesterday in *Hansard* because there are other things I want to talk about today.

For instance, I want to talk about the parliamentary calendar. It was a great achievement in 1982-83 when the Government and Opposition agreed to have a parliamentary calendar. Yet the Government is now proposing to include in the Standing Orders a motion through which it could very easily carry the sitting of Parliament past the June 30 adjournment date on into July. Government Members should look very carefully at what their own leadership is doing to them if they value the parliamentary calendar. As sure as I am standing here, if the parliamentary calendar is thrown away once it will be gone right out the window. If the Government is allowed, for whatever reason, to extend, through an ordinary motion—time allocation nonetheless—the sitting of this House into July as is suggested in the motion we are now debating, every Government from now until doomsday will do that.

The Government's reason for wanting to do that is that it has more business to do, that it does not have everything done which it wanted to do. That is tough. The Government has had ten months and if it cannot get the business of the House done in ten months with a 210-seat majority, that is not the problem of the parliamentary calendar or the small Opposition, but the problem of the Government. It should not be blamed on the parliamentary calendar.

• (1550)

If there is a significant and important, nationally compelling reason why Parliament ought to be recalled after the end of June, that provision already exists in the Standing Orders. All the Government has to do is justify to the Chair why Parliament ought to be recalled. The motion before us now constitutes a lack of confidence in the Speaker. The Government is saying through this motion, "we do not trust the Speaker to do what we would want the Speaker to do if we decide we want Parliament back". What is at the heart of the reform is to give more independent power to the Speaker and, through him, to the House of Commons, but what we have here is a move to remove powers from the Speaker.

I am trying to put my remarks in the context of reform. We are looking for ways, and there are many of them in this motion, which subtly, symbolically and substantively undermine the principles of the reform which has been going on for the last five years.

People may think that the proposal that the Government can extend the sittings into July only violates the parliamentary calendar part of the reform, but it also violates the notion of the Speaker as the person to whom the Government must appeal if it feels it has a good reason for recalling Parliament outside the limits of the parliamentary calendar.

There is a contradiction as well. On the one hand, the Government wants to take power away from the Speaker with respect to whether or not the House can sit in the summer and, on the other hand, it wants to give more power to the Speaker with respect to the determination of emergency debates so that the House cannot overrule the Speaker. I wish the Government would make up its mind. On the one hand it is removing the

powers of the House to overrule the Speaker, and on the other hand it is instituting a power of the House to overrule the Speaker or to not have the Speaker's judgment involved at all.

Something else that I think should be brought to the attention of Canadians is this whole question of vote deferral. It has not been a controversial item. I see that the Whip from the Liberal Party is here. It gives the Whips the ability to defer a vote during the ringing of the bells. Remember, Madam Speaker, had this Standing Order been in place in 1979, Canadian history would have been different. The Government of the Right Hon. Member for Yellowhead (Mr. Clark) would not have fallen. The vote on December 13, 1979, for which a number of us were present in the Chamber, would not have been taken. What are the implications of that proposal, particularly when we think about minority parliaments? I ask people to think about that. It means that whenever we have a vote, particularly a surprise vote, or even a vote which is not a surprise but the Whips are surprised by how few people the have for the non-surprise vote, there will be an ability to defer that vote. If there has not been an agreement which would keep the Government of the day in power, there will be at least 24 hours in which perhaps some kind of an agreement can be reached. That is the institutionalizing of bargaining time when it comes to minority governments. It is something I do not feel has received the attention it deserves.

The Government also proposes to extend the time for Government responses to committee reports. It wants 150 days. It needs over half a year to respond.

Mr. Merrithew: Over half a year is 150 days?

Mr. Blaikie: Well, almost a half year. One of the things which amazes me about the Canadian system of Government, and always has, is how slower we are to do anything than other countries. It does not take that long to respond to reports in Britain or in the United States. It seems that the Canadian bureaucracy has no equal in the slowness with which it is able to respond, particularly the bureaucracy of this Government.

What we have before us has the potential of bringing to an end what I think is a very significant period in the life of the House of Commons. I do not want to exaggerate, but the fact remains that if unilateral action is taken, it will go a long way towards damaging both the spirit and the letter of the reform, particularly as it affects the perception of the Speaker and the Parliamentary calendar.

Something else which ought to be receiving more attention than it is, is the amendment the Government wants to make to Standing Order 92(3), that committees meeting when the House is adjourned will meet according to a schedule set by the Chief Government Whip. I talked to a number of committee Chairmen who I think are pretty independent spirits, and they told me they are not really worried about it because they do not think the Government would use it to prevent their committees from meeting when they wanted to meet, or from investigating matters they had determined on their own they wanted to investigate. Nevertheless, the procedural possibility will be there for committees to be frustrated by the scheduling authority, the Chief Government Whip, about to be instituted in the Standing Orders. I ask Hon. Members to think about that.

There are a number of other things which are, I suppose, sort of caretaking kind of amendments on the part of the Government, and which have not received much attention. I think they should be mentioned. For instance, the striking of committees is to be done in the fall at the beginning of the Parliamentary year instead of in January as it is now. The rule that they be struck in January arose out of the fact that, contrary to other Parliaments when committees were struck at the beginning of each session, with the Liberal Government of Prime Minister Trudeau we did not have sessions, we just had one ongoing, for ever and ever type of session. So we had to arrive at an arbitrary date for striking committees.

The Government now suggests that we do this in the fall and it is not a bad idea, except that if the Government is not going to take the Parliamentary calendar seriously, this measure may turn out to be just as arbitrary as anything else. It seems the Government wants to carry the sitting of the House through the summer so it can then have an excuse for not having Parliament sit in the fall when the free trade negotiations are coming to a head. It can then quietly sell-out the country without anyone being here in the Chamber to even ask a question. That may be what the Government is up to. Would it not be nice for the Government to be able to quietly sell away the country without the House of Commons being in session and without there being the opportunity for members of the Opposition to ask questions and to determine the exact nature of the sell-out?

• (1600)

In any event, I hope that as I am talking a deal is being worked out and that many of the things that I have said will become—

Mr. Cooper: You will have to apologize for.

Mr. Blaikie: I will not apologize for them. Just the very fact that we say them repeatedly has everything to do with why we might come to an agreement. If we do not come to an agreement it will be because the Government decided to act unilaterally when there was no real need to to do so. What we have tried to do is bring the Government to its senses. We hope that that will happen very soon.

[*Translation*]

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Madam Speaker, I am pleased to participate in this debate. I have been getting ready for this for some time now, and right at the outset I would tell the House that everything is not black in this Government proposal. Of course it includes new provisions which took us by surprise, but on the whole these are Standing Orders which must be endorsed, which must be made permanent because, in my judgment, in the past few years, two years at least, we have had a valid and enriching experience. It is a

definite improvement, and hopefully all Parties in the House will reach a negotiated settlement confirming that the Standing Orders are permanent, that the Official Opposition has been heard, that the agreement will sanction some parts of the proposal under consideration, and perhaps further negotiations will enable us to remove the odd irritants it contains.

Madam Speaker, I should like to refer to the report of the special parliamentary committee which examined the Standing Orders and the procedure under the chairmanship of Mr. Tom Lefebvre in 1982-83, because I found a rather interesting comment. At page 7:9 it reads:

> Parliamentary procedure must serve—

I am quoting:

> Parliamentary procedure must serve the interests of the House as a whole and favour no one party or faction above another. Reforms, if they are to be effective, must be arrived at on the basis of consensus and compromise. Since all parties must expect to make concessions, it follows that some of the recommendations your Committee expects to make will form part of a package of interdependent proposals.

Madam Speaker, I would suggest that the spirit of the reform and the spirit which prevailed when this reform was unanimously endorsed by Hon. Members stand as eloquent testimony that should prompt us to go ahead, make the compromise, behave as enlightened parliamentarians, and adopt on a permanent basis the provisional Standing Orders which over the past two years have made is possible to conduct the business of the House in an orderly manner.

[*English*]

We oppose the motion put forward by the Government House Leader basically because, as I said, we were surprised by some of the conditions it puts forward. The Government House Leader and Deputy Prime Minister (Mr. Mazankowski) said in his speech, as reported at page 6622 of *Hansard* for June 2, 1987:

> The motion I have presented to the House has as its principal objective the enshrinement of the parliamentary reform process which has been experimental and provisional for the past two years. The adoption of this motion will make all of those reforms permanent Standing Orders.

When one looked tentatively at the proposal put to the House one noticed that the Government was trying to sneak in, in the dead of the night as some people have said, experimental rules that were modified somewhat by the addition of some four conditions, or Standing Orders, which had not been thoroughly negotiated by House Leaders, or had not even been discussed among House Leaders.

I wish to refer to those four items which had not been agreed to by House Leaders. The first is with respect to reordering Routine Proceedings. We had not agreed to that. The second is with respect to the automatic transfer of Notices of Motion to Government Orders. We had not agreed to that. The third is the taking up of time allocation motions during Government Orders. We had not agreed to that. The fourth is with respect to limitations on the first speakers at third reading.

We know that a Member speaking after the Minister introducing the Bill at third reading at present has unlimited time. Occasionally, but not very often, members of the Opposition have used third reading to speak at length. That is called a filibuster. We did it last year with respect to one Bill, Bill C-75. The Bill was later withdrawn by the Government, changed, presented to the House again and adopted with the modifications that we had thought appropriate. There was a success resulting from a filibuster. I cannot for the life of me understand why the Government would try to sneak in the sort of limitation on speeches at third reading that would have made it impossible for us to make our points.

We did agree with the rest of the proposals in the Government's motion and, generally, I think would support enshrining them permanently in our Standing Orders.

Holding the job of Chief Opposition Whip I know that we have improved the Standing Orders that were presented to us some years ago by the McGrath Committee. We improved them in terms of getting them to work better. I suppose experience is the best teacher.

We found, for example, that legislative committees, of which there were a great number, were sometimes too demanding on Members of Parliament. We found that having members in standing committees, legislative committees and the House was sometimes stretching our human resources to the extreme. Therefore, we suggested, as is the case in Britain, that we adopt a queuing system. This means that Bills which are referred to legislative committees will queue in order. This will be helpful because the number of committees sitting at the same time will be easier to control. Thus committees will be able to do justice to the subjects at hand.

The new rules have improved Private Members' Hour. The House knows that on occasion I have risen in my place and asked the House to rethink some of the rules that were being used with respect to Private Members' Hour. The fact that a Member could not be here on his appointed day, for example, meant that the Government could profit from that absence and get extra government time. I thought that was not fair. I did not think that it was proper for the Government to profit from something that I think is sacred to us, that is, our hour, three or four times a week. Our Private Members' Hour is the time when Members have the opportunity to present either motions or Bills and have them discussed. Some of them are votable but most are non-votable.

• (1610)

Our proposal that has been implemented was that non-votable items could be rearranged if a Member could not be in the House at the appointed hour. This would give other Members a greater chance to debate their motions and Bills.

Speaking of Private Members' Hour, yesterday there was a historic vote on a motion, and I hope that votes will take place more often. I believe that the experience last night improved

our sense of participating in democracy and that one has a role to play.

I have intervened occasionally on the matter of Standing Order 9(4)(a), under which a Member who has the floor may rise and propose that the House do not adjourn at the normal time but continue beyond the normal adjournment hour to further consider a specified item of business or a stage or stages thereof. When a large number of committees are sitting, it is difficult also to have Members in the House during the last hour before adjournment to ensure that we have 25 Members to prevent abuse of the Standing Order. While I do not know the opinion of the House, I suggest that a percentage of the Members would be a better solution, so that possibly 10 per cent of our membership would be required in the House in order to prevent the Government using Standing Order 9(4)(a). If the same rule applied to the Government it too would have less difficulty in finding Members to prevent the Opposition from using Standing Order 9(4)(a). When we all agree to a motion under that Standing Order, there is no difficulty.

I see the Government House Leader in the House. I know he has something to say, but I want to tell him before I sit down that I feel this debate has been constructive. I think we are back to the spirit of the parliamentary committee and of Lefebvre and McGrath.

I believe that if we now have an agreement, it is as a result of compromise. I accept that, because that is what we are supposed to strive for and I am happy to see that my House Leader, the Government House Leader, and the House Leader of the New Democratic Party, have all come into the House. It indicates to me that we have come to a reasonable understanding and that they have possibly reached an amicable solution. I am pleased that we have reached some kind of understanding and I expect the Government House Leader to inform us about that.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Madam Speaker, I rise on a point of order. I want to thank the Hon. Member for Ottawa—Vanier (Mr. Gauthier) for his very kind words. He has clearly set the stage for what I am about to do.

As he inferred, once again the goodwill, the good nature and the interest of Parliament and furthering parliamentary democracy have prevailed. I am pleased to report to the House that we have reached an agreement on some outstanding issues.

As I indicated yesterday when I introduced the resolution, notwithstanding the fact that it was introduced in the name of the Government and that there were some outstanding issues, we did agree at that time to continue negotiations in an attempt to reach an agreement and resolution of the outstanding issues.

I think you will find the proposal that I have to be in order. In order to facilitate what we propose to do, it will be necessary for the Hon. Member for Papineau (Mr. Ouellet) to withdraw his amendment. I presume that that can be done with the unanimous consent of the House. If we do so, then I can introduce an amendment which has been agreed to by the House Leaders of all Parties. If I could seek leave to do that, Mr. Speaker, I think we could move on with this and complete it.

[*Translation*]

Hon. André Ouellet (Papineau): Mr. Speaker, I have been informed by our Parliamentary House Leader that some useful discussions have taken place among the House leaders of the three political parties in the House and that amendments reflecting the interests of both the Government, the Opposition, and Members in general will be submitted to us for consideration by the Government House Leader. In the circumstances I shall of course be glad to withdraw my amendment.

[*English*]

Mr. Speaker: Agreed?

Some Hon. Members: Agreed.

Mr. Mazankowski: Mr. Speaker, I want to thank the Hon. Member for Papineau (Mr. Ouellet) and all Members for their co-operation in this regard. I think I am now in a position to move the following amendment.

Mr. Speaker: Order. The Hon. Deputy Prime Minister (Mr. Mazankowski) will need consent to move that motion. I take it that that consent is forthcoming?

Some Hon. Members: Agreed.

Mr. Mazankowski: Mr. Speaker, I move:

That the motion be amended as follows:

(1) by deleting the words "except Standing Order 4" in lines 10 and 11 of the motion, and by deleting the paragraph numbered 3;

(2) by deleting the proposed amendment to Standing Order 2(5)(a);

(3) by inserting the following new paragraph:

That Standing Order 9 (4)(b) be amended by deleting the words "twenty-five" and substituting therefor the word "fifteen".

(4) by deleting the proposed amendment to section 2 of Standing Order 55; and

(5) by inserting the following new paragraph:

That Standing Order 82(9) be deleted and the following substituted therefor:

In each of the periods described in section (5) of this Standing Order, not more than four Opposition motions shall be motions that shall come to a vote. Of the 25 total Opposition motions, not more than eight shall come to a vote. The duration of proceedings on any such motion shall be stated in the notice relating to the appointing of an allotted day or days for those proceedings.

On the last day appointed for proceedings on a motion that shall come to a vote, at fifteen minutes before the ordinary hour of daily adjournment, the Speaker shall interrupt the proceedings and forthwith put, without further debate or amendment, every question necessary to dispose of the said proceeding.

We did not get the percentage with respect to Standing Order 9(4)(b), but I think the Hon. Member for Ottawa—Vanier will appreciate that concession. All of those are major

concessions by the Government, again granted to the Opposition in the interest of facilitating the orderly progress of the House and preserving a strong institution of parliamentary democracy.

Again, I want to thank all Hon. Members for their co-operation, diligence, and patience in working through this very difficult task. I think we are all richer as a result of going through this exercise.

Hon. Herb Gray (Windsor West): Mr. Speaker, I want to confirm that the proposal of the Government House Leader is something that has been arrived at by negotiation and agreement between the House Leaders. In this context, I think it would be useful to remind the House of the conclusions of the Special Committee on Standing Orders and Procedure of the House of Commons. At the time it was presided over by Tom Lefebvre, now a member of the other place.

• (1620)

He said:

> Parliamentary procedure must serve the interests of the House as a whole and favour no one party or faction above another. Reforms, if they are to be effective, must be arrived at on the basis of consensus and compromise.

I think this has been proven by what we see transpiring in the House at this time.

As the Government House Leader has said, the Government has made certain concessions. However, I think it should be recognized that the opposition Parties have also noted some of the concerns of the Government and have been willing to have that taken into account as well.

I want to say, therefore, that what we see here is not only consistent with the recommendations of the Special Committee on Standing Orders and Procedure, as I quoted from its report, but it is certainly consistent with the general way in which the House operates when we are dealing with its procedures.

I want to say in a very positive spirit that if the Government had been willing to continue discussions on this matter, what we had undertaken last week, we might well have arrived at this point without time being taken to debate the motion in question, time that might well have been used for consideration of the Government's legislative program.

That being said, I want to confirm again that what was put before the House represents the result of fruitful negotiations among the House Leaders of the three Parties. The Government House Leader has spoken about the matter in a very generous and open spirit. We must recognize and hope that it will be typical of his efforts over the coming months. Certainly, if that is the case, he will see a response of a constructive nature on our part. It is a matter of give and take, consensus, and compromise when we are dealing with the procedures of the House and the organization of House business.

As I have said, what we see at this point in time confirms that very key aspect of the House of Commons.

Mr. Speaker: I thank the Hon. Member for Windsor West (Mr. Gray).

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I am very happy today to join with the House Leader of the Opposition and the House Leader of the Government in support of the amended motion and to indicate that it reflects the true spirit of Parliament. For many months the three political Parties have negotiated a change to the Standing Orders, a change to the rules and procedures of the House of Commons which will make life more meaningful and facilitate both the business of the House, from the Government's point of view, and the effective role of the opposition Parties.

As the Government House Leader has indicated, I also appreciate the spirit of co-operation which existed, not only among the House Leaders but among their hard-working staff and other Members who are committed to the process. They have actually worked long and hard behind the scenes to make this moment possible. It certainly took a bit of give and take. It took a great deal of openness on all sides to arrive at this particular point. I am pleased to say that it will facilitate the business of the House.

On that note it might be appropriate to cease this discussion to enable the House to get on with some very important business.

Hon. André Ouellet (Papineau): Mr. Speaker, indeed I am very happy that many of the recommendations of the McGrath report will now become permanent rules of the House. It is a significant achievement for the Parliament of Canada. It is to the credit of the Government that it accepted these recommendations. Certainly it is to the credit of Members on both sides of the House who worked diligently to achieve this enhancement of the role of back-benchers and to establish a better climate in Parliament as a result of some of the rules which have been accepted.

I would be remiss not to remind the Government House Leader that there are still some recommendations outstanding. Precisely, some are before the Board of Internal Economy, and the Speaker is very much aware of them. Although we have gone through a major step in the right direction, I hope the Government will not consider that the work is completed and will indeed pursue some of the other recommendations to facilitate better the work of Members of Parliament.

Some of the outstanding issues could certainly be dealt with under the chairmanship of the Hon. Member for Peace River (Mr. Cooper), who is the chairman of a committee which could look at some aspects of Parliament, and under the chairmanship of the Hon. Member for Saint Denis (Mr. Prud'homme) who is the chairman of another committee which could look at other aspects. In terms of modernizing our operations, televising the proceedings of committees and introducing electronic voting in Parliament, those are matters which are now before the Board of Internal Economy. Although we are dealing with some of the rules, it would be

sad if we could not operate Parliament in a modern way in a modern society.

One recommendation of the McGrath committee concerned allowing Parliament to be the master of its own place. We know that many parliamentarians do not have proper office space, that some of us are crowded in our offices, and that indeed the facilities on the Hill could be improved. There has been a recommendation to introduce the concept of a small unit under an intendant of Parliament who operates under the responsibility of the Speaker of the House and the Speaker of the Senate and does the work we now ask Public Works, the National Capital Commission, or other organizations to perform on our behalf, with the feeling that these people do not have at heart the interest of parliamentarians. This is another area upon which I hope the Government will act in the very near future through the auspices of the Board of Internal Economy.

In closing, let me say that I am sure our former colleague, the now Lieutenant-Governor of Newfoundland, must be very happy today to see his good work enshrined as permanent rules of the House of Commons.

Miss Aideen Nicholson (Trinity): Mr. Speaker, I would like to join with those who have congratulated the House Leaders and the other Members on achieving a resolution of the outstanding problems which were interfering with the very positive step of adopting as a permanency the provisional rules. Tremendous progress has been made with these provisional rules.

I would merely like to point out that there is still room for improvement in the way we deal with supply. I would hope that those who are concerned with this matter will continue to try to improve it. It is a very long established democratic principle that there should be no taxation without representation. However, the other side is that the way in which the taxpayers' money, having been collected, is spent should also be carefully examined by the representatives of the people.

• (1630)

Over the years there have been many changes, from the days when the whole business of supply was dealt with in Committee of the Whole to the various arrangements that we have now whereby sundry standing committees examine Estimates. This system is not working as well as it should in one important way. It is not easy for Members of Parliament now to get an overview of supply because parts of the Estimates go into different committees. On another occasion I hope to have the opportunity to put forward some proposals on how we could make a more thoughtful and careful examination of the business of supply.

There have been some improvements over the years, particularly in the quality of the financial information available to Members of Parliament. Part III of the Estimates gives a lot more information than was available some years ago and gives it in a usable form, but there are still many more changes to be made.

As I congratulate those who have worked long and hard on the reform of the rules of the House, I do hope that we will see further changes to improve the quality of examination of financial information and expenditure.

Mr. Albert Cooper (Peace River): Mr. Speaker, I would like to take a couple of moments to add a few comments. First, the whole process of parliamentary and procedural reform really goes through a process of ebb and flow. It is not very often that we get an opportunity where all of the ingredients come together that would allow us to undertake major reforms in an institution such as the House of Commons. Those ingredients I think have all come together in the last little while.

The process was begun by Tom Lefebrve to whom reference was made earlier. It was then picked up by James McGrath and we had the well known McGrath report which really has been the foundation of so many of the reforms with which we are dealing in the House of Commons. The Prime Minister (Mr. Mulroney) then continued the process and really carried it through, wanting to see the reforms become part of his new Government. When those major reforms are in place you come to a very crucial point in the whole process of reform, but there is bound to be some fall-out, some problems that come from any major reform. You have then two options, either do the tinkering and adjustments that need to be done or rancour can set in, dissolve the whole process and really undermine the kinds of reforms that have gone on before.

I want to add to the many thanks already expressed to the House Leaders who I think have very much saved the process by coming together in making this agreement. They have set the tone. They have allowed that freedom, that excitement and enthusiasm we felt for the reforms to continue. Our work is not completed, as suggested by speakers in the debate. There are adjustments and things that have to be done. Today, with the tone set by the Government House Leader and the two Opposition House Leaders, we have really firmly established that tradition of reform on which we have been trying to build during the last few months.

I think it is very pleasing to all Members of the House, no matter where they sit, on the back bench or the front bench, to see this come to a resolution and to know that we can now proceed with the amendment which, I am sure, will be passed by the House of Commons.

[*Translation*]

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, speaking on behalf of my colleagues in the House, I simply want to say, now that we are about to adopt this motion, that we are very pleased that an agreement has been reached.

I have just one comment for the Government House Leader. Occasionally, we are taken somewhat by surprise when Government Orders are called, and I wonder whether we could be given a list of these orders more often so that Members

might know exactly what business, what Bills will be before the House, so that our work in the House and our other parliamentary activities can be organized accordingly.

I think we saw an instance of this in the past week when it was difficult for us to schedule our work because the previous day we had to wait until 6 p.m. to find out the business of the House for the next day.

I would therefore ask—

[*English*]

Is it not possible for the Government House Leader, now that we have concluded this matter, to improve the notice that we get from the Government so that we can dispose of the business in a fair manner? It would be much more useful to us as an Opposition to know ahead of time what the legislative menu will be. It would be useful for the media and for the people of Canada to know that we are going to be looking at such and such a measure the following week, in two weeks or even a month. I cannot see why we could not agree to the Government's projected Order of business for the next two or three weeks. It would allow us to plan better and to work better and it would probably be more efficient and effective.

Mr. Mazankowski: Mr. Speaker, am I to assume that we are through the resolution? Has it been adopted?

Mr. Speaker: No.

Mr. Mazankowski: Mr. Speaker, I would like to respond to that because it is a matter of House business. Perhaps I could do so after we adopt the resolution?

Mr. Speaker: I think that there is a clear disposition in the House to proceed. It is my duty to put the question to the House.

Does the House agree to the amendment of the Hon. Deputy Prime Minister (Mr. Mazankowski)?

Some Hon. Members: Agreed.

Amendment (Mr. Mazankowski) agreed to.

Mr. Speaker: Shall the motion of the Deputy Prime Minister carry, as amended?

Some Hon. Members: Agreed.

Motion (Mr. Mazankowski), as amended, agreed to.

Mr. Speaker: The Hon. Deputy Prime Minister (Mr. Mazankowski).

Mr. Benjamin: You are lucky Arnold Peters is not here.

Some Hon. Members: Oh, oh!

Mr. Mazankowski: The Member is right, Mr. Speaker. It is a very interesting comment.

Some Hon. Members: Oh, oh!

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the point made by the Hon. Member for Ottawa—Vanier (Mr. Gauthier) is certainly well taken. I remind him, however, that what we have been trying to do over the course of the last two or three weeks is to dispose of Opposition Days. If there is any disorder, he has only to point to himself because we have been trying to dispose of the 13 Opposition Days. I am sorry that the Member has not signalled to the press and to the people of Canada what topics the Opposition was going to choose for discussion. If there is any confusion, it is largely as a result of that and the Government's obligation and responsibility to fulfil it.

I do have some good news, Mr. Speaker. We have just emerged from a House Leaders' meeting. We have more or less mapped out the order of business for the rest of this week and next week on into Friday. I will be in a position to so indicate to the House when I am asked the usual question on Thursday.

Mr. Gauthier: Excellent.

Mr. Mazankowski: Mr. Speaker, the Hon. Member for Ottawa—Vanier is a very tough and skilled negotiator, always very good-natured and always very constructive. I thank him for his remarks.

Some Hon. Members: Hear, hear!

Mr. Mazankowski: Mr. Speaker, I rise on a point of order. The order of business following this resolution is Bill C-18. I think that all the Members who want to participate in that piece of legislation are here, including the Minister.

Mr. Speaker: Would the Hon. Member for Regina West (Mr. Benjamin) speak with the Chair for a moment? I am sure all Hon. Members would be prepared to wait.

* * *

• (1640)

NATIONAL TRANSPORTATION ACT, 1986

MEASURE TO ENACT

The House proceeded to the consideration of Bill C-18, an Act respecting national transportation, as reported (with amendments) from the Standing Committee on Transport.

The Acting Speaker (Mrs. Champagne): Because of the large number of motions in amendment set down for Bill C-18, an Act respecting national transportation, at report stage, some of which were put on notice as late as last evening, I have not yet had time to finalize my ruling on this Bill. For that reason, I would propose to the House that debate begin on those motions with which the Chair has no procedural difficulty, and I will deliver my ruling the next time the Bill is called. Is there such agreement?

Some Hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): Therefore, debate will begin on Motion No. 3 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

Mr. Les Benjamin (Regina West) moved:

Motion No. 3.

That Bill C-18, be amended in Clause 3 by striking out lines 15 to 18 at page 2.

He said: Madam Speaker, I wish to commence the debate on report stage of this Bill by reminding the House that the Government put closure on the Bill at second reading. Then it put a deadline on the committee, which prevented the committee from holding hearings in places to which it should have gone. The Government put closure on the committee and then it put closure on the people.

Many people wished to appear before the committee to discuss one of the main thrusts of this Bill, paragraph (b) of Clause 3 which indicates that competition and market forces are, whenever possible, the prime agents in providing viable and effective transportation services. My amendment seeks to delete that entire paragraph.

I move to delete that paragraph because, long before this legislation will have been included in the Statutes, already we have seen a substantial lessening of competition in the airline industry where there has been, for the past three and a half years, *de facto* deregulation. There are now only two major carriers when there used to be six large regional carriers and two national carriers. These two national carriers now effectively dominate the market. Competition has been further decreased under *de facto* deregulation because those two remaining carriers have obtained operating licences and operating agreements or have taken over or bought into at least a dozen and perhaps even 20 small local and regional carriers. In effect, the two remaining national carriers control the market.

Before we even began to deal with this Bill, it was shown through Canadian experience that having competition and market forces as the *raison d'être* of the transportation sector does not work, has not worked and is not working now. The same is true in the United States. The six major carriers which used to control about 55 per cent of the American market now control upwards of 80 per cent of it. The number of bankruptcies, mergers and takeovers has substantially decreased competition. One could say the same for the trucking industry, but I will get to that when we deal with Bill C-19. However, there were over 300 bankruptcies just last year alone in the American trucking industry because of the substantial decrease in competition in that industry.

The same is not entirely true of Canada because no one is about to build another national railway. We have enough trouble keeping the two we have going. That has been the case since 1923. Even for the two so-called competing railways, the thrust of the legislation is that a carrier, be it a railway or a trucking company, can decrease competition by using under-the-table deals, discounts, kickbacks and all the things that used to be illegal, all the things that fly in the face of so-called market forces, all the things that fly in the face of competition. That is what has occurred in the United States and that is what will occur in Canada.

Public convenience and necessity still remain the best criteria. We submit that the evidence is already in front of us, staring us in the face and in fact has hit us in the face, regarding the substantial drop in and deterioration of competition in the airline industry. Surely the Government needs no further evidence to tell it that it cannot rely only on competition and market forces in transportation, an essential public utility. It is inevitable that the result will be a decrease in competition, further concentration in a smaller number of hands and a domination of the transportation market, no matter which mode, by a very few. That is not free, open competition and free market forces. When left to their own devices, public convenience and necessity, employment and safety, and the welfare and good order of dozens of communities are not considered. The bottom line syndrome takes over. They will only transport goods and people if they can make a buck, and the bigger the buck the better. If they have to reduce service, eliminate competition, and cut corners in order to survive with the competition and market forces, they will do that in spades if this Bill ever becomes law. There are no safeguards for the shipper, receiver or traveller built in.

• (1650)

In the name of competition and market forces American trucking companies and railroads will be able to do things in Canada which Canadian railroads and trucking companies cannot do in the United States. We have repeatedly pleaded with the Government to put in a safeguard clause stating that as and when that occurs we will take reciprocal action. We ask for at least that much.

Competition is not working in the airline industry. When Air Canada gives a discount fare, Canadian International gives an identical one but some communities are left out. If an airline wants to compete and be party to market forces, it should have to offer the same service to every city it serves. It should not be able to pick and choose to which communities it will offer discount fares to.

My own city, for example, has been left out on occasion. We are not part of Canada. Reduced fairs are offered to Vancouver, Calgary, Winnipeg, Toronto and Montreal and the rest of us pay the full fare or drive to the nearest large city to get the low fare. That is not competition. That is abuse of the travelling public and the rankest kind of discrimination. We are reverting to the days of the railroad barons when people were discriminated against depending upon where they lived or where their production was located.

This is an appeal to mediocrity. The last six times I travelled to the United States I was not on a clean airplane and could not find neat and properly dressed flight attendants. I did not

have a meal fit to eat in their system of free market forces and competitive economy. So far, even with deregulation, those of our airlines which have survived rank in the top ten in the world. I am very proud of that.

The Government is hypnotized by the idea of competition and market forces. This will inevitably lead to a lessening of competition and a deterioration in the quality, kind and location of service for Canadians. I hope the Government will relent and accept this amendment.

Hon. André Ouellet (Papineau): Madam Speaker, I rise to participate in this debate at this time to indicate that we in the Liberal Party are concerned about the wording of Bill C-18 which seems to be contradictory. The clause which the Member from Regina wants to have removed reads as follows:

> (b) competition and market forces are, whenever possible, the prime agents in providing viable and effective transportation services,

It is quite clear that market forces very often diminish competition rather than increase it. The reality is that in certain sectors of the economy market forces are so compelling that the biggest ones dominate the market and can literally wipe out the smaller ones.

Therefore, I fail to understand how the Government, in its national policy on transportation, believes that a national transportation system should exist totally in the hands of market forces with faith that competition will be enhanced. Evidence so far of deregulation in the transportation industry in the United States is to the effect that instead of creating more competition there has been less competition.

The standing committee of the House of Commons dealing with Bill C-18 has received evidence to the effect that the industry is very concerned about the consequence of deregulation on the stability of their industry. I refer in particular to the trucking industry which appeared before our committee and clearly told the Government that deregulation in the trucking industry in Canada will create major turmoil and bring about rationalizations of many of the current operations and that a large portion of the trucking industry in Canada will be either bankrupt or purchased by American companies.

I do not think this will bring about better competition. It will shrink competition in the trucking industry. I submit, therefore, that this clause is contradictory in its wording. I believe that the mover of this amendment is correct when he says that this clause should not be in the Bill because it is not a true reflection of the reality.

It is not realistic to say that competition and market forces are the prime agents in providing viable and effective transportation service. In the airline industry, the railway industry and the trucking industry there have been regulations in the past which have ensured service throughout Canada, in rural and remote areas in particular. In issuing licences the National Transportation Commission was ensuring that service will continue in these areas. If we abolish this commission, people will be allowed to come in and out at will. If they start a service and decide it is not profitable, they will pull out. Therefore, the public, which was expecting and hoping that through deregulation there would be more competition and service, will find out in the end that in fact there is less service and less competition.

• (1700)

I believe what we are just beginning to see happen in the field of the airline industry is enough to make us understand that it is a very dangerous course the Government of Canada has now decided to follow. Clearly the deregulation of the airline industry has not brought about more competition. It has brought about a major concentration of the airline industry into two groups, the Air Canada group and the new Canadian airline group. That is the reality.

We used to have one major airline in Canada, Air Canada, a significant, almost major national airline, present almost everywhere but in the Maritimes, which was CP Air, five regional carriers and about a dozen local provincial airline companies. Since the Government has decided to deregulate, to allow a total free-for-all in the transportation industry, there have been takeovers and consolidation of operations into two major groups. We have seen the disappearance literally of the small local and provincial airlines. They are now part and parcel of the two large airlines.

In my own Province of Quebec we used to have competition between QuebecAir, Nordair and Air Canada. But we have seen the disappearance of this competition with the existence of only one service. Only one company is now giving us service. With the new rules of deregulation, there is no guarantee that the service will continue in some of these localities. Therefore, I ask myself, is the Government really serious when it introduces an Act respecting national transportation and in the very first clause of the legislation, in the declaration of a national transportation policy, it says that the national transportation system must be the foundation of competition and market forces? This is not the way it operates.

Since Pacific Western merged with Canadian Pacific, we have seen in western Canada the abandonment of some routes by one of the two airlines. Where localities in western Canada used to be served by two airlines, they are now served by only one airline. Certainly, competition will not flourish under this legislation. What is at stake is a dangerous possibility of excessive concentration, less competition and less service for the consumer. I do not think it is very good. I do not think it is in the interests of Canada. Therefore, I will support the amendment proposed by my colleague from Regina.

Mr. Iain Angus (Thunder Bay—Atikokan): Madam Speaker, at the outset I want to provide perhaps an explanation for those who will read *Hansard* and compare it with the Order Paper of previous days. I would point out that because of the difficulties we have had recently in scheduling House business, particularly when Bill C-18 was to come before us for the commencement of report stage, we found that I was not going to be in town. Half of the amendments proposed by my Party were in my name, whether they were accepted or not,

and we were forced to put them all in the name of the Hon. Member for Regina West (Mr. Benjamin). Therefore, for those who are wondering why all of a sudden the Hon. Member for Thunder Bay—Atikokan does not have his name on these amendments, that is the explanation.

The motion which was originally in my name, I think, hits at the heart of the approach of the Government to the transportation sector, the financial sector and the energy sector, as well as other sectors. Very clearly it is a philosophical approach on the Government's part. It believes in free enterprise. It believes in the private sector and that the market-place is the be all and end all.

We in the New Democratic Party believe there is a need for the federal Government and the provincial, territorial and municipal Governments, at various points in time, to intervene in a way to provide some balance and protection for the consumers, for the communities, for the provinces and for the nation as a whole.

The amendment before us in effect amends Clause 3, which is headed "national transportation policy—declaration". The part we wish to see removed reads as follows, and I quote:

> (b) competition and market forces are whenever feasible, prime agents in providing viable and effective transportation services—

I think it is important we examine that clause and our move to delete that paragraph in the context of that declaration, which I would like to quote. Under the heading "National Transportation Policy" it states:

> It is hereby declared that a safe, economic, efficient and adequate network of viable and effective transportation services making the best use of all available modes of transportation at the lowest total cost is essential to serve the transportation needs of shippers and travellers and to maintain the economic well-being and growth of Canada and its regions—

There is clearly nothing to conflict with that statement and the move to delete subparagraph (b). In fact, Clause 3(1)(c) states very clearly that economic regulation is needed, and I quote:

> Economic regulation of carriers and modes of transportation occurs only in respect of those services and regions where regulation is necessary to serve the transportation needs of shippers and travellers and such regulation will not unfairly limit the ability of any carrier or mode of transportation to compete freely with any other carrier or mode of transportation,—

We on this side believe that because of the geography of our country, because of where people have decided to live, to work, to raise a family, unlike the United States we are stretched in a very narrow ribbon across the 49th parallel, more or less, with the bulk of our population concentrated in the Windsor, Toronto, Montreal, Quebec City corridor. There is one kind of transportation infrastructure there. There are many more options to those who wish to travel or to ship goods. For the rest of us who live at great distances from the metropolitan area, whether it be Thunder Bay, Winnipeg, Regina, Moose Jaw, Prince Rupert, St. John's, Newfoundland, Halifax, or any of the other communities away from that narrow corridor of southern Ontario and Quebec, the market forces do not work the same way. We do not have the volumes on a consistent basis to allow for the kind of competition which I think quite realistically can exist, for example, in the air side, in the triangle of Toronto, Ottawa, and Montreal.

• (1710)

It is clear that all of us who work in the House and who have constituencies away from Ottawa know that the vast number of people are travelling out of Ottawa and into it, out of Toronto and into it, and out of Montreal and into it, and that there is no need for choice. There is need for competition in order to provide for quality service as well as frequency of service.

However, with respect to the Thunder Bays of the world, even though it has the twelfth largest airport in the country, we know that there is only a population of around 113,000 locally and perhaps another 100,000 regionally to draw on to feed the airlines. So competition is different there.

Quite frankly, we need some protection since, with low volumes, the major carriers with the largest equipment will perhaps bypass Thunder Bay or only service it at certain times of the day. We are already starting to see stacking in Thunder Bay, something which we have been seeing in Toronto for quite a while, as well as in the United States, where all the carriers come and go at the same time. This places incredible pressure on the infrastructures. It causes overcrowding and frustrates travellers.

In the region we are seeing a change. We are seeing more carriers functioning, although there are fewer and fewer owners of air carriers. The smaller ones seem to get gobbled up by the two major airlines.

When I flew out of Thunder Bay this week on the tarmac there was an Air Canada airplane with all its insignias. Beside it was an Air Ontario airplane with its new maple leaf up in the corner. Beside that plane was a smaller plane owned by Austin Air, again with a maple leaf up in the corner. This gobbling up of the transportation sector has caused an elimination of competition. I cannot fault the current Government for that since Bill C-18 is not now in place.

What has happened thus far on the air side is as a result of a policy decision made by, I suppose, the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) when he was the Minister of Transport. It was his Government which opened up the skies and said: "We are going to have reverse onus. We are going to allow carriers to come and go as they will". The Conservative Government has inherited that situation, and my colleagues and I believe that it will make the situation worse. There will be less and less competition, as well as less service given to the people.

Sometimes I think that the Government wants it both ways. It has preached that deregulation will lead to lower fares. We know as a result of hearing the testimony before the Transport Committee that by and large the fares have bottomed out already. We have not seen much in the way of specials. In fact, we have seen an elimination of the ongoing seat sales. We are

back to the sporadic seat sales which are offered to fill in empty seats on planes during the off times of the year.

At the same time, the Government has turned around and complained that a foreign carrier is out-competing Canadian carriers. I gather from press reports that the Minister of Transport (Mr. Crosbie) has decided to take some legal action to try to prevent this unfair competition.

I want to ask the Minister through you, Madam Speaker, this question: Which way will it be? Will it be competition to bring about lower rates for people? Or will it be a regulated process which ensures that there is protection for the consumer? In this way, on the one hand, they will not be overcharged, or ripped-off to use the vernacular, while on the other hand it will be certain that the carriers, be it on the air side, the rail side or on the trucking side as a result of Bill C-19, have an appropriate level of income to ensure their stability. The stability of their operations means money to pay their employees properly. It means money to pay for health and safety measures. It means money to pay for security, safety equipment and other things.

I think it is important that we accept the amendment to delete subclause (b) so that we remove the phoney principle of the market-place and ensure that we have some form of economic regulation right across the board. In some of our other motions we will be dealing with that. I think it is important to the country as a whole.

[*Translation*]

Mr. Fernand Robichaud (Westmorland—Kent): Madam Speaker, I am pleased to rise once again on Bill C-18, because it is obviously a most important Bill for Canada, for all Canadians, and especially for remote areas where services are frequently not on par with those in more densely populated areas. I therefore support wholeheartedly the amendment moved by my colleague for Regina West (Mr. Benjamin) which suggests that the Bill be amended by striking out the following lines:

> competition and market forces are, whenever feasible, the prime agents in providing viable and effective transportation services—

The purpose of this Bill, we are told, is to increase services and competition, so that somehow Canadians will be better served throughout the country through increased competition. We should remember however, Madam Speaker, that free enterprise tends to eliminate competition. And of course, less competition means reduced services, so that after a while consumers begin to realize that there is no competition and that they have to pay more to get the services they need. And of course, in the end, it is the consumer that foots the bill. He ends up paying more. Of course, there may be more competition for some time, we may be able to benefit from a little more competition for some time, but you know that in the end the strongest will always win, and that of course will happen in the transportation sector just as anywhere else.

I therefore support this amendment, Madam Speaker, because I believe it runs counter to paragraph 3(d), which reads:

> (d) transportation is recognized as a key to regional economic development,
>
> The commercial viability of transportation lines should be balanced against the goals of regional economic development so that the potential economic assets of each region may be fully developed.

I must say that paragraph (d) was amended in committee following long discussions and on the basis of many representations from both sides. Madam Speaker, I should like to suggest an amendment to this clause. However, I feel that paragraph (b) goes against paragraph (d), which deals with regional development. If we allow market forces and competition to operate freely, it goes without saying that we are going to lose some services. In my opinion, that is where the danger lies for our remote regions.

Madam Speaker, I could describe for you the situation which exists in south-eastern New Brunswick, where the market forces were left to operate freely. The Government has chosen the hands-off approach. It has refused to intervene. Of course, you are aware of the situation at the CNR workshops in Moncton. We have lost 800 jobs over the past two years. That is what happens when the market forces are left free to operate. Yet, the Government could have done something. It could have saved these jobs. It could have spared the few hundred workers affected the problem of having to move, because, as you know, our economy in south-eastern New Brunswick just could not create enough jobs over such a short period of time to absorb all these unemployed workers. So people are leaving. While flying home this past weekend, I met one of these workers who was returning from Winnipeg wondering whether he was going to move with his family. He asked me if there was anything anybody could do, because he was completely lost. That is what happens when market forces are left free to operate.

Last weekend again, as most Hon. Members, I used transport services, mostly to fly between Ottawa and Moncton. As recently as this spring, positions of mechanics were eliminated in Moncton, St. John and Fredericton. I contacted the Air Canada people and asked them how this was going to affect the services provided to the Moncton, St. John and Fredericton people, and I was assured that services would not be reduced in any way whatsoever. As I was flying home on Thursday night to spend the weekend with my family, the captain announced that the plane would land in Halifax, not because of adverse weather conditions in Moncton, but because of an electric problem. So he lands in Halifax. Why? Because there are no engineers in Moncton to look at the aircraft, and if he lands there, he cannot take off again. Despite the assurances I had that people in the area would suffer no service reductions. However, 100-odd people aboard that plane were rerouted: they had to land in Halifax, and those who had to go to Moncton early in the evening had

to find other means of transportation. Of course, Air Canada offered to take us back to Moncton, but three hours later.

So, Madam Speaker, this is what happens when competition and market forces have a free hand—everything goes when it comes to cost-cutting too often at the expense of service to the people.

Mr. Lorne Nystrom (Yorkton—Melville): Madam Speaker, I have a few comments on Bill C-18 and the amendment put forward by the Hon. Member for Regina West (Mr. Benjamin).

• (1720)

[*English*]

His amendment is one that would eliminate the sentence: "Competition and market forces are, whenever possible, the prime agents in providing viable and effective transportation services". We should give that serious consideration because when a Bill deals with competition and market forces being the prime motivators in terms of transportation in this country, it builds into the system a clause that will discriminate against many regions of this country, including small communities, rural Canada, and other parts of Canada that are a long way from the market.

I want to use a specific example in my riding to show why I am concerned. In my riding we are beginning to see the effects of the rationalization of the railways, CNR and CPR.

Melville is a rail centre for the CNR and always has been. There are approximately 600 or 700 jobs with CN in the City of Melville, which has a population of about 5,000 people.

Approximately two months ago, the CNR announced that as of the end of June it would lay off some 46 employees. There are now rumours that another 14 will be laid off by Christmas, for a total of 60 lay-offs.

I want to say to the Minister of Transport (Mr. Crosbie) that last Thursday in Melville, the City of Melville, the trade union, and the Chamber of Commerce organized a rally at the Melville stadium. There were 1,200 people at the Melville stadium protesting the rationalization of CNR and the loss of 46 jobs to that community, the loss of many families in that community. I was pleased to be there with the provincial Minister of Labour, who is the MLA for Melville, with Mayor Don Abel of the City of Melville, who is also the President of the Saskatchewan Urban Municipal Association, with Peter Champagne who was one of the workers, who, with many other people, represent the community very well. The people at that rally were concerned about deregulation in general and particularly about the specific fall-out in the City of Melville.

By eliminating 46 jobs in a small city like Melville, the Minister is taking a real piece of the community. The spokesperson for the Chamber of Commerce explained how these lay-offs would affect business very negatively. These lay-offs take a large chunk from the schools because many of the men being laid off have children going to school. These people are being taken away from their families and friends.

There were 1,200 people protesting at the stadium in a small place like Melville, when game 6 of the NHL finals was being played and one of the Philadelphia Flyers, Brian Propp, was a junior hockey star in that very Melville arena. Despite the fact that the game was on television and people were following the play-offs closely, 1,200 of them showed up at the stadium. I think that should indicate to the Minister of Transport that people in Melville are concerned and want him to intervene with the CNR and use his influence as Minister of Transport to see whether he can ensure that those jobs do not end on June 30.

• (1730)

I appeal to the Minister to do that. The Mayor of Melville is in town today. I know Mayor Don Abel would like to see the Minister of Transport. I know other people in the City of Melville would like to see the Minister of Transport. The provincial MLA, who is the Minister of Labour and a Conservative Member, would like to talk with the Minister of Transport. All of us collectively are urging him to do what he can to persuade the CNR to keep those jobs in the City of Melville.

Another thing happened in Melville last Thursday night. We were there as invited guests. After all the guests came on to the platform, there were two empty chairs remaining. Those empty chairs were for the head of the CNR and the Saskatchewan member on the Board of Directors of the CNR. Both of them were invited. Neither of them even had the courtesy to telephone—

An Hon. Member: Is this relevant?

Mr. Nystrom: —the organizational committee of the City of Melville to say that they would not come. They did not send a letter, a telegram, or anything at all. I suggest that this is a very human, personal, particular example of deregulation of transportation, where we have the rationalization plan of CN affecting Melville, one of the cities in my riding, in a very real and pertinent way.

That kind of thing will be repeated time and time again across the country if the Government has its way in terms of deregulation of transportation in Canada, be it airlines or other modes of transportation.

It is only one example. I could give other examples in my riding. A few moments ago the Hon. Member for Lethbridge—Foothills (Mr. Thacker) said that I was not being too relevant to the Bill. I think I am being extremely relevant. I should like to give another example in my riding of how deregulation affects ordinary people in small towns and villages when we have deregulation, when we have a plan where the railways are forced to rationalize.

An Hon. Member: Abolition.

Mr. Nystrom: I think the Hon. Member was probably going to say the abolition of rail lines and branch lines. When we have a plan where the railroads are forced to lay off staff, they eventually abandon rural branch lines. I have had three or four cases in my riding where CNR and CPR have tried to abandon branch lines. They do that because they are lines which serve the small communities, villages, and towns, and they do not have the same market size as do bigger communities.

Why should people living in small towns and villages be discriminated against? Why should they be the ones who suffer because the Conservative Government is committed to an ideology which says that it must deregulate, it must privatize, and it must have free trade? It is dedicated to this archaic ideology of the 19th century, this neo-conservatism of Ronald Reagan which affects people in a very negative way in small communities throughout my constituency. People who live in Preeceville, Sturgis, Calder, Rosthern, and all kinds of communities in my riding are concerned about this kind of ideology going wild. They are concerned that their rail lines may be abandoned, that their rail lines may be the next ones to go.

Mr. Thacker: Madam Speaker, I rise on a point of order. Because my friend opposite referred to me, I would like to invite him to southern Alberta where the Towns of Whitla, Winnifred, Burdett, Grassy Lake, and Seven Persons, which are on a main CP rail line are declining even with a railway. I do not think it can be simply said that it is solely because of rail line abandonment.

Mr. Benjamin: That is not a point of order.

Ms. Jewett: There are other Tory policies which are pretty bad, too, that have caused that.

Mr. Nystrom: It may not be just the railway. I can tell the House what will happen once the railways leave. Farmers in Willowbrook in my riding, when the line was abandoned, had to start hauling their grain to Theodore, Springside and Yorkton. The whole village started to disappear. It was the same in the Village of Jedburgh. When a farmer hauls his grain to town, he is liable to do some shopping, spend some money in that town at the same time. When the railway disappears, the town starts to disappear even more rapidly.

Mr. Thacker: It happens even when the railway is there.

Mr. Nystrom: The point I want to make is that when we start deregulating, railways start laying off staff and cutting costs. I refer the Hon. Member for Lethbridge—Foothills to Bill C-18. It indicates that one of its main criteria is that competition and market forces are, wherever possible, the prime agents in providing a viable and effective transportation service. If we are looking at competition and market forces, we must realize that they are not going to make much money hauling grain out of Willowbrook, Jedburgh, Rosthern, and Calder.

I suggest that these people deserve a service as much as people in Weyburn, Yorkton, or Swift Current deserve a service.

Mr. Orlikow: Or those in Lethbridge.

Mr. Nystrom: Yes, those in Lethbridge. They happen to live in bigger centres where the rail lines will be maintained. If it is based strictly on profit, the small person or the average person will suffer.

I invite my friend from Lethbridge to go to the City of Melville to make the kind of speech on free enterprise, deregulation, privatization, and free trade which he makes in the House.

Ms. Jewett: Invite the Minister too.

Mr. Nystrom: I invite the Minister as well. After all, the City of Melville has a Conservative MLA. I am sure he would be very happy to see the Minister out there.

Mr. Crosbie: They will have a federal Conservative after the next election.

Mr. Nystrom: If the Minister does not come out there, in the next election the Conservatives will not even finish second in Yorkton—Melville; the Liberals will finish second. I invite the Minister to come to Melville to talk with the local people, with Mayor Don Abel, with the trade union, and with the Chamber of Commerce to save those jobs. I am asking him to be a gentle, benevolent, decent Newfoundlander and to save those jobs in the City of Melville, and we will all be happy.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 3 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

For the same reasons the Chair explained earlier, we will now proceed to the consideration of Motion No. 4.

Mr. Les Benjamin (Regina West) moved:

Motion No. 4

That Bill C-18, be amended in Clause 3 by striking out lines 15 to 18 at page 2 and substituting the following therefor:

"(b) competition and market forces are, whenever feasible, prime agents in providing viable and effective transportation services, provided that each carrier or mode of transportation establishes and maintains fares, rates and conditions that do not constitute unfair or destructive competitive practices."

He said: Madam Speaker, you will notice that this motion is another proposition we are putting to the Government which deals with subparagraph (b) of Clause 3.

We are hoping that the Government will accept Motion No. 3. However, if it decides that it cannot do so, then we have Motion No. 4, which tries to make competition work in the best sense of the word, which tries to ensure that it is real competition and does not allow for discriminatory practices against people or the goods they produce just because of where they happen to be located.

In the maintaining of fares, rates, and conditions alone, discrimination is already in place in the airline industry and in some parts of the railway industry. In fact, under another Act, a discriminatory practice which had been approved by the CTC is now under appeal to Cabinet. I am referring to variable rates. I think of the Hon. Member for Swift Current—Maple Creek (Mr. Wilson) with farmers along the Alberta border who are 300 miles closer to Vancouver but will be paying higher freight rates than those paid by grain producers in the centre of Saskatchewan, some 300 miles to 400 miles farther away from Vancouver. If that is not discrimination of some kind or other, I do not know what is, Madam Speaker, when you get discriminatory practices in airfares where somebody gets a discount fare out of Calgary to go to Vancouver while a person out of Regina cannot. Conversely, a person can get a discount fare to go to Toronto from Calgary but the person coming out of Regina cannot. Yet the person in Regina is 600 miles closer to Toronto. You have a situation that the person flying out of Calgary gets a lower fare than the one flying out of Regina.

● (1740)

If you want to make competition work, surely to goodness the law must say that there will not be any discrimination, that that mode of transportation and those carriers have to maintain fares, rates and conditions that do not constitute unfair or destructive competitive practices. Surely that is the minimal requirement that should be placed on the transportation industry in Canada. You cannot leave it to the so-called competitive and market forces. It has never in transportation worked before. It ain't working now in the USA and it certainly is not working in the airline industry in Canada. With this legislation, you will see the same effect in the trucking industry and, in many respects, in the railway industry.

As I said many times in the committee, and as I said to a number of witnesses some of whom were in favour of the legislation and some of whom were against, the efforts of my Party in the committee and here in this House are to try to make a bad Bill less bad. That is exercising our duty as members of the Opposition, not only to oppose but to propose and to try to persuade. That is why I was so interested in some of the speeches made by Hon. Members on the government side who have very short memories about all the complaining they did concerning rules when they were in the Opposition. Under the rules, it is a duty of Members on all sides of the House to exercise maximum effort, to oppose and to propose. That is what we are doing here.

I received assurances from the former Minister of Transport and from the present one that they would not be hidebound, that they would be flexible and open. What we got in the committee was not an open door. They were as open as a locked door. They did accept a couple or three minor things hoping that that would pacify, please and make them look like nice fellows. They are nice fellows, but they ain't very open, or they have not been yet. We were told by the previous Minister of Transport and by this one that this is not etched in stone, but it sure as hell is etched in black.

Without some significant and numerous changes to this legislation, we will have to go full circle, as we did from the turn of the century up to the end of the First World War when our transportation system and the railway industry was a complete disaster and competition was not working. We had to take over, nationalize five bankrupt railroads, bail out the bond holders, and bring in a regulated regime. During the 1930s and all during the war, right up until the last three or four years, we have had a regulated regime that put public interest and public service, necessity and convenience ahead of everything else. It was too slow and cumbersome in many respects, I admit. It was not responsive or quick enough to the needs of the consumer, the shippers or the receivers. That can be corrected. We will go along with streamlining a national transportation agency that is more responsive and responds much quicker, not just in the interests of transporters but in the interests of shippers, receivers and passengers.

Without provision in law at least to attempt to make competition work, the law of the jungle takes over. Shippers, receivers and consumers, particularly those who are small shippers and receivers and who are located in small communities—by that I mean even cities up to 150,000 population who are trying to reach markets in larger centres—are discriminated against. You have to enshrine in the legislation itself the principle of making competition work with these minimal safeguards.

This is why I am persuaded to run again so I can be sitting in this House, because I predict that three, four or five years

down the road we will have to go full circle for the third time since 1867 to bring back a regulated regime. If you want to persuade me not to run again, withdraw this legislation and I will consider it.

Some Hon. Members: Oh, oh!

Mr. Thacker: Is that a promise? Can we get that in writing?

Mr. Benjamin: In Motion No. 4 along with Motion No. 3, although the Speaker feels that they should be debated separately and voted on separately, we are at least presenting two alternatives to the Government to make this Bill in its basic thrust, as bad a Bill as it is, less bad. We hope that the Minister or the Parliamentary Secretary or somebody over there will get up and so indicate. If they want to indicate ahead of time how many of these amendments of ours they think are good—I know they think a lot of them are good—and are acceptable, we could probably get through this Bill a lot quicker. If government Members are going to be stubborn, mean, difficult and ornery, they leave us no choice but to present every motion as sincerely and as strongly as we can.

In the course of opposing we are proposing and hopefully, we will be able to persuade.

Mr. Iain Angus (Thunder Bay—Atikokan): Madam Speaker, I had hoped to hear a government Member explain to this House why the Government does not want this kind of protection. Why does the Government not want to put a proviso that each carrier or mode of transportation establishes and maintains fares, rates and conditions that do not constitute unfair or destructive competitive practices? Why is the Government not coming forward and saying, "Of course, we want to protect them. We want to provide that protection". There is no movement at all. In fact, I heard a call for the question, Madam Speaker.

Mr. Belsher: We did our homework in committee. You were there.

Mr. Angus: The Hon. Member makes reference to doing our homework in committee. I want to remind him that we were not given the amount of time that we originally wanted.

Mr. Belsher: Now, now.

Mr. Angus: I want to be accurate by saying that in order to get travel outside of Ottawa, the limited travel that we did, it was an all-Party agreement—

Mr. Belsher: Right.

Mr. Angus: —to report by a certain date. That would not have been necessary if the Government were really confident in this Bill being accepted by the people of Canada. The Government wanted to get it through fast. Once we finally got it to committee stage, it took the Government forever after it was tabled to get it into the House for discussion. That says more about the manner in which the Government is controlling its own affairs than anything else. If the Government were that concerned about us doing our homework, we would have had more than two days to do clause by clause study. We would have had more than a partial to a full day with the Minister to go through the philosophical matters. Quite frankly, we were rushed. My colleagues and I are trying to correct some of those things we may have missed.

• (1750)

The Hon. Member made a reference to filibustering. I can assure him that we have no such intention whatsoever. I will be the last speaker for my Party on this clause. We are being very conscientious. Quite frankly, we learned the hard way during the debate on the WGTA. Before we had gotten anywhere near the end of our list of motions, the Liberal Government of the day brought in closure and many of our amendments were not dealt with.

We want to present our case in a very responsible way. We want to encourage the Government to reconsider some of its positions, and then we want to move on to other motions. There are many motions before us and we want to get through them before we complete our work on this Bill.

As my colleague, the Hon. Member for Regina West (Mr. Benjamin), said, we are trying to improve this Bill. Through the policy part of the Bill, we are trying to say that we feel that competition should be, where feasible, the prime agent in providing viable and effective transportation services. The House will recall my comments on Motion No. 3. I said that there are areas in Canada where competition does work, where market forces do compress prices and push up the quality of service. However, there are also areas in what I like to refer to as the near-North for which this is not true.

The near-North is not included in the exemptions found elsewhere in the Bill. Communities in that narrow band along the Canada-U.S. border and relatively close to the northern borders of the prairie provinces above which there is some form of continued regulation will be affected by this legislation. I am not talking about Thunder Bay or Sault Ste Marie, I am talking about Sioux Lookout, Kenora or Dryden, to use three examples from northwestern Ontario. These are communities with small populations, communities whose operations are seasonal.

In the past, there have been air services in these communities. By and large, these air services were established by entrepreneurs. Someone in the private sector sees a potential for the development of an air route and works extremely hard to develop that route and to get people to use air services rather than the roads and the rails.

Yes, these entrepreneurs had monopolies, but those monopolies were regulated and controlled by the Parliament of Canada through its agencies. As well, there was a need for those monopolies. Such a monopoly would ensure that a carrier who had invested time, energy and, most important, money to establish that route had some protection. Protection

existed against people taking all the profit away during a lucrative summer season and then leaving a carrier who has established an infrastructure in the community struggling to make ends meet and to be able to continue to provide the service.

Regulations saw that that would not happen. However, thanks to the Liberal Government and the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) who introduced his "freedom of the skies" policy, those small entrepreneurs did get some competition. Carriers took over after the hard work had been done by an entrepreneur who had already convinced the people of the community to use the air facilities and who had invested in the community. The carriers took the cream away from the entrepreneur. They offered competition, but the end result was a reduction in service. The ultimate result of this Bill will also be a reduction in service.

As we see the big carriers take over the little carriers who took over the even smaller carriers and as we end up with only two national carriers for all intents and purposes, there will be minimal protection for the consumer and for the communities. The consumers may either lose the service or see the cost of that service blackmail them into paying exorbitant prices to move their goods and themselves and to stay in business. That is our ultimate concern.

Through Motion No. 4, we are trying to shift the emphasis a bit. We reluctantly accept competition as the prime agent, but we want some caveats. We want to ensure that when the courts look at this legislation as a result of legal actions, they will have to consider whether or not the mode of transportation or the carrier establishes and maintains fair rates and conditions that do not constitute unfair or destructive competitive practices.

We want to ensure that there is a mechanism that will prevent a small air carrier who has been out-competed by the biggies and is squeezing every last nickel and dime out of his operation will not cut those corners that mean safety and will not put in jeopardy that last passenger on that last flight before the company goes bankrupt. I think it is very important that the Government give consideration to accepting this modification.

I freely admit that the Government was very good about accepting many of the ideas about which we spoke in committee. As well, members of the Government moved their own motions. I hope the Parliamentary Secretary who is present will speak to the Minister and to the officials to see whether or not this modification would be acceptable.

I realize my time is running out, Madam Speaker. I know that one of my colleagues from the Liberal Party wants to speak, but perhaps, given the fuzziness of my eyesight when looking at the clock, you might want to join with me in calling it six o'clock.

The Acting Speaker (Mrs. Champagne): The Hon. Member wishes to be recognized?

[*Translation*]

Mr. Fernand Robichaud (Westmorland—Kent): Yes, Madam Speaker. If we do not call it six o'clock, I would like to rise.

[*English*]

The Acting Speaker (Mrs. Champagne): Shall we call it six o'clock?

Some Hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): It being 6 p.m., the House stands adjourned until tomorrow at 11 a.m. pursuant to Standing Order 3(1).

At 5.59 p.m., the House adjourned.

HOUSE OF COMMONS

Thursday, June 4, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

PETITIONS

REQUEST FOR APPOINTMENT OF ARBITRATOR—SETTLEMENT WITH FRED TURNER

Mr. Les Benjamin (Regina West): Mr. Speaker, I have the duty and honour to present a petition from citizens in Ottawa and district. They state that Turnair of Yellowknife, Northwest Territories, whose representative appeared as a witness for the CTC, had its operating authority cancelled by the CTC after appearing before it, forcing Fred Turner, its operator, into bankruptcy. The cancellation of his licence is what bankrupted him.

Whereas the Queen's Privy Council of Canada later returned his operating authority and offered $15,000 in compensation but did not consult or negotiate with him, the petitioners humbly pray and call upon the House that an independent arbitrator be assigned to this matter to investigate the details of the case and to review and to negotiate the offer from the federal Government with Fred Turner in order to reach an equitable settlement which better reflects the true nature of his loss. For this the petitioners and this Hon. Member humbly pray.

[*Translation*]

REQUEST FOR CHANGES TO ROAD SAFETY REGULATIONS

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, I have the honour to present a petition signed by residents of Trois-Rivières and Halifax who are calling upon Parliament to amend the existing highway safety regulations. The petitioners believe that the rear seat-belts in passenger cars are presently inadequate and that the suffering of car-crash victims could be reduced or avoided.

They also believe that the cost of medical care for car-crash victims can be reduced or eliminated.

For all these reasons, the petitioners urge Parliament to institute mandatory installation of three-point adjustable lap-shoulder seat-belts for rear seat passengers. They are also asking for installation of front seat air bags.

Mr. Speaker, if I may, I have a second petition. This petition is signed by residents of Midland, Ontario, Elmvale, Ontario, Petaigan and Orillia, Ontario.

• (1110)

[*English*]

Mr. Speaker, I have the honour to present to the House a petition signed by residents in different parts of Ontario who are calling upon Parliament to amend the existing Canadian Safety Standards for rear seat-belts in passenger cars. The petitioners believe that the rear seat-belts in passenger cars are presently inadequate and that the suffering of car-crash victims could be reduced or avoided. They also believe that the cost of medical care for car-crash victims can be reduced or eliminated. For all these reasons, the petitioners urge Parliament to institute mandatory installation of three point adjustable lap-shoulder seat-belts for rear seat passengers. They are also asking for installation of front seat air bags.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I ask that all the questions be allowed to stand.

Mr. Speaker: Shall the questions be allowed to stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

NATIONAL TRANSPORTATION ACT, 1986

MEASURE TO ENACT

The House resumed from Wednesday, June 3, consideration of Bill C-18, an Act respecting national transportation, as reported (with amendments) from the Standing Committee on Transport; and Motion No. 4 (Mr. Benjamin, p. 6706).

Mr. Speaker: There has been a great deal of discussion with respect to amendments to Bill C-18. Hon. Members will, of course, agree that the process which is now a custom in this

place is discussions which take place between Hon. Members and the Table Officers. This eliminates a great deal of difficulty later when the Chair has to make a ruling. Therefore, I want to say, first of all, how much the Chair appreciates the respect for the process which all Hon. Members have shown and the co-operation they have given to the Table Officers.

Having said that, let me say that there has been in this particular case a great number of amendments. At least one Hon. Member may wish to say a few words before the Chair gives its ruling. This is to be looked upon as an exceptional circumstance, not a commonplace one. I will hear the Hon. Member for Regina West (Mr. Benjamin).

Mr. Les Benjamin (Regina West): Mr. Speaker, at the outset I want to say how much my colleagues and I appreciated your assistance and guidance as well as that of the Table Officers in arriving at decisions regarding the eligibility or propriety of the amendments.

I might add, Mr. Speaker, that if you think this is bad, you should be happy you were not in the chair during the Crow rate debate because at that time 108 amendments had to be dealt with. However, we will not prolong the matter now as we did at that time.

I am compelled to make a general comment first, and I promise I shall be brief. In the situation of report stage, the Chair is in the position of having to select or not select certain motions as well as decide whether or not they are in order. It seems to me that the rules provide the Chair with a wide latitude in this process of selection. I believe, Sir, that the Chair initially thought that some 30 motions would not be selected and that another 11 motions were out of order.

I would like to pose the question: Is the Chair placing itself, and any future successors—and I hope there will not be any successors for many, many years—in a position whereby, for example, in a minority Parliament, the Chair is not selecting but being selective? Further, I want to submit that the Chair must surely take into account that when there is a significant lapse of time between the proceedings in a committee and report stage of a Bill, events and circumstances can occur which will mean a measure which may have been defeated or passed in the committee needs to be reconsidered.

I also submit that we must recognize that the House may want to reverse a decision of the committee, especially a decision which was negatived, because we cannot assume that the House will always agree with a decision of a committee and it should have the opportunity to disagree.

I would just like to say briefly that Motions Nos. 2, 6, 11, 13, 44, 45, 46 and 96, are all substantive. They are all of a quality and importance such that the House may want to reverse a decision of the committee. For example, Motion No. 2 goes to the main thrust and principle of the Bill. According to the legislation and to the Government itself safety standards are paramount. We submit that that is extremely important.

• (1120)

Motion No. 11 defines the perspective of people who will be appointed to the agency, but the Bill is silent on the matter. Those engaged in a transportation undertaking or business and those in manufacturing or distributing of transportation plant and equipment are eliminated from being a member of the agency. However, those who are shippers are left untouched. Their conflict is just as direct as that of those engaged in a transportation undertaking.

Motion No. 13 attempts to correct that by placing those who are shippers or receivers in the same category and, according to a subsequent clause, they would have 90 days to divest themselves of any interest as a shipper or receiver.

Motions Nos. 44, 45, and 46 add to the major thrust of the Bill by making a willingness to meet the highest possible standard of safety a condition of obtaining a licence. The Minister, the Government, and the legislation have made clear that there will not be any compromise in the area of safety and security. We are suggesting that those three amendments strengthen the main thrust of the legislation.

Motion No. 46 deals with northern air transport. The Bill shows the Government's intention to continue a regulated regime in the northern designated area where public convenience and necessity are to be applied as they are applied under current legislation. The amendment continues that basic requirement in the new regime.

Motion No. 96 is substantive, because the House and the committee have agreed to a five-year review. At issue is the principle in the Bill to stimulate economic activity and employment. Since the review was agreed to for a five-year period, and subsequently a one-year review was agreed to, the amendment seeks to include in the annual review the progress or lack thereof of a continuous activity in terms of stimulation of economic activity and employment.

Finally, I should like to make a brief remark about two of my amendments which Your Honour has indicated are out of order. I thank you for the opportunity to try to persuade you otherwise. In Motion No. 21 we only add an equally important interest group to an already long list of important groups in the Bill which should be permitted to appear, if they wished, before the agency. Employment and employees are mentioned in other places in the Bill. I submit that the motion does not go beyond the scope of the Bill because it is permissive. These people may appear as well as the others already listed. It does not depend upon any other amendment passed or negatived; it stands on its own. As I say, it does not go beyond the scope of the Bill and certainly does not require additional government expenditure. These people may appear if they wish and obviously the Bill only provides for the expenditure of money if a witness is summoned. However, if they appear voluntarily, they are not eligible for any compensation.

Turning to Motion No. 48, the Chair cannot assume that I was trying to change the designated geographic area to one based upon population. Since my amendment does not seek to

change the boundary stated in the Bill, it does not affect the designated area, its size, its shape, conditions, or anything else. The amendment only says that the commission "may". It does not require the commission. Also, the amendment relates to that part of the Bill which covers domestic air services, not the part of the Bill which covers the designated area. Perhaps I should have left out the words "designated area". In that case, the amendment would still mean the same thing.

I want to assure you, Sir, that I am not trying to accomplish something indirectly which I could not try to accomplish directly. I am only referring to markets with populations of 50,000 or less. Motion No. 48 in part reads:

—Where a domestic service is the only service for a market of less than 50,000 persons, and is outside of the designated area—

If it is inside the designated area it seems that the old regulated regime applies. However, I am thinking of the Cranbrooks of the world and many dozens of such places. Since there is a commitment by the Government that where there is imposed public duty because of a small market in order to ensure continuation of service, we want that to be part of the considerations for domestic services. That would apply in the whole country, and it does not do any damage to that part of the Bill concerning designated area. It is already there, anyway.

The amendment does not make a Cranbrook, for example, part of a designated area. However, it gives it a different consideration by the agency because of the size of its market and the service required. That is all. No other regulations apply to the designated area. It is just one criterion for small cities and large towns in scores of places which I submit need some kind of minimal standard that they can achieve. I submit that the amendment is in order and I hope you will reconsider it and so say, Sir.

• (1130)

Mr. Speaker: Perhaps the House would let the Chair consult for just a moment.

I want to thank the Hon. Member for Regina West (Mr. Benjamin) for the comments which the House has just heard. I want to assure him that the Chair has been listening, but I am not persuaded that under the circumstances I ought properly, in conformity with good procedural law, to allow the arguments which the Hon. Member has put and put intelligently and forcefully. Therefore, I regret to advise the Hon. Member that while I understand very clearly the substance of his argument, I reluctantly must advise him that procedurally I do not think I can accept it. That being the case, I am prepared to make a ruling on the order of these amendments and the acceptability of them at this time.

I should advise Hon. Members that in view of the very great number, and in view of the fact that a great deal of work has gone into trying to be not only procedurally sound but as generous as possible, this ruling will take a few minutes. I would ask Hon. Members to bear with me.

I think copies have been made available to those Hon. Member who are most particularly concerned.

Mr. Thacker: Mr. Speaker, I rise on a point of order. I have received what purports to be a draft of your ruling dated June 4, 1987 which is some 12 pages long. It may be that Members of the House would be prepared to have your formal reading of that ruling dispensed with as long as we all have copies of it.

Mr. Speaker: I want to thank the Hon. Parliamentary Secretary for his suggestion because it would save some time. However, I have some concern when rulings are made whether we should deem them to be made. Perhaps on another occasion I might be persuaded to accept the suggestion of the Hon. Parliamentary Secretary, assuming of course it was acceptable to the House.

I think perhaps under the circumstances I should read the ruling. There will be 111 motions standing on the *Notice Paper* at the report stage of Bill C-18, an Act respecting national transportation. When the House adjourned yesterday at 6 o'clock p.m., Motion No. 3 had been debated and a recorded division deferred, and debate had begun on Motion No. 4.

As there remain on the *Notice Paper* such a large number of motions not yet dealt with, many of which were debated at length during committee consideration, the Chair, after careful examination, has decided that a number of those which were debated and negatived in committee, along with some motions which are identical or consequential to them, together with a number of other motions, should not be selected. Therefore, the following motions will not be put to the House: Motions Nos. 1, 6, 7, 8, 10, 11, 13, 18, 24, 25, 26, 28, 29, 30, 36, 38, 39, 45, 55, 65, 66, 82, 92 and 96.

[*Translation*]

Motion No. 5 was moved and withdrawn in committee, when the chairman expressed procedural reservations concerning the motion's possible infringement on the financial initiative of the Crown. I can understand that point of view but, in this instance, I am inclined to give the benefit of the doubt to the Hon. Member for Westmorland—Kent (Mr. Robichaud). Therefore motion No. 5 will be debated and voted on separately.

[*English*]

Motions Nos. 6, 7 and 8 will not be selected. Motion No. 9 will be debated and voted on separately. Motions Nos. 10 and 11 will not be selected.

[*Translation*]

Motion No. 12 will be debated and voted on separately.

Motion No. 13 will not be selected.

Motions Nos. 14 and 15 will be debated separately and voted on separately.

Motions Nos. 16, 17 and 50 would remove from the Governor in Council certain powers and grant them either to Parliament or to the Agency. Therefore they will be grouped

for debate. One vote will be taken on Motions Nos. 16 and 17. Motion No. 50 will be voted on separately.

Motion No. 18 will not be selected.

[*English*]

Motions Nos. 19 and 20 will be debated separately and voted on separately.

[*Translation*]

Motion No. 21 is attempting to introduce something new into the Clause it seeks to amend, which is beyond the scope of the Clause. Therefore I must rule this motion out of order and, in doing so, I would refer the Hon. Member to Citation 773(1) of Beauchesne's Fifth Edition.

[*English*]

Motions Nos. 21A and 22 will be debated separately and voted on separately.

Motion No. 23 in the name of the Hon. Member for Regina West (Mr. Benjamin) would seek to expand the parties who may refer a dispute to the agency for mediation. This is beyond the scope of the clause, and I must rule the motion out of order. Again, I refer to Beauchesne's Fifth Edition, Citation 773(1).

Motions Nos. 24 to 32 inclusive all deal with the arbitration process. As the provisions of Motions Nos. 24, 25, 26, 28, 29 and 30 are contained in Motion No. 27, they will not be selected for debate by the House. But the other motions, namely, Motions Nos. 27, 31 and 32 will be grouped for debate. Motions Nos. 27, 31 and 32 will be voted on separately.

[*Translation*]

Motions Nos. 33 and 34 also deal with aspects of the arbitration process. They will be combined for debate but voted on separately.

[*English*]

Motion No. 35 would expand steps taken by the agency in conducting investigations undertaken pursuant to subclause 59(2) of the Bill. Provision for such public hearings would involve an additional expenditure and thus would infringe on the financial initiative of the Crown. Therefore, I must rule the motion out of order. In doing so, I rely on Beauchesne's Fifth Edition, Citation 773(7).

[*Translation*]

Motion No. 36 will not be selected.

[*English*]

Motions Nos. 37, 60, 61, 62 and 63 deal with confidential contracts and will be grouped for debate. Motions Nos. 37 and 62 will be voted on separately. An affirmative vote on Motion No. 63 obviates the need to put the question on Motions Nos. 60 and 61. A negative vote on Motion No. 63 requires the question to be put on Motions Nos. 60 and 61.

[*Translation*]

Motions Nos. 38 and 39 will not be selected. Motion No. 40 will be debated and voted on separately.

• (1140)

[*English*]

Motions Nos. 41, 42 and 43 attempt to amend an interpretation clause of the Bill. The definitions they seek to introduce are substantial amendments to the clause and are out of order. I think Mr. Speaker Lamoureux best summarized the procedural problem provided by an amendment to the interpretation clause when on May 21, 1970, at page 7166 of *Debates*, he said:

> In the opinion of the Chair, amendments of a substantive or declaratory nature should not be proposed to an interpretation clause. If such amendments were accepted, the clause would not then be an interpretation clause. I am sure Hon. Members realize the difficulty of accepting substantive amendments or proposals under the general classification of interpretation.
>
> I suggest to Hon. Members with respect that that is not the place to make proposed amendments or motions which are of a substantive nature.

Motions Nos. 44 and 2 will be grouped for debate. A vote on Motion No. 44 will dispose of Motion No. 2.

Motion No. 46 will be debated and voted on separately. Motion No. 47 will be debated and voted on separately.

Motion No. 48 standing in the name of the Hon. Member for Regina West (Mr. Benjamin) seeks to redefine the term "designated area" by changing its basis from one of geography to one of population. I think this is clearly a new concept and I would suggest to the Hon. Member that he is trying to do indirectly what he cannot do directly although, he has argued strongly that that is not his intent. However, the effect is to change the definition of "designated area" as described in the interpretation clause. I must, as I have indicated to the Hon. Member with regret, rule the motion out of order.

Motion No. 49 will be debated and voted on separately. Motion No. 50 was dealt with in paragraph 8 of this statement.

Motion No. 51 would provide for financial assistance to carriers to encourage them to enter certain markets. The provision of such assistance would add a new expense and thus infringes on the financial initiative of the Crown. Again, in accordance with Citation 773(7) of Beauchesne's Fifth Edition, I must rule this motion out of order.

[*Translation*]

Motions Nos. 52, 52A and 52B will be debated separately and voted on separately.

Motions Nos. 53 and 54 will be grouped for debate. A vote on motion No. 53 will also apply to motion No. 54.

Motion No. 54A will be debated and voted on separately.

Motion No. 55 will not be selected.

Motion No. 56 will be debated and voted on separately.

Motions Nos. 56A, 57 and 57A will be grouped for debate. An affirmative vote on motion 56A obviates the need to put the question on Motion 57. A negative vote on motion No. 56A would require the question to be put on motion No. 57. Motion No. 57A will be voted on separately.

[*English*]

Motions Nos. 58 and 59 will be grouped for debate but voted on separately. Motions Nos. 60 to 63 inclusive have been grouped for debate with Motion No. 37 and were dealt with in paragraph 18 of this statement. Motion No. 64 will be debated and voted on separately.

[*Translation*]

Motion No. 65 will not be selected. As motion No. 66 is consequential to motion No. 65, it also will not be selected.

[*English*]

Motions Nos. 67 to 78 inclusive deal with competitive line rates and will be grouped for debate. They will be voted on as follows:

(a) An affirmative vote on Motion No. 68 obviates the need to put the question on Motion No. 67. A negative vote on Motion No. 68 would require the question to be put on Motion No. 67.

(b) An affirmative vote on Motion No. 70 obviates the need to put the question on Motion No. 69. A negative vote on Motion No. 70 would require the question to be put on Motion No. 69.

(c) Motions Nos. 71 to 78 inclusive will be voted on separately.

[*Translation*]

Motions Nos. 78A and 79 will be debated and voted on separately.

[*English*]

Motions Nos. 80 and 81 will be grouped for debate. An affirmative vote on Motion No. 81 obviates the need to put the question on Motion No. 80. A negative vote on Motion No. 81 would require the question to be put on Motion No. 80.

[*Translation*]

Motion No. 82 will not be selected. Motions Nos. 83, 83A and 83B will be grouped for debate but voted on separately.

Motion No. 84 will be debated and voted on separately.

Motions Nos. 84A and 84B will be grouped for debate but voted on separately.

[*English*]

Motion No. 85 seeks to amend the subclause stipulating in what areas the Governor in Council may make regulations. This motion attempts to expand the definition of public interest by adding the counselling and retraining of employees as reasons the Governor in Council may exempt persons from the application of certain provisions of the legislation. This is a new concept and is clearly beyond the scope of the clause. Therefore, I must rule the motion out of order and I refer the Hon. Member to Beauchesne's Fifth Edition, Citation 773(1), in support of this decision.

Motion No. 85(a) will be debated and voted on separately. Motions Nos. 86, 87 and 88 will be grouped for debate but voted on separately.

[*Translation*]

Motions Nos. 89 and 89A which deal with objections to proposed acquisitions of Canadian transportation undertakings will be grouped for debate but voted on separately.

Motion No. 90 will be debated and voted on separately.

[*English*]

Motions Nos. 91 and 94 would add provisions for the agency to solicit public input from interested parties in undertaking reviews required by the Bill. Therefore, they will be grouped for debate and a vote on Motion No. 91 will also apply to Motion No. 94.

Motion No. 92 will not be selected.

[*Translation*]

Motions Nos. 93 and 95 will be debated and voted on separately.

[*English*]

Motion No. 96 will not be selected.

Motion No. 97 would provide for hearings and inquiries by the agency in order to establish a basis for the evaluation of the progress made in meeting the objectives of the annual reviews required of the agency. Such hearings would create an additional charge on the Treasury. In addition, the intent of the motion is clearly a new concept foreign to the clause. Therefore, I must rule the motion out of order and, once again, refer Hon. Members to the Fifth Edition of Beauchesne's, sections (1) and (7) of Citation 773.

Motion No. 98 will be debated and voted on separately.

I apologize to Hon. Members for taking so much of the time of the House with this statement. However, as Hon. Members are aware, the large number of motions to be dealt with have taken a great deal of time and study.

• (1150)

For the benefit of Hon. Members I shall summarize this statement as follows:

Motions Nos. l, 6, 7, 8, 10, 11, 13, 18, 24, 25, 26, 28, 29, 30, 36, 38, 39, 45, 55, 65, 66, 82, 92 and 96 will not be selected for debate and will not be put to the House.

Motions Nos. 21, 23, 35, 41, 42, 43, 48, 51, 85 and 97 have been ruled out of order.

Motions Nos. 2, 3, 4, 5, 9, 12, 14, 15, 16, 17, 19, 20, 21A, 22, 27, 31, 32, 33, 34, 37, 40, 44, 46, 47, 49, 50, 52, 52A, 52B, 53, 54, 54A, 56, 56A, 57, 57A, 58, 59, 60, 61, 62, 63, 64, 67 to 81 inclusive, 83 to 84B inclusive, 85A to 91 inclusive, 93, 94, 95 and 98 will be put to the House for debate as outlined in this statement.

In closing, I think Hon. Members and certainly the public observing this would want me to express the appreciation of all Hon. Members for the very hard work that has gone into working out the appropriate and proper procedure for handling this number of motions. I want to tell the Hon. Member for Papineau (Mr. Ouellet), the Hon. Member for Regina West (Mr. Benjamin), the Hon. Member for Westmorland—Kent (Mr. Robichaud), and others how much that is appreciated by the Chair.

The House will now resume debate on Motion No. 4.

[*Translation*]

Mr. Fernand Robichaud (Westmorland—Kent): Mr. Speaker, I do not think there is any doubt in the minds of Hon. Members that you have spent enough time examining and deciding on the motions submitted to you. We wish to thank you for all the attention you have devoted to this decision.

I do not hesitate to support Motion No. 4 moved by the Hon. Member for Regina West (Mr. Benjamin) because I feel that if it were approved, it would eliminate predatory rates, because the introduction of such predatory rates within the industry could cause some transportation firms, mostly the smallest and the weakest, which cannot face a non-competitive market, to disappear. Such rates would push them out of business.

[*English*]

This motion seeks to avoid predatory pricing, a situation that could drive a number of small transport companies out of business and allow bigger operators to capture a larger share of the market. Of course, if this were to happen it would lead to higher prices for the same services. The motion is very important and I invite all Hon. Members to support it. It reinforces Section 112(2) of the present Act which says that every rate shall be compensatory.

[*Translation*]

Mr. Speaker, you might very well ask me: Why support such a motion if Clause 112 already takes this situation into account? Well, it is one more reason to support it, because it would reinforce the provisions of Clause 112 which provide that—

Every rate shall be compensatory.

But there is a clause a little further on which qualifies the term "compensatory", and it is the purpose of the motion introduced by the Hon. Member for Regina West (Mr. Benjamin) to prevent under any circumstances such rates from being non-compensatory and becoming predatory.

Moreover, Mr. Speaker, during the hearings, we heard a number of witnesses who were deeply concerned about the security aspect of our transport system. We fear—in view of deregulation and the haste with which the Government seems to push that industry toward deregulation—that public security could eventually be jeopardized. I view the Hon. Member's motion as something that would prevent some companies from being in a situation where they would have to reduce their costs and consequently give less consideration to security. And this could happen not only in road transport but also in other means of transport.

We also heard during the hearings several witnesses urging us to reflect on the present situation in the United States where deregulation was launched hastily and, in some cases, not enough consideration was given to security. We were also told that some accidents resulting in losses of lives had occurred recently and that we should examine what has happened during the last few years and take a second look at security problems.

Those are the reasons why, Mr. Speaker, I support the motion of the Hon. Member for Regina West and ask all the members of this House when they vote on this motion to keep in mind the security of all Canadians.

[*English*]

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, in listening to the debate on this question I recognized that this amendment proposed by the Hon. Member for Regina West (Mr. Benjamin) is a very wise one. In northern Ontario, communities have been served by carriers, in the airline industry for example, which have provided service for a considerable number of years and established a rate structure and a load. Along with deregulation and so-called free enterprise operations have come other carriers which have completely destroyed that structure. They drove the original carriers out of business. The rates increased and service became very infrequent. That is a destruction of the transportation system.

• (1200)

We have seen that happen in northern Ontario with rail and freight service. We have seen freight structures which discriminate against communities and regions which are resource-based. In fact, the rate structures are such that it is cheaper to ship out raw resources than to ship out the finished product.

Therefore I recommend to the House the adoption of the amendment of the Member for Regina West. I think it is eminently wise and would enhance the Bill considerably.

Mr. Deputy Speaker: Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: The question is on Motion No. 4 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred. We will move to Motion No. 5.

Mr. Benjamin: Mr. Speaker, I rise on a point of order. You may want to reconsider the order in which you are calling the motions. Debate on Motion No. 2 will also cover debate on Motion No. 44. I suggest that perhaps we could deal with those and get them out of the way. We will then be caught up and could proceed to Motion No. 5.

Mr. Deputy Speaker: If the Hon. Member for Regina West has no objection, the Chair would prefer to proceed with Motion No. 2 when we reach Motion No. 44.

[*Translation*]

Mr. Fernand Robichaud (Westmorland—Kent) moved:

Motion no. 5

That Bill C-18 be amended in Clause 3 by striking out lines 29 to 34 at page 2 and substituting the following therefor:

"to regional economic development and commercial viability should be an objective both in the operation of transportation services and in the provision of facilities and services in direct support thereof, and where the Government of Canada decides or the Government of Canada and one or more provincial governments jointly decide that any such service or facilities and service is required for the achievement of national or regional, social and economic development objectives, that decision requires that those objectives take precedence over the objective of commercial viability whenever the two are in conflict. Where the Government of Canada decides or the Government of Canada and one or more provincial governments jointly decide that the achievement of national or regional social and economic development objectives requires that these objectives take precedence over the objectives of commercial viability, the benefits and costs involved should be identified and any relevant additional costs assumed by the government or governments concerned."

He said: Mr. Speaker, it is both a privilege and a duty to introduce this motion to amend Clause 3(1)(d) of Bill C-18. I appreciate that you recognized the motion and accepted it. To me, this is a sign that you recognize the importance of the motion for regional development. In fact, the intent of the motion is indeed to strenghten the importance of regional development. And as you read it, the motion would ensure that regional development takes precedence when decisions affecting transportation are made by this Government.

Mr. Speaker, the motion would clarify the Minister's authority. We know already that the Minister is empowered to act, as described in Clause 3(2), which states:

The Minister may, with the approval of the Governor in Council and on such terms and conditions as the Governor in Council may specify, enter into agreements in support of the national transportation policy set out in subsection (1) or in respect of such transportation matters as the Minister considers appropriate.

The Minister indicated himself to the committee, on April 7, 1987, that he had that power. He said, and I quote:

[*English*]

There is provision in the legislation now for the Minister to enter into agreements in support of the national transportation policy or in respect of such transportation measures that the Minister considers appropriate.

[*Translation*]

Therefore, it is clear that the Minister already has that power.

The purpose of my motion, Mr. Speaker, is to define that power of the Minister more clearly, to streamline and reinforce it. With this motion, I am trying to develop a procedure under which regional development interests would take precedence over business interests when the two objectives conflict.

There lies indeed the major difference between this motion and the motion which was accepted when the Bill was studied in committee. In fact, Section 3(1)(d) of the Bill has been amended and Paragraph (d) now reads:

Transportation is recognized as a key to regional economic development, and the commercial viability of transportation lines should be balanced against the goals of regional economic development so that the potential economic assets of each region may be fully developed

Mr. Speaker, these words now contained in that paragraph are of course justified. However, I think that is not good enough when we are talking about regional development.

Those words have insufficient clout to force the Government, the Minister and their staff to take regional development into account, and most of all, to give regional development precedence.

And if we really are to have a regional development policy which has some clout and which really meets the needs of the region, that should be acnowledged by all Ministers.

And if the objectives of regional development are only balanced against the commercial viability of transportation lines, we have no guarantee. It is too vague, too general. In fact, the Minister can forget or dodge that commitment. That is why I would like this paragraph to state that the objectives of regional development have precedence over commercial interests.

Mr. Speaker, I am not the only one calling for those changes. They have been suggested by numerous groups and people, and I take this opportunity to underline the suggestions of the Prime Minister of New Brunswick who said on April the 1st in Moncton, and I quote:

> The federal government's reluctance to date to incorporate into Bill C-18 satisfactory protection against the possible downside effects of the proposed legislation has increased the province's concern regarding the potential negative impacts of the new act on transportation services in New Brunswick, and in the Maritime Provinces in general. This is why New Brunswick is adamant that paragraph 3(1)(*d*) of Bill C-18, recognizing transportation as a key to regional economic development, be expanded to include the statement that regional economic development objectives will take precedence over commercial viability objectives when the two are in conflict.

And now for what was said at the same hearings by the Leader of the Opposition in New Brunswick, the next Prime Minister of the province, Mr. Frank MacKenna, whose position was much the same, and I quote:

> We must have a provision in this Act by which regional development directives take precedence over commercial viability . . . I am not endorsing the word "balance", I am endorsing the word "precedence".

In fact, the word referred to in the text is "balanced".

Mr. Speaker, other groups and the Governments of Nova Scotia and Prince Edward Island also supported this amendment.

I would urge all Members of this House to read the motion carefully, because my purpose in moving this motion is to provide for a mechanism enabling the Minister to act in terms of regional development. The Minister would either act alone or in consultation with the provinces or another agency.

Often, when we talk about regional development, it turns out no one actually has the responsibility. Mr. Speaker, Moncton, as you know, has suffered a massive loss of jobs. Every time we mentioned the subject in questions to the Minister of Transport, he told us the matter was being considered but that he did not intend to intervene in the business of Canadian National.

My motion would have given the Minister the means to act and to save the jobs we are losing today. By the end of this year, the number of employees will have dwindled to about 350, while in September, 1984, nearly 1,200 people were employed at the CN shops. So you see, losing all those jobs is quite a blow for New Brunswick. The legislation should have provided for a mechanism enabling the Minister to take action, either alone or together with the Province of New Brunswick; the Province of New Brunswick did get involved but it did not have the means, there was no mechanism for it to act together with the federal Government to save these jobs—

Mr. Speaker, I urge Hon. Members to examine this motion, to study it and to think about regional development, and of course I ask them to support the motion.

• (1210)

[*English*]

Mr. Les Benjamin (Regina West): Mr. Speaker, the two main issues that came before the committee when it was holding hearings on the Government's White Paper *Freedom to Move* and hearings on the legislation, were the matters of regional economic development and safety security. These were of particular interest in Atlantic Canada.

I want to congratulate the Hon. Member for Westmorland—Kent (Mr. Robichaud) for this amendment because it deals with concerns that were felt by committee members from all Parties.

The amendment substantially deals with the concerns expressed about those issues by many individuals and organizations in Atlantic Canada as well as western Canada.

If the committee had not been placed under such a restrictive time limit, and had been able to travel to such places as Yellowknife, Whitehorse, northern Ontario, southwestern Ontario, northern Quebec and places in northern British Columbia, Alberta, Saskatchewan and Manitoba, I suggest we would have heard the same concerns as were expressed in Halifax, Moncton and St. John's.

Transportation is essentially a public utility, whether it is privately or publicly owned. All of the economic and social activities of a region such as Atlantic Canada depend on the transportation system that is designed to assist regional economic development. If the principle of the bottom line, which is cutting costs, takes priority, then of course lay-offs, rail line abandonment, and plant closures will result.

Surely the transportation system does not exist in those parts of Canada just to make a buck. When a transportation company, whether it is an airline, railway or trucking company, is told that it must operate as a public service, it is up to the Crown to cover the difference between revenues and costs in order to maintain a transportation service that will assist in further regional and economic development. Once that is accomplished the transportation mode becomes all the more viable. That is so because the region is developing, enlarging its economic activity and providing employment. Therefore, it provides more traffic for that mode of transportation.

• (1220)

The Government itself, as well as government Members on the committee, recognize that regional and economic development must play an essential role in any national transportation legislation. This is certainly set out in the report of the committee on the White Paper. It should take precedence over economic viability of the transportation system.

We cannot have it both ways. We submit that the development of the economy and the development of a region have to take priority over whether or not a railway, an airline or a trucking company can make a good buck. When they are left to operate with total so-called freedom to exit or enter a route

or area of the country at their own will then there is not the stability of transportation service which is so essential to regional and economic development. If they are allowed to vacate an area, such as Atlantic Canada, because there is not enough traffic to make their existence viable, then the region will never become economically viable. Development will never take place because there will not be the transportation necessary to move the products, whether they be agricultural, manufactured or raw materials. There would be an insufficient capacity to grow. That is why regional and economic development have to take priority over economic viability of transporters.

The Government's blind adherence to the so-called deregulation of transportation in the name of competition and market forces automatically places regions such as Atlantic Canada, northern Ontario and the far north at a disadvantage. It stacks the deck against their obtaining more regional and economic development. If transportation services are not in place, and transportation is the basic foundation of any economy, then allowing the transporters to pick and choose where they want to work, allowing them to go into the nice markets and cream the gravy off the top, going home to count their money and saying to hell with the rest of the country, cannot take place. That is why public convenience and necessity must remain.

However, we are only going to be allowed to keep those in the designated area. That is why this amendment which is before us is worthy of support. It places that type of priority in the new law so that this Government, or any succeeding Government, will always have to arrange that our efficient transportation system provides the type of service required for a region to grow and for job creation.

If we are totally to disregard, as the Government presently does, the principle of cross-subsidization, then those types of areas are left even further in the hole. Their capacity to grow is lessened even more. Cross-subsidization is a principle which I consider part of what we call co-operative federalism. That is to say that the nation as a whole shares in the cost of providing transportation services. In this way we minimize discrimination against people and the goods they produce because of where they happen to be located. If there are big profits to be made in the dense markets of Montreal, Toronto, Vancouver, Calgary, Edmonton or Winnipeg, then fine. Some of those profits should go toward the provision of services in places such as Atlantic Canada and northern Ontario. That is fair. It means that all Canadians through the tax system, through the fares they pay and the rates they are charged, share together the cost of serving people all over the country, not just where a buck can be made. That has been an underlying principle in transportation since 1881.

The legislators of those days were more far-sighted than even they knew. We now have before us a short-sighted, self-defeating type of legislation that would eliminate what has been an absolute necessity in Canada for the past 100 some years. In fact, that necessity remains today. In some parts of the country it is even more needed than it was in the late 1800s or even in the Dirty Thirties.

I wish to commend the motion of the Hon. Member to the House. I commend him for moving it. I hope that the Government will decide that this is one that is worthy of acceptance and allow it to be incorporated into the legislation.

[*Translation*]

Hon. André Ouellet (Papineau): Mr. Speaker, I rise in this debate in order to commend my colleague for Westmorland—Kent (Mr. Robichaud) for bringing in this amendment that responds to representations made to the Standing Committee on Transport when on two occasions we travelled, especially in the Atlantic Provinces, both for the review of the Government document *Freedom to Move* and on the occasion of the second series of public hearings in the Maritimes, when the Transport Committee discussed Bill C-18. On each of those occasions, concerns of Maritime people for regional development were expressed in an absolutely clear, specific and undeniable way.

It is therefore amazing that did not get through to the Government. Certainly the Bill now before us does not meet the aspirations of the people in the Maritimes.

For those reasons, the Hon. Member for Westmorland—Kent is bringing forward an amendment that would clearly specify that, where regional development objectives conflict with the objectives of commercial viability, the former would take precedence.

Obviously, transportation in Canada is absolutely vital to the economic welfare of all regions of the country. We cannot imagine such a large country as ours without a transportation system that is adequate to meet the needs of the people, not only for the transportation of passengers from one region to the other, but especially for moving all the necessities of life that must be delivered to the people living in the remotest areas.

Transportation therefore is vital for the Maritimes economy. I cannot understand why the Minister did not respond to the clear and specific representations that were made by his Conservative colleagues with provincial responsibilities.

The Government of Nova Scotia, the Government of New Brunswick and the Government of Newfoundland, three Conservative Goverments, made specific representations to the current Minister of Transport (Mr. Crosbie), who turned them down.

• (1230)

[*English*]

Therefore, my colleague, the Hon. Member for Westmorland—Kent (Mr. Robichaud), is quite right to move this amendment. In doing so, he is speaking not only on his own behalf but on behalf of all the people of the four maritime regions. The Province of Nova Scotia appeared before our committee. It presented a brief to us which stated in part:

For many years the governments of the Maritime Provinces have advocated that the National Transportation Act endorse the following two regional development principles:

(i) transportation is recognized as a key to regional economic development; and

(ii) where there is a conflict between regional economic development objectives and commercial viability, regional economic development must take precedence.

Without the commitment to the second principle, that development objectives take precedence, the first principle may have very little meaning.

I think my colleague is quite right. He has introduced this amendment to ensure that the two principles are there and they have some meaning. The Minister of Transport representing the Province of New Brunswick stated, and I quote:

This is why New Brunswick is adamant that sub-section 3(1)(d) of Bill C-18 recognizing transportation as a key to regional economic development be expanded to include the statement that regional economic development objectives will take precedence over commercial viability objectives when the two conflict.

The Government of Prince Edward Island said the same thing, and I quote:

—that it be enshrined and specifically defined in Section 3 of the National Transportation Act in the following words:

1) Transportation is recognized as a vital instrument of regional economic development;

2) Where the objectives of commercial viability or cost recovery are in conflict with regional economic development objectives, the latter shall take precedence.

The Atlantic Provinces Transportation Commission said the same thing. It said it was important to add after the "development" the following:

—and regional economic development objectives take precedence over commercial viability objectives of the transportation system when the two conflict.

It is quite clear. The Leader of the Opposition in New Brunswick, Mr. Frank McKenna, appeared before our committee. He spoke very vocally on behalf of the people of New Brunswick. I might say, Mr. Speaker, that in a very short while he may be the Premier of New Brunswick and, therefore, what he is saying should be taken into account. He said, and I quote:

It is essential that Bill C-18 be amended to ensure that economic development objectives will take precedence over commercial viability when the two objectives conflict.

It is interesting to remember that Mr. McKenna was questioned before the Standing Committee on Transport by the Hon. Member for Moncton (Mr. Cochrane) who tried to get him to accept that the word "balance" be in the legislation and be accepted. The Hon. Member for Moncton said:

Now, I guess the wording we have in most cases is that when looking at the commercial viability, it should be balanced in light of regional development objectives.

Mr. McKenna replied, and I quote:

With respect, I do not think so. The wording from Newfoundland is that, but I believe all three Maritime Premiers are unanimous as well as the Atlantic Provinces Transportation Committee, I believe, in saying that it should take precedence. I do not want to make that mistake. I am not endorsing the word "balance"; I am endorsing the word "precedence".

I think Mr. McKenna was certainly quite clear in this regard and the Hon. Member for Moncton was wrong in believing that the word "balance" would satisfy the people of the Maritimes. It will not satisfy the people of the Maritimes. What is needed is a crystal-clear commitment from the Government that in these circumstances, as suggested by my colleague, the Hon. Member for Westmorland—Kent, the precedence should prevail, and that economic development is paramount to any commercial viability and, therefore, it gives a direct mandate to the federal Government, who has a responsibility to sustain the efforts of the regions, to ensure that in the field of transportation, indeed, regional development is paramount and should be sustained through appropriate national transportation policy.

I would like to say in closing that Transport 2000 from the Atlantic Provinces also appeared before the committee. We can say that politicians have their own points of view, but here is a totally independent association, Transport 2000, which is known to be sometimes on the side of the Government and sometimes against it, depending on whether the Government is doing things well or not. Therefore, no one could say that Transport 2000 is a biased organization. Transport 2000 recommended, and I quote:

Specifically, we seek assurances that regional development and public interest considerations will take precedence over strict cost recovery criteria in the maintenance of transportation services to economically depressed areas.

This is what my colleague, in introducing his amendment, wants to accomplish. This is what we in the Liberal Party want to see in this legislation. We have never changed our view in this regard. I have here a press release which is dated February 7, 1977. It is a joint press release by the then Transport Minister, the Hon. Otto Lang, and the then Minister of Transportation and Communications of Newfoundland, Mr. James Morgan. They met and after their meeting they issued the press release which read in part, and I quote:

Mr. Lang, and the Maritime Premiers and Mr. Morgan agreed that where economic development objectives required it, those objectives would take precedence over the commercial viability of the services concerned. Mr. Lang further indicated that following further consultation with the Atlantic Provinces, he would propose an amendment to Bill C-33 now before Parliament to reflect that agreement.

Parliament was subsequently dissolved and this legislation never came to life and Mr. Lang is now doing other things. However, many years later we have the occasion to review and readdress this question through the National Transportation Act. I think we have to accept the amendment proposed by my colleague, the Hon. Member for Westmorland—Kent.

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, I want to enter into the discussion of the amendment put forward by the Hon. Member for Westmorland—Kent (Mr. Robichaud). It is an amendment which my Party supports. I want to take you back in time, Mr. Speaker, because I think it is important that we understand the changes which have occurred in this whole area throughout the process of the move toward deregulation by the Government.

We first had a White Paper called *Freedom to Move* brought down by the then Minister of Transport, which was given to the Standing Committee on Transport of the House of Commons to review. We had hearings here in Ottawa and in Halifax, Winnipeg and Vancouver. During these hearings we heard, both in terms of unprompted statements from witnesses, as well as through questioning by opposition members of the committee, that there was real concern about the impact of unfettered competition on some parts of our country. We heard about it in Atlantic Canada and we heard about it in the Prairies. We heard about it on the West Coast. We heard about it later when we travelled as a committee throughout northern Canada and the western Arctic. We heard pleas for some kind of protection and, quite frankly, only because the Opposition insisted upon it, was there mention of freedom to move in the report of the standing committee.

• (1240)

Then we got the original Bill which contained the following sentence: "Transportation is recognized as a key to regional economic development"; not the only key, not the prime key, but a key. As we know from events this week in Ottawa, even the word "the" becomes an important point within the context of drafting a new version of the Constitution. "A key" was an area focused upon. After second reading in the House, it went to the Standing Committee on Transport which was charged with the responsibility of reviewing Bill C-18 and Bill C-19. Fairly extensive hearings were held in Ottawa and when we went on the road.

We heard the same message. People were frustrated because they had to repeat it. From their point of view, as well as ours, the Government had not listened the first time around. It had not listened to leaders in Atlantic Canada, in western Canada, or in the North in terms of the very real danger of it being left to the market-place to make a decision. The market-place would decide, based upon its bottom line, what was good and not good for shareholders. It would decide to eliminate or reduce a service without any regard to the impact it would have upon the regions and, most important, the impact it would have upon the people living in those regions. We heard from eminent people in all parts of Canada.

In terms of our committee hearings on the road, we started in the West and worked back to central Canada; then we started in the east and worked back again to the centre. On the western side there was difficulty. I am sure the Hon. Member for Westmorland—Kent will remember the frustration we felt. No matter how hard we tried as members of the committee to bring out the concerns, we had great difficulty during our hearings in western Canada. However, there was a difference when we were in Atlantic Canada. Unlike some parts of the west, people in Atlantic Canada have not had good times. They have seen the policies of national Governments being imposed upon them. They have seen themselves being ignored time and time again by Governments of both stripes at the federal level. They were scared that if the legislation went through once again they would be the ones on the "outs", the victims. They saw that there were areas of the country where competition was appropriate and did not need protection, for example, the Golden Horseshoe—the Windsor-Toronto-Montreal-Quebec City corridor where there are many options between modes and within modes to provide for the natural compression of rates on one hand and natural improvement of services on the other hand.

However, in Atlantic Canada, province after province, representatives of Governments, such as the Premier of New Brunswick, the Hon. Richard Hatfield, appeared before us. Let me read what was his contribution. He said:

> My overriding concern continues to be the lack of adequate recognition in Bill C-18 of the importance of transportation to regional economic development. The recognition of transportation as a key to regional economic development in Bill C-18 is an important step, but goes only half way.

Further in his statement he said:

> The national transportation policy statement which should be part of the new legislation must recognize the need to have regional economic development objectives prevail over commercial viability objectives when these are in conflict.

Government Members were listening very carefully. It was clear that they were getting the message. When we returned to Ottawa, we began the process of first hearing from the Minister and then from his officials. Then we got into clause by clause consideration. It was clear that Conservative members of the committee, particularly those from Atlantic Canada, got the message. Whether it was the message of the actual impact or whether it was a political message, I do not think we will ever know. The important thing was that they moved and worked behind the scenes to improve it once again.

Then we got the current wording of the clause which goes further than "a key" and says that transportation is recognized as a key to regional economic development and that commercial viability of transportation links is balanced with regional economic development objectives in order that the potential economic strengths of each region may be realized.

Today we are trying to go one step further in the progression to allow us to have a statement in Bill C-18 which clearly gives primacy to regional economic realities over arbitrary decisions that are made by a transportation element in a region of the country, whether it be in Atlantic Canada, northern Ontario, the northern Prairies, the southern Prairies, northern British Columbia, or southern British Columbia. We would provide them with that primacy so that if a transportation mode were examining its situation, it would know that it could not move arbitrarily. There would be a protection, a control, or a regulation to prevent a change in a service which would have very negative effects on the economy of a region and the people who live there.

When we travelled and heard from the Premiers, the Ministers of Transport, rail unions, labour councils, and local development groups, we received a message we could not have heard had we sat here in Ottawa. Many of those people would not have been able to come here. It is not a question of whether or not the committee would find time for them. Perhaps it is

not even a question of whether the committee would pay for them to come here. It is a question of available time. Many voluntary groups and small development councils do not have the resources to have their people away from their normal jobs for two, three, or four days in order to travel to Ottawa for hearings.

I should like to wrap up my comments because I realize that my time is up. I implore the Government to give serious consideration to allowing the further movement proposed by the Hon. Member for Westmorland—Kent to be approved by the House, perhaps at a point sometime later today.

I appreciate having had the opportunity to contribute to this particular part of the debate.

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, I personally congratulate and thank the Hon. Member for Westmorland—Kent (Mr. Robichaud) for bringing this very realistic and crucial motion before the House. It is an amendment which will put some common sense back into transportation in the country if carried out. We are not hearing a common-sense solution from the Government.

• (1250)

In answer to a question that I raised in the House just a few days ago, the Parliamentary Secretary told me that they had had a Transport Committee meeting that afternoon and had I been in attendance I could have presented my case. The Parliamentary Secretary knows full well that I am not a member of the Transport Committee and that that was a cop-out on his part. It was a cheap comment that he wanted to throw out and it had no relationship to the argument whatever.

The Hon. Member for Westmorland—Kent and those of us who are speaking on his amendment are serious about the transportation problems in Canada. We are not satisfied to sit back and let the large urban areas of Canada along the ribbon of rapid economic development in the southern part of the country take precedence over everybody and everything else.

When railways and modes of transportation were brought into Canada, they were brought in in order to service the regions because this country is all about regions and regional economic development. If it is not, then we are denying to many smaller communities the right to strive to be economically viable and to produce a half decent living standard for their people.

A lot of the conversation, comments and speeches in this House have been directed at branch lines. I can fully appreciate why many Members of this House are concerned about branch line abandonment because they service many small communities.

The matter that I want to raise again today is not a branch line, it is the main line of the CNR running from Glen Robertson near Montreal on the Quebec-Ontario border through to Ottawa, what is known as the Alexandria subdivision which is used now by both CN and CP trains because there is no CP track left between Ottawa and Montreal. I am also talking about the other section of the CNR main line called the Beachburg subdivision which runs from Ottawa up through Pembroke to Brent in the northern part of Algonquin Park. Part of the Alderdale subdivision goes from Brent through to North Bay and on to Capreol. That is a lot of track, Mr. Speaker. What does not make sense with CN's intention to abandon that part of the main line of the CNR across Canada is that it is 192 miles less from Capreol near Sudbury through to Montreal then it is to take all those freight trains carrying hazardous goods, chemicals and products from Capreol through to Toronto and all the major urban communities of the southern part of Ontario, up the waterfront of southern Ontario through Port Hope, Cobourg, Belleville, Kingston, Brockville and through to Montreal.

These people still do not know what is going to hit them when all this traffic that is presently going over the main line of the CNR from Montreal through to Capreol will no longer do so. I have heard that VIA Rail may be interested in taking over the CN line from Montreal to Ottawa to keep up passenger service. We know what the problems of passenger service have been in Canada. Are we to believe that VIA Rail will be in a position to pay the overhead costs of maintaining that route? What about the CPR? The CPR main line across Canada ran from Montreal to Ottawa. That part is now abandoned. It uses the CN line, one line between Montreal and Ottawa. From Ottawa on it uses CP track to Pembroke, Chalk River, Mattawa, North Bay, Sudbury and on into northern Ontario.

If the CNR main line, the Alexandria subdivision between Montreal and Ottawa is abandoned by CN, and VIA Rail wants to take it over, that is fine, but is CP going to take it over? Will it run on that same line? Will the CP keep it up from then on or will the CP, too, look upon this as a good excuse to get out? If the CPR does that and if that CNR mainline between Ottawa and Montreal is abandoned, and torn up, then there will be no railroad left in eastern Ontario and western Quebec. How can any Government that will allow that sort of thing to happen come into the House of Commons and say that it is interested in regional development?

I am very supportive of the Hon. Member for Westmorland—Kent as he strives and fights for his region of Canada and for his home Province of New Brunswick. Indeed, he has been speaking for Atlantic Canada on this one. I noticed here that he has given me a resolution of the Government of Prince Edward Island. It reads:

> Prince Edward Island reconfirms its position that the use of transportation as a tool of economic development is essential to our economy and well-being, and urges that this principle form part of the new national transportation policy and that it be enshrined and specifically defined in Section 3 of the National Transportation Act in the following words:
>
> 1) Transportation is recognized as a vital instrument of regional economic development—

That is plain, straightforward, rational common sense. It continues:

> 2) Where the objectives of commercial viability—

That is a famous term today:

—or cost recovery are in conflict with regional economic development objectives, the latter shall take precedence.

In promoting this resolution on behalf of Atlantic Canada, the Member from Westmorland—Kent is speaking in harmony with all of the regions of Canada. I compliment him for bringing this forward. Regional development is a must in our Canadian economic sense. If we are going to speak about everything in this country in terms of economic viability, why were those roads built across Canada in the first place? Why were branch lines built into the regions of Canada? They were built to bring out the natural resources of those regions to the big urban areas so that the urban areas could flourish and develop. Now that the lines are not viable any more, the railway companies are going to desert the regions of Canada. It is a situation of, "We don't need you any more. You have nothing else to offer us, so we are not going to give you anything back".

I join with the Hon. Member for Westmorland—Kent today in saying to the economically viable areas of Canada, "You owe us the opportunity for future development". We will develop. "But we don't want you to cut the legs and feet out from underneath us before we even get there". I say that we must consider this very seriously before any drastic action is taken and look upon regional development as the very basis of the future development of Canada.

Mr. Deputy Speaker: It being one o'clock, I do now leave the Chair until two o'clock.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

WELFARE

REQUEST THAT HOUSING AND SOCIAL PROGRAMS BE INTEGRATED

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, the Canadian Council on Development estimates that, at one time or another during 1986, more than 100,000 Canadians were homeless.

A recent survey has revealed that the average age of the homeless in Montreal in 1987 was 34 for men and 33 for women. During the 1930-60 period most of the homeless were men over 50.

What worries me today, Mr. Speaker, is the growing number of youths, women and entire families who are homeless.

In Montreal, one out of two homeless youths has lived in foster homes or institutions. Eighty per cent of homeless youths have severed all contacts with their relatives. Most of them have never worked for more than 24 months in their life. Twenty-three per cent of these young people have already been patients in psychiatric wards. In Winnipeg, the number of homeless youths under 18 keeps rising. Most youths are victims of physical, emotional and sexual abuse.

Therefore, Mr. Speaker, we are deluding ourselves if we believe that housing is the only problem of the homeless. Any solution aimed at finding shelter for the homeless, without taking their social needs into consideration, would be bound to fail.

Mr. Speaker, this is why I strongly urge the Minister responsible for the Canada Mortgage and Housing Corporation to work in close co-operation with the Minister of National Health and Welfare (Mr. Epp) with a view to developing a comprehensive policy to combine housing and social programs throughout Canada.

* * *

[*English*]

VOLUNTARY ORGANIZATIONS

TRIBUTE TO WORK OF B'NAI B'RITH

Mr. Bill Attewell (Don Valley East): Mr. Speaker, it is a privilege to rise and pay tribute to the splendid working being done by B'nai B'rith Canada, part of B'nai B'rith International which was formed over a century ago. This weekend B'nai B'rith Canada will be holding its annual meeting and I wish it every success in its important deliberations.

The mandate of this most worthy organization is simply one of people helping people. B'nai B'rith's long, outstanding record of helping underprivileged children, assisting disabled persons and aiding senior citizens through initiatives such as providing housing, speaks for itself.

B'nai B'rith Canada also makes significant contributions in the fields of human rights and the protection of our freedoms. B'nai B'rith's youth organization and the on-campus Hillel group are to be commended for their human rights endeavours.

In closing, I want to recognize the strong performance of Mr. Harry Bick, the outgoing President, and wish every success to the incoming President, Ralph Snow, as he assumes the honour and burden of leadership.

S. O. 21

MUNICIPALITIES

INFRASTRUCTURES IN STATE OF DECAY

Mr. Neil Young (Beaches): Mr. Speaker, Canadians expect good roads, sound bridges, and safe and well functioning water and sewage systems. These facilities, known as municipal infrastructure, are an economic necessity. As well, they are very important to the health and quality of life of all Canadians.

Across Canada municipal infrastructures are in a state of decay and disrepair. The costs involved to remedy the situation are high and municipalities are ill-equipped to pay. In past decades the federal Government saw a responsibility in this area and funded municipal projects, but in the early 1980s the previous Liberal Government cut the funding.

Some post-war facilities are nearing the end of their lifespans, and roads, bridges, sidewalks, sewers and water systems have deteriorated.

The Federation of Canadian Municipalities which comprises 273 Canadian communities of every size and description commissioned a study to determine the magnitude of the problem and has come up with a proposal to address it. At the very least, the Government and cabinet officials should have some responsibility to discuss this proposal with those municipal governments.

* * *

MONUMENTS

RAOUL WALLENBERG—UNVEILING OF SCULPTURE IN CITY OF NEPEAN

Mr. Bill Tupper (Nepean—Carleton): Mr. Speaker, on Sunday, May 31, a sculpture in honour of Raoul Wallenberg was unveiled in the City of Nepean. Several hundred people, standing in a steady summer rain, came to pay respect to a great humanitarian, a person who was responsible for saving the lives of thousands of Jews in eastern Europe during the Second World War.

Raoul Wallenberg, a citizen of Sweden, went while in his late twenties to Hungary. There he developed, under difficult and courageous circumstances, a scheme of issuing Swedish passports to thousands of Jews allowing them to escape to western Europe. Wallenberg was arrested by the Soviet Union at the end of the Second World War and has not been heard from since.

Those who were responsible for creating a memorial to Wallenberg are to be congratulated for creating a memorial to a great human being. At the unveiling I was pleased to represent the Government of Canada which has officially recognized in the House of Commons Wallenberg's humanitarian efforts.

Canadians continue to demonstrate their concerns about human rights.

* * *

THE CENSUS

RESULTS OF AGRICULTURAL CENSUS—COST OF PUBLICATIONS

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, the Tories are at it again. With its insatiable appetite to decrease service and increase revenues, the Government never ceases to attack. The 1986 census for agriculture is another example of this vicious attack by the Government upon those least able to afford it. That report will now be sold for the sum of $192 for one set. I hear a Tory Member across the way saying that is a good idea. Do you know what the same results sold for when the Liberals were in power? It was free for the farmers of Canada. The publication of the results will also be sold for a sum of $50. When the Liberals were in power farmers could get that publication for $9.50.

• (1405)

Tory times are hard times for Canadian farmers. We have all known it for some time. The Government uses money to reward friends of the Tories like Roger Nantel instead of putting the money to a good use like helping the farmers. That is the priority of the Tories. Shame on the Tories!

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CANADIAN NATIONAL RAILWAYS

PLIGHT OF COMPANY PENSIONS

Mr. Dennis H. Cochrane (Moncton): Mr. Speaker, I rise today to comment on Canadian National's response to the report of the parliamentary subcommittee on the CN pension system. That committee's comprehensive and realistic recommendations were presented to this House in May of 1986. However, it took CN 10 months to formulate a response.

While CN is prepared to make some adjustments regarding the pension board and trusteeship, the response contains no commitment to improving the financial plight of the CN pensioners. CN has rejected an increase in survivor benefits and the concept of a degree of inflation protection for current pensioners. It claims that *ad hoc* increases answer concerns regarding purchasing power of CN pensions. CN pensioners have not yet received their *ad hoc* increase for 1987. Thus I urge CN to announce the amount of that increase and commit itself contractually to an annual minimum *ad hoc* increase.

As well, the committee recommended the Government of Canada underwrite the cost of providing much needed improvements for the survivors and recipients of the provident fund. Yet we have not heard a response from the Government.

In summary, the responses to our report have not been adequate. I urge the Government and CN to reconsider their positions, particularly regarding survivor benefits and limited inflation protection.

* * *

LABOUR RELATIONS

SITUATION IN BRITISH COLUMBIA

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, on Monday workers in British Columbia refused to work because they felt they had no other way to protest repressive labour laws introduced by the Social Credit Government.

Bill Vander Zalm was elected on a promise to end the spirit of confrontation created by former Social Credit Premier Bill Bennett. He has betrayed that promise. Now, in response to the day of protest, his Government seeks an injunction against British Columbia labour leaders. The injunction runs counter to all our constitutional rights and freedoms. If granted it would prohibit work stoppages, slowdowns, study sessions, picketing and strikes "as a means of accomplishing governmental change in the province". It defines all of these actions as the use of force.

If granted the injunction would make British Columbia more akin to Chile or South Africa than Canada. It is the most absurd attempt to use the courts to stifle working people in Canada since the 1919 Winnipeg general strike when J. S. Woodsworth was charged with seditious libel after quoting the Prophet Isaiah in the Bible.

* * *

WESTERN GRAIN STABILIZATION ACT

CALL FOR EXPANDED COVERAGE

Mr. John Gormley (The Battlefords—Meadow Lake): Mr. Speaker, in recent months the western grain stabilization program has provided significant price support to the majority of Saskatchewan farmers. Our Government's changes to the Western Grain Stabilization Act meant record interim payments before spring seeding when farmers usually have the greatest cash requirement.

During the past two crop years stabilization payments have totalled nearly $1.6 billion, some $862 million of which has gone to Saskatchewan. As a result of these record payments the stabilization fund is now in a deficit. This has caused considerable concern among the approximately 18 per cent of producers who are not in the plan.

I believe consideration should be given to amending the Act in order to make it easier for producers outside the plan to join. This would put all western producers on an equal footing and enable them to use stabilization to support their income during this period of world-wide depressed grain prices. It would also mean that if the fund is not self-supporting every Saskatchewan farmer would benefit from a further involvement of the federal Treasury.

* * *

• (1410)

THE CONSTITUTION

1987 CONSTITUTIONAL ACCORD—ROLE OF MEMBERS OF PARLIAMENT

Mr. John Nunziata (York South—Weston): Mr. Speaker, as we embark upon this historic constitutional debate it is important and essential that Members of Parliament be unfettered in their ability to speak out openly in a constructive way. We owe a duty to our electors, our country and ourselves to speak out about our vision of Canada and the ways the Constitutional Accord can be improved.

In my view the opposing viewpoints are not diametrically opposed. I believe that there is middle ground. I believe that the two visions of Canada which have been articulated by various people who have spoken out can be reconciled. Our goal as Members of Parliament should be to find that middle ground, to satisfy all Canadians, and to ensure that Quebec and all provinces are full partners in our Constitution.

* * *

THE CONSTITUTION

IMMIGRANT'S MESSAGE OF CONGRATULATIONS

Mr. Alan Redway (York East): Last night as I worked in my office, Mr. Speaker, I received a long distance telephone call from a friend in Toronto, Kay Yu. Kay Yu is a young Canadian woman of Korean origin. She came to Canada a few short years ago. She worked hard and was joined here by her father, mother, four sisters, a brother, and their families. Driven by the entrepreneurial spirit, but deeply religious, the Yu, Naughton, Lee, Kim and Hong families have started six businesses and founded the Korean Buddhist Society of Ontario.

Last night Kay Yu's first words to me took me by surprise, but they should not have. She said, "Congratulations on the signing of the Constitutional Accord. I hope you are happy because we are. Today is a great day for Canada. Now we are all Canadians again".

That simple but eloquent message from a young Korean Canadian woman, a Canadian by choice, says it all. I hope all Canadians understand the true meaning of the Accord as well as Kay Yu and her family do.

S. O. 21

PUBLIC SERVICE

WORK STOPPAGE AT MONTREAL CEIC OFFICE

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, last Friday 30 members of the Canada Employment and Immigration Union who work at CEIC's pay section in the Montreal regional office did not report for work. These employees provide pay services to some 6,000 employees of the Department throughout the Province of Quebec.

The employees were forced to take this extraordinary job action to force the management of Canada Employment and Immigration to pay attention to their on-the-job grievances, problems such as 10 to 15 hours of compulsory overtime each week, heavy work overload, and staff shortages. These problems have existed since the fall of 1986 when the Government began to take steps to cut jobs at Canada Employment and Immigration.

On Tuesday officials of the union were able to bring about a full and complete settlement with management. In fact management has acknowledged that the union was right in predicting the problems cutbacks would cause in this Department.

This is not an isolated incident, Mr. Speaker. I have met with and heard from many people who work for Canada Employment. They, too, report serious reductions in services to the public because of the Government's determination to slash public employees' jobs.

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ENVIRONMENTAL AFFAIRS

CENTENNIAL OF LAST MOUNTAIN LAKE BIRD SANCTUARY

Mr. Don Ravis (Saskatoon East): Mr. Speaker, I would like to take this opportunity to congratulate the people of Saskatchewan on the centennial of Canada's oldest federal bird sanctuary at Last Mountain Lake. It was established on June 8, 1887, by the Government of Canada under Prime Minister John A. Macdonald.

The marshy bays, inlets, and wet fields bordering the north end of Last Mountain Lake were jointly set aside by the federal and Saskatchewan Governments for the conservation of migratory birds and wildlife habitat. This 15,600 hectare sanctuary now protects a major breeding ground and staging area for several threatened and endangered species.

Since it was created 100 years ago Last Mountain Lake has gained international recognition for its importance and contribution to the protection of wetlands. It was designated an international biology program site in 1971 and became a designated Ramsar site in 1982.

Congratulations on Last Mountain Lake's long history of success! May it continue to contribute to a balanced environment in the future. Let me also congratulate the Minister of the Environment (Mr. McMillan) who will be visiting the site tomorrow.

* * *

[*Translation*]

THE CONSTITUTION

TRIBUTE TO LEADER OF THE OPPOSITION

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, yesterday, I congratulated one of the great artisans responsible for the Constitutional Accord, the man who, more than anyone else, was responsible for bringing Quebec into the Canadian Constitution: Robert Bourassa, the Premier of Quebec. I read in the papers that yesterday the Premier of Ontario, borrowing a metaphor from the world of hockey, said that he gave the first star to the Hon. Robert Bourassa, Premier of Quebec.

Mr. Speaker, in addition to extending my congratulations to the other premiers who understood the reality of this country and that Quebec should be seen as a distinct society compared with the other provinces, I would like to give a star to the Leader of the Liberal Party, who has officially announced his Party's position in no uncertain terms. We agree on the position on the Constitutional Accord but, one thing is certain and that is that, faithful to their traditions, the Liberals will fight to improve this Constitutional Accord for those people who were forgotten, and we condemn the Prime Minister of Canada (Mr. Mulroney) for accepting handshakes from well-wishers after ignoring our native peoples and the francophone minorities outside Quebec.

* * *

• (1415)

[*English*]

POLITICAL PARTIES

PROGRESSIVE CONSERVATIVE PARTY—ATTACK ON NEW DEMOCRATIC PARTY

Mr. Rod Murphy (Churchill): Mr. Speaker, the Conservative Party, in a desperate state, has sunk to a new low and is using McCarthy-style language and techniques in its political fund-raising letters.

Many Canadians who supported former Saskatchewan Premier Tommy Douglas will be insulted by this approach. Manitobans who have supported the former Governor General and now ambassador Ed Schreyer, and Ontarians who supported ambassador Stephen Lewis, will find this repugnant.

The Conservatives have also offended our international allies in their attack on NDP international ties to other Social Democratic Parties. Did Mr. Jarvis mean to attack François

Mitterrand, the socialist President of France? Was he attacking the Government of Greece? If not, which of our elected Social Democratic Governments is working for "a one world totalitarian state"?

The smear and fear campaign of the Conservative Party is plain silly and will not work. In poll after poll, Canadians express their faith in the New Democratic Party and the integrity of our Leader. This letter, which is part of a package of deliberate lies and distortions by a desperate group of third place and sinking politicians, displays their weak suit, their own lack of credibility and believability.

ORAL QUESTION PERIOD

[*English*]

THE CONSTITUTION

1987 CONSTITUTIONAL ACCORD—ADOPTION BY HOUSE OF COMMONS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, in the absence of the Prime Minister I will put my questions to the Deputy Prime Minister as they also relate to his capacity as Government House Leader.

The Liberal Party wants Quebec's signature on the Constitution. We want a united Canada. We believe that the spirit of the constitutional Accord deserves support and we will work hard to make it even better.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): I think we are a little sensitive on this side of the House to the fact that we are being measured by an applause meter, and by who stands up. In any event, the Prime Minister was tired yesterday, justifiably so, after the accomplishment, and he unfortunately said that he expects the House of Commons to "adopt the document in its entirety".

Upon reflection, will the Deputy Prime Minister approach the Prime Minister to suggest that he should keep the spirit of constructive compromise alive and agree to allow any constructive suggestions to reach the floor of the House of Commons and a committee of Parliament, which is a position that has been publicly adopted by several of the provincial Premiers?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I know that we on this side of the House certainly welcome the comments of the Right Hon. Leader of the Opposition. Indeed, we are encouraged by his commitment and his Party's commitment to move this agreement forward in the best possible manner.

I want to remind him, however, that we have an agreement by 11 First Ministers in the Accord. It represents a resolution to the very important issues that have been addressed over the last year. We, as the Government, are fully supportive of the Accord and will be recommending its adoption by Parliament. It will be in that spirit that we will move it ahead, and will do so in such a way that we will have a mechanism to allow full participation by all Members of Parliament.

[*Translation*]

ATTITUDE OF CERTAIN PREMIERS—GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I could quote some comments by several provincial Premiers. Take, for instance, Premier Peterson of Ontario, who clearly made a generous and major contribution to the Accord. He said he was not only in favour of improving the Accord but, indeed, open to the concept. Is the Deputy Prime Minister unable to emulate the energy, optimism and open-mindedness of the Premier of Ontario and other Premiers?

• (1420)

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, we as a Government are committed to seeing this Accord adopted by Parliament, as I am sure the Premier of Ontario is committed to seeing the provisions adopted by the provincial Legislature. As far as that goes, all the other Premiers will be doing the same thing.

This is an agreement that was quite unlike the constitutional process that we went through in 1981 and 1982. This process has been developed through consensus, consultation, a great deal of co-operation, and give and take. So we are really talking about quite a different proposal from that which was before the House the last time.

NATURE OF PARLIAMENTARY DEBATE

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, if I recall correctly the last time a parliamentary committee held hearings which actually improved the arrangement that was originally presented to Parliament. I hope the Deputy Prime Minister will accept that as a useful precedent.

What I am concerned about is this. I want anglophones in Quebec and francophones outside Quebec to be assured that their rights are 100 per cent guaranteed. I want to assure the northern territories that their eventual process toward provincial status is not forever closed by the Accord. I want Canadians to know that parliamentary debate really means parliamentary debate.

I am asking the Deputy Prime Minister this. Give us an assurance that what the provincial Premiers said publicly, on assurances, apparently, of the Prime Minister of Canada, will be lived up to by the Government when the Accord is debated and referred to a committee of the House. That is what we are asking.

Some Hon. Members: Hear, hear!

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the last constitutional proposals that were brought before the House by the Liberal Government needed a great deal of improvement because there was very little consensus for the proposals that were contained in that resolution. As a matter of fact, we as an opposition Party had to fight like the dickens to try to get the matter before a parliamentary committee. There was very little consensus for that particular proposal.

Again, I repeat, we are committed to this proposal. I am not sure what changes the Right Hon. Leader of the Opposition is suggesting. If he is suggesting some changes, perhaps he would like to elaborate on those changes on the floor of the House. He will have an opportunity to come before the appropriate mechanism, a parliamentary committee. He and his colleagues will certainly have an opportunity to express their points of view.

I hope that at a very early date I will be in a position to lay out a number of options to the House Leaders opposite so that we can consider how we might best proceed. I am in the process of developing those options now. I hope that in the next few days I will be able to do that, and perhaps we can consider some of the points that the Right Hon. Leader of the Opposition has brought forward.

NORTHWEST TERRITORIES AND YUKON—ATTAINMENT OF PROVINCEHOOD

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, my question is for the Deputy Prime Minister. It was during the election campaign of 1958 that the Right Hon. John G. Diefenbaker said: "I see a new Canada—a Canada of the north."

I wish to ask the Deputy Prime Minister why this Government has abandoned Canada's north in the 1987 Constitutional Accord. Why was it that in all the negotiations leading up to this Accord the Northwest Territories and Yukon were cast aside and ignored? Why has the Government made it next to impossible for provincehood ever to be attained in Canada's North?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, in response to the Hon. Member's question, I think I should make it quite clear that the contentions that he has put forward are, unfortunately, untrue.

The reality of the matter is that we now have an opportunity as a new and united Canada to come forward in a spirit of co-operation which, unfortunately, has not existed in the country for many, many years, in order to develop the full potential of a very important part of our country.

This Party has taken a leadership role in terms of the concept of devolution so that the northern territories will in fact have control over their own destiny. I think our record is exemplary in this connection. I say to the Hon. Member that the process has done nothing but enhance our ability to meet that objective.

Some Hon. Members: Hear, hear!

• (1425)

PROVISION REQUIRING UNANIMOUS APPROVAL BY PROVINCES

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, my supplementary question is directed to the Minister of Justice who has just replied. In the light of what he has said, would he be willing to accept an amendment to the Accord which would remove the requirement of unanimity for the creation of new provinces? Second, is he willing to allow the territorial Governments of the Northwest Territories and Yukon to submit their lists for a Senate appointment when a vacancy occurs north of 60°?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, one of the aspects of the Accord which I think is progressive, is in the Canadian tradition, and one which would give the kind of assurance to all parts of our country that regional considerations are going to be considered, is the fact that we have, for the first time in the history of this country, constitutionalized the constitutional process between the various provinces and the federal Government. There will be ample opportunity on an annual basis to consider the various proposals brought forward for progressive change in our country and the Constitution.

The inclusion of Quebec in the Constitution has given a dimension to our country which has been lacking over the past years. I would suggest to the Hon. Member, Members of the House and to the country, generally, it has given hope for our northern territories that in the course of the evolution of the Constitution over the next years, they will in fact reach their proper status in our country.

ABORIGINAL SELF-GOVERNMENT

Mr. Jim Fulton (Skeena): Mr. Speaker, my question is directed to the Deputy Prime Minister. I think yesterday was a good day for Quebec and for Canada. In light of the lack of success of the recent First Ministers' Conference relating to aboriginal self-government, would the Deputy Prime Minister consider supporting the addition of another item to the two points which are there now in relation to the Senate and to fisheries matters at the First Ministers' Conference for next year, that being aboriginal title and rights and self-government? Now that Quebec is a full participant, I think we are much more likely to see success coming out of such a First Ministers' Conference.

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, if I may be permitted to respond to that question, I agree with the conclusion of the Hon. Member that, with the inclusion of Quebec, the chances with respect to agreement on aboriginal matters is indeed

enhanced. I commend the Hon. Member for his perception in that regard.

I want to say that in terms of the whole process of constitutional change with regard to the aboriginal peoples of Canada, I have already had an opportunity of meeting with representatives of the groups, with the exception of the AFN, and my colleague, the Minister of Indian Affairs and Northern Development, has in fact been in constant contact with that important representative group.

It is our intention to carry on and find the best way possible to deal with the question of constitutional changes of aboriginal self-government. We will continue our liaison and discussion. I am going to consult with my cabinet colleagues and develop a strategy to deal with that matter to ensure that the priority for that development is in fact maintained.

CREATION OF NEW PROVINCES

Mr. Jim Fulton (Skeena): Mr. Speaker, I am very pleased to hear that the Minister of Justice and the Government are open to having that added as a third component to the First Ministers' Conference for next year. In relation to Yukon and N.W.T., I have searched the record myself from 1981 until now and have been unable to find a position put forward by any province or any federal Party suggesting that an over-all veto be provided to each province for the creation of new provinces north of 60°. Prior to 1982 it was bilateral. Since 1982 it has been seven provinces with 50 per cent of the population. Is the Minister of Justice prepared to be sensitive to the aspirations of northerners and be similarly prepared to leave the door open to northerners for the creation of new provinces?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I am trying to recall any Member who gave any greater attention in leadership to that matter than the Member who represented Yukon for so many years in this Parliament, the Hon. Erik Nielsen. We have maintained that commitment in our Party to northern Canada.

• (1430)

I want to say that there is—and it has been pointed out by the Deputy Prime Minister—the reality that legal proceedings are in fact before the courts at the present time which limit my ability to speak on the particular matter.

The fact of the matter is that we as a Party and as a Government are committed to the enhancement of the northern part of the country. I think our policies in that regard are worthy of commendation and will be seen to be the right way to go in years ahead.

REQUIREMENT FOR UNANIMOUS CONSENT OF PROVINCES

Mr. Jim Fulton (Skeena): Mr. Speaker, I ask the Minister of Justice to address his mind for a moment to the point I made a moment ago. Nowhere on the public record in Canada are the positions of the provinces or of the Parties represented in the House of Commons endorsing the requirement for the support of all 10 provinces for the creation of new provinces.

Would the Minister of Justice tell the House why the federal Government took the initiative to include subclauses (e) and (f) of the old Clause 42 and roll them into the new Clause 41 when there were no provinces or no Parties in the House of Commons on the public record? On what grounds did it take that action?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, that is quite untrue. I do not recall any particular participant in the First Ministers' meeting not agreeing to the particular proposition. In fact, all Parties were represented at the table. All Parties in the country had representatives at the table in the sense that there are Governments from four different political Parties.

The Hon. Member is just speaking through his hat when he makes that allegation. I remember the leadership which the Right Hon. Secretary of State for External Affairs has given over the years in respect of the devolution of provincial status for northern Canada.

Our commitment is maintained there, and we will continue to work to that end.

[*Translation*]

PROMOTION OF FRENCH AND ENGLISH LINGUISTIC DUALITY—POSITION OF GOVERNMENT AND PROVINCES

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, my question is for the Deputy Prime Minister. The 1987 Constitutional Accord makes it an obligation for Canada and the provincial legislatures, including Quebec's, to protect the basic characteristic of this country, namely the French and English linguistic duality. If this duality is accepted, does it not deserve to be enhanced, and why were the provincial legislatures as well as the Parliament of Canada not asked to promote it?

[*English*]

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I think it is interesting to note that the Hon. Member has had a long interest in and support for the principles of bilingualism in Canada. Indeed the Accord has addressed in a very new and progressive way the undertaking of all provinces and the federal Government regarding the principles of a fair and equitable system of bilingualism in Canada.

This is an historic document, an historic agreement. I think the First Ministers showed the spirit of co-operation in our country in respect of this important topic. We should all commend those participants in this regard.

[*Translation*]

INCLUSION OF SPECIAL PROVISIONS IN CONSTITUTION—PRIME MINISTER'S POSITION

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I am surprised that, as far as duality is concerned, the

provinces and this Parliament are under no obligation not only to protect, but also to promote both official languages. This is important for us as members of the linguistic minorities, that is, for anglophones inside Quebec as well as francophones outside Quebec. If the Prime Minister of this country could not convince the premiers to include not only the protection, but also the promotion of our linguistic duality, why did he not take it upon himself to include in our new Constitution the obligation for this Government and this Parliament of Canada to insure not only the preservation, but also the promotion of our linguistic duality?

[*English*]

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I must confess that I do not understand the basis of the Hon. Member's question, because I do not think there is any question of the commitment, as far as the federal Government and the Prime Minister are concerned, in respect of the preservation and promotion of the official languages of the country.

All I can simply say is that we will be judged by our record in this regard—and I think we will be judged favourably—by the Canadian people and by history.

Perhaps the Hon. Member is suggesting that we should revert back to the old system of the federal Government intruding itself, as under his former Leader, Mr. Trudeau, who had a great way of knocking the provinces about. We want to move forward in a very co-operative way. We want Canada to work together as a team. We want Canada to progress.

* * *

LABOUR RELATIONS

LEGISLATION INTRODUCED BY GOVERNMENT OF BRITISH COLUMBIA

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, my question is for the Deputy Prime Minister. Premier Vander Zalm has been appearing on BCTV promoting a federally supported job-creation program and claiming that he needs to pass repressive labour legislation to make this federally supported program work.

Does the Government of Canada support the Vander Zalm proposition that repressive labour legislation is necessary to make federal-provincial job-creation programs work?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, clearly that is a provincial matter. It was answered by the Minister of Labour yesterday in the House.

I invite the Hon. Member either to pay attention to answers in the House or to read *Hansard*.

FEDERAL POSITION

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, my supplementary question is for the Deputy Prime Minister. The working people of British Columbia and Canada are watching the answers to this. Clearly the Deputy Prime Minister missed the import of the question.

I want to repeat it in a different form. Does the federal Government believe that repressive labour legislation is required to make federally supported job-creation programs work?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the same question and the same answer, and I invite the Hon. Member to read the answer in yesterday's *Hansard*.

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MUNICIPALITIES

COSTS OF RENOVATING INFRASTRUCTURES

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, my question is for the Deputy Prime Minister. Yesterday the Minister of Finance, in answer to my request that the Government reconsider its refusal to fund municipal infrastructure which would create 280,000 jobs, said that he would not do this because it was outside federal jurisdiction.

The Government knows that under a previous Liberal Government, prior to 1979, there was a similar program which was finally terminated but was there when the need was there.

Since the President of the Federation of Canadian Municipalities said that if the senior levels of Government did not participate in the program it could result in a $1,000 increase in the water bills of ratepayers, does the Government think it is a fair burden to put on ratepayers for something which will benefit the whole economy?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, with regard to funding of municipal infrastructure, it is true the previous Government brought in such a program. It also terminated such a program because of the complaints of the provinces at the time about interference in municipal jurisdiction.

Also, in the 1970s we did not have the enormous deficit we have today which was left to this Government.

RECOVERY OF EXPENDITURE—STUDY FINDINGS

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, is the Minister not aware of the macro-economic impact study prepared by Informetrica for the Federation of Canadian Municipalities which indicates that the federal Government would recover most of its expenditure for such a program through extra tax revenue and reduced

federal welfare payments? Is he not aware of that and that therefore the deficit is not a real reason to refuse the program?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I am aware of the Informetrica study. It is being reviewed by Departments of Government, and we hope to be able to give our response to it shortly.

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REGIONAL INDUSTRIAL EXPANSION

DEPARTMENT'S BUDGET

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, my question is for the Minister of Regional Industrial Expansion. It is only two months into the fiscal year and I have been informed that DRIE is in a serious cash crunch situation. I have been informed by some very reliable sources that DRIE is unable to meet all its program commitments for this year out of its $909 million budget for projects which have already been negotiated in the past.

Could the Minister confirm that, according to my sources, his Department is now unable to meet some $75 million to $100 million in financial commitments under DRIE's various programs?

Could he also tell us whether or not he has had a chance to meet with the President of the Treasury Board to discuss this very serious problem?

[*Translation*]

Hon. Michel Côté (Minister of Regional Industrial Expansion): First of all, Mr. Speaker, I would like to enlighten my hon. friend. I have also been advised that, because of the accounting methods now used by the Government, there might be some overspending in the Budget for the fiscal year 1986-87. This overspending could also affect the current fiscal year, with the requirements of the regions growing constantly. But my hon. colleague is certainly well aware that under Section 25 of the Financial Administration Act, the Department cannot commit itself to spending more than the amounts allocated.

We have asked for a report on this matter. As soon as we receive it, we shall respond accordingly. But I want my hon. friend to know that the Government does not intend to overlook its commitments to regional development, and I invite him to acquaint himself with the announcements that will be made within the next few days, especially in the Atlantic region.

CRITERIA USED BY DEPARTMENT

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, I have a supplementary. I thank the Minister for responding and confirming the problems faced by the Department. In view of those difficulties, the Department will have to try and renegotiate those agreements, especially for major projects. In view of that indication, Mr. Speaker, can the Minister tell us now what criteria will be used to identify projects whose funding will be postponed until next year?

Hon. Michel Côté (Minister of Regional Industrial Expansion): Mr. Speaker, I would like to reassure the Hon. Member. That situation is quite temporary in the first place and that will be solved over the next few days or at the latest the next few weeks. I would like to tell him also that we are currently reviewing not only programs but also the level of funding for those programs, and we will be in a position as I said to address those temporary problems. Again, I would like to assure him of our total commitment to and special concern for matters of development and regional disparities. Once more, the Hon. Member will be able to see what effort and priority the Government is giving the matter.

* * *

• (1440)

[*English*]

HUMAN RIGHTS

U.S.S.R.—TREATMENT OF REFUSENIKS

Mr. Bill Attewell (Don Valley East): Mr. Speaker, my question is for the Secretary of State for External Affairs. When I was in the Soviet Union last month, Alexei Gloukhov, Director of the Department of Humanitarian and Cultural Affairs, basically confirmed that the U.S.S.R. is treating refuseniks as hostages when he said that "as disarmament and peace negotiations go, so go human rights".

We were shocked at such an admission and told him that Canada's position is just the opposite. How can we trust the Soviets regarding peace initiatives if we cannot trust them to live up to their human rights obligations?

Is *glasnost* a reality or a myth? How can the Canadian Government bring increased pressure on the Soviet Union to stop treating refuseniks as hostages and poker chips in its world-wide negotiations?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, that is the question which no one can answer with certainty. There have certainly been developments in the Soviet Union that indicate some openness toward change. There has been a welcome attitude toward allowing more refuseniks to leave the country and allowing also a greater degree of family reunification. How extensive that will be remains to be seen.

Certainly the consistency of the Soviet Union in being prepared to allow people who want to leave that country to come to freedom will be a factor which all other nations will have to judge when we try to make some assessment of the sincerity of the Soviet Union in its other activities, including its willingness to adhere to arms control and other agreements.

Oral Questions

EXTERNAL AFFAIRS

NICARAGUA—CONTRA ATTACK ON CANADIAN AID VILLAGE

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, my question is for the Right Hon. Secretary of State for External Affairs. When the Farmers for Peace first went to Macotal in Nicaragua two years ago to carry out a Canadian aid project they helped to rebuild the village which had been destroyed by the Contras. The Contras have now for the second time attacked this village, massacring, burning, looting, and kidnapping innocent civilians. This being clearly an act of terrorism, will the Minister now condemn the Contras as terrorists and immediately bring this matter under the category of terrorism before the United Nations?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, perhaps the Hon. Member was absent the other day when that question was raised. I have given an answer to it in the House. I have been in touch with the United States Secretary of State to express my personal great concern about the attack to which he makes reference upon a project mounted by the Farmers for Peace Organization.

I have indicated to Secretary Shultz that I intend to raise the matter and discuss it with him more fully when I meet him either in Venice or Reykjavik. I have further indicated, in answer to a representation by a Member of the House, that upon my return from that trip I would be prepared to meet with the Hon. Member for Notre-Dame-de-Grâce and the Hon. Member for New Westminster—Coquitlam to discuss if there would be further appropriate action for the House or for the Government to take.

COST OF REBUILDING PROJECT

Mr. Roland de Corneille (Eglinton—Lawrence): I thank the Minister for his reply, Mr. Speaker, except I was talking about condemning it as terrorism before the United Nations. I knew about the other actions. I asked specifically whether the Minister would be willing to bring this matter up as an act of terrorism and define it as such. Will the Secretary of State for External Affairs, for the purposes of being on the record before the House, guarantee that the money needed to rebuild the Farmers for Peace Project would be provided by CIDA? Will he ask the Americans to instruct their lackeys, the Contras, to release the four innocent villagers they kidnapped and put an end to their massacres of innocent civilians in their program of terror and intimidation?

Right Hon. Joe Clark (Secretary of State for External Affairs): I will consider the last two of those three representations, Mr. Speaker.

ENERGY

DOME PETROLEUM—PROPOSED PURCHASE BY AMOCO CANADA

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, my question is for the Deputy Prime Minister. According to reports in a Calgary newspaper, an internal evaluation document by Amoco has concluded that there would be many lay-offs at Dome after a takeover, and Amoco itself has publicly admitted that, indeed, there would be lay-offs. Did the Government discuss these job losses with Amoco during recent meetings held and did the Government press Amoco to reject these lay-offs for the future?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I think I would be correct in saying that that is not consistent with the information provided to us. I think quite the contrary is the case. I think the Hon. Member should consider the consequences of a collapse of Dome Petroleum, and such will be the case if a buyer is not found. Further, if the Amoco purchase is proceeded with, these would be things that would be taken into consideration during the over-all evaluation.

As I said, on the basis of the knowledge that I have and that I think the Minister has, that is somewhat inconsistent with what the Hon. Member is suggesting.

Mr. Langdon: Mr. Speaker, the public confirmation, which I understand has taken place, of lay-offs is unquestionable. It is a question of numbers where the newspaper in question has argued a large number and Amoco has said that the number would be smaller. There is no question that lay-offs will occur.

SHARES HELD BY DOME EMPLOYEES

Mr. Steven W. Langdon (Essex—Windsor): I have a supplementary question for the Deputy Prime Minister. Given that 5,000 to 6,000 Dome employees past and present have at this stage now devalued shares in Dome as their only pension funds, did the Government in its meetings also press Dome and Amoco to give these workers Amoco pension credits that would be equal to their years at Dome, as part of the takeover?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I think it should be pointed out that Amoco, if a purchase is proceeded with, has announced that it would be prepared to reinvest something in the order of $1 billion over the next five years. I do not know to whom the Hon. Member is talking.

The employees to whom I have spoken at Dome Petroleum clearly want this issue resolved and the sooner the better. They want security of the jobs. The best way to secure their jobs is to proceed with the transaction.

Mr. Langdon: And their pensions?

• (1450)

Mr. Mazankowski: The Hon. Member should stop frustrating attempts for people in Alberta to maintain jobs and job security. That is precisely what he is doing on the floor of the House of Commons right now.

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EXTERNAL AFFAIRS

UNITED STATES—SALE OF ARMS TO IRAN—ROYAL CANADIAN MOUNTED POLICE INVESTIGATION

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, my question is for the Secretary of State for External Affairs. I believe many Canadians were distressed to learn of the attack on the Canadian food project in Nicaragua by the Contras. We appreciate the Minister's willingness to take that matter up with the U.S. Secretary of State.

I would like to draw to the attention of the Minister testimony that was given before the special committee investigating the Iran-Contra affair in the United States. This evidence indicated that the first shipment of arms to the Contras was purchased through a Canadian arms dealer. The committee has further released a memorandum from Colonel North to Robert McFarlane which discusses a Canadian originated arms sale to the Contras.

Taking into account those facts, I would ask the Secretary of State if he could report whether the RCMP has completed its investigations undertaken into Canadian participation in sales to the Contras and whether these recent revelations will also be incorporated into that investigation so that we will be able to determine if in fact Canadian arms are being used by the Contras to kill and maim innocent civilians in Nicaragua.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I am informed by my colleague, the Solicitor General, that the investigation by the Royal Canadian Mounted Police is not yet complete and that the Solicitor General has requested that the elements referred to by the Hon. Member, and perhaps other elements, should become part of the investigation.

REGULATIONS GOVERNING ARMS EXPORTS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I thank the Minister for the answer and I would hope that either he or the Solicitor General would give us the date that report is expected.

I would like to ask the Secretary of State a further question. Considering the ease with which Canadian arms dealers use intermediary countries to trans-ship arms to countries containing groups like the Contras, which is very clearly in violation of government policy, the government policy which we respect, I would ask the Minister if it is not time the Government looked at ways of tightening those regulations and rules to ensure that Canadian arms exports are not used in areas where there are hostilities, civil wars or conflicts, and particularly not in cases where there are severe violations of human rights as in the Nicaraguan case. Would it be possible to have that kind of recommendation or reform made and perhaps considered by the External Affairs Committee?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the Hon. Member may be making some assumptions with regard to the nature of the Canadian involvement that the RCMP investigation will not bear out. He raises a difficult and complex question.

If the Hon. Member can propose some terms of reference that might allow us to get at this problem in a tangible way, I would be very interested in looking at them. It is highly complex because it deals only incidentally with arms trade and has to do with general and often normal practices of international commerce. However, if there is some way that we could define a way to look at that particular problem, I would be interested in seeing whether it would be worth while taking further action.

* * *

CANADA POST CORPORATION

PROPOSED SEARCH OF EMPLOYEES' BELONGINGS

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, my question is for the Minister responsible for the post office. I am sure the Minister is aware of the plan of Canada Post to have security guards search the personal belongings of employees as they arrive at work, for stolen drugs, alcohol and items like that. I wonder if he would remind the post office of the Marin Commission report which recommended that people only be searched when there are reasonable and probable grounds and that the post office should be taking preventive action in the area of security.

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, of course this decision that was taken by the post office has nothing to do with me or the Government but—

Some Hon. Members: Oh, oh!

Mr. Andre: It is a Crown corporation but those Hon. Members would not understand that.

The Hon. Member may be aware that here in Ottawa, six individuals in the post office were charged with selling drugs. A death occurred as a result of a worker who was under the influence of alcohol while driving a forklift off a loading dock. The recommendation at that time was that the post office take responsibility and ensure that that does not happen again. Taking security measures means looking at things like lunch pails to make sure that alcohol is not being brought onto the work site to ensure that those kinds of accidents do not happen

in the future. That, as I understand it, is what the post office is doing.

APPLICATION OF CORPORATION'S POLICY

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I think it is rather contradictory for the Minister on the one hand to say that he wipes his hands of the post office and then on the other hand to make comments that seem to approve of the policy. I wonder if the Minister realizes that to label all employees and to initiate a blanket policy for searching all employees rather than to approach this in a selective manner is very provocative in the context of very sensitive negotiations that are going on at the post office. Does he not want service to continue? Will he tell the post office to take reasonable action rather than provocative action?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, absolutely. Reasonable action is the only appropriate action. I understand that this type of procedure is very common. Indeed—

Mr. Rodriguez: Where?

Mr. Andre: Twenty-five years ago when I worked a summer job, in fact I had to do precisely that.

Mr. Rodriguez: Twenty-five years ago? We had child slavery then too.

Mr. Andre: Obviously while members of the New Democratic Party are talking about not being provocative, they are doing everything they can to ensure that the relationship between the employees and the post office is as uncomfortable as possible so that they will have the strike they apparently want.

* * *

PORNOGRAPHY

DEFINITION OF EROTICA

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, a pornography Bill dealing with violent and degrading sex is one thing. Artistic expression dealing with the human body and human emotion is quite a different matter.

My question is directed to the Minister of Justice. Apparently the female breast and the human anal region are defined in the definitions of your Bill as erotica. Does that include a person's bare backside, bottom or bum? Further, would Gauguin's nude swimmers or Rockwell's bare-bottomed children or, for that matter, the Coppertone ad, pass muster with you? Does the Minister realize that, under his definition, today's modern artists will have to prove that they are portraying erotica and not the Minister's or the Government's view of s-e-x?

Mr. Rodriguez: Just the bare facts.

Mr. Crosbie: Give her a demonstration, Ray.

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I was going to ask the Hon. Member if she would not mind repeating the question. This kind of detail, based on my clear understanding that the Hon. Member does not understand the Bill, should be more appropriately addressed to me in committee. I hope the Hon. Member will speed this matter through the House of Commons so we can get into committee and I can demonstrate to her that this Bill is one which will commend itself not only to the Hon. Member but to the great thinking Canadian public.

ARTISTS' CONCERNS

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, with no ifs, ands or buts, that is your definition of erotica in the Bill. My supplementary question to the same Minister—

Mr. Speaker: The Chair is listening with great care to all the words mentioned by the Hon. Member but there is one that she must not use again and that is her reference to the Minister as "you".

• (1500)

Mrs. Finestone: Thank you, Mr. Speaker, for keeping me abreast of the situation.

Some Hon. Members: Oh, oh!

Mr. Marchi: What a bum rap.

Mrs. Finestone: Mr. Speaker, the proposed pornography Bill states that a visible display of erotica must be "hidden by a barrier" or "covered by an opaque wrapper". That definition definitely puts the Sistine Chapel out of order. Should we cover Gauguin's nude sunbathers or Rockwell's bare bottoms with what? A fig-leaf? A maple leaf? Or, should they be gift-wrapped?

How is the Minister planning to answer the artistic community which is very concerned about this issue? It is no joking matter.

Some Hon. Members: Oh, oh!

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, she may want to consult her colleague, George Baker, if she wants to know about joking matters. I think she needs some help. With reference to your ruling, Mr. Speaker, I can only say that she does not have to refer to me as "you". A simple "sir" would do.

I want to make it quite clear that the Hon. Member's contention is unfounded. It is wrong. Clearly the Bill provides for artistic merit even in the case of erotica. If she would read the Bill and understand it, and if she goes to committee after second reading, I will be able to explain to her that her understanding of the Bill is incorrect.

YOUNG OFFENDERS ACT

MINIMUM AGE PROVISION

Mr. Alan Redway (York East): Mr. Speaker, my question is directed to the same Minister. Last week he met with his provincial counterparts to discuss a number of matters including the Young Offenders Act and the minimum age therein. Would the Minister advise the House whether or not the provincial Ministers agreed with the position of the Ontario Attorney General that the minimum age for criminal responsibility, which is now 12 in the Young Offenders Act, should be reduced to seven or whether they felt child welfare legislation was still the best way to deal with children under the age of 12?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I appreciate the question from the Hon. Member whose interest in this area is well known and appreciated. Indeed, the provincial Attorneys-General, Ministers of Justice, and myself discussed this matter at the petition of the Attorney General of Ontario. There was no consensus on the proposition put forward but I think there was an understanding and realization by all Ministers that we want, at least initially at the officials' level, to look at the operation of the Act and provincial child welfare legislation to make sure that between the two levels of jurisdiction and the two pieces of legislation we adequately covered the question of children at or under the age specified in the Young Offenders Act so that the public is properly protected. We are going to have our Deputy Ministers start that investigation and I think it will be to the benefit of the administration of justice.

Mr. Speaker: I would advise Hon. Members that the last question and supplementary will be those of the Hon. Member for Thunder Bay—Atikokan.

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MUNICIPALITIES

REQUEST FOR MEETING BETWEEN PRIME MINISTER AND CITY MAYORS

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, my question is directed to the Deputy Prime Minister. As he knows, I tried yesterday to get the Prime Minister to indicate whether he would be prepared to meet with representatives of the mayors of 14 of Canada's largest cities. Will the Deputy Prime Minister personally undertake to arrange a meeting between the Prime Minister and the mayors so they can in the best way possible indicate to him the need for federal participation in a federal-provincial-municipal program to rebuild our cities?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I know a lot of government Ministers have met with the mayors. Indeed the Prime Minister wanted to meet with them. However, I think the Hon. Member is aware that he has been preoccupied with a number of other things. The Queen Mother is arriving in Ottawa today as well. I know his intentions are clearly there and, if there is some way it can be arranged, he would be happy to do so.

GOVERNMENT POLICY

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, I appreciate the Minister's response. Perhaps if we had that response yesterday the questions today would not be necessary.

If a meeting is arranged at some mutually convenient date, in preparation for that meeting will the Government of Canada re-examine its policy statement about no funding to see whether or not the Prime Minister's negotiating skills can be put to their very good use to come up with a package that will see federal money assisting the municipalities?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I am certainly pleased that even the Hon. Member has acknowledged the negotiating skills of the Right Hon. Prime Minister.

I know all Members sympathize with the plight of the municipalities. I know as well that the Hon. Member sympathizes with the very heavy debt burden that the federal Government is facing. That was elaborated on by the Minister of Finance and the Minister of State for Finance. That is certainly not to take away from the seriousness of the issue and in no way detracts from the fact that we are sincere about their plight. I will certainly convey the Hon. Member's representation to the Prime Minister at an appropriate time.

ROUTINE PROCEEDINGS

[*English*]

ELECTORAL BOUNDARIES COMMISSION

TABLING OF SUPPLEMENTARY REPORT FOR PROVINCE OF ALBERTA

Mr. Speaker: It is my duty pursuant to the provisions of the Representation Act, 1985, to lay upon the Table a certified copy of a supplementary report of the Electoral Boundaries Commission to the 1987 report for the Province of Alberta.

* * *

BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Hon. Herb Gray (Windsor West): Mr. Speaker, I want to assure you that I am not rising on a point of order to question the ruling you made during Question Period to the effect that during Question Period at least a certain three-letter word,

namely the word "you" is not in order. Instead I am rising to ask the Government House Leader the customary question about House business.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, today we will continue with Bill C-18. Tomorrow I will call the capital punishment motion. Monday, June 8, has been designated an allotted day for the NDP. On Tuesday we will be proposing Ways and Means Motion No. 18. We will as well proceed with Bill C-50, the unemployment insurance Bill. I do not think there has to be an order but there is agreement among all Parties to complete this Bill in all stages and sit beyond six o'clock but no later than ten o'clock that day in order that the Bill might be completed in all stages.

On Wednesday I propose to call Bill C-59, the energy Bill, followed by Bill C-2, Canagrex, again with the assumption that those two Bills will be completed that day.

Thursday would be another allotted day and that would be the last allotted day and we will probably sit until ten o'clock, I guess.

On Friday, and this could change, my intention is to call Bill C-18.

I present this order of business notwithstanding the House order yesterday respecting Standing Orders taking effect next Monday. In light of this you will find unanimous consent to agree to the designation of the two allotted days next week, with one of them a votable day.

Mr. Rod Murphy (Churchill): Mr. Speaker, on behalf of the NDP caucus we agree with what the Minister has said. I would also like to find out what the status is regarding the labelling of hazardous goods Bill. I understand there has been a request from the Minister that we pre-study this legislation. If that is the case, this is June 4 and I would like to know when the Government is going to allow for pre-study and what mechanism is going to be used.

Mr. Deputy Speaker: Just before the Parliamentary Secretary answers, the House has heard the terms of the motion proposed by the Deputy Prime Minister (Mr. Mazankowski). Is there unanimous consent?

Some Hon. Members: Agreed.

• (1510)

Mr. Lewis: Mr. Speaker, there were some discussions among the Parties and I believe there is unanimous consent that a pre-study take place on that particular Bill. I have talked to the Minister and to the Chairman of the committee. It is my understanding that she will be organizing and calling a meeting very soon, which will enable the appropriate witnesses to be informed. I think that committee study should commence next week.

PRIVILEGE

INJUNCTION FILED BY ATTORNEY GENERAL FOR BRITISH COLUMBIA

Mr. Jim Fulton (Skeena): Mr. Speaker, I rise on a question of privilege. Earlier today I filed with the Speaker's office my concerns regarding the June 2, 1987, documents filed by the Attorney General of British Columbia under Registry Number C82660 for interim interlocutory and permanent injunctions. I believe that I and all Members of the House of Commons have had our rights affected by this and that a substantial question of privilege exists. It reads in part as follows:

> The Attorney General's claim is for interim, interlocutory, and permanent injunctions restraining the defendants, anyone acting on their behalf, and anyone having notice of this injunction, from:
>
> "1. Advocating, or circulating any writing advocating, the use of force, including:
>
> "(a) Work stoppages, slowdowns, study sessions—
>
> (b) —pointing out errors in the government of the province, procuring alterations of any matter of government—
>
> "3. Using force (including all that scribed in paragraph 1(a) hereof) as a means of accomplishing a governmental change in the province (including all that described in paragraph 1(b) hereof).

I am going to British Columbia on Saturday and will be attending what I suppose could be described as a study session with a number of those named as defendants in this document filed with the Supreme Court of British Columbia. I think it infringes on my rights and those of every Member of this House for the Government to bring before the Supreme Court an interim interlocutory and permanent injunction which states very specifically that anyone acting on behalf of the defendants or attending such things as study sessions is in fact in violation of such an injunction.

I have provided a copy of the documents which have been registered in Vancouver including the names of the plaintiffs and defendants in the action. I hope you will look with care at the effect this may have on any Member of Parliament, not only those from British Columbia who attends a study session where such things as government actions or ways of altering any matter that the Government might be considering are discussed. I think this strikes at the Charter and at the fundamental rights of the House of Commons.

The Speaker may well want to reflect on this for a day or two. If you decide that this does infringe upon my rights, which I believe it does, I hope I will have the opportunity to make the appropriate motion to refer this to the Standing Committee on Elections, Privileges and Procedure.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, if you were about to dismiss the application I would naturally resume my seat. We have heard the Hon. Member and I appreciate that he wants to focus attention on the provincial matters which are presently occurring in B.C. I have no objection to his doing that. However, I cannot see how the Member's privileges as a Member of this House are in any

way abridged or infringed upon by an injunction in a provincial court regarding a provincial matter.

The Hon. Member is free to do as he wishes on his own time with regard to personal business. If he is stopped from so doing by an injunction, his redress is at law. If he has an objection to the injunction stopping him in his personal capacity as a citizen from attending a study session, he should hire counsel and apply to be exempted from that interlocutory injunction.

Obviously in no way whatsoever, *prima facie* or in fact, does this in any way infringe upon the Hon. Member's ability to function as a Member of this House with regard to his position as a federal Member of Parliament.

Mr. Fulton: Mr. Speaker, I am not sure that the Parliamentary Secretary to the Government House Leader (Mr. Lewis) has read the injunction with the care with which I have. The injunction is quite different from any other injunction ever brought before the Supreme Court of British Columbia. It states very specifically that anyone acting on behalf of anyone named in this injunction application is prohibited from even attending a study session to consider government matters.

I do not think it is appropriate for me to have to fly to Vancouver, hire counsel, go to the Supreme Court of B.C., and apply for some kind of remedial action from an injunction which the Province of B.C. has placed against me specifically because I do in fact represent people in this injunction and I do act on their behalf in the House of Commons.

I think the House of Commons itself must reflect very carefully upon just exactly how far the Government of British Columbia is going in trying to prohibit Members of Parliament, members of the public, members of trade unions, and members of any other organization in British Columbia from being allowed simply to attend study sessions.

The Government of British Columbia is prohibiting me, as a Member of Parliament, from saying anything about matters affecting the administration of the Government of British Columbia or attempting to procure any change. I suppose that under Sections 1 and 2 of the documents which have been filed in the Supreme Court of British Columbia I am in fact contravening such an injunction by even speaking out about it in the House of Commons.

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I invite you to consider this topic very seriously. It is not something to be taken lightly. There may or may not be a question of privilege, but you will decide upon that. Upon reading the definition of privilege in Beauchesne's one will see very clearly that a question of privilege may exist and that the privileges of a Member could be affected. If the Member's privileges are affected, our privileges individually and collectively could be affected as well. Beauchesne's says:

> The distinctive mark of a privilege is its ancillary character. The privileges of Parliament are rights which are "absolutely necessary for the due execution of its powers". They are enjoyed by individual Members, because the House cannot perform its functions without unimpeded use of the services of its Members; and by each House for the protection of its members and the vindication of its own authority and dignity.

I submit that if we, individually or collectively, cannot meet with our constituents, for whatever reason, that could indeed be an infringement upon our privileges. I invite you to reflect upon and give very serious consideration to the subject brought to your attention by the Hon. Member for Skeena (Mr. Fulton).

Mr. Rod Murphy (Churchill): Mr. Speaker, I would like to make a few comments on the question of privilege raised by my friend and colleague, the Member for Skeena (Mr. Fulton). I had experience in a related matter last year. Last June, I believe on this same date, I was on the Gainers picket line in Alberta despite the fact that there was an injunction in that case.

I took the position with the police and the representatives of the Government which were present at the time that as a Member of Parliament I had a right to talk to those people to find out what their concerns were. As the labour critic for the New Democratic Party caucus I had legitimate concerns. I maintained my right as a Member of Parliament to speak with those people and find out what was going on. In that case there was no police action taken.

I am afraid that if we do not take this matter seriously there is a danger that the Member for Skeena or some other Member, in carrying out his or her duties as a Member of this House, could be stymied by provincial legislation and the actions of an over-zealous police force or over-zealous Attorney General.

• (1520)

I believe it is a serious matter. I do not know if the Speaker is in a position to rule on it now, but it is a matter that deserves study. We must protect our rights as Members of Parliament, not to break the law, but to be able to talk to people who are in a situation where they may or may not be breaking the law but are trying to protect their rights in the belief that the actions they are taking is the only way to do so.

Mr. Deputy Speaker: I thank the Hon. Member for Skeena (Mr. Fulton), the Hon. Parliamentary Secretary to the Deputy Prime Minister and President of the Privy Council (Mr. Lewis), the Member for Glengarry—Prescott—Russell (Mr. Boudria) and the Member for Churchill (Mr. Murphy) for their representations in this serious matter. I will look into it and get back to the House as soon as possible.

GOVERNMENT ORDERS

[*English*]

NATIONAL TRANSPORTATION ACT, 1986

MEASURE TO ENACT

The House resumed consideration of Bill C-18, an Act respecting national transportation, as reported (with amendments) from the Standing Committee on Transport, and Motion No. 5 (Mr. Robichaud, p. 6715).

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I am pleased to participate in this debate today. It is unfortunate that Members can only speak for 10 minutes on such an important issue and well designed motion as the one presented by my friend and colleague, the distinguished Member for Westmorland—Kent (Mr. Robichaud). The Hon. Member's motion indicates that it is indeed our duty to make sure that Bill C-18 contains specific provisions that ensure regional development and give it priority over other concerns.

If it is necessary to convince the House of the importance of those requirements, let me describe a situation that exists in eastern Ontario, particularly in my riding of Glengarry—Prescott—Russell. CN has taken the position that it will shut down a portion of its tracks. It has decided to shut down some 2,500 miles of rail line by embarking, as it already has, on a deliberate action of discouraging customers and rerouting some of their traffic on what it calls the intermodal system, which is a truck to most of us. Once it has rerouted that traffic and lost some of its customers, it will go to the CTC and ask to abandon certain rail lines with the argument that it no longer has enough customers.

On September 25, 1986, CN sent a memo, signed by Mr. R.P. Langlois, Regional Manager of Marketing for the St. Lawrence region in Montreal. The memo was sent to a number of people and states that in the context of rationalization of the rail infrastructure, some lines have been identified as being candidates for abandonment in the coming years. A preliminary plan has been prepared and attached are the sections affected. It states that every effort to attract new traffic on these sections is to be abandoned immediately and, for the traffic already on these lines, they must consider either, and preferably, converting this traffic onto the intermodal system or adjusting rates to minimize present losses.

I have copies of the internal correspondence of CN which are documents designed to chase away, divest customers that CN has at the present time because it is allegedly losing money on those lines.

The lines affected are the Beachburg subdivision, 163.9 miles, and the Alexandria subdivision, which is the line of rail just east of Ottawa and just west of Montreal, 57.7 miles.

CN wants to close down those two rail lines, according to the internal correspondence I have received. Since there is no longer any Canadian Pacific line between Montreal and Ottawa, and there will no longer be a CN rail line, there will be no train service between the two cities, either freight or passenger.

I objected most strenuously to this course of action. Officials from CN come to the community I represent and make long-winded speeches, telling us not to worry. However, when we ask if it means the line will not be shut down, the official states that it means we are not supposed to worry. When we ask if it means the line will be shut down, we are told it means that we should not worry.

CN has not been exactly forthcoming with answers on this issue. I received a letter from Mr. Ron Lawless on December 4, 1986, in which he described the situation concerning the Alexandria subdivision. He states in his letter: "As we proceed with our studies, one of the lines which will undoubtedly be reviewed is the Alexandria subdivision". The House will note that he says "will be reviewed". He went on to state: "The line accommodates at present freight service as well as VIA passenger service. At this time, I can advise you and indeed assure you that should a study reveal the need for a change in status I will see to it that you are made aware of the situation".

I just read other internal correspondence in which the decision had already been taken and CN was in the process of divesting itself of customers in an attempt to shut down the rail line in the future.

Needless to say, Mr. Lawless's letter is inconsistent with the truth, shall we say, and I phoned Mr. Lawless to express my displeasure with someone who is paid by the taxpayers of Canada and who gives Members of Parliament information which is inconsistent with the facts.

I have another letter from the President and Chief Operating Officer of CN. It is dated September 9, 1986, before Mr. Lawless sent a letter to me. The letter states: "This will confirm discussions on Thursday, September 4, 1986, concerning the Alderdale and Beachburg subdivisions". It goes on to describe how CN will shut down these rail lines.

It states on the second page of the letter: "Abandonment of the two subdivisions would result in annual track maintenance saving of $10 million and forgo during the next five years $50 million in capital expenditure. It also would create the likelihood of CN discontinuing the use of the Alexandria subdivision which currently has a five-year estimated capital requirement of $27 million".

The letter states that this would create the likelihood of discontinuing the Alexandria subdivision. The letter was signed by Mr. M.A. Blackwell, Assistant Vice-President. Mr. Blackwell is in fact the assistant to Mr. Lawless, the guy who wrote to me telling me I had nothing to worry about and that no plan to shut down these rail lines had been undertaken and that he would advise me if they ever did undertake to shut down rail lines.

• (1530)

You can now see, Mr. Speaker, why I do not like getting these types of answers from Mr. Lawless and the others surrounding him who seem to take pleasure in giving my constituents and I information which is less than accurate.

In closing, I want to tell Hon. Members that my colleague, the Hon. Member for Renfrew—Nipissing—Pembroke (Mr. Hopkins), and I have organized a meeting here on June 15 in the Railway Committee Room to protest these cut-backs. We think that the regional development of the area I represent and the regional development of the riding of Renfrew—Nipissing—Pembroke—in fact, all of eastern Ontario—needs to be protected. The Government should understand that eastern Ontario needs this type of amendment as proposed by the Hon. Member for Westmorland—Kent (Mr. Robichaud). I wish to congratulate him for having brought this matter to our attention.

[*Translation*]

Mr. Speaker, the Hon. Member for Westmorland—Kent had the good idea of proposing this amendment today and, on behalf of the electorate of Glengarry—Prescott—Russell and Eastern Ontario, I want to congratulate him.

[*English*]

Mr. David Orlikow (Winnipeg North): Mr. Speaker, I wish to enter into the debate because so much of what the Hon. Member who has just spoken in describing the desire, the intention and the ability of the top managers of the railway, in this case the CNR, to mislead people, including Members of Parliament, is so familiar to me. It is like the second chapter of an old novel. We saw this type of action for so many years with the other railway, the CPR.

Of course, without the CPR, without a railway which stretched from the Atlantic Ocean to the Pacific, there would have been no Canada. But the founders of the country, Sir John A. Macdonald and his colleagues, realized that without a rail link linking all parts of Canada we would not have a country. So the then owners and managers of the CPR were given tremendous grants of land, tremendous subsidies of money in order to build the railway.

Over the years it has made billions, tens of billions if not hundreds of billions of dollars of profits. One would think that it would be appreciative and would, in return for its right to make the very substantial profits which it has made, try to co-operate and try to meet some of the needs of the country. But of course that is not the attitude of the CPR. It is out to get every penny of profit for its management and shareholders—and the public be damned.

I remember some years ago when I was first here as a Member of Parliament that the CPR was at that time operating two transcontinental passenger trains a day. It came to the then regulatory agency, I think it was called the Board of Transport Commissioners, and asked for permission to discontinue one of those trains. The regulatory agency turned the request down. It said, "No. You have to continue to run the two trains a day".

The CPR accepted that decision, or seemed to accept it. However, what it did very quickly after it received that decision which it did not like was to proceed to take the dining cars and the sleeping cars off one of the trains. Of course anyone who travelled by train from, let us say, Ottawa to Winnipeg, or Montreal to Vancouver, could not travel on that train if one could not get anything to eat and could not get a berth in which to sleep. So the passenger load just vanished.

Then, of course, the CPR went back to the regulatory agency and said, "Look, we have this second train running and it has no customers. There are no passengers. So we want to discontinue the train service". Of course, the regulatory agency gave it the authority to do that.

The CNR is a publicly-owned company, since the original owners, the speculators who built pieces of rail lines all over the country, one with no connection to the other, went bankrupt despite substantial subsidies and financial support from the then Government. Finally the Government of the day, which may have been a Conservative Government, I do not remember and have not looked at the history recently, took over these private lines and established the CNR.

People in Canada assumed—and obviously they were wrong if one looks at the way the CNR is operating at the present time—that because it was a publicly-owned rail system it would have some concern about the needs of the people, that it would have some social conscience. It may have had in earlier days. But what I see now, unfortunately, is that the CNR has learned all the wrong things, all the miserable things, all the underhanded ways in which to operate. After all, here we have a Government in place which tells it that it has to operate like a privately-owned company. It has to be efficient. It has to show a profit.

What does it mean to the railway company when it has to show a profit? It means traffic; that freight between the busiest parts of Canada, the economically prosperous parts of Canada such as Quebec City and Montreal, Montreal and Toronto, Montreal and Windsor, perhaps even between Winnipeg and Edmonton or Calgary or Vancouver, as opposed to passenger traffic, must be profitable. However, those several million people who live away from these busy parts of Canada, these prosperous parts of the country, for example, in the Interlake part of Manitoba or in northern Ontario, or eastern Quebec, must not count on the CNR any more. It is like saying, "Don't count on the railways because providing service will cost the company money". Thus one is written off and told to find another way. One is told, "Get a truck or a horse and buggy but do not count on the railways". That is the message which the management of the CNR has gotten from the Government. That is the lesson of how to do these things which it has learned from its friend, the CPR.

Let us look at what has happened. In the City of Moncton the CNR is the major employer, the foundation for whatever

economic well-being Moncton and the surrounding areas have enjoyed. Surely, this giant corporation with revenues of hundreds of millions of dollars a year could spend just a little more to do the maintenance work in Moncton rather than in Montreal or Winnipeg. Surely, a company which was giving some thought and consideration to the well-being of the country would not have made the completely heartless decision to close up the Moncton shops.

I wonder if the President and the members of management of the CNR have ever thought that while they are doing quite well we are living in a period in which the economies of this country, and virtually every other country of the world are changing almost every day in almost revolutionary ways. Let them consider that their sons or daughters had entered the employment market and five or ten years after they establish themselves in whatever area they had chosen, the company just said, "We are closing up shop and there is nothing for you"? Have they ever put themselves in that position? Have they ever considered what is going to happen to the people in Moncton, many of whom have worked for years in the rail shops?

• (1540)

I see the concern of railway workers growing in my City of Winnipeg. We have maintenance shops established by both the CPR and CNR, each of which employs several thousand workers. I could go there tomorrow, take the Minister of Transport (Mr. Crosbie) with me, and meet workers who are second and third generation employees of either the CPR or the CNR.

Until recently, people whose parents or grandparents worked for the railway companies, knew that if they became employed by those companies and did their jobs, they would have a good, well paying and interesting job for the rest of their lives, but these days many people with years of seniority have been laid off, are being laid off and will be laid off. Those who are working there now are not advising their children to look to the railways for employment in the future because they have learned from experience that what we have is a transportation system, which has to be efficient, egged on by the so-called free enterprise system Government whose only interest is the profit and loss balance sheet. To be efficient means to forget about the have-not areas, forget about the people in slow growth areas, be tough, be heartless, be ruthless. I am never going to agree to that and that is why I support this amendment.

[*Translation*]

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, I am pleased to rise in this debate on the amendment to Bill C-18 proposed by my colleague from New Brunswick.

Everyone is aware that Bill C-18 has been introduced to simplify or caricature, no more, no less. This measure paves the way for what is referred to in the transportation sector, especially railway or road transportation, as the law of the jungle, the law of the strongest, which means that the rich and big swallow the small.

We know that the consequences of this policy on the part of the Conservative government are such that major urban centres will not be unduly affected in terms of job losses or lower quality services. Hardest hit will be the remote regions, regions where people are poorer, where corporate structures are not as sound or do not have the same potential as those of major companies.

Mr. Speaker, I would urge the Members of the Conservative Party to think before voting against this motion of my colleague from New Brunswick who, for as long as he has been a Member of Parliament, has never stopped fighting to save the jobs of the railway and maintenance shop workers in his region.

Unfortunately, we have had no results, thanks to the Minister of Transport's incompetence and failure to act, but I hardly think everybody in this Government is as incompetent as the Minister of Transport (Mr. Crosbie). There must be at least a few people with some sensitivity, and the immediate impact of my colleague's amendment would be to give the Minister of Transport—after all, some day we will have a better one who will take his responsibilities seriously—the legal authority to prevent a railway carrier from making profitability, dollars and cents as they say, the only consideration and from saying: It doesn't really pay to provide services to this region, we will abandon those lines. What this does to people and their jobs is not a priority. Because the Government has decided to adopt this attitude and let what I would call the law of the jungle and the worship of the dollar prevail, the people suffer and remote areas are deprived of essential services.

I think the Hon. Member from New Brunswick is to be commended for taking this initiative. He is the sole Member for the Liberal Party in his province, and the only one who has the guts to rise in the House, time and time again, to defend the interests of the entire Province of New Brunswick. Meanwhile, the voices of the Conservative Members of this province are muffled to the point of silence. Midas Muffler must have done a job on them! And with all those companies closing down. The Government can do whatever it wants to harm the interests of this province, but the Conservative Members see no evil, hear no evil and speak no evil.

Mr. Speaker, I hope this time they will finally wake up. They don't have to say anything. All they have to do is rise in their seats and vote in favour of this motion. No one will know.

I am sure that my hon. colleague would be proud to be able to say that in his province, his Conservative colleagues have risen above partisan considerations, that his colleagues from the Conservative Party in New Brunswick have considered the interests of the province, the interests of the people, the interests of workers, and regardless of partisan considerations, have followed the example of our Liberal colleague. But no, Mr. Speaker, I cannot see one of them doing that, we have not heard one of them. What are they all doing?

What my honourable colleague is suggesting would of course help protect jobs in areas like New Brunswick. Even in

Montreal, Mr. Speaker, I know that they are trying—they are all getting uneasy on the Conservative side—I know that they are trying to find a Conservative Member from New Brunswick to come and reply. Anyway, we're going to shake them awake because it takes a Liberal to wake them up, Mr. Speaker. They are all chicken, they are cowards. The time has come to speak out. We have an amendment to save jobs in their province, let them come here and stand up.

They have been elected to represent their constituents. They are going to go out and canvass their ridings to try to be elected again, and they will say: Sir, madam, I would like to go on representing you in Ottawa. But the gentleman or the lady in question will tell them: My good man, my good woman, where were you when the Liberal Member put forward a suggestion to save my job in the transportation sector, where were you? Well, you know, I didn't know, I did not realize. Then they will simply tell him: Beat it, we're no longer voting for you. You had one turn, it is over, go back home, you can stick to your own transportation. Mr. Speaker, it is time for those people to wake up. Look at opinion polls. There is no Rhinoceros Party in New Brunswick, otherwise they would be fifth in the polls. That is what is happening to them in Quebec.

I think it is important, even in the Montreal area where last week I attended a demonstration by 500 workers of such corporations as Bombardier, Canadian Steel Wheel and Laforge. Marine Industries, in Sorel, which used to build railway cars, is now closed, finished. Bombardier will have to lay off 400 employees, and the Bill has not even been adopted. With this Bill, we are selling ourselves, or rather giving ourselves away to the Americans. But what my hon. friend is proposing is to create a mechanism, a tool which would make it possible for the Minister to tell a foreign corporation: Just a moment, this company, in spite of temporary difficulties, must continue to operate. It should be given a break, because it has jobs to save, workers to protect and services to provide. That is what the amendment is saying. It is not seeking to abolish free trade. It is simply looking for a tool.

Perhaps PC Members are well aware that even if the Minister of Transport (Mr. Crosbie) was provided with such a tool, he would not know how to use it. Wake up and think! He will not be Minister of Transport forever. One of these days, a good one will be appointed to this position. It will be one of you. If not, it will be one of us. Such a tool is needed to ensure the protection of regional development.

When we talk about development, we mean more than just a principle: we are thinking about Canadians as well as the business firms which need a high quality transportation service, and all the unemployed who need jobs. That is what the amendement is all about.

As my time is about to expire, Mr. Speaker, I trust that some PC Members will stand up and congratulate my New Brunswick friend. They will congratulate and support him because his amendment is quite reasonable. It is meant to benefit the people of New Brunswick. I am from Quebec, and I know that my fellow Quebecers will benefit from this amendment, even those from the Montreal area. The Government refuses to develop any real railway transportation policy. The Government would rather have CN and CP buy car wheels from Brazil. Have you ever wondered where this Government's philosophy will lead us if it decides to buy from the cheapest source in the world? There will not be any work left for a single solitary Canadian. Of course, there will always be places where you can buy a cheaper equivalent of any product manufactured here. But then, what is the Government of Canada all about? It is there to ensure that its population has a decent standard of living, has services and has jobs. The proposed amendment to this harmful transportation bill will improve and correct some of its shortcomings and will contribute to its intended objectives.

Mr. Speaker, in conclusion I would like to congratulate my colleague from New Brunswick and I would hope that at least one, not five or ten, not even three but one Conservative member from that province will stand up and support the motion. And if that member is afraid that his leader and his whip will punish him and cancel a trip he was counting on, then I suggest that he rise in his place and remain silent so that we know where he stands and so that my colleague can go back to the people of New Brunswick ant tell them that although the Conservative members are obviously not that good, one of them did agree with his proposal, however discreetly.

• (1550)

[*English*]

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, I congratulate the Hon. Member who put this motion forward. Motion No. 5 is certainly well thought out and expresses a concern which for the people of northern Ontario is of great importance.

One thing about which we in northern Ontario are most concerned is regional development. The communities in northern Ontario are primarily based upon the exploitation of resources. All we do is cut or mine a resource, and then it is shipped out.

We have experienced in the past that as a result of the freight rates which are set, resources are shipped out cheaply, but in fact they penalize the north in respect of shipping a finished product to market. It is much cheaper to ship out a raw resource than to ship out a finished product. Furthermore, we have always dreamed, hoped, and prayed, I might say, for regional development. In other words we have hoped that the economies of our communities in northern Ontario would be diversified. There has been much rhetoric around the whole question of diversification of the economies of northern Ontario.

There is no doubt that the key to economic development in northern Ontario must be transportation. We all recognize that the supply of energy is important, but transportation is

the key to the economic development of communities of northern Ontario.

What is the situation at the moment? It is that in fact CNR and CPR have both been abandoning rail lines in northern Ontario. In fact, at least at the present moment, there is the CTC and there must be adequate notification and hearings held in respect of the abandonment of any line in northern Ontario. However, if Bill C-18 is passed, the railways will find themselves free of that hindrance, of that hurdle, of at least the process whereby communities have the right at the moment to make representation to the CTC.

We all have concerns about certain CN subs; for example, the sub between Montreal and Sudbury. I understand that both CN and CP have a list of lines ready to be abandoned the moment proclamation is given to Bill C-18. The boys from CN will put the boots to northern Ontario in respect of these lines. In other words, they will run the line from Montreal, to Ottawa, to Toronto, back up to Sudbury, and west. This means that in the area between Ottawa and Sudbury there will be no line operating other than the line on which VIA will run.

This motion in fact indicates that we must place the economic development of regions first, before any other consideration in respect of rail line service. In part it reads:

> —the Government of Canada and one or more provincial governments jointly decide that any such service or facilities and service is required for the achievement of national or regional, social and economic development objectives—

It gives a role and function to the federal and provincial Governments, but it does not give any voice or any role to the regional Governments or local communities.

We in northern Ontario have our problems with Toronto. If we talk about centralization and rigidity, we have our problems with Toronto. They think that what is good for Toronto must be good for all Ontario. Hopefully the Government of Ontario, with this new-found desire for federal co-operation and co-operative federalism which Mr. Peterson discovered the other day, will start recognizing that the regions in Ontario should be given the same sense of co-operative federalism in the Province of Ontario.

The only quarrel I have with the motion is that in fact it leaves out the input of the regional Governments or local communities.

What we have at the moment is the CN, and I want to speak specifically to that. The motion speaks to that. For example, in the town of Capreol, CNR has 600 employees at the present time. CNR has been making decisions in respect of that workforce. It has been making decisions in respect of train dispatching and crew dispatching. It has been cutting away at the workforce in Capreol. It is moving out the workforce. There are no consultations with the community. There are no consultations with the people in the community. There are no consultations with the workers affected. Simply a decision is made somewhere in the regional office or somewhere in the main office in Montreal. Lo and behold we now find crew dispatchers in Toronto.

• (1600)

What do the crew dispatchers do in Capreol? They call the workers and tell them when the trains are going out. They call a guy who lives on Hannah Street in Capreol and say train number so and so is going out tonight. They took those crew dispatchers and moved them to Toronto. I want to ask you to think about that for a moment, Mr. Speaker. What do the crew dispatchers do in Toronto? They phone to Capreol and tell the guy on Hannah Street that the train is going out. We understand that it costs $30,000 in long distance phone calls a month to phone guys in Toronto from Capreol that trains are going out or that trains are going out west, east, north or south.

They say that that provides economy to the company. The company is saving money. How is that saving money? We asked the company to lay the figures and the facts before the people. We asked them to justify this decision. The CN literally told the people that it was none of their business but the people are the ones who own the CNR, and the taxpayers were told that the decisions that they make that affect them adversely are none of their business. We have a company which, with the acquiescence and permission of this Government is acting in a way that we condemned Inco Falconbridge in the past for doing. They are acting without any accountability to the people who through the support of their taxes built this railway company.

I have no problem supporting this motion, even though I would like to see some controls by the region. I will vote for this motion when it comes to a vote because it really addresses the concerns of the communities that I represent in northern Ontario.

[*Translation*]

Mr. Deputy Speaker: Is the House ready for the question?

Some Hon. Members: Question!

Mr. Deputy Speaker: The vote is on motion No. 5, under the name of the Hon. Member for Westmorland—Kent (Mr. Robichaud). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: It my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Mr. Deputy Speaker: It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: The Hon. Member for Kenora—Rainy River (Mr. Parry) Agriculture—Production of Ethanol from grain. (b) Possible alternative market for grain; the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart)—Social Security—Tax reform—The Elderly—Government position. (b) Income tax—The Elderly, Government position; The Hon. Member for York East (Mr. Redway)—Administration of Justice—Public Faith and confidence—Request for changes to parole system.

GOVERNMENT ORDERS

[*English*]

NATIONAL TRANSPORTATION ACT, 1986

MEASURE TO ENACT

The House resumed consideration of Bill C-18, an Act respecting national transportation, as reported (with amendments) from the Standing Committee on Transport.

Mr. Deputy Speaker: The next motion will be Motion No. 9 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

Mr. Les Benjamin (Regina West) moved:

Motion No. 9

That Bill C-18, be amended in Clause 3 by striking out line 36 at page 2 and substituting the following therefor:

"so far as practicable, and with consideration to duties performed in the public interest, bears a fair propor-"

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, the purpose of the motion moved by my colleague and seconded by myself is to provide some fairness. The clause reads, as it exists in the Bill:

(c) each carrier or mode of transportation so far as practicable bears a fair proportion—

Mr. Deputy Speaker: Order, please. I regret to interrupt the Hon. Member. The motion has been moved by the Hon. Member for Regina West (Mr. Benjamin). The Member should realize that if he does not speak now he cannot speak.

Mr. Benjamin: That is right, Mr. Speaker.

Mr. Angus: We worked that out ahead of time, Mr. Speaker.

One of the things we are trying to do is to make sure that we are fair and reasonable in handling this Bill. The points that we want on record we will put on the record, but we will not do so at great length. I will be the only speaker from my Party on this motion.

Let me read the existing clause and then point out the changes:

(e) each carrier or mode of transportation, so far as practicable, bears a fair proportion of the real costs of the resources, facilities and services provided to that carrier or mode of transportation at public expense—

Although the Order Paper that I have in front of me has a different version of the amendment, what we are adding is that no single carrier or mode of transportation will bear, so far as practicable, a greater proportion of the real cost of the resources, facilities and services provided to that carrier or mode at public expense than any other single carrier or mode of transportation is required to bear.

As some Members of this House know, we had a very long fight over another piece of legislation, namely, Bill C-75. Clause 4 of that Bill gave the Government of Canada the authority to impose user fees for Coast Guard services. We fought that clause and we won. The Government eventually dropped that clause, and the Government is now consulting with the industry.

One of the things we learned during the course of the debate and the research that was done by Members of this House and by interested groups is that clearly there was not a balance out there. We had, for example, in one particular year on the Great Lakes—St. Lawrence Seaway 75 per cent cost recovery. In other words, the users of those government services, whether port facilities, the Seaway, pilotage or whatever, paid for 75 per cent of those costs. On the other hand, we are told that in air transportation only 40 per cent of the cost of the government services provided to air users is recovered in the form of user fees.

Very simply, what we want to do is to ensure that there is balance, that no one sector is forced to pay more than any other, even if it means a full examination of the whole question of cost recovery and the methods used. But we on this side of the House feel it is important, if we are to prevent unfair competition between modes, that we as a Parliament of Canada and as the Government ensure that there is fairness.

I am sure there are those on the other side of the House who would argue, "Yes, we will do it, 100 per cent for everybody". But that kind of thinking has no bearing on reality. Members know that those sectors cannot afford a 100 per cent cost recovery.

Add to that the comparison between the trucking industry, using national highways, provincial highways paid for by public expenditures—yes, with some cost recovery through

gasoline taxes—and the railroads who own their own roadbeds and are forced to pay for that cost. On the other hand railways do get substantial sums of money from the federal coffers to provide services that Parliament has deemed to be appropriate.

• (1610)

I would encourage my colleagues on the other side of the House to give serious consideration to this amendment which would provide fairness and to support it. Those are my comments on this motion.

[*Translation*]

Mr. Fernand Robichaud (Westmorland—Kent): Mr. Speaker, I rise simply to support the motion put forward by my colleague for Regina West (Mr. Benjamin).

In keeping with the spirit of good will and co-operation that pervades the discussion of the Bill, I will simply express my support for the motion.

[*English*]

Mr. Deputy Speaker: Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: The question is on Motion No. 9 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

The next motion to be dealt with is Motion No. 12 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

Mr. Les Benjamin (Regina West) moved:

Motion No. 12.

That Bill C-18, be amended by deleting Clause 8.

He said: Mr. Speaker, Motion No. 12 moves that Clause 8 be deleted from the Bill. If my colleagues will read Clause 8, they will note that it allows for the appointment of temporary members to the new transportation agency on terms and conditions laid out by the Governor in Council, and any temporary member so appointed shall carry out such duties as may be assigned, and the next paragraph says that there will be not more than six of them.

The only reason temporary members of the agency should be appointed is to fill a vacancy. If a commissioner of the agency becomes ill or must take an extended leave of absence, it would be justifiable to appoint a temporary member to fill that vacant position, even if it is only for a few months or a few weeks. However, to simply be able to appoint six temporary members in addition to those already appointed for a three, five or seven-year term smacks to me of a way of giving handouts to friends. More seriously, it raises the spectre of having six temporary members appointed in order to stack the deck for special purposes. In a particular issue in a particular part of the country, six temporary members may be appointed, all of whom are known to be on one side or the other of the issue, to hear about it and make a judgment on it. I am not suggesting that the Government would do that, but the fact that the possibility exists should cause everyone to have second thoughts about that clause.

The clause is entirely unnecessary. The Governor in Council may appoint people to fill vacancies in any event without this clause being in the Bill. I submit that the provision is very risky and is fraught with danger. It leaves the Government open to a criticism and suspicion that could turn out to be well justified. I submit that at this time, the Government does not need any more of that. Whether the criticism is justified or not, why would the Government deliberately leave itself open to that kind of suspicion? I would urge that government Members agree that the clause be withdrawn because it is unnecessary.

Mr. Deputy Speaker: Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: The question is on Motion No. 12 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

The next motion to be dealt with is Motion No. 14 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

Mr. Les Benjamin (Regina West) moved:

Motion No. 14.

That Bill C-18, be amended in Clause 15 by striking out line 20 at page 7 and substituting the following therefor:

"Agency, including an adequate number of inspectors for each mode of transportation, which would be tied to the volume of traffic in each mode, shall be appointed in accordance".

He said: Mr. Speaker, one of the items that came up most frequently when the committee travelled to hear submissions on the White Paper entitled *Freedom to Move*, and when it held hearings on the legislation, was the question of the adequacy of the inspection services in all modes of transportation. That question came from people in the trucking industry, from forwarders and receivers of other modes of transportation, from a number of trade unions and even from many corporations. In fact, either the Canadian Manufacturers' Association or the Canadian Chamber of Commerce called for a substantial improvement and increase in the capacity of government agencies to carry out inspections to ensure the adequacy, safety and security of the various modes of transportation.

As the Bill reads now, there can be the appointment of a secretary and such other officers and employees as are necessary for the proper conduct of the business of the agency, and these employees shall be appointed in accordance with the Public Service Employment Act. This amendment adds after the word "Agency" the following:

—including an adequate number of inspectors for each mode of transportation, which would be tied to the volume of traffic in each mode, shall be appointed in accordance—

It is in accordance with the Public Service Employment Act. That motion would answer the request of literally dozens and dozens of witnesses who appeared before the committee, and would meet the desires of the transporters themselves.

• (1620)

I remember an officer of a major trucking company telling me there had not been a provincial or federal government inspector around his trucks or in his shops for over five years. He wants them to come in and examine his facilities, equipment and employees to see how well qualified they are. He wants them to examine his maintenance practices and procedures in case they are insufficient because he wants to know about it. He says safety not only comes first, safety pays. Even when safety costs money it pays off. When a senior officer of a major trucking company says he wants a government inspector to come and examine his premises and practices on a frequent basis, he also wants that to apply to everyone. That particular trucking company has an excellent record and reputation. It has first-class mechanics and maintenance schedules. It does not cut corners. However, what gives that reputable company a bad name is the fly-by-nighter who does not have mechanics or facilities. Those companies do not carry out proper and frequent maintenance of their equipment and vehicles. They are the ones that cause trouble for the entire industry. Most of this is because the Government has not had the capacity to carry out the kind and frequency of inspections that need to be carried out and for which the industry itself is asking.

It is false economy to try and hold down government expenditures in this way. The Government has said there will be no compromise on safety, so I am sure this amendment will help the Government live up to that commitment. There has been a modest increase of a few inspectors in two or three years but not anywhere near sufficient, whether it be for the air mode, trucking or rail. In fact, if I recall correctly, 17 rail inspectors had to worry about an area covering 10,000 miles of track and tens of thousands of items of rolling stock and locomotives. There is no way that many people can handle that large a territory in an adequate manner. It is not the inspector's fault and it is not the railroad's fault. It is the fact that we have not provided a sufficient quantity of qualified people to carry out those inspections and enforce the regulations and the law regarding maintenance and safety practices. Surely that is one of the prime requisites in national transportation legislation and a stated objective of the Government. Because that is true, I expect that the Government will find this motion to be most welcome.

[*Translation*]

Mr. Fernand Robichaud (Westmorland—Kent): Mr. Speaker, if the House decided to accept the motion put forward by the Hon. Member for Regina West (Mr. Benjamin), Clause 15 as amended would in fact read as follows:

15. The secretary of the Agency and such other officers and employees as are necessary for the proper conduct of the business of the Agency, including an adequate number of inspectors for each mode of transportation, which would be tied to the volume of traffic in each mode, shall be appointed in accordance with the Act.

Of course, the motion addresses the need for safety in all modes of transport. During the hearings we held across Canada on the Bill, many people came and expressed their concern for safety.

Mr. Speaker, we must appreciate that this Bill opens up new frontiers—as it were—with respect to transportation. This is something new for Canada and, more to the point, it is coming at us fast. We have no experience with deregulation, we can only go by what is happening in the United States, or what has happened in the United States. And if we are to believe the evidence given by people who appeared at the hearings, we can conclude that the United States are experiencing certain safety problems.

So the rationale behind this amendment moved by my colleague is that we would be sure there are inspectors or enough personnel to carry out the necessary inspections. Mr. Speaker, this does not mean that the minute Bill C-18 is proclaimed there will be a mad rush to hire all kinds of people here and there.

Quite simply the motion would ensure that there is enough personnel to maintain safety in all modes of transportation. Mr. Speaker, I urge all Members to support this motion.

[*English*]

Mr. Deputy Speaker: Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: The question is on Motion No. 14 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion, the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 114(11), a recorded division on the proposed motion stands deferred.

The next motion is number 15.

Mr. Les Benjamin (Regina West) moved:

Motion No. 15

That Bill C-18, be amended in Clause 19 by adding immediately after line 19 at page 8 the following:

"(2) The Agency may also ensure that ongoing independent research is conducted with respect to Canada's transportation policy and the effectiveness of that policy relative to the public interest."

He said: Mr. Speaker, Clause 19 of the Bill says:

"The Agency may appoint and, subject to any Treasury Board directive in relation thereto, fix the remuneration of experts or persons having technical or special knowledge to assist the Agency in an advisory capacity in respect of any matter before the Agency.

One of the things that is perfectly apparent is that it is the Government's intention to almost totally gut the research capacity of the Canadian Transport Commission. I suppose that might make it a juicy deal for people who obtain contracts as consultants, with fees more expensive than the cost of having your own research capacity.

• (1630)

The amendment asks, still subject to a Treasury Board directive which means that there will be no call for an additional expenditure, that:

"The Agency may also ensure that ongoing independent research is conducted with respect to Canada's transportation policy and the effectiveness of that policy relative to the public interest".

That must be done continually. It will be part of the annual and five-year reviews of the effectiveness of this legislation or portions of it. We think it would be a false economy not to maintain in the agency or attached to the agency an independent research capacity on a continuing basis to take instructions from the agency with regard to the kind of information it needs to have researched and reported on.

I hope the Government will reconsider and accept this motion in the way in which it is presented. It is an attempt to be helpful, to make a bad Bill less bad, and to ensure that the Government and the transportation agency have the proper resources to do a good job.

[*Translation*]

Mr. Robichaud: Mr. Speaker, again I should like to support this amendment proposed by my colleague from Regina West (Mr. Benjamin) which provides that:

The Agency may also ensure that ongoing independent research is conducted with respect to Canada's transportation policy and the effectiveness of that policy relative to the public interest.

I think this is self-explanatory. As I pointed our earlier, it is clear enough that we are rushing towards deregulation. The change is proceeding at a rapid pace and, if we are to see and appreciate just what this new initiative entails, we ought to have independent research facilities to be in a position to assess the impact of this new legislation and find out how it can be effective with respect to the public interest.

[*English*]

Mr. Deputy Speaker: Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: The question is on Motion No. 15 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

The next motions to be debated are Motions Nos. 16, 17 and 50.

Mr. Les Benjamin (Regina West) moved:

Motion No. 16

That Bill C-18, be amended in Clause 22 by striking out line 14 at page 9 and substituting the following therefor:

"al of Parliament, make rules".

Motion No. 17

That Bill C-18, be amended in Clause 23 by striking out line 13 at page 10 and substituting the following therefor:

"23.(1) Parliament may, at".

Motion No. 50

That Bill C-18, be amended in Clause 85 by striking out lines 8 and 9 at page 39 and substituting the following therefor:

"such terms and conditions as the Agency may approve, provide the assistance".

He said: Mr. Speaker, the intent of these amendments is to require the agency, when it has set its rules and regulations, to return to Parliament with them, and that they be subject to the approval of Parliament which, I expect, would refer them to the Standing Committee on Transport. This would give Parliament some say in the manner in which the agency sets its procedures. It would make Parliament, with the Government, a source of policy direction for the agency.

With regard to Motion No. 50, some of the procedures and regulations of the agency will require a transporter, be it a trucking company, airline or railroad, to continue to provide a service for the public good, convenience and necessity. From time to time this may mean that subsidies will be required or at least will have to be available. This amendment would replace the Governor in Council with the agency as the one able to set the terms and conditions of such financial assistance.

In earlier amendments we proposed that once the agency has drafted its regulations, procedures, and the directions of its work, it should bring those to Parliament for approval. In that way members of this House and the standing committee can examine them and rule upon their adequacy or otherwise.

For many decades the old Board of Transport Commissioners and the Canadian Transport Commission operated too much under a veil of secrecy. Much of what they were doing was known only to them and the Governor in Council and one had a heck of a time finding out what was being done, how it was being done, and why. One had to go through a lot of red tape. In fact, you sometimes had to cut the red tape lengthwise in order to find out what was going on.

These amendments make a new national transportation agency more responsible to the public through Parliament and place it more in the public eye which means that it will be more accountable. Members of this place and members of the standing committee will have some important input with regard to how it functions and what kinds of regulations it has. I think that is overdue as a result of the experience we have had in transportation since the late 1800s.

I hope the Government will seriously consider this as a new and innovative way in which to give the public maximum and direct access to the agency through their elected representatives. They should be made aware of the way in which it functions and how well it functions. It should be responsive and respond quicker than it has in the past. This is a marked difference from previous practice. We consider it innovative, new, and useful in the new regime the Government wishes to establish under this legislation. We hope it will agree to those three amendments.

• (1640)

Mr. Deputy Speaker: Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: The question will be on Motion No. 16 standing in the name of the Hon. Member for Regina West (Mr. Benjamin), the result of which will apply to Motion No. 17. Is it the please of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion, the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

Mr. Murphy: Mr. Speaker, I rise on a point of order. I believe it is very evident in the present situation where you are hearing yeas and nays, that many of the nays are coming from behind the curtain.

Some Hon. Members: Oh, oh!

Mr. Angus: I was inside the curtain.

Mr. Murphy: I believe that if we have to vote in the House, it would be appropriate if Members were actually in the House. I suggest that if people are actually voting on motions that are before the House—and we are making every effort to move these amendments with due haste—that the people who wish to vote against these motions should at least have the courtesy to be in the House.

Mr. Angus: Mr. Speaker, I rise on a point of order. I want to make it very clear that when you were asking for the yeas and nays I was not behind the curtains. I did not participate in that. I came in to rise to call for a division. I want to assure those Members that we on this side are not doing something of which we are accusing them.

Mr. Deputy Speaker: I am sure that the House takes note of the very appropriate comment made by the Member for Churchill (Mr. Murphy).

The question is on Motion No. 50 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion, the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

Mr. Les Benjamin (Regina West) moved:

Motion No. 19:

That Bill C-18, be amended in Clause 35 by adding immediately line 40 at page 14 the following:

"(8) The Agency may amend, suspend, or terminate any licence or operating authority issued under this Act, when satisfied that the holder of such a licence or operating authority has not complied or has refused to comply with the spirit and intent of section 3(1)(a) of this Act.

He said: Mr. Speaker, this amendment would refer to the clauses on safety and the spirit of safety standards, to give teeth to the clause and allow the agency to make an assessment of the carrier's likelihood or indeed ability to operate safely.

We realize that some of the safety standards are the responsibility of Transport Canada, but we believe the agency, which has the powers to issue, amend, suspend, or cancel licences to carriers, should have some responsibility in the area of safe operations.

In order for the agency to make a more rapid decision as to whether or not a carrier is operating safely, or is even able to operate safely, it must have the staff to make those assessments in various parts of the country, as well as have the capacity to reach a conclusion and take action with respect to the safe operations of that particular carrier.

We believe this is a proper role for and duty of the new transportation agency. Such a responsibility should not rest only with a handful of people somewhere in the nether regions of the Department of Transport. I am not convinced that the experience until now has been very good or thorough in terms of safe operating practices, or even if new carriers are able to operate safely, with adequate financing, equipment and adequately trained employees. These are standards that should be a condition of licencing.

The agency should have sufficient employees to report in this area so that it can better judge whether or not a licence should be issued, amended, suspended or cancelled. I hope the Government will agree to Motion No. 19.

[*Translation*]

Mr. Fernand Robichaud (Westmorland—Kent): Mr. Speaker, to repeat what was said by the Hon. Member who just spoke, Clause 35 defines or gives certain powers to the Agency. To those powers, the Hon. Member would like to add the following paragraph (8) which says that the Agency may amend, suspend, or terminate any licence or operating authority issued under this Act, when satisfied that the holder of such a licence or operating authority has not complied or has refused to comply with the spirit and intent of Section 3(1)(a) of this Act. In fact, Clause 3(1)(a) of the Bill as it now stands says that the National Transportation System should meet the highest possible safety standards.

So if we look at both paragraph (8) of Clause 35 and Clause 3(1)(a), we see how sensible this amendment is, because here again, Mr. Speaker, it is a matter of protecting the safety of Canadians, and if in this whole deregulation exercise that will soon be upon us, we do not give safety the attention it deserves, we may be in for some nasty surprises. None of us wants to get up one fine morning and read about a serious accident with loss of life that happened because somebody, somewhere failed to monitor the safety of our transportation system. Mr. Speaker, here we have an opportunity to show how serious we take the whole subject of safety. Throughout the process of considering this Bill, the Minister and his officials told us, time and time again, that the safety of the public was first and foremost in their minds. Now they have a chance to prove they were sincere about their dedication to the safety of Canadians.

I think Hon. Members here in the House and behind the curtains would do well to read this motion carefully and give it their full support, to keep safety a priority throughout our transportation system.

• (1650)

[*English*]

Mr. Deputy Speaker: Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: The question is on Motion No. 19 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

Mr. Les Benjamin (Regina West) moved:

Motion No. 20

That Bill C-18, be amended in Clause 36 by striking out line 1 at page 15 and substituting the following therefor:

"(2) At any proceeding of the Agency for the".

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, first, I want to indicate that the purpose of this amendment is to provide the agency with some flexibility. The current word in the Act is "hearing". We are proposing to replace it with the word "proceeding". This may seem like a moot point to some, but a number of witnesses who appeared before the committee during our hearings into Bill C-18 felt that the word "hearing" was too prominent and that it restricted the agency from having other less formal methods of doing business. In this case the change would guarantee the right of special interest groups to make representations at a proceeding.

Clearly, when we look at the role of the agency, as well as other quasi-judicial bodies which we all have encountered over the years, we see that some are very formal. Some have very strict rules with respect to who can participate and to what degree. This amendment would change the intent and the focus. It would give some flexibility to the situation.

For example, with respect to a rail line abandonment, instead of the formal hearings that we have experienced with the CTC over the years being held where there is legal counsel and the right to cross-examine perhaps there could be town hall meetings. The agency could go out into western Canada, or out into the area between Ottawa and Sudbury, or to the Eastern Townships, Moncton or Atlantic Canada and hold informal information gathering sessions in order to get a feel for the issue. The agency could get a feel for what the abandonment of a particular line would mean to the people who live beside it and depend upon it without those people having to go through the very trying process of sitting down and putting together a brief, a document, that will be tested. By doing this we would open up the process.

If this amendment were to be accepted we would open up the process to the people of Canada. In this way we would no longer have to rely on lawyers or lobbyists who perform this work on a full-time basis. In this way the ordinary man and woman could participate in the process and feel as if someone is listening to them.

One of my beliefs is that too often decisions are made by Parliament, by Cabinet, by legislatures, for valid reasons. There are also decisions made by private corporations for valid reasons. But the people who are affected by them have no ownership with respect to the results. They may bear the brunt of the results but they certainly do not feel as if they were part and parcel of arriving at them.

If I can use an example—

Mr. Thacker: We will agree to this one.

Mr. Angus: Given a comment I have just heard I think I should sit down and see what happens, Mr. Speaker.

Mr. Thacker: Mr. Speaker, we are almost at the close of today's proceedings. Because of the progress we have made and the cogency of arguments with respect to Motion No. 20 the Government will agree to this motion.

Mr. Deputy Speaker: The question is on Motion No. 20 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

Mr. Deputy Speaker: Shall I call it five o'clock?

Some Hon. Members: Agreed.

Mr. Deputy Speaker: It being five o'clock, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--PUBLIC BILLS

[*English*]

PARITY PRICES FOR FARM PRODUCTS ACT

MEASURE TO ENACT

The House resumed from Tuesday, April 7, consideration of the motion of Mr. Nystrom that Bill C-221, an Act respecting parity prices for farm products, be read the second time and referred to a legislative committee.

Mr. Murray Dorin (Edmonton West): Mr. Speaker, the Bill before us today as presented by the Hon. Member for Yorkton—Melville (Mr. Nystrom) offers perhaps the clearest display of New Democratic economic policy and socialist philosophy that we have currently before the House, or in anything that that Party has presented.

The essence of the Bill is to provide a return or a price to farmers essentially to cover their costs, plus a reasonable profit. On first blush that seems like a pretty sound idea and something that all of us would like to see. However, if we wish

to take the matter a little further we must ask this question. What does a reasonable profit really mean? I suppose it means that farmers would recover the costs of doing business, a reasonable return on their labour and a reasonable return on their capital. Again, that sounds all right on first blush. One could say, "Well, why should we not go ahead and do something like that?"

I think we must examine the issue a little more closely. One of the first things one will have to decide in establishing what is a reasonable profit, or in fact what are the costs, is who will determine them. The NDP has a fairly ready solution for this. Presumably some bureaucrats employed by the Government of Canada, some civil servants, perhaps here in Ottawa—there is lots of empty office space and I am sure we can fill it up with some people—can try to determine what costs, plus a reasonable profit, a farmer should receive.

• (1700)

I am an accountant and I know that in normal day-to-day business dealings the profit is the difference between costs and revenue. Therefore, if we are going to make some adjustment to profit, whether or not we can define what a reasonable profit is, we are going to affect either the costs or the revenue. This is presumably what the civil servants would have to decide. How would they go about that?

I suppose, first of all, they would have to take a look at input costs. They would say, for instance, this farmer over here with this size of farm should have that size of tractor because any other tractor is too big. They might decide that the farmer should use only diesel fuel or gasoline. The net result would have us moving in the direction of having bureaucrats, or some board or agency of the Government, making the decisions farmers currently make for themselves. In essence, farmers would be an extension of the arm of the Government as well because, presumably, they will not have to make decisions any more. They will have their costs covered, receive a reasonable profit and simply go about their day-to-day business.

On the other hand, the bureaucrats might wonder what they are going to do about prices because, of course, that affects the farmer's revenue. I suppose we could set up some kind of mechanism for deciding what the price should be and then controlling it. Let us consider what we would have to do to control costs and prices.

I should point out that members of the New Democratic Party have a solution for that problem. They suggest, in order to control costs, taking into public ownership of some existing farm supply retail operations, farm machinery assembly plants, meat-packing plants and canneries. This presumably would allow the Government, by owning the suppliers of farmers, perhaps the gasoline dealers and service repair shops, and so on, the ability to control the costs of the farmers. I am not so sure what the people in those businesses might think about having the Government take them over. However, that presumably would achieve what this Bill seeks to do.

What about prices? How are we going to deliver an effective price or set a price? Presumably some bureaucrats would determine what that would be and that price would be set. But because the buyers of agricultural products today are various processing plants, those people who take those products and make them into foodstuffs, namely the agri-food industry, there would have to be some control in that area as well.

Again members of the New Democratic Party have a solution. Their official Party policy espouses the establishment of industrial plants to be co-operatively or publicly owned for the processing of food and the manufacture of farm supply items in the region of production.

That seems to have it pretty well covered. We have the input costs controlled because the Government has taken over the retail outlets and the facilities which supply farmers. We have the prices controlled because the Government has now taken over the processing plants which buy the product.

But what is the next step? What if the farmer all of a sudden starts making too much profit? I suppose the New Democratic Party has an answer for that. What if there is over-production? I have a letter from the Canadian Cattlemen's Association which makes the following comment, and I quote:

> Let us assume for one mad moment that parity pricing were the option of choice. Canadian agriculture earns 50% of its gross farm income in export markets. Who will buy our products at the parity price? Obviously, the answer is no one so long as other nations are prepared to meet the market. Then who will pay to make up the difference? Surely not the farmer. After struggling to achieve parity pricing, he is not about to give half of it back to move half of his product into world markets. And, if the Government pays the bill, how long will we avoid a successful countervail challenge?
>
> The entire idea of parity pricing distills down to nonsense. It is not remotely a viable policy option for Canadian agriculture. It is, in fact, a cruel hoax upon the desperate hopes and aspirations of many financially distressed farmers.

The letter goes on to state:

> With or without public support, commodities will not sell above a price determined in the market place. Obviously, therefore, some surplus product would have to be taken off the market and stored—until the market improved. If the market did not improve, these stored products would accumulate to overhang the market much as they do now within the EEC.

In an effort to resolve that problem, the provincial Member of Parliament from the riding of Timiskaming has a solution. He suggests that we formulate a strategy to take some of the land out of production and to control the size of farms.

I would like to respond by quoting again the official Party policy of the New Democratic Party. Their resolutions book is dated November 1986, which makes it six months old and both the resolutions I read earlier were from that book. The New Democratic Party stands behind these resolutions. These are constitutional resolutions and the NDP must put those resolutions into government policy if it every forms the Government. The Leader of the New Democratic Party has said many times that he stands behind these resolutions.

The resolution reads, "The Party espouses the establishment of a public commission to determine a formula for farm unit size on a regional basis". The New Democratic Party has now

decided that in order to control the production—and we acknowledge that no controls on production and complete covering of costs would create a problem of surpluses which we cannot sell on the international market—we should set the size of the farms. If there was too much profit, obviously the Government could take a look and say, "Well, there is really too much profit here so we will set the size of the farm".

I think we only have to consider the implications for extending this proposal to other small businesses, such as suppliers, purchasers of farm products and, indeed, any small business in the country, to know how ludicrous this policy would be. Can you imagine, Mr. Speaker, every restaurant in my riding saying they should get a reasonable profit to cover their costs? Can you imagine every corner store, every retail service station saying the same thing? I think once we start down this road, once we accept this kind of philosophy, it will lead us to the socialism which all of us on this side of the House are trying to keep from happening.

Mr. Rod Murphy (Churchill): Mr. Speaker, it was interesting to hear the previous Conservative Member speaking against this Bill. I would like to say, as one of the members of the New Democratic Party, that I support the Bill. I do not have a large number of farmers in my riding, but we do have farmers who understand the problems all farmers are facing at the present time. They are in a situation where their costs are not being covered by the price of their commodities.

• (1710)

This Bill is trying to establish a mechanism so that farmers are indeed reimbursed for at least the cost of production and obviously have a reasonable profit. When Conservative Members rise, as did the previous Conservative Member, and rant and rave and claim that the Bill is impractical, they ignore the situation which exists for many other farm products. For example, the dairy, chicken, and turkey industries already have this type of system. It is not unreasonable to believe that farmers across the country should have some guarantee that their costs will be covered and that they will have a reasonable rate of return for the work in which they are involved.

I have heard Hon. Members speak against this Bill. They somehow think it is radical, yet it happens in other agricultural industries. They ignore what is really happening. In addition, they ignore the fact that almost every other industry is in a position to ensure that it has an adequate rate of return.

Certainly there are bankruptcies in some industries; certainly some industries go under. However, farmers who are unprotected at the present time need something to ensure that they have an adequate income. The only way that will happen is if the House of Commons passes some legislation which provides it.

Farmers have no control over what the American Congress does. They have no control over what happens in Europe. However, they expect the people they elect to the House of Commons from Alberta, Saskatchewan, Manitoba, and other provinces to rise and to represent their interests.

The Conservative Member who spoke prior to me said that the Bill would just provoke a reaction from the United States, a countervail reaction or something of that nature. The truth is that the Americans have subsidized their farmers for many years. The truth is that the Europeans have heavily subsidized their farmers for many, many years.

We regret the fact that Canadian farmers need subsidies at this time, but we know that it is true. The Government itself recognized that during the Saskatchewan election when it finally came up with $1 billion after a very long period of time and gave it to farmers. Rather than reacting to every emergency which comes along, usually during a provincial election, the Bill is looking for an orderly manner by which the farmers will know what will happen to them. Then we would not have the situation where the Prime Minister (Mr. Mulroney) receives a panic telephone call from the Premier of Saskatchewan—and I believe it was at five o'clock in the morning—saying, "Please help me. The polls are bad. Let's do something for farmers. Let's find a billion dollars. I don't care how you give it to them. I don't care if you spread the money out. I really don't care if they ever see the money, but make sure you make that announcement". That is not the way to do things. Farmers do not appreciate it.

They got part of the money so far and hopefully they will get the rest of the money soon, although we do not know when. However, we are now approaching the next crop year and again farmers do not know what will happen.

We have asked repeated questions of the Prime Minister, the Minister of Agriculture (Mr. Wise), and the Minister of State for Canadian Wheat Board (Mr. Mayer), trying to find out for farmers of western Canada and farmers of other parts of the land what the position of the Government will be for the upcoming crop year. We have been unable to obtain a straight answer on it. There is an indication that something will probably come. We do not know what, how much, what for, or when. In the meantime, farmers are out there right now planting their crops and making plans, and they do not know what the Government will do.

The legislation before us presented by the Hon. Member for Yorkton—Melville (Mr. Nystrom) tries to get rid of the very crude and politically involved system which we have at the present time. It tries to institute a policy whereby farmers of the land know that the Government and Parliament of Canada support them and how much money they can reasonably expect to make this year so that they can make plans with regard to their crops and other things. The Bill does not only deal with wheat, it deals with other commodities as well.

I have talked about the problems of farmers. I have talked about the impractical way in which we deal with our problems at this time. I have talked about the fact that they have been given $1 billion but they do not know what is happening next. Let me now explain why the Bill is necessary.

In 1981-82 the Canadian Wheat Board paid $199.62 per tonne for top grade wheat. In 1982-83, it went down to $192.43 per tonne. In 1983-84, it was $193.98 per tonne. By 1984-85, it was $186.37; by 1985-86, $160.00; and by 1986-87, $130 per tonne; 1987-88, it is $110 per tonne, but it may go up because that is the initial price.

However, the situation is that in that six-year period the price of top grade wheat has been cut in half. We have some expectation that the price may drop even further in the future.

It is very important that we have some legislation in place. It is also very important that we in the House move to support legislation in order that we can do something for Canadian farmers. To those Conservatives who have expressed concern that if we pass this Bill we will be passing a piece of NDP policy which will somehow get them in trouble with their right wing friends, let me remind them that in 1984 Parliament allowed the Bill to go to committee. In 1985, with the Conservative majority in the House, Parliament again let the Bill go to committee. Obviously there is a very drastic, continuing, and increasing need for some type of support system for farmers.

I urge Hon. Members of the House in all Parties to rise when there is a vote to ensure that the Bill goes to committee, so that farmers can appear before the committee and Conservative Members can make any amendments they feel necessary. Then we would have improved legislation for the House of Commons to pass.

As I mentioned earlier, protection has already been provided to some farmers involved in the dairy, chicken, and turkey industries. We are saying that that system is working very satisfactorily in those areas. It should be expanded so that farmers, like so many of us, can know what will be their incomes in a year and have some sense of economic security and economic stability and some sense that the family farm can survive.

[*Translation*]

Mr. Marc Ferland (Portneuf): Mr. Speaker, I am pleased to take part in the debate on Bill C-221. However, I am somewhat disenchanted at the lack of participation of the Liberal Opposition on agricultural issues. This surely demonstrates the level of interest they have always had for agriculture.

Mr. Speaker, a progressive agricultural industry and a reasonable return on invested labour . . .

Mr. Rossi: I rise on a point of order, Mr. Speaker.

Mr. Deputy Speaker: The Hon. Member for Bourassa (Mr. Rossi) on a point of order.

Mr. Rossi: Mr. Speaker, when the Hon. Member for Portneuf (Mr. Ferland) is absent—which is quite often the case—no one comments on his absence. There is, I believe, a rule in this House which states that when mention is made of an Hon. Member on either side of the House, mention is made neither of his absence nor of his presence.

I would therefore ask the Hon. Member for Portneuf to show the same respect for other Hon. Members as that shown towards him when he is not present, which is quite often the case.

Mr. Deputy Speaker: The Hon. Member for Portneuf (Mr. Ferland) on debate.

Mr. Ferland: Mr. Speaker, I realize now that the Hon. Member for Bourassa (Mr. Rossi) did not understand what I meant. When I referred to the absence of Liberal Members, I did not mean to say that they were absent from the House. I meant something quite different. I meant that Liberal Members have failed to take part in this debate. Please listen carefully to what I have to say.

We should consider the negative effects a parity prices system could have on our farmers and the Canadian economy generally.

The notion of parity prices could do more harm than good for many reasons.

When prices are based on production costs, it is necessary to take into account the technological and agricultural innovations, which, through a more effective balancing of the various input costs, can result in lower costs and a regular decrease in the price of goods.

The production costs, however, are difficult to determine. It is necessary to distinguish between the costs for which disbursements must be made and such other factors as the fair reward for the farmer's work and investments, the value of which is difficult to assess precisely. They can be estimated, as they are already in some industries, but it is a delicate point on which people may hold different views.

If production costs were higher than market prices, a contingency or supply management system would be necessary for every type of farm product. One should not think about introducing a pricing system without having the means to limit the supply or dispose of the surpluses outside regular markets.

Canada is an exporting country and we depend on our export markets. These account for nearly half of our net farm income. Our production must be competitive on foreign markets.

If, on the one hand, the price of a product were set too high, we would have, on the other hand, to control the increase in imports which would certainly occur. But mainly, we could no longer export because our products probably would be too expensive on international markets. Our competitive position would then be jeopardized.

In order to remain on those markets, we would have to provide for export subsidies, and certainly our trade partners would react strongly. Canada would be accused of selling below cost or dumping. This of course would help isolate us from the global trade context and would have a disastrous impact not only on agriculture but the whole Canadian economy.

Unfortunately, the United States and the European Economic Community are engaged in a subsidy war, and Canadian producers are the unfortunate victims. Because of pressures abroad, prices for grain and oil seeds crops are down at least 20 to 25 per cent from last year. And probably they will not increase until market conditions have improved.

For those reasons Canada is attempting to stop that useless war which will have no victors. In that context, the Minister of Agriculture (Mr. Wise) went to Brussels and Washington to express the Canadian viewpoint to the opposing parties.

The Minister of State for the Canadian Wheat Board, Mr. Charles Mayer, met representatives of the five major grain exporting nations. The first meeting was held in Whistler, British Columbia, in June 1986, at Mr. Mayer's request. There was also a second conference in San Diego, California. At the end of that meeting, Mr. Mayer stated he was very confident discussions between the five major grain exporting nations would impact favourably on other multilateral negotiations concerning agricultural trade.

One thing is sure, however: the Treasuries of the United States and the EEC are not inexhaustible. I hope those countries will soon realize the uselessness of a policy of high support prices and huge export subsidies.

I hope that these countries will soon realize the uselessness of a high support price policy and massive export subsidies. Although the price of grain has come down, Canada has kept its place on world markets. That is the important point, because the efficiency of Canadian grain growers compares favourably with that of any other producer, anywhere in the world.

We also have conditions which make us more competitive. I could mention our soils, our weather conditions and also the quality of our grain and the competence of our farmers. The best way to obtain and keep clients is to offer them a product of superior quality, to build a reputation of reliability and to charge a competitive price.

Mr. Speaker, we are trying to increase our export potential by using an aggressive marketing approach. We can improve our competitive position through research, progress and technological transfer, soil conservation and other initiatives which will, over a period of time, reduce our production costs. We will soon realize that this is more efficient than giving subsidy upon subsidy, but, Mr. Speaker, it also requires more imagination.

While waiting for this trade war to end, it is essential that we keep our markets. Then we will be able to continue offering what made our reputation: superior quality products and competitive prices.

Mr. Speaker, I would be especially pleased to hear our experts in the Liberal Party talk about agriculture, defend the interests of Canadian farmers and try and suggest to farmers means to alleviate the problems they are presently experiencing. Our Party, Mr. Speaker, has over the months suggested a number of opportunities to our farmers. This is only a beginning, we will continue along that line.

• (1720)

[*English*]

Mr. Pat Binns (Parliamentary Secretary to Minister of Fisheries and Oceans): Mr. Speaker, I find it fortunate to have the opportunity to speak on this Private Members' Bill this evening. I appreciate the intent of the Bill and I must say its objectives are in line with the kinds of things which our Government has been undertaking over the last number of months in order to improve the situation in Canada, in western Canada in particular, in the agricultural sector.

There is consensus across the country that farmers deserve and should receive a fair and equitable return for their investment and for their toil in producing commodities. However, I do not think there is any one Bill that would assure adequate returns to all farmers at any one time. There is no single program that will achieve this goal. I do not believe that Bill C-221 respecting parity prices for farm products will meet the objectives that we are all trying to achieve on behalf of Canadian farmers.

The parity prices concept is not a new one. It was tried in the United States over 45 years ago and eventually discontinued due to major shortcomings; the program was just not working for agricultural interests in the United States. Perhaps we should review some of the reasons that the parity prices program undertaken in the United States did not work.

The Americans set up an Agricultural Adjustment Act, the purpose of which was to establish farm prices at a level that would maintain farmers' purchasing power, with respect to articles they buy, equivalent to that of the base period. In order for purchasing power to be maintained over time, relative prices and incomes in the base period must be appropriate. In the United States, it became apparent that there were substantial income differences among farmers, no matter what base period was used for the program.

The intent of the Parity Pricing Act in the U.S. was similar to that of Bill C-221 with respect to adjusting prices of farm commodities to reflect changes in the prices of articles that farmers buy. Moreover, in order to stabilize supplies and prices, parity prices were incorporated into the loan rate formula. Farmers sold what they could and the rest was purchased and stored by the Government. As technology advanced, production increased faster than demand. This increased the need for price support and over-production problems became unmanageable. Eventually, the Investment Parity Price Support Program became so expensive that it was disbanded.

• (1730)

It is interesting to note that although costs associated with the parity formula grew significantly, farmers were often not

at the receiving end. Much of the money went to transportation, storage agencies and the construction industry. The U.S. experience illustrated that parity prices were not effective in providing price support to farmers. It cost billions of dollars but only a small portion of that went to agricultural producers.

Bill C-221 is aimed at helping Canadian grain and oil seed producers who are experiencing a very difficult time. As I indicated earlier, I think that is a proper objective. The producers in the grain sector are in a cost-price squeeze where market prices are falling and input costs are rising.

As an example, it is no secret that wheat prices have fallen about 30 per cent in the last year alone. This is due largely to an international trade war, particularly between the United States and the European Economic Community. However, input prices have continued to climb at a fairly substantial rate. Grain farmers on the Prairies are expected to experience a net decline in farm income this year, although this decline is being offset to a large degree by payments under government programs which our Party has initiated over the last number of months.

The solution to the farm income problem would not be found in Bill C-221. The U.S. experience already indicates that eventually it would be detrimental to the agricultural industry. The idea of parity pricing does not take into account new technology, efficiency of production, market signals and the need for international product marketability. It ignores the dynamic and often unpredictable nature of the agricultural industry due to diverse forces and conflicting interests regionally, nationally and internationally.

Over the past years, the farm sector in Canada has been effectively served by programs that increase the efficiency and competitiveness of farmers in the market-place. A legislated solution such as this Bill will not be responsive to constantly changing circumstances and would therefore result in high costs with declining effectiveness.

One could argue that the national supply management agencies which are in place for dairy and poultry products serve that industry well and that the same arrangement could apply to grains and oil seeds. However, these agencies have been established at the direct request of the producers themselves who continue to recognize the fluctuating nature of the markets. They have built-in flexibility to protect both producers and consumers. Bill C-221, however would not allow the same conditions for the grain and oil seed producers.

To be efficient and competitive, the market forces of supply and demand must continue to prevail. That has always been the fundamental philosophy behind agricultural policy in Canada, a philosophy shared by all provinces as signatories to the recently developed national agriculture strategy.

The Government has been working with provincial Governments and the farm industry to build a network of programs to strengthen the productivity, efficiency and competitiveness of the agricultural industry while providing farm income protection. Special initiatives have been introduced to help producers who are experiencing difficulties. In the long run, we believe that this approach will provide the best protection against the cost-price squeeze experienced by the Canadian agricultural sector.

The support programs provided for Canadian grain and oil seed farmers include the Special Canadian Grains Program which will provide $1 billion this year to assist grain and oil seed farmers. Payments are being made under the Agricultural Stabilization Act to farmers affected by lower prices. Payments of close to $55.8 million will be made for corn, soybean and barley producers for their 1985-86 crops. The Western Grain Stabilization Act has been amended to allow interim payments and an interim payment of $705 million was made in 1986-87 for the last crop year. As well, a tripartite stabilization program for the red meat sector has been established with six provinces participating. The farm fuel tax rebate program exempts farmers from federal sales and excise taxes on farm fuels. A five-year, $80-million interest rate relief program has been designed and implemented to lower interest costs for more than 5,000 Farm Credit Corporation borrowers.

I could go on to indicate other ways in which the Government of Canada is tackling this problem. In short, and in conclusion, it is my view that Bill C-221 would not help but would perhaps aggravate the situation. I am afraid that, while it is well intended, it would be difficult to support at this time.

[*Translation*]

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, I want to congratulate my colleague from the NDP for putting this legislation before the House. We, in the Liberal Party, agree that it is useless to go on talking about that matter to pass the time. I would be prepared, if Conservative Members want to agree to this Bill, to stop talking right now and pass it. Otherwise, I refuse to take part in that parliamentary hypocrisy that Conservative Members are trying to get us into because people who are listening to us know the procedure. This is the Private Members' hour, during which Members of Parliament introduce a Bill that seems a good one but instead of voting for it . . . I am looking at the Member from the Quebec region who spoke earlier for a very short time. They are talking out this Bill with their empty statements. Mr. Speaker, I am prepared to sit right now and ask that we vote to pass this legislation. I think it is good for our farmers. It is useless to go on talking about it. If we all agree that this is a good measure, let us vote for it right away.

Mr. Gérin: On a point of order, Mr. Speaker.

Mr. Deputy Speaker: The Hon. Member for Mégantic—Compton—Stanstead (Mr. Gérin) on a point of order.

Mr. Gérin: Mr. Speaker, the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) makes me laugh. I will tell you why, Mr. Speaker, and you will agree with me that he does not need to tell everybody that he talks for the sake of talking. For the past two years and a half, I think that all Canadians have realized that whenever he rises in the House, the Hon.

Member for Montreal—Ste-Marie really speaks for the sake of speaking. I have listened to him speak for hours in the House of Commons without taking one single note on his speech. I did not need take any because as usual, he said nothing worthwhile.

Mr. Rossi: On a point of order, Mr. Speaker.

Mr. Deputy Speaker: The Hon. Member for Bourassa (Mr. Rossi) on a point of order.

Mr. Rossi: Mr. Speaker, I believe the Hon. Member for Mégantic—Compton—Stanstead (Mr. Gérin) is not dealing with the Bill concerned. Now, I would like to tell this honourable Assembly that there had been an agreement with the Hon. Member for Champlain (Mr. Champagne) on the order of speeches, and there was a consensus with the New Democratic Party, with the Hon. Member for Champlain and with the Liberal Party, Mr. Speaker. I therefore believe that when we have an agreement, a consensus in this honourable House, since—

Mr. Gérin: It is not a point of order.

Mr. Rossi: Yes it is, for there was a consensus, Mr. Speaker, the three Parties had reached an agreement, and we have been told at the last minute that this consensus no longer exists. The Hon. Member for the NDP who moved that motion was not in the House. I am therefore of the opinion that it would have been logical to wait for the Hon. NDP Member who moved the motion. I wish to say that I am not very happy with the procedure that was followed: A consensus of the three Parties was reached, and at the last minute, the Hon. Member for Champlain (Mr. Champagne) broke that consensus. You had actually been made aware of it, Mr. Speaker, and he had said he agreed with it.

Mr. Deputy Speaker: The Hon. Member for Mégantic—Compton—Stanstead (Mr. Gérin) on the same point of order.

Mr. Gérin: Mr. Speaker, the Hon. Member is being most clever in his "clumsiness". I had started to speak, and he interrupted me on a point of order which was not a point of order. He interrupted me as I was in fact going to explain the position of the Government. I simply wanted to say, before giving the floor to my hon. colleague from the NDP who wants to make a presumably important speech, that he has the right to be heard before we take the division. I hope that will be possible before six o'clock, but before that, I wish to say again, Mr. Speaker, that we could indeed do without all those points of order by Liberal Members, whether it is the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) or the other Member for Bourassa (Mr. Rossi), who is well known for talking for the sake of talking while the other one says nothing worthwhile.

Mr. Speaker—

Mr. Rossi: On a point of order, Mr. Speaker. I am sorry, but the Parliamentary Secretary who is in the House and with whom we often have to deal will tell you that indeed, when the three Parties have reached a consensus, they respect the agreement. I have been a Member for over eight years, the consensus has always been respected, and I regret to say that when the Hon. Member for Mégantic—Compton—Stanstead (Mr. Gérin) talks that way, the Hon. Member for Champlain—

Mr. Gérin: Mégantic—Compton—Stanstead—

Mr. Rossi: Mégantic—Compton—Stanstead, it does not matter where you come from, you are talking through your hat, and the attitude of the Hon. Member for Champlain (Mr. Champagne) in whom we had full confidence is the exact opposite of that of the Parliamentary Secretary who never fails to act like a gentleman when we have agreements in this House. And when there is a consensus in this Hon. House a Member does not do what has just been done and play games . . . There is a way to behave in this House and when there is a consensus we respect it.

Mr. Malépart: Point of order—

Mr. Deputy Speaker: The Hon. Member for Champlain (Mr. Champagne) on a point of order.

Mr. Champagne (Champlain): On the same point of order, Mr. Speaker. I think the Hon. Member for Bourassa (Mr. Rossi) is indulging in a bit of demagogy. First, under the agreement made with the Hon. Member for Yorkton—Melville (Mr. Nystrom)—that is who it is—my colleague from Mégantic—Compton—Stanstead was to seek the floor. That is precisely what he did, under the agreement—

Mr. Rossi: This is false, these are lies—

Mr. Champagne (Champlain): Second, the Hon. Member for Bourassa keeps on mumbling, but I would remind him that he is the one who came to sit with the NDP Member who is sponsoring the motion and said: Could my colleague from Mégantic—Compton—Stanstead speak first? We said: Sure, no problem, and the Member for Bourassa went to see you to tell you that my colleague should have the floor. So we know all about Liberal agreements, Mr. Speaker—

Mr. Rossi: You said that; you are a liar—

Mr. Malépart: A point of order, Mr. Speaker—

Mr. Deputy Speaker: Agreed. The Chair is always ready to recognize Members.

• (1740)

[*English*]

I think it would be in everyone's interest if we got back to the debate. Whoever wants to speak can get up and we will identify them.

[*Translation*]

I believe the Hon. Member for Mégantic—Compton—Stanstead (Mr. Gérin) had the floor . . . The Hon. Member for Montreal—Sainte-Marie (Mr. Malépart), on a point of order—

Mr. Malépart: Mr. Speaker, on a point of order. I just want to say that I was present when an agreement was made, and if the Hon. Member for Champlain (Mr. Champagne) doesn't mind misleading the House, I was there when he spoke, his reputation . . .

Mr. Deputy Speaker: Order. I suggest we forget the agreements or near agreements. Resuming debate. The Hon. Member for Mégantic—Compton—Stanstead (Mr. Gérin).

Mr. Gérin: Mr. Speaker, I would like to include in my speech the comment that the Chair should have the authority to cut off Members who talk for the sake of talking, as the two Liberal Members were doing—

Mr. Rossi: Sit down—

Mr. Gérin: —because the agreement in the House was to let my hon. colleague from the New Democratic Party say what he had to say about this speech, and he will have a chance well before our time is up, and we will be able to get on with this Bill.

Mr. Rossi: You wanted to go home.

Mr. Gérin: However, I want to condemn the lack of fair play shown by the Hon. Members for Bourassa and Montreal—Sainte-Marie, who were trying to waste the time of this House and talk the Bill out, because they know we have to leave at 6 p.m.

And so to give the Hon. Member of the NDP a chance to make his speech, I ask you—

Mr. Malépart: You are capable of lying.

Mr. Gérin: —and I ask my hon. colleagues to keep quiet and refrain from any points of order until 6 p.m. so we can put this question to a vote.

Mr. Rossi: Tell the House you want to leave— You are scared.

[*English*]

Mr. Deputy Speaker: I believe the Hon. Member for Yorkton—Melville has already spoken in this debate. He has a point of order?

Mr. Nystrom: I just have a very simple concern. Rather than points of order I wonder if we could not agree that—

[*Translation*]

our friend from Mégantic—Compton—Stanstead can speak to the substance of the Bill. This is very important. And we have an agreement here in the House that four Conservative Members will be taking part in the debate and two NDP Members, the Hon. Member for Churchill (Mr. Murphy) and my friend from Regina West. With the consent of the House, my hon. friend can speak to the substance of the Bill.

An Hon. Member: Five minutes.

[*English*]

Mr. Deputy Speaker: Debate. The Hon. Member for Regina West (Mr. Benjamin).

Mr. Les Benjamin (Regina West): Mr. Speaker, I will be happy to use up the balance of the time. Since you had a left ear that was not so good this afternoon I hope your left eye cannot see the clock over on this side.

Mr. Nystrom: Hear, hear!

Mr. Benjamin: Mr. Speaker, I cannot speak for Ontario or Quebec or Atlantic Canada, but if there was ever an issue dear to the hearts of farmers, some of whom supported the Conservatives, some of whom supported the Liberals, some of whom supported the CCF and the NDP, and some of whom supported the Social Credit Party, it is a system of parity prices. After listening to the Hon. Member for Edmonton West (Mr. Dorin) I can say he is lucky that the Right Hon. John Diefenbaker was not sitting in this Chamber because he would have walked across to the hon. gentleman from Edmonton West and punched him right in the nose. I remember vividly in Saskatchewan all during the late 1940s, the 1950s and early 1960s Mr. Diefenbaker saying, "The farmers, they want parity, not charity."

Mr. Reid: Well done!

Mr. Benjamin: Mr. Speaker, I was appalled when listening to the remarks of the Hon. Member for Edmonton West. He displayed an ignorance of what this Bill is all about and what the issue is that passes all understanding. The legislation has nothing to do with international trade. It has only to do with a parity price for agricultural products for human consumption in Canada. Nothing else. That would involve, for example, up to 20 per cent of our grain production used for human consumption. It has no effect on feed grain prices for hog producers or cattle producers or poultry producers. It is grain and grain products for human consumption.

A parity price now would mean an increase of five cents in the price of a loaf of bread. When you walk into a store and pay anywhere from a dollar to two dollars a loaf, five cents for farmers who are now getting less than the cost of production and cannot stay in business is surely not unreasonable. For those who grow some of the best malting barley in the world it might mean two and a half cents on a bottle of beer. A parity price for the grain farmer might amount to one-tenth of one cent on the price of a box of prepared breakfast cereal.

I do not understand the Hon. Member for Edmonton West, or for that matter the Canadian Cattlemen's Association. They

want free market forces. Leave us alone, they say. Yet every time the Americans shut the border down on them or when the cattle industry is in real trouble and feedlots all over western Canada are going broke, who are the first ones down in Ottawa with their hands out? Those same guys who want free market forces. They want the free and open market when the prices are good but when prices are bad they come to Ottawa. That is why I do not take much of what the Canadian Cattlemen's Association says with anything more than grain of salt, and never have. These are the fellows who operate their big ranches with what I call the Texas cowboy syndrome, the free, independent spirit, waltzing around in their saddles. However, more livestock is produced by small farmers who are not members of the Canadian Cattlemen's Association than by the entire Canadian Cattlemen's Association. One questions who the devil they speak for besides the packing industry and their own selfish little kingdom.

• (1750)

It is okay for businessmen selling a product to set their price based on their cost of production, their cost of capital, and a return on investment on which they can live, and sometimes they even include their own wage. Why can a farmer not do that? The farm sector is still the only sector in our economy which has to be a price taker rather than a price maker. A working person in a union can bargain and negotiate his pay and ends up being a pay taker and a pay maker. The business community, doctors, lawyers, dentists, architects and chartered accountants can all set a price which covers their costs, a return on their capital investment, and a living. Why is that not possible for farmers?

That double standard in our economy has decimated the agriculture industry. Name me another sector which is more efficient and has diversified more than our agricultural producers. I defy anyone to do so. Their efficiency has been their downfall. They have diversified themselves into bankruptcy. They are entitled to a parity price on agricultural products produced in Canada for human consumption. If that means increased food costs for poor people they can be compensated directly through a tax credit, food stamps, or a variety of other programs. Why should the Canadian agricultural producer bear the cost of a cheap food policy and go broke?

The Progressive Conservative Party, the Liberal Party and the New Democratic Party have supported the principle of parity prices in this limited manner for quite a few years. The House passed this legislation in 1984 and 1985. I urge my good friends across the way to talk to their colleague, the Member for Edmonton West, about parity prices. I urge the House to continue the debate on this matter which would bring about fair play for our agricultural producers in this very limited manner. At least 20 per cent of their production in a general average across Canada would get a fair price.

Surely if my good friends opposite want to adhere to the statements of the Prime Minister (Mr. Mulroney) about fairness, nothing could be more fair than this, albeit in a limited manner. We can do no less in this Parliament. I urge this House to do so.

May I call it six o'clock, Mr. Speaker? I have had a hard day.

Mr. Deputy Speaker: Is the House ready for the question?

[*Translation*]

Mr. Malépart: Mr. Speaker, I rise on a point of order.

Mr. Deputy Speaker: The Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) has already taken part in the debate.

Mr. Malépart: On a point of order, Mr. Speaker.

Mr. Deputy Speaker: The Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) is always right. He has the floor on debate.

Mr. Malépart: I am happy to hear you say I am always right, Mr. Speaker. I hope my Conservative colleagues will remember that famous statement of yours.

Mr. Gérin: Just wasting time.

Mr. Malépart: Mr. Speaker, it is important to realize, and that proves the Hon. Member for Mégantic—Compton—Stanstead (Mr. Gérin)—as the Hon. Member for Champlain (Mr. Champagne) would say: the balance—is not a good lawyer. He does not even know the provisions of the Standing Orders, what Bill we are debating now. This Bill is not to be debated during just one hour of Private Members' Business but may receive five hours of consideration. The debate must go on, Mr. Speaker.

Besides, the attitude of the Hon. Member for Mégantic—Compton—Stanstead and that of the Hon. Member for Champlain leave no doubt as to why the Conservative government is badly represented and the people—

The Hon. Member for Champlain tried to outsmart and manipulate the House of Commons through Standing Orders he does not even know.

Let us go back to the matter under consideration, agriculture, which is far more important than the procedural debate the Hon. Member for Mégantic—Compton—Stanstead and the Hon. Member for Champlain wanted to start.

Mr. Deputy Speaker: The Hon. Member for Champlain (Mr. Champagne) on a point of order.

Mr. Champagne (Champlain): Mr. Speaker, talking about manipulation, we have an expert at this on the other side, the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart). I can tell you one thing, Mr. Speaker; when we made the arrangement, the Hon. Member for Bourassa (Mr. Rossi), my colleague from the New Democratic Party, and my colleague for Mégantic—Compton—Stanstead were there. The four of

us made an agreement and the Hon. Member for Montreal—Sainte-Marie was not even there, and he does not even know what he is talking about. It is always the same thing in this kind of debate. You should call him to order, Mr. Speaker, and instruct him to talk about the matter before us, namely agriculture, instead of letting him talk about things in which he was not involved.

Mr. Malépart: Mr. Speaker, I would like to continue the debate but it is no use; the population—

Mr. Champagne (Champlain): You have understood—

Mr. Malépart: Mr. Speaker, on the same point of order, to answer this point of order—

Before long the population will decide the Hon. Member's fate; just look at what happens in the polls—

Mr. Speaker, the gist of the matter is to know who is concerned and what sector of our population is affected, Mr. Speaker.

Mr. Speaker, this is the problem of farmers in Canada, and we know how important it is, even for people from an urban area—

An Hon. Member: From downtown Montreal—

Mr. Deputy Speaker: The Hon. Member for Mégantic—Compton—Stanstead (Mr. Gérin) on a point of order.

Mr. Gérin: Mr. Speaker, about the point of order raised by the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart), I wish to point out that he has already taken part in this debate and has absolutely no right to speak again. The only thing he wants is for the debate to last till six o'clock, which will happen in less than a minute, to prevent the motion from coming to a vote, and he is therefore wasting the time of the House.

I ask the Hon. Member to remain seated.

Mr. Deputy Speaker: The Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) on debate.

Mr. Malépart: Mr. Speaker, as we conclude, could you explain to the Hon. Member, who is naive and stupid, that the Bill will not be talked out today and will remain on the Order Paper. I shall close on this note, Mr. Speaker, as it is now six o'clock and time for the House to adjourn.

• (1800)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

AGRICULTURE—PRODUCTION OF ETHANOL FROM GRAIN. (B) POSSIBLE ALTERNATIVE MARKET FOR GRAIN

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, it will come as no surprise to Members of the House that I am rising today to express my dissatisfaction with the reply given to me on May 12 by the Minister of State for the Canadian Wheat Board (Mr. Mayer), in reply to a serious question that I thought was well put, regarding alternative markets for farm production. It is a subject very much linked to the Private Members' debate we just heard. The Minister could only reply that enzymes were being improved. He also made a rather ludicrous suggestion that the Province of Manitoba, the leader in fuel alcohol use and development in Canada, should be doing more. The Hon. Minister should know that his own province is doing more than any other.

The answer given by the Minister was out of touch with the present political and market realities. He ignored the desperate need for additional markets and the fact that emergency aid is something that can only use part of Canada's grain surplus and should not be seen as a marketing tool. He was so out of touch with reality as almost to recall the words of the former Prime Minister: "Why should I sell your wheat?" In the meantime, politicians south of the border are considering a five-fold expansion of an existing two-billion-litre-a-year fuel ethanol industry, with the support of the Vice-President, who is a candidate for the presidency.

The Government does not seem to understand what the debate is about. Lead removal has taken lead from gasoline in the United States, Europe, and Canada, and has created a market for octane enhancement that is one-tenth of the size of the total gasoline market. There is a significant difference for exporting nations like Canada. The difference is so important that international acceptance of fuel ethanol should be a major element of our grain marketing policy. Yet, there seems to be nothing more than a general understanding of the scope and impact of this industry.

In February, the Minister responsible for the Wheat Board held a press conference before going to San Diego for a meeting of the world's five largest grain exporters. He told journalists at that time: "We spend a tremendous amount of money in all our agricultural programs, almost exclusively in economic terms on the supply side and we need to be looking more on the demand side". Indeed, the Minister is absolutely right. However, he is failing to follow up those words with any form of concrete commitment.

Three weeks after the Minister made that statement, Vice-President Bush said:

> I propose we consider a policy that will immediately increase demand. The answer is ethanol, the fuel distilled from corn and other crops . . . I share the goal of the National Corn Growers, that by 1990 we can produce 2.5 billion gallons of ethanol from 1 billion bushels of corn. It will help our farmers and manufacturers, while contributing to cleaner air and energy independence.

That 2.5 billion American gallons represents some 7.5 billion litres of ethanol from 1 billion bushels of corn. Those

possibilities are perhaps even greater in Canada than in the United States.

I have copies of a letter and petition by 40 U.S. senators calling for the Environmental Protection Agency to mandate fuel alcohol for air quality reasons, and two Bills introduced in the House of Representatives calling for the same treatment. Has our federal Government considered any such similar policy? We have not heard of one yet.

Canada has an opportunity to scratch its own back, and to take a lead not only in research and development, but eventually in marketing, before others do so.

The nations of the European Economic Community are now facing the same decision between biochemical and petrochemical octane enhancers, but they do not seem to have grasped the concept of eliminating the necessary subsidies for ethanol by blending with methanol.

The Minister of State for the Canadian Wheat Board should know better than any other Minister in the world, because right in his own riding a Canadian company, Mohawk Oil, has been distilling the necessary ethanol from grain and has been marketing an EM blend for several years, using fuel ethanol that comes from his own riding.

U.S. politicians are taking the lead and Canada is letting an important technological and, above all, important market opportunity for farmers slip away. Both our Agriculture Ministers seem to have been whipped into line by the writers of the western energy accord since there is no mention of fuel alcohol in that document. It would appear that while the Minister may be doing his best, the philosophy, practice and policies of the multinational oil industry have infiltrated the Progressive Conservative Government to the point where it determines this country's policy.

• (1805)

Before my time expires I should mention that the petrochemical octane enhancer, MTBE, can be a dangerous pollutant, whereas the ethanol-methanol co-solvent blends are no more dangerous as pollutants than the gasoline in which they are blended. Fuel ethanol's adoption in North America will pull Europe in with it as a market.

Canadian farmers have been asking the Government for a political commitment. The economic summit coming up in Venice and the imminent release of the western economic diversification strategy are two excellent opportunities. Indeed, there has even been a resolution from the town council of Minnedosa, a municipality some 60 kilometres from the Minister's own residence in Carberry, asking for expansion of ethanol-methanol blends. That is the home, after all, of Canada's first and, sadly, its only, fuel ethanol distillery, and its councillors have passed this motion without any response from the Minister as yet.

What has the Minister done? What will he do? If one listens to his comments of May 12 in the House, he is probably waiting for the price of grain to go up so that he can claim that fuel ethanol is going to be too expensive.

In the short run, of course, Canada's wheat farmers need subsidies. But in the long run what they need is an alternative market for their product. That is what ethanol-methanol blending for octane enhancement in gasoline would provide.

I should also add that not only are the wheat farmers in trouble for lack of markets but that Ontario corn growers—

[*Translation*]

No doubt that Quebec corn growers are experiencing similar conditions.

[*English*]

They are looking for alternative markets for their products because they will be in the same situation as western farmers in a couple of years' time if this Government cannot do something to provide them with another way to sell their produce at an economic return.

• (1810)

[*Translation*]

Mr. Michel Champagne (Parliamentary Secretary to Minister of Agriculture): Mr. Speaker, first of all, my colleague mentioned earlier the so-called infiltration of multinationals within our Party. I should like to remind him that his beloved leader does not mind at all having multinationals in his constituency of Oshawa and indeed, he is proud to have them there. He even wants to protect them during the free trade negotiations. Moreover, my colleague has been referring to what the Americans are doing, but he never misses an opportunity to discredit the Americans and to say that we should have nothing to do with them, that they are not quite decent. He should listen, Mr. Speaker, because when he talks about Quebec corn producers, he shows that he does not know much about agriculture and that he would be well advised to find out what is going on. For his information and that of his colleagues, Quebec corn producers produce much more for their own needs than for export. The situation is quite different from that described by my hon. friend, because they need that production.

Nevertheless, I am pleased, and so is the Minister responsible for the Canadian Wheat Board, at the interest the Hon. Member is showing for the whole issue of replacement fuel. Mr. Speaker, the House will remember that, in the seventies, even in the United States there were line-ups at the filling stations.

The Hon. Member asks a double question, one about the possibility of producing ethanol from grain, and the other about the possibility of this production giving Canadian grain producers a major alternative market for their grains.

First of all, the Government fully supports the efforts aimed at saving oil and developing other types of energy. That must be clear from the start. Through the Department of Energy,

Mines and Resources, and the Department of Agriculture, the Government continues to finance research in this area.

Moreover, taking into account the progressive reduction of lead concentration in gas by 1992, there exists a possibility of using ethanol for increasing the octane rating.

It has been estimated that such use would create a market for some 2.5 million tonnes of grain per year, which is the amount required to produce enough 3 per cent methanol to 5 per cent ethanol additive for all the gasoline sold in Canada today.

This is only a small fraction of total Canadian production, which now reaches close to 60 million tonnes, but such a market would help bring down surplus stocks of lower quality grain.

It is estimated that the effect of this market on prices would be marginal. I would also like to point out, Mr. Speaker, that according to a working paper on fuel alcohol published earlier this year by the Department of Energy, Mines and Resources, ethanol-methanol blending could turn out to be an economical and competitive method of octane enhancement. It goes without saying that this would depend on the price relationships between grain and oil, which fluctuate widely.

The Government of Canada is well aware of these developments and since the release last year of the report on alcohol-based additives by the Standing Committee on Energy, Mines and Resources, an interdepartmental committee has been closely monitoring new developments in the field of fuel alcohol.

To come back to the grain market issue, the Government is open to all possible solutions when it comes to maintaining and expanding markets for Canadian grain at home as well as abroad.

Once again, Mr. Speaker, I would like to thank the Hon. Member for his question and for his sincere interest in this issue and I would ask him to provide any additional information he might have concerning the use of ethanol as a gasoline additive. His assistance in developing this type of new market for Canadian grains will undoubtedly be well received.

And in conclusion, Mr. Speaker, for his personal information, I would advise him to be more present at the Standing Committee on Agriculture in order to see in which parts of the country there might be surpluses, and in which parts there might not be, which would put him in a much better position to inform the Canadian people on what is produced in this and that region, thereby giving Canadian agriculture its true importance.

SOCIAL SECURITY—TAX REFORM—THE ELDERLY—GOVERNMENT POSITION—INCOME TAX—THE ELDERLY—GOVERNMENT POSITION

Mr. Jean-Claude Malépart (Montréal—Sainte-Marie): Mr. Speaker, I come back tonight to a question I put to the Minister of Finance (Mr. Wilson) concerning tax reform, in view especially of the statements that were made concerning tax exemptions for the elderly. We know that for the elderly there is the so-called Old Age Security pension, the Guaranteed Income Supplement, the spouse's allowance, the Quebec Pension Plan and the Canada Pension Plan, but in addition there is the so-called age exemption for people 65 and over. This year, those people are entitled to a $2,610 exemption and a $1,000 pension income deduction.

In the matter of tax reform, the Minister spoke of changing the tax exemption into a tax credit. This is perfect, it is exactly what we Liberals were proposing during the famous January 1985 consultation on the blue paper concerning family allowance and social security pensions. Unfortunately, at that point the Government was promising a lot of things, but we remember how much they misled the people, even committee members, even Conservative Members who believed the Prime Minister concerning the indexing of Old Age Security pensions and family allowance.

Mr. Speaker, I wish that this time, the Parliamentary Secretary—and the reason I am being so specific is that there is agreement, and in fact the committee called for a change from tax exemptions to tax credits. Regarding my question, which the Minister failed to answer, I want to say that I would like to get an answer from the Parliamentary Secretary. If we consider that, in 1983, the cost to the Government or the total amount redistributed to senior citizens through tax exemptions was $650 million . . . This $650 million is a form of assistance, a form of income support for people on middle and high incomes, since tax exemptions do not benefit people on low incomes. What I wanted to hear from the Minister and the assurance I was seeking, was that the transformation of tax exemptions into tax credits would reduce the amount allocated to very wealthy older people and transfer the savings to low and medium income senior citizens. The blue paper shows that a single individual with an income of $4,000, received tax exemptions amounting to $410. However, another individual with a pension and interest income of $50,000, which means quite a bit of money in the bank, received $1,569 in tax exemptions. That is to say the rich got almost four times as much as the poor.

I would like the Parliamentary Secretary to tell us that, when the Government corrects this unfairness in tax exemptions by replacing them with tax credits, the rich . . . Couples with an annual income of $70,000 received $3,000, while couples with a annual income of $6,000 received only $726. That means we will take money away from the rich. My question is this: Are we going to transfer the money to middle income people, are we going to give more to the poor, increase the Guaranteed Income Supplement? Or is the Government going to do what it did for Family Allowances and family tax exemptions? It is on that point that it misled the public and the Committee. It took away money by partially deindexing Family Allowances.

It did away with the tax exemption for dependent children. It gave back half the money as a tax credit but the rest went to the rich depositors of the banks which went under, it reduced the deficit, it spent $55 million to change the colour of

military uniforms, things like that, it wasted the money that did not help anybody.

Mr. Speaker, I hope the Parliamentary Secretary will respond. I would also ask him whether he can guarantee today that an amount equivalent to the $650 million will still be available to help provide some income for elderly people. Second, whether the Government policy in future will be to replace all existing tax exemptions such as those on investment income and registered retirement savings by tax credits which, in my opinion, would be much fairer all around.

• (1815)

[*English*]

Mr. Murray Cardiff (Parliamentary Secretary to Solicitor General of Canada): Let me begin, Mr. Speaker, by laying to rest the false premise which underlies the Hon. Member's question. The Government does not mislead senior citizens. Rather, it listens attentively to their concerns and acts accordingly. For this reason, we have allowed the splitting of CPP pensions so that they can be paid to both spouses.

In addition, we have raised the registered pension plan and registered retirement pension plan limits to make saving for retirement more equitable and more attractive. As well, we extended eligibility for spouses' allowance to widows and widowers.

This same concern for the well-being of older Canadians has motivated our work on tax reform. While it would clearly be inappropriate for me to lay out in detail the elements of tax reform which will affect elderly Canadians, tax reform has been guided by certain principles. These principles have been articulated by the Minister of Finance (Mr. Wilson) on several occasions.

Most notably, in his budget speech last February he noted that tax reform would be aimed at lower personal income taxes and significantly fewer tax brackets. He also noted that he was considering the conversion of personal exemptions to credits. Such a conversion would provide more assistance to lower income taxpayers, many of whom are elderly.

This would be fully consistent with the Government's intention to reform the system of social transfers and related tax provisions. The review of these provisions is aimed at three goals: to maintain universal access to social programs, to improve opportunities for self-reliance, and to provide more assistance to those in need and less to higher income Canadians.

I can assure the Hon. Member that the Government remains fully committed to these goals. They have been kept fully in mind as the tax reform package has been developed. None of them is consistent with the accusation the Hon. Member makes that a reduction in the age exemption is being considered.

Rather than rushing to judgment on the basis of what can only be rumour and hearsay, I respectfully suggest that the Hon. Member wait patiently, difficult though it might be, for the Minister's announcement on June 18. I can assure the Hon. Member that, given his pessimistic views, he will be pleasantly surprised.

ADMINISTRATION OF JUSTICE—PUBLIC FAITH AND CONFIDENCE—REQUEST FOR CHANGES TO PAROLE SYSTEM

Mr. Alan Redway (York East): Mr. Speaker, I do not know whether I have ever asked you if you are a reader of *The Toronto Sun*. I can see that you are. Is there anything like *The Toronto Sun* in Montreal, Mr. Speaker? No, I thought not. As you are indicating, Mr. Speaker, there is really nothing like *The Toronto Sun* anywhere. I understand that.

As a reader of *The Toronto Sun*, Mr. Speaker, you will know—and I venture to say that every reader of *The Toronto Sun* will know it—that very few days go by when there is not a report in that newspaper about someone who is out on parole committing some sort of violent crime.

That is a frightening fact. Many people say that *The Toronto Sun* frightens people needlessly and unnecessarily. They say there is no reason for the paper to report that sort of thing because these things are not happening in actual fact as frequently or as often as the paper reports them. You know just as well as I do, Mr. Speaker, that if these things were not happening there would not be anything for newspapers like *The Toronto Sun* to report. Things like violent crimes being committed while people are on parole are happening at quite a regular rate. That is frightening for the public, it is frightening for you, Mr. Speaker—I know that—and it is frightening for me.

• (1820)

One story I saw recently frightened me even more than many of these stories about violent crime being committed by people on parole. It was a story allegedly attributable to Mr. Ole Ingstrug. You know who Mr. Ole Ingstrug is, Mr. Speaker. He is a former senior official in the Danish correction service who is now the chairman of our National Parole Board. Mr. Ingstrug was quoted in the press as saying that he was very enthusiastic about the list of criteria which the National Parole Board was preparing to be used in granting parole. He went on to say that "We have not in the past had any kind of relatively clear criteria for granting parole in this country". That is a shocking statement.

I can see by your face, Mr. Speaker, that you are just as shocked as I am when the chairman of the National Parole Board of Canada tells us that the Board does not have any clear idea why it is letting people out on parole. It is no wonder you and I and the public have our confidence shaken in the parole system. It is no wonder at the same time that we have our confidence shaken in the criminal justice system itself. It goes a long way in explaining why recently our own Minister of Justice (Mr. Hnatyshyn) said that Canadians in general have lost confidence in the criminal justice system and why the Attorney General of Ontario shortly after the Minister of

Justice made that statement also said that Canadians have lost confidence in the criminal justice system.

What is going to give Canadians back that confidence? One of those things will be a dramatic change in our parole system. For heavens sake, surely we must have some criteria built into the system as to what the basis of parole is.

We know there are a lot of studies going on. For instance, Mr. Ingstrug said that the National Parole Board itself is studying the whole idea of what criteria should be used in granting parole. We know there is a study by the correctional law review of the parole system. We know that the sentencing commission has delivered a report which had a lot to say about parole aspects. We know that a few months ago the Law Reform Commission of Canada had something to say about parole. We know there is a task force in the Solicitor General's Department right now that is looking at recommendations of a coroner's jury dealing with parole in one particular instance and the shocking circumstances surrounding that.

We know that as all of these studies are progressing, a lot of questions are being asked. I have looked at some of those questions and they are good ones. For instance, what is the purpose of parole? Should we have parole at all? Should not a sentence of six years in prison mean a sentence of six years in prison? Is parole interfering with the court's sentencing? Does a judge take parole into account when he is sentencing? What minimum time should be served before parole is granted? What types of offences should be subject to parole? What types of offenders should be granted parole? Are the offenders receiving the maximum benefits from their prison sentence? Will parole help to rehabilitate people? Have prisoners been properly prepared for parole? Is there a risk to society in granting parole and how do you determine that risk? Is the only reason for parole to grant people time off for good behaviour? Is it because of overcrowding in the prisons? Is it because we would rather have problems created on the outside of prisons than on the inside?

• (1825)

There are all sorts of questions that are being asked, and they are good questions. I too have some questions for the Parliamentary Secretary.

Will the studies come up with similar conclusions and similar answers? Will those answers be the kind of answers that make the public feel confident and comfortable with the parole system? How long will it take to institute some of these changes to the parole system? Will the Government in fact have the intestinal fortitude to put these changes into effect?

There are many questions that I have to ask and many questions the public has to ask about the parole system. I see that the Parliamentary Secretary is here tonight. He had better have the answers for us.

Mr. Murray Cardiff (Parliamentary Secretary to Solicitor General of Canada): Mr. Speaker, we have all heard it said that justice must not only be done but must be seen to be done. That holds true for the entire criminal justice system, including corrections and parole.

It is true that the system can always be improved. It is also true that appropriate major adjustments are a continuing program in a system such as ours that is in full evolution. We are taking steps to improve the system, beginning with providing the public more accurate information.

Canadians should be able to see clearly how things are done in Canadian criminal justice. If they saw this, they would be proud of the direction of our justice system. More important, the quality of their lives would be improved because their fear of crime would be diminished considerably.

This brings me to a remark made by the Chairman of the National Parole Board who said that there are no clear-cut criteria at present for the granting of parole. There are criteria, but how clear-cut they are is another question. In fact, the Chairman of the National Parole Board has said, and the Solicitor General (Mr. Kelleher) agrees with him, that those criteria are too broad and too general. They are too general to allow the public to see how they are applied in each case and too broad to be applied consistently, uniformly and effectively.

To remedy the situation and in the interests of making the parole process more transparent so that the public can clearly and readily see how the board arrives at its decisions, the chairman is having more refined and elaborate criteria developed against which all releases will be measured. These will be in place before the end of the year. The Solicitor General certainly welcomes this initiative. It speaks well of the orientation being given to the National Parole Board and its very acute sense of accountability to the public.

These criteria or decision-making policies will also give guidance to the board members considering release for the various categories of offenders, offenders who are so very different from one another and whose crimes are necessarily, for purposes of conditional release, measured in terms of mitigation and aggravating circumstances.

Many decisions in the correctional field cause reactions in the mass media and often among practitioners in other parts of the criminal justice system. This means that decisions must not only be easy to explain but also that the process by which decisions are taken must be easy to explain and fair to the individual and to society. It also means that the correctional system must operate in an efficient way. To that end, it is often necessary to be able to demonstrate that decisions have been taken in an accordance with legal provisions, administrative regulations or general guidelines.

Obviously public agencies, and particularly the criminal justice system, must pay much more attention to the question of communication with the public to engender public understanding of its policies and its way of operating, including the degree to which power has been delegated and the extent to

which discretionary power is exercised at various levels. That is what is being done, and I will have much more to tell the House in the coming months as the parole system becomes more efficient, more transparent and indeed one in which the people of Canada may take pride.

Mr. Deputy Speaker: The motion to adjourn the House is deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 11 a.m.

At 6.30 p.m., the House adjourned.

HOUSE OF COMMONS

Friday, June 5, 1987

The House met at 11 a.m.

Prayers

STATEMENTS PURSUANT TO S. O. 21

[*English*]

THE CONSTITUTION

MEECH LAKE ACCORD—DISTINCT SOCIETY CLAUSE

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, following the Meech Lake Accord one begins to wonder whether the distinct society clause could mean that a Canadian moving to Hull, for instance, might become more distinct than one moving to Ottawa. He or she would enjoy lower electricity rates, pay higher taxes, and refer to the Premier as Prime Minister.

Here in the House of Commons some interesting reflections emerge. For instance, would the Hon. Member for Montréal—Sainte-Marie (Mr. Malépart) be more distinguished than the Hon. Member for York South—Weston (Mr. Nunziata)? Or would the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand) be more distinguished than the Hon. Member for Davenport (Mr. Caccia)?

• (1105)

Not to overlook the other place, would we have to conclude that a Senator from Montreal, by virtue of being more distinguished, becomes more honourable than a Senator from Saskatoon?

A new nobility might be created in the country. Before retreating into the greyness of my indistinctiveness, this being World Environment Day, may every Canadian make every day Environment Day.

* * *

HISTORIC EVENTS

WORLD WAR II—D-DAY ANNIVERSARY

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, tomorrow will mark the forty-third anniversary of D-Day, June 6, 1944, when the Third Canadian Infantry Division and the Second Canadian Armoured Brigade went ashore on Juno Beach to participate in the invasion which would achieve the liberation of western Europe from Nazi tyranny.

Relative to the populations of Canada, Britain, and the United States, these forces were proportionately the largest national component in that invasion force. It marks one of the high points of Canadian military tradition.

This is not only an occasion for nostalgia. It is a day for advance, for there can be no better way to recognize this anniversary than today, the sitting day of the House closest to the anniversary of D-Day, being the occasion when the White Paper on national defence will be announced, expressing the resolve of the Government and of the country to re-establishing our defence capability after years of neglect under the previous Government.

This is not a military country. We all recognize that to be a sovereign nation we must be capable of defending ourselves.

This week there have been two events of great national significance. The Meech Lake Accord means that this is a more united Canada; the White Paper today means that we will be a more independent Canada.

* * *

REFUGEES

CRITICISM OF PROPOSED LEGISLATION

Mr. Dan Heap (Spadina): Mr. Speaker, thousands of Canadians have petitioned the Government to bring in a fair refugee law. According to *The Star* poll of June 3, 75 per cent want legitimate political refugees accepted in Canada. Yet the Government has brought in a law which does the very opposite in spite of the Ministers' claims.

Bill C-55, in Clauses 48.1(1)(b) and 48.1(4), says that a real refugee would not be eligible to have his claim heard if he has come from a third country that Canada considers safe, or if he is fleeing a country that Canada considers would not make him a refugee.

All experienced lawyers in private practice have condemned Bill C-55 through the Canadian Bar Association.

I call upon the Minister of Employment and Immigration (Mr. Bouchard) to withdraw this flawed Bill and to introduce one that follows the unanimous advice of the Standing Committee on Labour, Employment and Immigration.

S. O. 21

WORLD ENVIRONMENT DAY

COUNTRY-WIDE EFFORTS TO PROTECT AND ENHANCE ENVIRONMENT

Mr. Bill Tupper (Nepean—Carleton): Mr. Speaker, today nations throughout the world are celebrating World Environment Day. This coincides with our Environment Week, a week when Canadians are encouraged to become involved in the protection and enhancement of the environment.

A variety of events are taking place, ranging from spring clean-ups in Nova Scotia to clearing landslides which have blocked salmon spawning runs in British Columbia. Businesses and individuals are participating and, on behalf of the Government, I extend my appreciation to all those who have helped make Environment Week a success.

Threats to the environment are not just a Canadian problem; they are global. The micro and macro changes to the earth's support systems are perhaps our greatest global challenges which must be addressed. We have the technology and know-how to address environmental problems. Collectively we must maintain our will.

Canada and Canadians have been in the forefront of environmental preservation and improvement. Much remains to be done, and World Environment Day reminds us of that challenge and responsibility.

* * *

[*Translation*]

THE CONSTITUTION

DISTINCT CHARACTER OF QUEBEC VIS-À-VIS REST OF COUNTRY

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, some people are wondering about the meaning of Quebec's distinct character vis-à-vis the rest of the country. Distinct character does not imply that the Member for Montreal—Sainte-Marie is more worthy than the Member for Davenport (Mr. Caccia). Quebec's distinct character is a collective character in the sense that the majority speaks French, that a significant minority speaks English, and that cultural communities mirror Quebec's life and ethnicity. The majority in Ontario speaks English, the minority is francophone, and there are cultural communities as well.

So the distinct society which has been formally recognized this week reflects our collective differences. On an individual basis, the residents of Quebec, Newfoundland, Alberta, Winnipeg or wherever are all honourable people.

• (1110)

[*English*]

PESTICIDES

PATENT REGISTRATION CHANGES—INCREASED COMPETITION BETWEEN MANUFACTURERS

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, subsidies to the farming sectors of the EEC and the United States continue to throttle our agricultural economy. While Canada continues to fight against these subsidies abroad, it is also taking action on behalf of Canadian farmers here at home.

The latest of the Government's ongoing efforts to aid our farming community has come in the form of changes to the product specific registration policy governing patents for pesticides. The changes will provide newly registered pesticides with a 10-year patent protection as opposed to unlimited protection under the old policy. When the 10-year protection runs out on a particular pesticide, other firms will be able to produce comparable generic products. The ensuing competition in the pesticide market should drive the price of pesticides down thereby reducing the over-all costs of farm inputs.

I congratulate the Minister of Agriculture (Mr. Wise) for his actions in this regard. These needed changes to PSR policy are the direct result of the Government's ongoing commitment to Canadian farmers.

* * *

ABORIGINAL PEOPLES

FUNDING OF NATIVE ECONOMIC DEVELOPMENT PROGRAM

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, I do not think the aboriginal community in Canada really knew what it was in for when the Tory Government took office in September, 1984.

The so-called "Buffalo Jump" report took us all by surprise, virtually rewriting the 1969 White Paper calling for funding cuts, means tests, land claim delays and the transfer of programs through the provinces and territories.

The Nielsen prescription is becoming a reality. We have cutbacks in labour assistance for housing programs, continued delays in the reinstatement of aboriginal people under Bill C-31, and two weeks ago the Minister of Indian Affairs and Northern Development (Mr. McKnight) announced limits to the entry of young native people into the post-secondary school system, despite the obvious need and proven success of the program.

Last night it was revealed that government mismanagement may result in a freeze on native economic development programs, programs which still only provide the barest impact on unemployment levels, reaching 85 per cent in many communities.

Despite three years of significant underexpenditures, the Native Economic Development Program is being treated on the same basis as any other Department of Regional Industrial Expansion program. The Native Economic Development Program cannot enter into any new contracts for this fiscal year and, despite the $76 million approximately, budgeted it has been told that it cannot look at further applications which are being received at the rate of 25 a month. Although there is a review by June 30, it is evident that the commitments made under this program when originally introduced are being broken.

* * *

[*Translation*]

WORLD ENVIRONMENT DAY

IMPORTANCE OF PROTECTING HERITAGE

Mr. Gabriel Desjardins (Témiscamingue): Mr. Speaker, today we join people of all nations to mark the World Environment Day. This day gives us an opportunity to urge all Canadians to take constructive measures to protect our natural and cultural heritage.

Mr. Speaker, why not take this special opportunity to highlight and emphasize the leading role played by international organizations in the fight against pollution?

If I may I should like to pay a special tribute to the Rouyn-Noranda environment committee which has been working tirelessly to improve the quality of life in Abitibi-Témiscamingue where pollution has become a serious problem.

Canadians throughout the country are taking part in a variety of projects to mark today's event. Fifty-odd Quebec organizations, groups and agencies have scheduled nearly 150 activities to promote the environment.

I am very pleased with these initiatives which stress the importance of protecting our heritage, not only for ourselves but for future generations as well.

* * *

[*English*]

THE CONSTITUTION

1987 CONSTITUTIONAL ACCORD—PARTICIPATION OF QUEBEC

Ms. Sheila Copps (Hamilton East): Mr. Speaker, this has been an historic week for Canada. The work that was begun by Lester Pearson and followed through by Pierre Elliott Trudeau with the repatriation of the Canadian Constitution has finally been completed with the arrival of Quebec in the Canadian family.

I am extremely proud that as a Liberal it was my Government that began the process and it was my Leader who first launched the request to get Quebec into the Constitution with the January statement in *Le Devoir* and also with his Liberal convention last November.

We believe as a Liberal Party that the Quebec society should be recognized as distinct. We support the Accord whole-heartedly and the position taken by our Leader. We further believe that any Canadian in the struggle to make a good Constitution will want to ask some hard questions and will want to have a very full, public and open debate.

Certainly as a Liberal I am proud we have launched that debate through Lester Pearson, through Pierre Trudeau, and now John Turner who had the guts to raise this issue first and foremost last year.

[*Translation*]

Mr. Speaker, I am pleased that it is always the Liberal Party which is leading the way with respect to the Constitution. We led with Lester B. Pearson and we continued with Pierre Elliott Trudeau. And when the Prime Minister of Canada (Mr. Mulroney) remained speechless, it was Mr. Turner who launched the debate, it was the Liberal Party which endorsed Mr. Turner's position at our convention last November.

* * *

• (1115)

[*English*]

ENVIRONMENT WEEK

COSTS OF PROTECTING ENVIRONMENT

Mr. David Daubney (Ottawa West): Mr. Speaker, this is Environment Week in Canada but it is not a time for platitudes about the environment. Millions of people in the Third World have already died as a result of natural disasters and diseases related to environmental neglect. We in Canada have been lucky so far but we can see on the horizon the shadows of environmental problems about which we have long known: acid rain, changes in our climate, and the poisoning of our world by toxic chemicals.

The new Environmental Protection Act has the potential to help us, but real progress has real costs. We cannot afford to make environmental protection a white-collar issue of concern only to those who work in secure and non-polluting industries. We will have to pay substantial transition costs for the people in industries that will have to change. This will not be popular, but those who enjoy economic security and now seek environmental security cannot expect blue-collar workers to pay for a clean environment with lost jobs and lost hope.

Oral Questions

TRADE

SOFTWOOD LUMBER EXPORT CHARGE

Mr. Jim Fulton (Skeena): Mr. Speaker, we learned yesterday that the majority of provinces now feel that the federal Government was wrong to give in to the U.S. on the 15 per cent softwood export tax. However, a little history is in order.

The former B.C. Minister of Forests, Mr. Kempf, has now been revealed as a double-agent, having in fact held private discussions with the U.S. Coalition last fall unknown to the other provinces. B.C. then broke ranks and publicly took the U.S. view that the forest industry is subsidized. In fact, Mr. Kempf stated that the industry was subsidized by $200 million in 1985 and by over $1 billion in 1986.

These Social Credit revelations ruined Canada's case, and the final destruction came from the Minister for International Trade (Miss Carney) who made the famous one-time-only offer of 10 per cent only to offer 50 per cent more than that a few days later. In anger at having been caught at a sellout, the Minister for International Trade described B.C.'s forests as a silvicultural slum.

The Forest Ministers failed this week in Winnipeg to come up with a common package of provincial and royalty measures to replace the 15 per cent export tax on softwood lumber bound for the U.S. No wonder, with some areas of B.C. paying barely $1 per cunit royalty while some maritime areas like New Brunswick are paying over $50 per cunit. Yes, the Premiers have awoken with a $600-million B.C. hangover.

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ADMINISTRATION OF JUSTICE

NATIVE COURT WORKERS' PROGRAM IN SASKATCHEWAN

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, there is in existence across Canada a federal-provincial program known as the Native Court Workers' Program. Recently the Conservative Government of Saskatchewan decided to withdraw its share in that program.

I should tell the House that it costs each citizen of Saskatchewan about 40 cents per year to be involved in the Native Court Workers' Program. That is less than the price of a cup of coffee.

The results of this program have been that the native incarceration rate in that province over a four-year period has declined by approximately 4 per cent.

This is an essential program and I therefore call upon the Minister of Justice (Mr. Hnatyshyn) first to use his good offices to sway the Government of Saskatchewan from this short-sighted decision to cancel an important program. Failing that, I call upon the Government of Canada to assume full responsibility for the Native Court Workers' Program in the Province of Saskatchewan.

ORAL QUESTION PERIOD

[*English*]

EXTERNAL AFFAIRS

VENICE ECONOMIC SUMMIT—AGRICULTURAL SUBSIDIES

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I have a question to address to the Secretary of State for External Affairs. Last night during my televised comments on the constitutional agreement, I welcomed Quebec's joining the Canadian family in very positive and constructive terms. I said also that, despite that achievement, the Government must not neglect other urgent issues facing Canadians.

The Prime Minister will be at the Venice Summit and I would hope that he would tell his colleagues, the leaders of the other six leading industrial nations, that it is imperative to end agricultural subsidies because of the crisis they are causing throughout the world and particularly because of the crisis for the family farm and the grain farmer in western Canada. Will the Prime Minister be addressing that issue, and will he call for an extraordinary meeting of the world's leading grain producers in order to bring an end to the subsidy wars and return some reason to the international trading picture?

• (1120)

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I thank the Right Hon. Leader of the Opposition for that question because it deals with a problem the resolution of which is essential to the stability and growth of our country. The Prime Minister will certainly be raising the question of agriculture at the Venice Summit. He was the first Prime Minister of any country to put agriculture at the top of the agenda at the Tokyo Economic Summit.

We have had the benefit of direct consultations, most recently at the Carling Building last week, with representatives of farm leaders from across the country, to develop a position that Canada can put forward effectively. The Right Hon. Leader of the Opposition made a suggestion regarding an extraordinary meeting of grain producers. We will consider that option among others. There have already been a number of extraordinary meetings called by Canada or joined by Canada to try to ensure common action against a problem which I think it is generally recognized, because it is based on subsidies, cannot be solved by any one country alone. It requires the concerted action of several countries. That is what we are trying to achieve.

[*Translation*]

SOUTH AFRICA—APARTHEID—VENICE SUMMIT—GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I would like to put a supplementary to the Minister. In the past, both the Minister and the Prime Minister have asked for more stringent sanctions against South Africa to put an end to the apartheid system. Now that the Prime Minister will be meeting Mrs. Thatcher and President Reagan at the summit, does he intend to follow through on his demands? Is he going to urge participants at the Venice Summit to make a concerted effort and apply strict sanctions against the apartheid regime, and to do so within a very specific timeframe?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the Right Hon. Leader of the Opposition knows perfectly well that the Prime Minister of Canada has played a leading role within the Commonwealth and other organizations by encouraging consistent and increasing pressure on apartheid and by trying to persuade the South African Government to change its policy. We intend to continue this campaign in Venice. I may point out, and this will come as no surprise, that there will be some resistance from other countries at the summit, but nevertheless, the Canadian Government intends to raise the issue in strong terms. It is on the agenda of the first meeting of Heads of State or Governments Monday evening in Venice. We hope it will be possible to achieve some kind of concerted action. I am not suggesting there will necessarily be concerted action on the sanctions, but at least some kind of concerted action by the countries meeting in Venice.

[*English*]

THIRD WORLD DEBT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, my third question relates to the summit. The Minister may perhaps be aware of a draft report prepared by 24 of the developing nations criticizing the International Monetary Fund, to use the words of the report, for strangling the Third World. The Minister is aware of the severe problem of Third World debt, a potential avalanche of $1 trillion, and what it is doing to cause deprivation, social unrest, and even perhaps putting at risk peace and stability in certain parts of the world.

Will the Prime Minister request of his counterparts at the summit a thorough review by the leading industrial powers of the policy toward easing that debt burden and rationalizing the approach of the major industrial nations to it?

• (1125)

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the short answer to that question is yes. In fact Canada will be putting forward some proposals of our own, as will other countries. I think there is some hope for some modest movement on the part of the industrialized countries with regard to the debt question.

I share fully the concern expressed by the Right Hon. Leader of the Opposition about the seriousness of the problem in debtor countries and the ludicrous nature of the situation. Some countries are now paying out more to meet their obligations than they are receiving in international development assistance or from other sources.

That is a complex problem which requires consistent and sophisticated attention. We hope that process will continue in Venice. We will have some proposals to make.

POLICY OF INTERNATIONAL MONETARY FUND

Miss Aideen Nicholson (Trinity): Mr. Speaker, my question is also directed to the Secretary of State for External Affairs and is very similar to that just asked by the Right Hon. Leader of the Opposition.

The developing nations are concerned that austerity regimes imposed by the International Monetary Fund have put them on a treadmill of merely servicing their national debts without hope of reducing the principal and without hope of the economic development which would create prosperity for them and markets for us.

In view of this will the Prime Minister point out forcefully at the Venice Summit the risks of this policy to Canada in particular, both as a creditor nation and as a trading nation?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, there will naturally be discussions which touch upon the operations and, undoubtedly, upon the policy of the International Monetary Fund. I would not want to suggest to the House that we expect that there will be any recommendation at this time for a change in practice, but there is certainly no question that if other countries do not raise that matter Canada shall.

There are a range of inconsistencies between some of the hopes expressed by some of the summit countries and the consequences of some of their policies, none, if I may say so, more so than in the field of agriculture. The agricultural subsidy policies of the European Community and the United States and the practices followed by Japan not only impact negatively upon our country but also have very serious and negative effects upon developing countries, many of which have to rely upon agriculture as the basis of their development.

ARMAMENTS EXPENDITURES

Miss Aideen Nicholson (Trinity): Mr. Speaker, Canada has a longstanding commitment to north-south relations based on our belief that achieving global security is very much dependent on our success in reaching greater economic stability in all the countries of the world.

Will the Prime Minister make it very clear to his counterparts at the Summit that increased arms expenditures in trouble spots in the developing countries of the world is no substitute for intelligent economic planning?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, we will be raising the question of arms expenditures both generally and specifically—specifically in relation to the Gulf—at the Venice Summit.

If I may take this opportunity to respond to what is perhaps one of the most combustible crises now facing the world in the Gulf, Canada has supported and applauds the efforts of the United Nations Secretary General to mediate. We think it would now be appropriate for the Security Council of the United Nations to mandate a cease-fire and a withdrawal with binding enforcement measures, including an arms embargo.

With that in mind, during my conversations earlier this week with Vice Chairman Yang of China I raised the question of the allegations of export by the PRC to Iran of the Silkworm anti-ship missiles.

* * *

• (1130)

REGIONAL INDUSTRIAL EXPANSION

UTILIZATION OF DEPARTMENT'S BUDGET

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Deputy Prime Minister. It is pertinent both to the very disturbing things that are taking place in the Department of Regional Industrial Expansion and to the by-election that is coming in St. John's East. Yesterday the Minister made the extraordinary admission that for the first time ever his Department, halfway through the year, has already spent all of its regional development money allocated for the present fiscal year. At the same time, the Minister said that there would be a freeze put on further spending by his Department but "the Government has no intention of reneging on its commitments to regional development".

How can the Minister put a freeze on all spending in his Department on the one hand, but have the Government live up to its commitments on the other?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I think the Minister responded to those questions very clearly yesterday, in spite of what the Leader of the New Democratic Party might want to suggest. He acknowledged that there may be some overspending in the budget for the fiscal year 1986-87 and has taken action to correct that. The situation is quite temporary. However, I simply repeat the statement that he made, that all commitments will be honoured. The Department of Regional Industrial Expansion will be able to continue business as usual. That is being straightened out.

I believe I can say that the Minister will issue a statement, perhaps later today or early next week, clarifying this whole matter.

ATLANTIC OPPORTUNITIES PROGRAM

Hon. Edward Broadbent (Oshawa): Mr. Speaker, some time next week may be just a little late. The Prime Minister is going to St. John's tomorrow, where it is expected that at long last he will make an announcement on the Atlantic Opportunities Program and announce funding in connection with it. Since the Minister already said in the House yesterday that the budget for regional development is being frozen, what does it mean in terms of the Prime Minister's commitments in Newfoundland?

Will the Government be robbing money from other regional development programs in other parts of Canada, such as the Prairies and British Columbia, to spend for by-election purposes in St. John's? Or does it mean that the promises made in St. John's will not be implemented until a year after the by-election takes place? Is that what it is all about?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the hon. Leader of the socialist party is more political than usual. He must be believing the polls, because he normally is quite constructive. He has become quite political in that question.

I would remind the Leader of the socialists of the new unemployment rate figures that are out today. I am sure it will be of comfort to the Hon. Member that the unemployment rate has dropped to 9.1 per cent. Some 840,000 new jobs have been created, and 50,000 new jobs have been created in the Atlantic region since we assumed office. The Prime Minister's announcement will be one which will provide the kind of framework for future economic development, growth and security for people in the Atlantic region.

Mr. Broadbent: Mr. Speaker, if the figures given by the Deputy Prime Minister are right—and I have no reason to doubt that—and unemployment is going down, I am very happy that that is taking place. I want to make that clear. However, I also say to the Deputy Prime Minister that he knows that unemployment in Newfoundland is approaching the 20 per cent figure in real terms, any way one looks at it. I am sure that is the case.

PREPARATION OF PROGRAM

Hon. Edward Broadbent (Oshawa): Mr. Speaker, will the Deputy Prime Minister confirm that senior department officials in DRIE have not been involved in any way in the work that is going into the announcement for the Atlantic Opportunities Program that will be made by the Prime Minister tomorrow and that this omission is extraordinary since it is their area of expertise? Will he confirm that this is an operation conducted by the Prime Minister and that what seems to be involved, in light of what the Minister of Regional Industrial Expansion said yesterday and the Prime Minister will be announcing tomorrow, is that they are converting regional development fund money into a personal political slush fund for the Prime Minister?

Mr. Crosbie: You are really desperate, Ed.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the Leader of the socialists is getting desperate. He should also know that when we assumed office the unemployment rate in the Atlantic region was 17 per cent. Today it is 14.9 per cent and I think that is real progress.

I think the hon. Leader is relying upon the leaked documents he is getting from his colleague, the Member for Yorkton—Melville. All he has to do is be patient and wait for the announcement. Then he will see precisely what will be included in the Atlantic Opportunities Program. Also, if he will be just a little patient, I am sure there will be a statement issued with respect to the DRIE issue. Perhaps then that will answer the questions he has on his mind, superficially or otherwise.

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THE CONSTITUTION

1987 CONSTITUTIONAL ACCORD—APPLICATION OF NON-DEROGATION CLAUSE

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, my question is directed to my hon. friend, the Deputy Prime Minister. The insertion of a so-called non-derogation clause for aboriginal peoples has improved somewhat the Meech Lake Accord. However, aboriginal leaders remain very concerned and very apprehensive because the non-derogation clause applies to only one small part of the Accord. For example, it is not applicable to the spending power provisions.

Why did the Government decide to restrict so narrowly the application of this non-derogation clause? Will the Government consider extending this clause to cover the entire Accord?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, once again I simply want to remind my hon. friend that this was an accord that was struck and agreed to by the eleven First Ministers. There was extensive negotiation and consultation, with much give and take.

The Member puts an interpretation on the particular clause in question. I thought that my colleague, the Minister of Justice, responded to that rather appropriately yesterday.

Let me repeat to all Hon. Members of the House that we intend to pursue this Accord with the fullest possible opportunities for a parliamentary hearing process so that all Members of Parliament and interested parties can come and place their views on the record. As I said yesterday, I will be meeting with my opposition counterparts very soon to lay out the various options of how we might best proceed.

In fairness, rather than debating the details and the interpretations on specific elements, I think that the committee process might be the best opportunity for the Hon. Member to pursue that.

FUTURE CONSTITUTIONAL TALKS ON FISHERIES

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, the Accord calls for continuing constitutional talks on certain matters, including Senate reform, as well as the matter of the fisheries. How is it possible to discuss the matter of fisheries in the absence of aboriginal leaders? The Deputy Prime Minister knows that the fishery is a basic and primary aboriginal and treaty right guaranteed in our Constitution. Will he agree to include aboriginal leaders in all constitutional talks that relate to the important matter of the fishery?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): There is a clear provision for future constitutional talks that is enshrined in the Accord. Clearly, there are matters that can be taken up as seen fit by the parties to that agreement. If the Hon. Member is making that recommendation, I am sure it will be taken into consideration.

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REGIONAL INDUSTRIAL EXPANSION

REPORTED AUDIT OF DEPARTMENT'S BOOKS

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, my question is directed to the Deputy Prime Minister. Yesterday I was able to inform the House of the incredible revelation that the Department of Regional Industrial Expansion does not have sufficient funds to meet its 1987 and 1988 regional development commitments that have already been made. Of course, this was confirmed in the House by the Minister. It affects jobs in the regions.

I was also informed this morning that, in a highly unusual move, the Government has hired the private consultant firm of Price Waterhouse to audit the books of this Department and straighten out this incredible mess. Since this is such an incredible occurrence—this Government cannot even run its Department in a business-like way—can the Deputy Prime Minister tell the House why this occurred and why it was not identified earlier? How can the Minister make a full and complete statement to this House "very soon" when Price Waterhouse, I understand, just yesterday began its work auditing those books?

• (1140)

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, it is true that there is an internal investigation going on with respect to this matter. I simply said that I believe the Minister will be making a statement, or issuing a letter correcting some of the issues

referred to by the Hon. Member and outlining in clear terms how this matter will be dealt with. However, I repeat once again that all the commitments and obligations of the Department of Regional Industrial Expansion will be honoured. I can also assure the Hon. Member that the integrity of the Department will be clearly maintained.

FINANCIAL ADMINISTRATION ACT

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, since this affects many programs such as the Native Economic Program and others, I want to know from the Deputy Prime Minister whether or not he thinks there might have been a breach of the Financial Administration Act in this case. I quote part of Section 25(1): "No contract or other arrangement providing for the payment shall be entered into with respect to any program unless there is a sufficient unencumbered balance available out of the appropriation". I also have the same reference in the Treasury Board guidelines on financial administration. Does the Deputy Prime Minister not think this might be a possible breach of the Financial Administration Act and also of the guidelines of the Treasury Board?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the Hon. Member has just chastised the Minister and me for making a statement without ascertaining all the facts. He is now asking me to comment on something—

Mr. Nystrom: A breach of the Act.

Mr. Mazankowski: —or to express an opinion on something—

Mr. Broadbent: He might have read it yesterday.

Mr. Mazankowski: —and the Hon. Member is basing the question on leaked documents—and he has a rather reliable source of leaked documents.

Mr. Broadbent: Very reliable.

Mr. Mazankowski: Reliable as far as inconsistency, in terms of providing information which is sometimes a little less than accurate.

Mr. Nystrom: The Minister confirmed it.

Mr. Mazankowski: As was indicated, this matter is being looked into. I know there have been consultations and discussions with the President of the Treasury Board. I am not in a position to associate myself with the suggestion made by the Hon. Member.

LABOUR CONDITIONS

UNEMPLOYMENT REDUCTION—JOB CREATION FOR YOUTH AND ELDERLY

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, my question is directed to the Minister of State for Finance. All of us in this House are surely encouraged by the way unemployment has been reduced to 9.1 per cent, but all of us are aware of the need for still greater reduction. What economic initiatives can the Government take to reduce the unemployment rate lower still, especially among two age groups who find it difficult to be hired, those under age 25 and those over age 45?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I want to thank my hon. friend for his question, which is an important one. I am glad he asked the question today, of course, because the unemployment rate, as you know, Mr. Speaker, is down from 9.3 per cent to 9.1 per cent and our youth are participating in the over-all decrease in unemployment. There have been 840,000 jobs created in all since the Government was elected.

Turning from the macro side of the answer to specific programs for youth, the tax reform proposals which will be introduced in June will clearly help entrepreneurship by lowering rates. That, of course, will have an immediate effect on young people as well as on all sectors of society. There is also the publication, the "Hot 100", which has all of these programs in it.

The Ministry of Youth has compiled some figures. We have a $10 million youth entrepreneurship program with the YMCA. We have 25 per cent of the innovation program set aside for youth. Finally, approximately one half of the Canadian Job Strategy is allocated to youth, and that is $720 million.

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THE CONSTITUTION

1987 CONSTITUTION ACCORD—LANGUAGE MINORITY GROUPS

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, my question is directed to the Deputy Prime Minister and concerns the lack of balance in wording in the Constitutional Accord of 1987. On the one hand we find the role of the Legislative Assembly and the Government of Quebec is to conserve and promote the distinct identity of Quebec, and we agree with that. On the other hand we find the role of the Parliament of Canada, and all the provincial Legislatures, is restricted to preserving the fundamental characteristics of Canada, that is, the linguistic duality, of official languages groups both in Quebec and outside Quebec.

I asked the Government yesterday to tell me why the different wording. I asked the Minister of Justice why the Parliament and the Government of Canada are not obligated

not only to preserve but, more important, to promote these minority language groups. Can the Minister tell the House if the Prime Minister offered to enlarge the role of Parliament and the Legislatures of this country to promote its linguistic duality? And, if so, who opposed it amongst the provincial Premiers? Why is it not in the Accord?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I do not want to slough off a very important and well-intentioned question. I was not at the discussions and negotiations. The Prime Minister and the Minister of Justice were there. I cannot really comment on what went on during the course of those discussions. Suffice it to say I will again draw the Hon. Member's concern to the attention of the Minister of Justice and, hopefully, he will be able to respond in a more fulsome manner next week. I would hope that the Hon. Member would allow that to occur. If he will just be patient, I am sure there is an answer to his question, but I cannot give it to him at this time.

REPRESENTATION OF LANGUAGE MINORITY GROUPS IN PUBLIC SERVICE

Mr. Jean-Robert Gauthier (Ottawa—Vanier): I thank the Minister for that answer. There is more to preserving and promoting the fundamental characteristics of minority groups, it also includes an area of my responsibility as critic, and that is equitable representation in the Public Service of Canada. We all know how difficult it has been for minority groups, both the English-speaking in Quebec and the French-speaking outside Quebec, to reach a demographic balance and obtain equitable representation.

Does the Minister not agree that by making the Parliament and Government of Canada obligated under the Constitution not only to preserve but to promote the linguistic duality of this country, one must ensure that staffing of the federal Public Service represents both the French-speaking minority outside Quebec and the English-speaking minority in Quebec?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the Hon. Member is trying to get into some very pertinent details with respect to the Constitutional Accord. I think what we have is an Accord which embodies a number of principles. We have said we would submit the document to an appropriate parliamentary committee where these things could be explored. I am sure that if the Hon. Member is convincing, as he usually is, there will be some consideration taken. But I repeat, the constitutional process is not completed. The process which is put in place will make it easier to incorporate constitutional changes as deemed necessary. I would hope that these are the kinds of things which could be exposed and discussed during the course of the parliamentary committee hearing.

SITUATION OF ABORIGINAL PEOPLES

Mr. Rod Murphy (Churchill): Mr. Speaker, my question is also directed to the Deputy Prime Minister and is on the subject of the Accord. As the Deputy Prime Minister is aware, native people feel ignored, if not betrayed, by what has happened in this Accord. Last night, when the Prime Minister was speaking to the nation, he said that four attempts to bring justice to our aboriginal people have failed, in large part because Quebec was not there to vote on behalf of our native people and perhaps next time, with Quebec's help, we will succeed.

Considering the Prime Minister's statement to the nation, will the Government guarantee there will be a First Ministers' meeting with aboriginal people and with northern representatives to iron out aboriginal rights in our Constitution within one year?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I think this was responded to yesterday by the Minister of Justice. The record of the Government on the entrenchment of aboriginal rights and the issues concerning the aboriginal peoples has been clearly a priority of the Government and several attempts have been made. I think the Prime Minister was quite correct in stating that now that Quebec is part of the Constitution the issues respecting aboriginal peoples will be resolved, hopefully more expeditiously.

• (1150)

As I indicated in answer to the previous question, the constitutional process is a continuing one. I am sure that given the priority that this Government has placed on the issue of aboriginal rights it will be dealt with in an expeditious fashion.

REQUEST FOR MEETING OF FIRST MINISTERS

Mr. Rod Murphy (Churchill): Mr. Speaker, the native people of Canada want some guarantee that that process will take place. If the Deputy Prime Minister cannot guarantee to Members of the House and to the native people of Canada that there will be a First Ministers' Conference on aboriginal rights within the next year, can he, on behalf of the Government, contact the Province of Quebec which is expected to vote for aboriginal rights, according to the Prime Minister, and the other provinces, and ask them to agree to a meeting on aboriginal rights? Will he at least do that on behalf of native people?

Some Hon. Members: Hear, hear!

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I can assure the Hon. Member, and all Hon. Members, that the priority with respect to aboriginal rights given by this Government has not diminished. As a matter of fact it has been enhanced as a result of the constitutional Accord that has been signed. I can assure the Hon. Member that in the future we will not shy away from dealing with this very important issue.

As to a specific time and a specific request, I am not in a position to give the Hon. Member that. However, I will

certainly take it seriously and perhaps at a later date I might be able to provide a more definitive answer.

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THE ADMINISTRATION

REDECORATION OF MINISTERIAL OFFICES

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, my question is for the Deputy Prime Minister. It pertains to the recent graduates of the Brian Mulroney school of redecorating—

Some Hon. Members: Order!

Mr. Boudria: —namely, the Ministers who have spent $1 million to redecorate their departmental offices, not counting their Parliament Hill offices.

How can the Deputy Prime Minister justify to the people of Canada this lavish spending at a time when 3 million Canadians are living below the poverty line?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I hope that the Hon. Member's question is a serious one rather than one asked in his usual muck-raking style.

I think that it is fair to say that many renovations were required and necessary due to the restructuring of the Cabinet in 1984. If the Hon. Member has any evidence of any inappropriate expenditures or unnecessary spending, I would like him to identify them, give them to me and I will look into them.

[*Translation*]

EXPENDITURES—REQUEST FOR DETAILS

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I should be delighted to respond to the Deputy Prime Minister's invitation. Perhaps he could explain to the House why his Government, in the answer on the Order Paper, refused to provide details on individual Ministers, and why, especially, it failed to mention in the documents it provided that a Minister had spent $135,000 on redecorating his office on Parliament Hill and his departmental office? Why? Would he please explain that and inform the House why this kind of wasteful spending is tolerated by the Conservative Government?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, perhaps it was because the question was poorly drafted.

CANADA POST CORPORATION

SHIPMENT OF POSSIBLE INFECTIOUS MATERIAL

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I have a question for the Deputy Prime Minister.

In the Halifax post office today a container fell, a type of container which has a history of breaking open when it falls. This container was labelled "AIDS—Arc Atlantic Reference Laboratory, Department of Microbiology, Division of Chemical Immunology". It was coming from the St. John's Hospital.

I understand that to ship infectious material in the mail is against the law. Yet an official from the Department of Health indicated that there may be some problems here about whether the material was suspected to be infected or whether it was just being sent because someone wanted their blood to be tested.

What I would like the Deputy Prime Minister to assure the House is that the spirit of the law in this situation will be applied, not just the letter of the law, and that these shipments will be stopped until this matter can be thoroughly investigated in order that the safety of the workers involved can be protected.

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, we will certainly look into that situation to ensure that no risk is posed for any people having to handle these materials. The Hon. Member has my assurance and the assurance of the Government in this regard.

Mr. Keeper: Mr. Speaker, I referred my first question to the Deputy Prime Minister because it related to the Minister of National Health and Welfare. I wish that he had taken the opportunity to reply.

USE OF SHIPMENT CONTAINER—REQUEST FOR SUSPENSION

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, my supplementary question is for the Minister responsible for the post office. It is with regard to—

Mr. Clark (Yellowhead): You are pompous beyond your height.

Mr. Keeper: Pardon me?

What I would like to know from the Minister responsible for the Post Office is this. The hospital responsible indicated that this material was being shipped through the mail in a container approved for that purpose. That was the hospital's response. What I would like to do is have the Minister indicate to the post office that he would like to see it suspend the approval of this type of container, which has a history of breaking, for AIDS-related material until he has an opportunity to investigate the situation thoroughly so that people's health and safety can be protected.

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, without necessarily accepting or

rejecting the facts that the Hon. Member has put forward, I will certainly investigate the situation and take the representations, which the Hon. Member makes very seriously, in the seriousness in which they deserve to be taken.

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MUNICIPAL AFFAIRS

DECAYING INFRASTRUCTURES—GOVERNMENT POSITION

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, my question is for the Deputy Prime Minister. Once again I will appeal to the Government's good common sense.

How can the Government refuse to assist municipalities renew their decaying infrastructures for sewer, water, roads and bridges when today the Government will propose billions of dollars for nuclear submarines? Where are the Government's priorities?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I think it has been said in the House on many occasions that while we are sympathetic to the problems that our municipalities face I think they would understand the difficulties that we have as a Government, in particular the fact that when we took over the reins of government the cupboard was not only bare, it was in a very serious financial debt position, with a doubling of the nation's debt occurring in the last four years of the administration of which the Hon. Member was a member.

Of course, it was most important and very necessary to reverse that trend, to bring down interest rates and to stimulate economic growth. We are now turning things around. Perhaps in the not too distant future, given the solid economic performance, growth and good job creation activities, we might be in a position at some point down the road to look into the matter.

The fact of the matter is that at the present time, as the Minister of Finance and the Minister of State for Finance have stated, it would be a very difficult time to entertain a program such as the one to which the Hon. Member has referred.

GOVERNMENT EXPENDITURES

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, despite the deficit the Government will propose today billions of dollars for nuclear submarines. It has already found $1 million to renew and paint its offices. If the Government can find money for that, then it can find money to renew decaying infrastructures in the municipalities. Where is the common sense in this Government?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I am not sure whether the Hon. Member is speaking for his Party in asking us to withdraw from our commitments to NATO and our commitments to defence—

Mr. Allmand: No, no. I never said that.

Mr. Mazankowski: That is what he is implying.

Mr. Allmand: That is ridiculous. We have not had nuclear submarines, and we don't need them.

Mr. Mazankowski: The Hon. Member cannot have it both ways. He and the members of his Party cannot cry about the need for Arctic sovereignty. They cannot cry about the fact that our Armed Forces are not up to snuff. We have to rebuild our Armed Forces and our defence capabilities because, after 15 years of—

Mr. Crosbie: Liberal turpitude.

Mr. Mazankowski: Thank you. Liberal turpitude, was that the word? We now have an opportunity to fulfil our commitment as we said we would do in the campaign of 1984.

* * *

EXTERNAL AFFAIRS

NICARAGUA—REPORTED BANNING OF CONSERVATIVE PARTY

Mr. Benno Friesen (Surrey—White Rock—North Delta): Mr. Speaker, my question is for the Secretary of State for External Affairs.

Just five weeks ago the Interparliamentary Union held its semi-annual conference in Managua. At that time President Ortega assured us that political pluralism was alive and well there. Right after the conference, the Government put under house arrest the chairman of the Conservative Party in Nicaragua for his attempts to contact delegates. I understand that he has been released but the Party itself has been banned.

• (1200)

Will the Secretary of State for External Affairs contact the Nicaraguan Ambassador here, find out the facts of the case, lodge a protest, and see what can be done about this since it is directly involved with the Contadora process?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I want to thank the Hon. Member not only for his question but for the very detailed report which he provided to me upon his return from Nicaragua with the interparliamentary delegation.

I take seriously the representation he has made to me. Naturally through our Embassy I will want to verify all the facts. If they are as he has told me, I will make that kind of representation to Nicaraguan authorities.

That regime is based upon a stated respect for pluralism. They, as other regimes, must be held to account to ensure that their behaviour bears some resemblance to their undertakings.

ACCESS TO POLITICAL PRISONERS

Mr. Benno Friesen (Surrey—White Rock—North Delta): Mr. Speaker, when we were there we learned that they are still maintaining the El Chipote Prison which was begun by Somoza and has probably one of the worst reputations in the world. Along with maintaining that prison, they have prohibited the International Red Cross from visiting political prisoners there.

Would the Secretary of State for External Affairs undertake to make sure that access to that prison is granted to the International Red Cross?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I shall certainly make that representation.

* * *

FISHERIES

NECHAKO RIVER, B.C.—REGULATION OF WATER FLOW

Mr. Jim Fulton (Skeena): Mr. Speaker, my question is for the Minister of Fisheries and Oceans.

Since Confederation every Minister of Fisheries has held firmly to the view that the Fisheries Act is supreme in its powers to regulate water flows for the protection of salmon and other matters.

On May 22 the present Minister broke that tradition in siding with Alcan, the Aluminum Company of Canada, to negotiate water flows on the Nechako River in northern B.C., which will directly affect the Fraser River as well.

Would the Minister explain to the hundreds of thousands of British Columbians who will be hurt by this sell-out why he has chosen to place private corporate rights above the common law and common property rights of all Canadians?

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, I welcome the Hon. Member's question and assure him that as Minister of Fisheries and Oceans for Canada I do not intend to sell out the interests of the fishery and its important economic value to all Canadians, particularly those in northwestern British Columbia, for any other interest.

However, in the spirit of the habitat policy which I released last October, we believe it essential that we enter into negotiations and discussions with third party interests on the possible conflict and opportunity to harmonize other types of development with the important responsibility I have to ensure that fish populations are not only maintained—that is, the enshrinement of the no net loss principle—but that in fact we seek a net gain of habitat and the production of that habitat in the area of the fisheries.

Mr. Fulton: Mr. Speaker, you know full well what the implications of negotiating an out of court agreement on Alcan's 1950 water licence will mean. Thanks to your quick action, Mr. Speaker, the Supreme Court of British Columbia upheld the supremacy of the Fisheries Act in 1980.

MINISTER'S POSITION

Mr. Jim Fulton (Skeena): Mr. Speaker, my supplementary question is for the Minister of Fisheries. He does not seem to understand the fundamental error of what he has done.

Why has the Minister overturned 120 years of Canadian constitutional and common law rulings and placed corporate rights to a common property resource, which is flowing water and fish, above the rights of the owners of these matters, the people of Canada?

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, this Minister has not overturned any period of history in the reasonable and balanced approach we are taking to the opportunity or possibility of creating significant employment in the Hon. Member's riding, without doing any damage to the fisheries contained within the area of the Nechako River watershed.

Therefore, I would be more than happy to welcome the Hon. Member and other Members of Parliament from British Columbia who are interested in the issue to sit with me and to receive a full briefing—and we will provide it to all other interested parties—on the options under consideration and the possibility of offsetting remedial measures within the spirit of our habitat policy, which I believe the Member has commended on earlier occasions, in order to achieve an accommodation and to realize additional economic development and jobs in his riding.

* * *

[*Translation*]

UNEMPLOYMENT INSURANCE

REIMBURSEMENT OF EARLY RETIREES—PENALIZED INDIVIDUALS—AVAILABILITY OF FUNDS

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, in the absence of the Minister of Employment and Immigration, my question is directed to the Deputy Prime Minister. Hon. Members are aware that thanks to the Official Opposition's House Leader, the Government has agreed to call Bill C-50 for debate next Tuesday so that 35,000 early retirees can get their refunds. My question, unfortunately, concerns 2,500 people in Canada who will be penalized as a result of this Bill. They opted for early retirement before January 5, 1986, but for various reasons had to apply for unemployment insurance benefits after that date. This has cost them about

$4.5 million. Could the Deputy Prime Minister explain to these 2,500 Canadians that his Government does not have the $4.5 million, because it spent over one million on redecorating ministers' offices and because the Minister of National Defence is about to announce that he will need billions of dollars to spend on nuclear submarines? How do we explain this wasteful spending to 2,500 Canadians?

Hon. Jean J. Charest (Minister of State (Youth)): Mr. Speaker, I assume that the Hon. Member for Montreal—Sainte-Marie will also want to explain to the people whose cause he is defending that since we formed the Government, the unemployment rate in Canada has dropped by 2.6 per cent, down to 9.1 per cent today, the lowest rate in five years. We have created more jobs in the last three months, Mr. Speaker, than the previous Liberal Government was able to create in about four and a half years. I am not surprised my colleagues are reacting to this. Especially since we are delighted the Hon. Member for Montreal—Sainte-Marie has finally managed to persuade his House Leader to let Bill C-50 go through all three stages the same day, so that we can finally reimburse the people he claims to defend.

REQUEST THAT GOVERNMENT REVISE ITS POSITION

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, I have a supplementary for the Minister. I wish he would answer those 2,500 people who are being penalized. What is the Minister going to say to a gentleman who wrote to me that he took early retirement on December 31? In case the Minister didn't know, January 1, New Year's Day, is a holiday. And because of all the paper work, he has to go and apply for his benefits on January 10 or 12. Instead of evading the issue, why doesn't the Minister agree to ask the Minister of National Health and Welfare to consider these 2,500 people in Canada as having retired in 1985 and to refund the four million, instead of spending ten or twelve or fifteen billion on nuclear submarines? Why won't the Minister agree to do that?

Hon. Jean J. Charest (Minister of State (Youth)): Mr. Speaker, first of all, I am delighted to see the Hon. Member for Montreal—Sainte-Marie showing an interest in National Defence, because when the Minister of National Defence announces his policy, the Liberal Party of Canada will have a chance to announce its position if they ever manage to develop one on that or on any subject of concern to Canadians today. As for Bill C-50, the Hon. Member will find out next Tuesday that a Commission will be formed to examine the cases to which he referred. And if the Liberal Party of Canada finally decides to adopt the Bill so that we can finally reimburse these people, that will clear up a lot of problems.

ROUTINE PROCEEDINGS

[*English*]

WAYS AND MEANS

TABLING OF NOTICE OF MOTION

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, pursuant to Standing Order 84(1), I have the honour to lay upon the table copies of a Ways and Means motion to amend the Income Tax Act, a related Act, the Canada Pension Plan, and the Unemployment Insurance Act, 1971, together with technical notes pertaining thereto.

Pursuant to the provisions of Standing Order 84(2), I ask that an Order of the Day be designated for the consideration of the said motion.

* * *

NATIONAL DEFENCE

TABLING OF WHITE PAPER

Hon. Perrin Beatty (Minister of National Defence): Mr. Speaker, pursuant to the provisions of Standing Order 67(2), I have the honour to lay upon the table two copies, in both official languages, of the new defence White Paper, *Challenge and Commitment, A Defence Policy for Canada.*

* * *

REGULATIONS AND OTHER STATUTORY INSTRUMENTS

TABLING OF GOVERNMENT RESPONSE TO SECOND REPORT OF STANDING JOINT COMMITTEE

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, pursuant to Standing Order 99(2), I have the honour to present, in both official languages, the Government's comprehensive response to the second report of the Standing Joint Committee on Regulations and Other Statutory Instruments. That report was made on February 6, 1987, and was entitled "International Pacific Halibut Convention Regulations".

* * *

• (1210)

PETITIONS

GOVERNMENT RESPONSE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table,

in both official languages, the Government's response to Petition Nos. 332-1981, 332-1982, 332-2006, 332-2036, 332-2117, 332-2386 to 332-2421 inclusive, 332-2448, 332-2495 and 332-2574.

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[*Translation*]

NATIONAL DEFENCE

WHITE PAPER—*CHALLENGE AND COMMITMENT*

Hon. Perrin Beatty (Minister of National Defence): Mr. Speaker, three weeks from now we will celebrate Canada's 120th birthday. But in this spring of 1987 it is fitting for us to remember that 70 years ago Canadians of all regions and of all walks of life forged, at Vimy Ridge, a new sense of nationhood, that was the beginning of modern Canada.

We are not a militaristic people, but we are a nation with a proud and long military history. In two world wars and in Korea we built an honourable reputation for pulling more than our weight when called upon to defend our way of life, our national institutions and our democratic values.

It is perhaps difficult for some to accept that these values remain under threat today. But they are, and these threats are not uniquely ours. We cannot defend this vast country against possible enemies on our own. We must seek our security through collective measures with other nations who face the common threat.

[*English*]

It is 16 years since the last White Paper on Defence was tabled in this House of Commons. Since that time the world has changed in many significant ways which affect Canadian security profoundly.

In the Speech from the Throne opening the first session of this Parliament, the Government promised the Canadian people a thorough review of defence policy. I am here today to honour that commitment.

Some Hon. Members: Hear, hear!

Mr. Beatty: I present to this House a coherent, made in Canada, defence policy, Mr. Speaker, which, when implemented over the next 15 years, will provide for the continuing security of Canadians in a changing world and will equip the Canadian Forces with the capabilities they need to become and to remain effective into the 21st century.

The defence policy review identified two fundamental deficiencies in current defence policy. The first is the existence of a significant gap between the capabilities required to meet the military commitments accepted by successive Governments on behalf of the Canadian people and the capabilities possessed by the Canadian Forces. This gap is widening as ships, aircraft, vehicles and equipment become obsolete before they can be replaced. If this trend were allowed to continue, the Canadian Forces would simply rust out.

The second deficiency in current defence policy is its failure to take into account the significant geopolitical and geostrategic changes affecting Canadian security since the last White Paper was tabled in 1971. These changes include Canada's emergence as a Pacific nation with increasingly important economic, cultural and strategic interests in the Pacific area; the growing strategic importance of the Arctic Ocean as an operating area for foreign submarines, raising both security and sovereignty concerns for Canada; the emergence of Soviet air-launched and submarine launched Cruise missiles, and Canada's vulnerability to attack by these weapon systems from our three ocean approaches; and finally, the requirement for sustainable supportable ground and air forces in Europe. This requirement will become even more pressing with any agreement to eliminate or significantly reduce intermediate nuclear forces in Europe where the Warsaw Pact has a preponderance of the conventional forces.

This White Paper, *Challenge and Commitment*, provides the Government's response to these deficiencies and lays out the future course of defence policy. The main thrusts are, first, that Canada will continue to base its security policy on three pillars: the maintenance of an adequate defence; the pursuit of equitable and verifiable arms control and disarmament measures; and participation in peace-keeping operations and negotiations to achieve peaceful settlements of international disputes; second, that Canada will remain a committed member of NATO—

Some Hon. Members: Hear, hear!

Mr. Beatty: —and will continue to contribute land, sea and air forces to the integrated military structure of the North Atlantic Alliance; third, that within this framework we will remain an active partner in continental defence arrangements with the United States and contribute forces to the joint North American Aerospace Defence Command; and fourth, that to meet the changing alliance needs and national requirements, the force structure of the Canadian forces will be modified over time to meet the requirement for a well balanced three ocean Navy, including the acquisition of nuclear powered submarines and a second batch of Canadian patrol frigates; to consolidate in NATO's central front our major land and Air Force commitments in Europe; and to revitalize the reserve forces to make them capable of supporting and sustaining our military commitments both at home and abroad.

I should like to say a few words about each of these initiatives which, together with our contributions to North American air defence, lie at the core of new defence policy.

The first key element in our new defence strategy is the creation of a three ocean navy to protect our three ocean country. The deplorable state of the navy is well known. We have not a single minesweeper in the Canadian navy and the youngest ship in our fleet was being built at the time of the last White Paper in 1971. The oldest ships are more than 30 years

old. The problem is so serious that we must either engage in a major rebuilding of our navy or give up even the pretence of being able to protect our waters. We have decided to introduce ship, submarine and helicopter replacement programs to build a modern and effective three ocean navy.

Some Hon. Members: Hear, hear!

Mr. Beatty: The navy vessels which we are planning to acquire, Mr. Speaker, will be delivered through the next decade and beyond and will last, and represent Canada's naval capability, well into the next century. Our studies have shown us that in that time frame the most effective way of conducting anti-submarine warfare operations in the Pacific and Atlantic Oceans would be with a balanced Maritime force comprising surface vessels with helicopters, nuclear-powered submarines and Maritime patrol aircraft. This balance is now lacking.

Such a balanced fleet mix will also offer Canada the option of submarine operations under the ice of her northern waters.

Some have suggested that the proposed nuclear submarine program is driving the costs of the White Paper. Such a suggestion is untrue. The sort of submarine that we are contemplating will cost approximately the same amount of money as a modern air defence frigate.

The issue is not the cost of a particular type of vessel but rather the cost of replacing a navy on the verge of rust-out. The real question is whether Canada can afford to have a modern navy or, perhaps more accurately, whether a three ocean nation as dependent on trade as Canada is, can afford not to have a navy. The Government's response is clear.

Some Hon. Members: Hear, hear!

Mr. Beatty: Some people would suggest that we contract out the defence of Canada's waters to others. The Government is prepared to discuss co-operation in all aspects of the defence of North America, but we will not allow Canada's sovereignty to be compromised. We will be a partner with our allies and we will not be a dependent.

[*Translation*]

Mr. Speaker I will now turn to Consolidation in Europe.

To be credible, Canadian contributions to conventional deterrent forces in Europe, whether stationed in Europe or held in Canada as expeditionary forces, must be and be seen to be effective, available, supportable in action and sustainable over time.

Both our major land force and air force commitments to Europe—our stationed Mechanized Brigade Group, and our stationed Air Group on the Central Front in West Germany—and our Canada-based CAST Brigade group and Rapid Reinforcement Air Squadrons earmarked for deployment to North Norway—are currently unsupportable in action and unsustainable once committed.

The Government has concluded that the solution to these problems is consolidation into effective, supportable, sustainable land and air formations at divisional strength. The most careful consideration has been given to the political, military and economic implications of the choices open to us.

• (1220)

[*English*]

Once we had taken a decision to consolidate our efforts in a more effective and more focused way, we had essentially two choices: to concentrate on the northern theatre or on the central front. While consolidation in the North was appealing for many reasons, it was complicated by the fact that for reasons which we fully understand, Norwegian policy forbids the peacetime stationing of foreign troops in that country. Consequently, to focus on Norway would have required that we abandon the costly infrastructure that we had built in Germany, withdraw our troops from Europe altogether and try to develop workable arrangements to get troops to Norway if they became needed. This option simply would not have been sensible.

The best course for Canada in our view is to withdraw from our current commitment to send a CAST Brigade and two rapid reinforcement squadrons of fighter aircraft to northern Norway and to consolidate these forces if required in an emergency on our stationed land and air commitments in West Germany. We will continue, however, to provide a battalion group dedicated to deployment in the Northern European Command area as a contribution to the Multinational Allied Mobile Force, Land. The equipment for this battalion group will remain prepositioned in northern Norway and we will continue to exercise this and other forces with our Norwegian allies.

The Government has conducted intensive consultations in our consolidation proposals both within NATO and bilaterally with those of our allies that will be most affected by these adjustments. In general, the responses we have received are both sympathetic and supportive.

This change in the role of the 5th Brigade Group will require that it be newly equipped with main battle tanks and with other heavy equipment to fit it for operations on the Central Front. A large proportion of this equipment will need to be prepositioned in West Germany. It will also be necessary to re-equip the 4th Brigade Group which will remain on station in South Western Germany with new tanks in order to maintain its effectiveness throughout the period of the White Paper.

Consolidation into land and air divisions and the addition of divisional elements will provide larger, more effective and more visible Canadian contributions to the conventional deterrent and defence needs of the Alliance in Europe. Most importantly, the fact that our commitments will be both honest and doable will send the message both to our friends and to the Warsaw Pact that Canada will be there if we are needed.

Although I will deal with them separately later, it is important to recognize the role that a revitalized reserve force will be called upon to play in the sustainment of consolidated forces in Central Europe. Our maritime forces will also continue to play a critical role in contributing to the security of sea lines of communication between North America and Europe and both the support and the sustainment of land and air forces in the European theatre.

Let me offer a few comments now about the reserves. The sustainability in support of our stationed and expeditionary forces in Europe would in hostilities be critically dependent on the size and capability of the reserve forces. There are also national roles such as mine countermeasures, the naval control shipping, the protection of vital points and home defence which are well suited to the reserve forces. We intend to introduce a total force concept which will reduce the distinction between the regular and the reserve forces. The quality and quantity of training and equipment will be improved and the strength of the primary reserves will be increased to about 65,000 from the current level of 25,000.

Some Hon. Members: Hear, hear!

Mr. Beatty: This will achieve an over-all reserve level of 90,000 in the 15-year planning period.

Other initiatives will be launched to pursue effective university officer training programs and to improve the pay and the benefits of reserve personnel. The reserve forces can play a vital and cost-effective role in the defence of Canada but they have been gravely neglected in recent years. We intend to see that these citizens, soldiers, sailors and aviators, receive the recognition which they deserve and we will give them a priority that they have not had for several decades.

I would also like to inform the House of a number of other elements of our new policy. First, the Government intends to continue to support our NORAD commitment of three squadrons of tactical fighters. This commitment will be reinforced through our participation in components of the North American Aerospace Defence Modernization Project such as the North Warning System through continued co-manning of the United States airborne warning and control aircraft flying in support of NORAD commitments and co-manning of operational support centres for the over-the-horizon backscatter radar stations.

We will pursue new initiatives which might lead to an enhanced capability to conduct surveillance of our northern areas from space over the next 15 years. During this period, we will also closely monitor the United States initiatives in space and other programs aimed at improving the aerospace defence of North America. I would stress that our policy will continue to be that all activities in space must respect international treaty obligations and must contribute to the pursuit of peace.

In addition to these initiatives in support of military commitments, the Government intends to pursue measures aimed at broadening and strengthening the base on which future defence policy is to be built. These measures include an increased emphasis on the provision of equal opportunities in the Canadian forces for members of both official language groups, expanding the role of women in the Canadian forces, ensuring that Canada's regular and reserve forces fully reflect the ethnic diversity of Canadian society, the strengthening of defence industrial preparedness and, perhaps one of the most important initiatives, the scrapping of the Emergency Planning Order and the replacing of the War Measures Act with the new emergencies legislation.

Some Hon. Members: Hear, hear!

Mr. Beatty: Mr. Speaker, this has been a commitment of the federal Government since 1970 and we will act on that commitment. We will replace the War Measures Act with new emergencies legislation which will both better protect civil liberties and provide greater flexibility in dealing with emergencies.

Some Hon. Members: Hear, hear!

Mr. Beatty: The Government will also introduce legislation to establish Emergency Preparedness Canada, the agency responsible for co-ordinating the civil aspects of mobilization planning.

This White Paper is the blueprint which will guide the rebuilding of the Canadian Forces. As Hon. Members know, major Crown projects such as the Canadian Patrol Frigate Program or the Low Level Air Defence Program take many years to complete and must be planned many years before production starts. For this reason, defence planning is long term and the horizon of the White Paper is the next 15 years.

To provide a fair balance between the need for certainty that resources for defence will be available in the long term and the degree of fiscal flexibility that is prudent for the Government to retain, a new planning and funding process has been developed for programs which will flow from the policies laid out in the White Paper. During the 15-year planning framework of the White Paper, the Government is committed to annual real growth in defence spending which, except in fiscal emergencies, will not fall below 2 per cent. Increased resources over those generated by this planned funding floor will be provided as major projects forecast in the White Paper are introduced and implemented.

In order to assess the level of incremental resources required in any given year, Cabinet will conduct an annual review of proposed defence spending for the following five-year period. A rolling five-year funding plan has been adopted and will form part of the defence estimates process. The first annual review will be held in September of this year. At that time, the second phase of the Ship Replacement Program will be examined to determine the annual level of incremental funding required over the 2 per cent base line for the next five years.

Since he was first elected to Parliament, the Prime Minister (Mr. Mulroney) has made clear his commitment to a strong

and sovereign Canada. The Government he leads is determined to provide members of the Canadian Forces with a clear mandate and with the resources necessary to do their job.

Since coming to office, we have reintroduced distinctive environmental uniforms. We have opened up the Canadian Forces to increased opportunities for women, we have pursued initiatives to improve opportunity for members of both official language groups and we have started to narrow the capabilities gap. We have continued to pursue workable and meaningful arms control agreements and we have increased our troop strength in Europe by over 25 per cent.

As I conclude, perhaps I would be permitted by the House a personal note about the men and women who serve in the Canadian forces. The last 11 months have been among the most exciting and rewarding of my life because of the opportunity I have had to meet many of the dedicated men and women who daily lay their lives on the line in the defence of Canada. They live by a code of honour and duty and serve their country proudly. These dedicated Canadians deserve our thanks and support in their important work. On behalf of the Government of Canada I want to express our deep gratitude and pride to each and every one of them.

• (1230)

Some Hon. Members: Hear, hear!

Mr. Beatty: The White Paper I have tabled today will provide a much needed sense of purpose, direction, pride and identity for the Canadian Forces. When implemented it will enhance the security of Canadians and help to re-establish Canada as a responsible and reliable defence partner. We must do our fair share in carrying the burden of collective defence if our views are to be respected and our independence preserved. We are a proud people and we will honour our commitments.

It has been a long and hard journey to get this far. The way ahead will not be any easier. We now have a coherent, comprehensive defence policy framework, a road-map to guide us into the 21st century.

Some Hon. Members: Hear, hear!

Hon. Douglas C. Frith (Sudbury): Mr. Speaker, I hope the Members who have just finished applauding that address by the Minister of National Defence (Mr. Beatty) will wait around to listen to at least some of the arguments the Opposition will be making with respect to the White Paper.

Before I get into the substance of the White Paper I want to review some of what I believe are the myths that the Conservative Government is attempting to create about what Liberal defence policy stood for. The implication is that the Liberal Party stands for weak defence.

Mr. Mazankowski: You have a proven record on that.

Mr. Frith: The implication is that the Liberal Party decreases defence spending while it is in power but a Conservative Government increases defence spending. I want to review the track record of the Conservative Party since it came to power in September of 1984 and compare it with the Liberal Party policy from 1979 through to 1984.

Mr. Dick: Why don't you do it before 1979?

Mr. Frith: The Associate Minister of National Defence (Mr. Dick) can have his say in a moment.

In 1979, the Liberal Government made a commitment to its NATO partners to increase defence spending by 3 per cent in real terms. Our track record from 1979 to 1984 indicates that we actually exceeded the 3 per cent goal.

Mr. Hopkins: By far.

Mr. Frith: By far. It was 4 per cent in 1980-81, to as high as 8.9 per cent in 1984-85.

Let us compare that with the Conservative track record. Never mind the Tory campaign promise of the summer of 1984 that they would increase defence spending by 6 per cent in real terms. My understanding, and correct me if I am wrong, is that all of the spending projections in the White Paper are based on the assumption that defence spending over the next 15 years will increase by only 2 per cent in real terms. That is not the 6 per cent they promised during the election. It is significantly lower than the 3 per cent during the Liberal Government years of 1979-1984. I just want to make sure that at least that myth is dispelled.

In addition, during the Minister's speech he indicated what the capital acquisition program would be. So that the record is clear, I want it understood that it was a Liberal Government that made the decision to upgrade the North Warning System which was completed in the first few years of the Conservative Government. It was a Liberal Government that purchased the 138 CF-18 fighters to upgrade our Air Force. It was a Liberal Government that decided to build new frigates for the Canadian Navy. I might point out as well that we were committed to a three-phase program. As a result of today's White Paper the third phase of that frigate program is going to be scrapped. I will come to the specifics in a moment.

The point I am making is that I will not allow the Conservative Government to promulgate the myth that the Liberal Party was never committed to the defence of this nation and the western alliance, because nothing is further from the truth. Our track record speaks for itself. I want the Canadian public to understand that the track record of the Conservative Party is one of lower growth rates in defence spending than occurred in the previous seven years of Liberal Government.

Mr. Mazankowski: Allmand says we are spending too much.

Mr. Allmand: On submarines.

Mr. Frith: I now want to get to the specifics of the Liberal Party's defence policy. It is very important to understand the three premises upon which that policy is based and maintained.

Mr. Mazankowski: Is this Axworthy's policy?

Mr. Frith: The first is that defence policy should be part of a wider security policy. By that I mean defence policy must be cognizant of both our foreign policy needs. In other words, no decision should be made on defence policy which would detract from this nation's foreign policy goals.

As to Canada's long-term security, that will best be served by the pursuit of global security. That requires international co-operation. In pursuit of that, the Liberal Party remains committed to all of the multilateral institutions of the world, things like the United Nations. More importantly, we believe in our participation in the North Atlantic Treaty Organization so that we share with our partners in the defence of the western alliance. In addition, the Liberal Party, in pursuit of global security, recognizes that we have a responsibility to the defence of the North American continent and therefore believes very strongly in our participation in NORAD.

There are three primary functions that the military is being asked to undertake under a Liberal defence policy. I have already mentioned the first, a military contribution to the collective defence of the western alliance. There is one important proviso. We must maintain our participation in the defence of the western alliance but with the goal of always maintaining and enhancing stable deterrence. In other words, no defence or foreign policy initiative should be taken which would detract from stable deterrence in the western world.

The second is the protection of Canada's sovereignty through the effective control of Canadian territory to the extent that this is consistent with the wider goals of global security. In other words, when I talk about stable deterrence it is important that any acquisition of a weapon's system does not throw an unknown factor into the equation of stable deterrence. I submit to you, and I will go into some detail, that the acquisition of nuclear-powered submarines will lead to destabilization.

Last but not least, something which I think all of us in this House will agree on, is the tremendous international reputation Canada has in peace-keeping operations throughout the world. We have contributed to international organizations in an attempt to limit the outbreak of conflicts in various parts of the world. Canada's track record from the days of Lester B. Pearson is something of which this nation can be very proud.

I admit that the Minister of National Defence, in his previous roles as Solicitor General and Minister of National Revenue, has a reputation of never making a mistake. However, I say to the House today that the Minister has made a mistake in his decision to acquire nuclear-powered submarines. In this case he is dead wrong and to the tune of $7.5 billion.

Mr. Blackburn (Brant): At least.

Mr. Frith: Let me explain why the Liberal Party opposes the Conservative Government's decision to acquire a fleet of nuclear-powered submarines.

The rationale, at least as I gather it from the speech of the Minister, for the decision to acquire nuclear-powered submarines is to protect Canada's sovereignty and security in the Arctic. That is the basis of the Government's decision.

Mr. Dick: Wrong.

Mr. Frith: Let us separate the two issues because too often we confuse the sovereignty issue with the security issue. As a result Canadians become confused as to what exactly government policy is with respect to both.

• (1240)

The Secretary of State for External Affairs (Mr. Clark) has indicated that in his view, the issue of sovereignty in the Arctic is a legal issue which must be clarified by legal recourse, either through multilateral agreements or a redress to the World Court in The Hague. If the sovereignty issue is a legal issue, why are we applying a military solution to a legal problem?

The Government says that the only option available to Canadians to pursue the objectives of security and sovereignty are nuclear powered hunter-killer submarines. I reject the assertion that the only method of addressing the security issue in the Arctic is the acquisition of nuclear powered submarines and I will elaborate on that in a moment.

The Liberal Party has maintained that the pursuit of national security can only be successful if it is synonymous with the pursuit of international security. It has been a Canadian tradition never to attempt to enhance security through a unilateral, military measure. I view the acquisition of nuclear powered submarines as a unilateral, military approach to a sovereignty and security issue. I think there are better and more sane ways of approaching the problem.

It is our view that a combination of detection devices with increased air patrols and surface ships, such as the icebreaker and frigates, can provide a visible security presence in Canada's Arctic. I believe that in the long run a combination of conventionally powered submarines, frigates and air patrols will be a much more cost-effective way of dealing with the security problem which exists in the Arctic than the acquisition of 10 to 12 nuclear submarines.

I listened to the Minister indicate that in his opinion there is a growing threat of sea-launched and air-launched cruise missiles by the Soviet Union toward North America. Through questions which I have asked in the Standing Committee on National Defence I have learned that it is our best friend and ally, the United States, which has admitted to using our Arctic waters, not the Soviets. There is no proof yet that the Soviets have used their nuclear powered submarines under the Canadian ice cap.

However, let us assume that the Conservatives are correct, that there is an increased security threat as a result of sea-

launched cruise missiles from Soviet submarines under Canada's Arctic ice cap. I said at the beginning of my remarks that it is important that our defence policy go hand in glove with our foreign policy. Our foreign policy is to have an effective Canadian role and voice in arms control. Yet, if the Secretary of State for External Affairs is convinced that the sea-launched cruise missile threat exists under the ice cap, why has he not asked that the super powers put on the agenda at Geneva sea-launched cruise missiles as part of the arsenal facing the western world?

It seems to me that there is a gap between the defence policy which the Minister is advocating and the one taken by his own foreign minister. I submit to the House that it is very important that the Conservatives understand that defence policy, foreign policy and domestic policy must always go in the same direction. I submit that that is not now the case.

Some people put the cost of these nuclear-powered submarines at $5 billion but it is well known that $5 billion does not include the costs of refitting, refueling, or the training of the crews. The purchase, which will be the largest single expenditure in Canada's defence history, will be at least 50 per cent higher after the infrastructure has been built for it.

I have nothing against the enhancement of the Navy's capabilities. The Navy will have acquired 12 nuclear powered submarines for deterrence of threats to our Arctic security. That begs the question of what the nuclear powered submarines will do when they meet an American or Russian submarine under our Arctic ice cap. Would it not be simpler to use our conventional weaponry systems, including the frigates, anti-submarine air patrols and conventionally powered submarines, to deal with the submarines when they exit from the choke points in Canada's Arctic?

I suggest that this is a very expensive, unilateral, military response. There are other methods of addressing the same problem which have far less implications for Canada's defence and foreign policy. I do agree that as Canada is a maritime nation we will have to enhance Canada's Navy to ensure that we can control the Atlantic and Pacific Oceans and ensure that Canada's security and sovereign interests are looked after.

The Liberal Party has a major disagreement with the White Paper with regard to the Conservative Government's decision to withdraw its CAST commitment to Norway. I believe that is a mistake in the premise of Liberal defence policy. Defence policy must dovetail with foreign policy. The Conservative Government itself developed the northern foreign policy approach. I agree that in terms of long-term geopolitical interests Canada will be best served by having alliances and associations with other Nordic countries such as Norway, Finland and Denmark which share Canada's geopolitical concerns. As a result of the withdrawal of our CAST commitment to Norway we will lose one of the major political IOUs which we have in the NATO Alliance since the Norwegians will view this withdrawal as a determination by Canada to withdraw its interest from other Nordic countries.

A good example of this was the Government's reversal of its decision to close the embassy in Helsinki. That was a clear signal to the Nordic countries that we were beginning to place less emphasis on our natural economic, cultural and political alliances with our Nordic neighbours. The Government quickly realized its mistake and announced that it would maintain the embassy in Helsinki. I believe that the decision to withdraw our CAST commitment to NATO will be viewed in a similar manner by our Norwegian friends. Canada will lose influence which it has had until now with our Nordic neighbours who share similar geopolitical interests.

I am going to ask the Standing Committee on National Defence to try to determine to what extent Canada's resources can be redeployed in Europe. Particularly in the light of recent arms control talks it is important that Canada maintain a physical presence of troops on European soil in Germany. We should pursue an option which would allow us to maintain our CAST commitment for the various reasons I have indicated, of a geopolitical nature, including redeploying our forces in Europe.

I agree with the Minister's statement that at the present time our CAST commitment militarily is not viable. However, I do not accept that because it is not viable in today's methodology we should scrap our commitment to Norway in the event of the outbreak of hostilities.

Aside from the geopolitical reasons, it is important that Canada maintain its commitment to Norway because, first, Canadian troops are among the few troop allotments in the western alliance which have been specifically trained for winter war conditions. Second, if we end up with a nuclear-free Europe, Norway will strategically and militarily take on a more important role. I believe that if there is a reduction in nuclear forces in Europe, Norway's role as a defence partner in the NATO Alliance will become more important *vis-a-vis* the Russian submarine fleet that is presently off the Kola Peninsula. Norway would be first under seige with the outbreak of war and it is important that the NATO Alliance recognize the strategic importance of Norway and that Canada recognize the role it can play because we have been trained for winter war conditions.

• (1250)

In conclusion, I believe the primary debate will be about nuclear powered submarines. The Liberal Party is opposed to the acquisition of nuclear powered submarines for all of the reasons I have outlined in my speech.

The Government has yet to answer whether the acquisition of nuclear powered submarines will ultimately mean that at some point in the future Canada will be drawn into the U.S. maritime strategy which many military analysts believe will lead to a destabilization of the existing superpower standoff. The Soviet Union is afraid that an aggressive attack on their submarine fleet off the Kola Peninsula will mean that the Russians will be forced into first use of their nuclear weaponry.

I do not believe that Canadians want there to be any possibility of Canada's military establishment being drawn into the U.S. maritime strategy in dealing with the Soviet nuclear capabilities. That is one of the most important reasons why the Liberal Party wants to remain committed strongly to the defence of North America, to the defence of the western alliance, but we must remember that our long-term global defence security is best enhanced by the pursuit of international peace and international security.

Mr. Derek Blackburn (Brant): Mr. Speaker, I too am happy to rise today to respond to the Minister's speech on the Government's White Paper on defence. I want to congratulate the Minister for finally delivering the Conservative Government's White Paper. It has been promised for three years by three Ministers. However, after hearing his statement, I must ask what has really changed, apart from the proposed purchase of the nuclear submarines.

This country waited through 16 years of Liberal neglect for this White Paper. During that time, the Liberals let our equipment degenerate. The Navy virtually rusted away. When the Tories took office they promised to address this problem. But they have not dealt candidly with the obvious problems on which all Canadians agree, that our Armed Forces are under equipped, will remain under equipped, and we believe over committed.

Instead of getting on with the job of modernizing our Armed Forces and giving them a realistic job, the Minister has leapt into a grand scheme for multi-billion dollar nuclear submarines. That does not address the commitment capability gap. Neither has the Minister recognized that the potential threat to Canada has changed substantially since the last White Paper. Canada's defence policy must change to deal with the new strategic environment.

Canada has become a very strategic piece of real estate. We are sandwiched between two superpowers who see the world engaged in a struggle between their two ideologies. Canada could become a theatre of superpower conflict.

Canadians have to face the reality that this superpower struggle forces on us. We are threatened by a nuclear war that would certainly involve Canadian territory, Canadian waters, and Canadian air space. Canada's goal is straightforward. We must use our strategic geography to prevent nuclear war. Canada's Armed Forces should first, protect Canadian territory and sovereignty, second, contribute to world peace and disarmament, and third, remain totally non-nuclear.

If we look at the contemporary situation and keep these principles in mind, a new role for the Armed Forces emerges. For example, Canada is potentially threatened by ICBMs based on Soviet territory and in Soviet submarines. They must be reduced by arms negotiations. Canada can support those negotiations in two ways. First, we must urge both superpowers to make deep cuts in their arsenals, and second, Canada should take no part in Star Wars.

The development of ballistic missile defences undermines the ABM Treaty and undermines the confidence we need to negotiate new missile reductions, especially in cruise missiles. I wish to remind the Minister that the ABM Treaty is the only international document extant that puts a cap on further development of nuclear weapons and nuclear weapons systems.

As Canada works for the reduction of nuclear missiles, we must make sure that other types of weapons do not proliferate. Again, there are two actions Canada should take. We should not test the American cruise missile or help develop any other nuclear weapon. Second, we should make certain that the Soviets could not launch a first strike with their cruise missiles across Canadian territory.

Canada can and should provide surveillance, warning, and interception of bombers in the northern half of North America, excluding Alaska. Fifty-two radar sites are being constructed across the North to provide detection and early warning of Soviet bombers armed with cruise missiles. The stations on Canadian territory should be staffed and controlled exclusively by Canadians, and Canada should have its own AWACS under Canadian command and control.

Canada also has enough CF-18s to provide a visible, credible deterrent to a bomber attack on North America. The CF-18 should be phased back to Canada and sent to air strips in the Arctic if the danger of an attack increases. Moreover, these forward-operating locations should also be selected, constructed, maintained and paid for exclusively by Canadians.

Instead of developing a sovereign defence for Canada, the Government has chosen to get more deeply involved in the American strategy through the Air Defence Initiative. This could tie Canada to Star Wars.

The build-up of the Soviet northern fleet also potentially threatens Canada with nuclear war. If the Soviet Navy cuts the supply lines to Europe, a conflict on that continent would quickly escalate to nuclear war. We must enhance that protection of those sea lines of communication to our friends in Europe. We would never abandon our friends in Europe.

The American response to this potential threat also threatens Canada. The U.S. Navy wants to engage the Soviets in their home waters. Their submarines may try to pass through the Canadian Arctic, undermining our claim to sovereignty. As the Minister knows, this is often referred to as horizontal escalation. It is the new maritime defence strategy of carrying the potential for nuclear war into the other side's territory.

Canada needs a balanced naval fleet to counter these threats. Our aging destroyers should be replaced with new patrol frigates. They must not fall victim to the Minister's mindless lust for nuclear submarines. Canada should also replace the Sea King helicopter so that the frigates can detect submarines. I and my colleagues in the Liberal Party are afraid that these nuclear subs could become part of that forward advanced U.S. fleet participating in what is called horizontal escalation, taking defence into offence in Soviet

waters. Surely that is not our responsibility or task. We are not a superpower and should not have any delusions about that.

The surface fleet must be complemented by long-range patrol aircraft. The Conservatives piled new northern flights on the existing Auroras after the *Polar Sea* incident. New patrol aircraft should be ordered so that the Armed Forces can do this job properly. I commend the Government for recognizing its error. However, Canada should not purchase nuclear submarines because it would cost $10 billion. The Minister is dreaming in Technicolor if he thinks he can buy nuclear submarines for the cost of frigates. In fact, this purchase has cancelled the third batch of frigates. The second batch is subject to a Cabinet review in September. Fewer helicopters will be purchased and, of course, there will be no conventional submarines. Why? We have no evidence of Soviet submarines in the Canadian Arctic. American submarines might be present in the Arctic but Canada surely would not sink such an intruder. The political and environmental consequences would be disastrous.

• (1300)

What is the Minister proposing? He is proposing we spend up to $10 billion to protect our sovereignty against our closest ally. That is how it appears from this side of the House.

There are better ways to protect our sovereignty. We should put fixed sensors off our three coasts. They can monitor submarines without risking human life and the delicate Arctic environment. Icebreakers can provide a much more visible physical presence than nuclear submarines. We should build up our conventional submarine fleet. A combination of fixed sensors, air patrols, surface ships and conventional submarines can then track intruders as they pass through choke points and head for open waters. This balanced fleet—and I stress that it is a balanced fleet—would also greatly enhance the security of the waters off our east and west coasts.

The Americans have legitimate interest in knowing if we discover any Soviet activity in Canadian waters or air space. We should keep them informed so that the United States will not collect this information without regard for Canadian sovereignty, but we should not be drawn into an undersea NORAD.

No where is the commitment capability gap more evident than in mobile command. It is spread half way around the world by our commitment to reinforce Europe and our peacekeeping in Cyprus and the Middle East. But Canada cannot live up to this commitment. Just last week two experts told Canadians that our troops would not last two weeks in a war and that our presence in Germany is purely symbolic. It costs $1 billion a year to keep one brigade and some CF-18s in Germany for purely symbolic reasons. This is not to denigrate the men and women who are there in the Canadian Armed Forces. It is simply, however, political symbolism which does not make any military sense.

The Government could not bring itself to adjust our commitments to meet our capabilities. Instead, it cut a commitment, which existed only on paper, to send a brigade to Norway. It has now ordered a small increase to our symbolic commitment to Germany. Canada is now making one hollow promise instead of two.

I wish, Mr. Speaker, we could all be a little more honest. Canada should bring its commitments in line with its capabilities. We are not a major military power. We are a North American country with world-wide commitments in peacekeeping, disaster relief and rapid reinforcement to deter aggression. The predecessor of the New Democratic Party, the CCF, strongly supported the formation of NATO during those dark days in the late 1940s when the major potential fear was in the central flank. My present party, the New Democratic Party, also supported NATO strongly until the end of the 1960s. But in the 1940s and 1950s, Europe was in shambles. Its economies destroyed by war. It had virtually no capability to defend itself. We as a political movement and Party were prepared to share in the defence of western Europe.

Today, however, with nearly three hundred million people in western Europe and with countries reborn and remilitarized like the Federal Republic of Germany, France, the United Kingdom—and the latter two have their own nuclear arsenals—I ask if it makes any sense to over-commit our forces and keep them symbolically present in Europe at a time when the whole strategic architecture in terms of potential thrust has changed from the central flank in Europe to the Kola Peninsula, to the northern fleet of the Soviet Union, to the Barents Sea, the Norwegian Sea, the North Atlantic and the Canadian Arctic?

We are not the Federal Republic of Germany. We are not the United Kingdom and we are certainly not the United States. We can make our greatest commitment to defence here in the northern half of North America and in the protection of the sea lines of communication to re-supply our friends, our fellow democracies in western Europe, should we go to high alert or, heaven forbid, a shooting war.

Let there be no mistake, we have gone through the NATO commitment and we have come to the conclusion that where we belong today is not in a military alliance in Europe. We should be devoting all our resources to the northern half of North America under Canadian sovereignty and sovereign territory and in the north Atlantic.

In terms of mobile command, this will require a light transportable army. Canada should base its troops in Canada and upgrade our equipment, response time and effectiveness, starting with air transport. This would give Canada the real capability to reinforce another democracy faced with aggression. The Armed Forces would also be better equipped for peace-keeping.

A rapid response army would require rapid reinforcement from an upgraded reserve. We welcome the Minister's statement on reserves. The side and character of the reserve

would be determined by the deployment plans, however, of the regular forces. But the reserves must become more than a job creation project or a mailing list, which is what it basically is presently.

The Canadian Armed Forces would assume a much more effective role under such a policy as I have outlined briefly this afternoon. They would protect Canadian sovereignty and territory. They would help reduce the threat of nuclear war. They would have a clear mandate that supports peace and disarmament. They would have realistic commitments and the capability to carry them out, and in performing these tasks the Armed Forces would give Canada greater sovereignty and security.

We are all hoping, as we have always hoped, and we are all praying, as we have always prayed, for peace. That must always be a primary goal.

* * *

REGIONAL INDUSTRIAL EXPANSION

FIRST REPORT OF STANDING COMMITTEE

Mr. Lawrence I. O'Neil (Cape Breton Highlands—Canso): Mr. Speaker, I have the pleasure to present the first report of the Standing Committee on Regional Industrial Expansion which relates to the sub-agreements on tourism of the Economic and Regional Development agreements of the Department of Regional Industrial Expansion.

* * *

• (1310)

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I would ask that all the questions on the Order Paper be allowed to stand.

The Acting Speaker (Mr. Paproski): Shall all the questions be allowed to stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

CAPITAL PUNISHMENT

ESTABLISHMENT OF SPECIAL COMMITTEE ON REINSTATEMENT

The House resumed from Tuesday, April 28, consideration of the motion of Mr. Mazankowski:

That this House supports, in principle, the reinstatement of capital punishment and directs that a special committee on reinstatement, composed of 15 members, be established, hold hearings and make its final report to the House no later than three (3) months following the adoption of this motion, such report to provide recommendations on:

(a) which offence or offences should carry the death penalty, and in what circumstances;

(b) which method or methods should be used to carry out the penalty of death, and in what circumstances;

That, pursuant to Standing Order 107(1), this special committee be hereby appointed as a committee to prepare and bring in a bill no later than three months following the adoption of this motion, founded on the committee's recommendations on (a) and (b) above; such a bill shall be the object of a separate and distinct report of the special committee, and such a report shall be its final report;

That such bill, when reported from such special committee to the House, be deemed pursuant to Standing Order 107(1) to have been introduced and stand on the Order Paper, in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business"; and that, when the said bill has been read a second time, it shall stand referred to a Legislative Committee;

That the Striking Committee be empowered to name the Members of the special committee, provided that once the Striking Committee report is laid upon the Table, it shall be deemed concurred in;

That the special committee have the power to sit while the House is sitting and during periods when the House stands adjourned;

That the special committee be empowered to report from time to time and send for persons and papers, and to print such papers and evidence from time to time as may be ordered by the committee and to retain the services of expert, technical, professional and clerical staff;

That the special committee be empowered to adjourn from place to place inside Canada and that, when deemed necessary, the appropriate staff accompany the committee;

That a quorum of the special committee be eight (8) members for any vote, resolution or other decision; and that the chairman be authorized to hold meetings to receive evidence and authorize the printing thereof whenever six (6) members are present;

That any substitution of membership on the special committee be made pursuant to Standing Order 94(4); and

That, notwithstanding the usual practices of this House, if the House is not sitting when the special committee is ready to issue its final report and the said bill, the special committee shall present its report and the bill to the House by filing them with the Clerk of the House provided that the report shall then be deemed to have been laid upon the Table, and the bill shall then be deemed, pursuant to Standing Order 107(1), to have been introduced at the first sitting of the House thereafter and to stand on the Order Paper in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business".

and on the amendment of Mr. Robinson (p. 5331).

The Acting Speaker (Mr. Paproski): Before I recognize the Hon. Member for Trinity (Miss Nicholson) I wish to inform

the House that because of the ministerial statement Government Orders will be extended by 56 minutes beginning at 1 p.m.

Mr. Fennell: Mr. Speaker, I rise on a point of order. I understand that the last speaker on the debate on April 28 was the Hon. Member for Saint-Léonard—Anjou (Mr. Gagliano), a member of the Liberal Party. If the Chair recognizes the Hon. Member for Trinity (Miss Nicholson) then that means there will be two Liberals in a row.

The Acting Speaker (Mr. Paproski): My records show that the Hon. Member for Ottawa Centre (Mr. Cassidy) was the last speaker in the debate. However, I will confirm that.

Yes, it was the Hon. Member for Ottawa Centre who had the floor last. He spoke for 22 minutes. He was the last Member to speak, and he is a member of the New Democratic Party. Therefore I feel that it is only fair that I should recognize the Hon. Member for Trinity.

Mr. Fennell: Mr. Speaker—

The Acting Speaker (Mr. Paproski): Before I recognize the Hon. Member for Ontario (Mr. Fennell) again I would like to say that prior to the speech made by the Hon. Member for Ottawa Centre the Hon. Member for St. Catharines (Mr. Reid) had the floor. Prior to him it was the Hon. Member for Saint-Léonard—Anjou (Mr. Gagliano) who spoke.

Mr. Fennell: Mr. Speaker, with most Bills and with the numbers we have in the House I think it is only fair that the speaking order should be a government Member followed by a member of the Opposition, and then a member of the Government and then a member of the Opposition. That is normally the way we have conducted debate in matters such as this. I feel that with the numbers we have in the House it is only just and fair that we proceed in the manner which I have outlined.

The Acting Speaker (Mr. Paproski): We have had this problem before. There are times when the Chair cannot see a Member from another Party rising and therefore recognizes the Member who does rise. In this case I have recognized the Hon. Member for Trinity.

As debate goes on I will try to balance the numbers accordingly. The Chair will recognize those Members as the Chair sees them.

Mr. Gauthier: Mr. Speaker, I rise on a point of order. May I remind the House that in this debate we are in a situation which is not at all comparable to a government Bill. What is before us is a motion put forward by the Government for the House to debate and on which a free vote will be held. I take it that we are not working on the basis of a government spokesman followed by a member of the opposition followed by a government spokesman but rather first come first served. If an Hon. Member happens to be standing in his place and no one else is standing then the Chair will recognize that Hon. Member on the basis of equity and on the basis of the free expression of thoughts on the matter.

The Acting Speaker (Mr. Paproski): I am not about to start to balance off who is speaking for or against the Bill.

Mr. Lewis: We are not asking that.

The Acting Speaker (Mr. Paproski): If the Parliamentary Secretary to the President of the Privy Council (Mr. Lewis) has anything to say in this regard then he can meet me in the room behind the chair at a later time and we can talk. I think we should carry on with debate.

Mr. Fennell: I would just like to thank you, Mr. Speaker. I wanted to bring this matter to your attention, and I did. Your Honour has certainly satisfied my needs. I know that the Chair will treat the matter equitably. With respect to what was said by the Whip of the Official Opposition, I had in mind numbers in the House and that the order should be equitable in that respect.

The Acting Speaker (Mr. Paproski): The Chair always has a difficult time trying to facilitate everyone in the Chamber. I will do everything possible to try to keep everyone happy. The Chair recognizes the Hon. Member for Trinity on debate.

Miss Aideen Nicholson (Trinity): Mr. Speaker, this really is a strange motion that we have before us. Indeed, as my Party Whip has just pointed out, it is a very unusual procedure with which we are faced. We have before us a motion standing in the name of the Government yet it is not to be treated as a government motion.

Essentially, the motion is to establish a committee which will hold public hearings based on the assumption that capital punishment is to be reintroduced, asking for suggestions about the best way to kill people. That sounds to me a gruesome topic for a parliamentary committee. We then learn that the report of this committee is to be voted upon somehow, that it is not a government motion, but that there will be a free vote held. It is indeed a strange proceeding.

Perhaps it is strange because it is indicative of just how very difficult this issue is. Capital punishment is an emotional issue. The Government was not prepared to take a position itself one way or the other but chose this rather extraordinary procedure as a way of meeting the wishes of those of its members who do want capital punishment reinstated.

I would like to say at the outset that the current debate about capital punishment is really a debate about how best to protect ourselves from violent crime. Canadians want and deserve protection for themselves, their families and their communities. I am not convinced that capital punishment is the answer. I think that there are many other methods that would be much more effective.

First, the vast majority of murders committed in Canada are domestic murders. They are committed by people who are related to each other or who know each other very well and

who have some type of an emotional bond with each other. Many of these murders take place in association with alcohol intoxication or intoxication by other drugs. These domestic murders tend to be committed impulsively. In those circumstances there is no stopping to consider the consequences. Even those who say that the death penalty is a deterrent, which is questionable, would surely not say that it can be a deterrent if a person is intoxicated and/or enraged and not carrying on in a logical fashion.

To counter this tragic situation of domestic violence and domestic murder there are many measures that can be taken. For instance, there can be more prompt police response, which means being willing to spend a little more money on policing. There can be tighter controls instituted to minimize spur-of-the-moment purchase of firearms. Basically, something can be done with the whole social services infrastructure such as jobs and service to help remove the basic social problems that put families and individuals into stress and conflict.

• (1320)

A small number of murders in Canada are committed by mentally ill people who are not in touch with reality and who certainly would not be deterred by the prospect of capital punishment.

Then we come to murders committed under orders. Perhaps when people think of capital punishment they tend to think in terms of contract killings or armed robberies planned by criminals. These are the minority of murders, but these are the murders which perhaps represent the real risk to all of us.

The person who orders a murder often escapes punishment. It is true that we have laws that deal with conspiracy, but in the case of contract killings the paid killer does not usually reveal the name of his employer. All of us in the House have received information from time to time about persons who have ordered killings from their desk, in some cases from penitentiary, and have been able to go scot-free. Changes are needed to ensure prompt and effective apprehension and punishment of those who issue orders to kill.

I think we must look again at our rules of evidence. Our whole legal procedure was put in place when the death penalty was in place. All kinds of procedures were built in to avoid the awesome responsibility of an innocent person being put to death. This means that while it is reasonable that the onus of proof should be on the accuser, that the person should be presumed innocent until proven guilty, our procedures have gone so far that many people are saying that the procedures really favour the guilty, especially the guilty who have a lot of money and can afford to pay high priced legal help. I think there is a very good case to be made for reviewing all our legal procedures and the rules of evidence. In fact, I understand the Law Reform Commission has recently made some recommendations along those lines.

There are other matters which I think should be looked at, such as guidelines in respect of compensation for police informants and police protection of witnesses. Again I am speaking in the context of murders committed by criminals in the course of their criminal activities, where there is profit motive or a motive of vengeance and where paid killers are used.

I also happen to think that the Government should at this point institute a royal commission into organized crime which would recommend ways of eliminating violent crime from this source. I have a Private Member's Motion on this topic which has thus far had two hours of debate in the House. If we can ensure that the proceeds of organized crime are not used to infiltrate and influence our institutions, if we can prohibit the laundering of proceeds of organized crime through legitimate Canadian businesses, if we can remove some of the profit motive from organized crime, and if we can remove their trafficking in drugs, I think we will also be taking a major step forward in reducing murders.

I would like to see this kind of concentrated attempt to protect Canadians from violent crime. I think this would do very much more for Canadians than reinstating the death penalty and killing a few people after the event.

The last time we had a debate on capital punishment in the House was in May 1976. I took part in that debate, and at that time I reviewed the history of capital punishment in Canada. It is quite interesting to see some of the changes which have come about since then, but also to see what happens when we had capital punishment on the books.

Members will know that in 1967 the Government of the day, headed by Prime Minister Pearson, introduced and Parliament enacted a Bill to abolish the death penalty for a five-year trial period. In 1972 Parliament was faced with the option of extending that Bill or returning to the death penalty. The decision in early 1973 was to introduce a Bill for a further five-year extension, and this occurred. However, prior to that 1973 extension, and in fact prior to the 1967 Bill, there had been no executions in Canada since 1962, the reason being that most executions were commuted by the Governor General by Order in Council. Indeed, there is a very long tradition in Canada of commuting sentences.

The authority to commute sentences, including sentences of death, has existed since Confederation, in two ways; first, the ancient right of the Crown to grant mercy, a right which was transferred to the Governor General by letters patent in 1947 and, second, the statutory power of the Government of Canada. Even as far back as 1869 one finds mention in the statutes of Her Majesty's royal prerogative of mercy.

These powers, both the royal prerogative of mercy and the statutory power of the Government of Canada, were used extensively and, as I said, from 1962 there have been no executions in Canada.

As one looks at the history of capital punishment in Canada and in all civilized countries of the world, one is impressed by the procedural safeguards which exist all through the process of charging an individual with murder, the hearings, and the

appeal system before the final sentence is passed. The meticulous carefulness of the procedures together with the use of commutation make it clear that from the time of Confederation onward Canadians have regarded the taking of life, even the life of a criminal and a murderer, as a serious and awesome responsibility; certainly not as a sentence or sanction to be applied routinely.

A professor of jurisprudence at Yale, Professor Black, wrote in his book *Capital Punishment: The Inevitability of Caprice and Mistake*:

> The Law of Moses is full of the death penalty. But as time went on the Court in ancient Jerusalem, without of course touching one syllable of this law, devised procedural safeguards so refined, so difficult of satisfying, that the penalty of death could only very rarely be exacted.

This is the point I am making; when we have capital punishment on the books, the state in a civilized country will have such procedural safeguards and extensive appeal procedures, and in the case of Canada, the right of commutation, all built in to protect against the risk of putting an innocent person to death. That is the case because, as somebody has aptly said, though the justice of God may indeed ordain that some should die, the justice of man is altogether and always insufficient for saying who those may be.

• (1330)

Capital punishment was considered as a last resort in the defence of society before we had statistical evidence to show that it is not a deterrent. The evidence seems to be, in all the countries that have abolished capital punishment, that murders do not increase. Of course talking about murders in the plural is always unsatisfactory because even if one person is killed that is one person too many. If I had any evidence to show that capital punishment would stop one person from murdering, then we would have to look at the debate again.

Self-defence has been an acceptable defence in our society for a long time, but to say that killing one person who has murdered will protect or prevent further murders is not held up by the evidence. By the same token, I do think that life sentences should mean a very long sentence and that our parole procedures need to be tightened. Parole should only be granted when there is clear and incontrovertible evidence that this person will not kill again. Prediction studies are not well developed. A lot of available information is not being used. That situation certainly has to improve. Again, I repeat, that I cannot see capital punishment as offering better protection to our society in any way.

A former commissioner of the Metropolitan Police in London, Sir Robert Mark, has made the argument that I made at the outset, which essentially is in three parts. To prevent what he called the "awful possibility" of putting an innocent person to death, procedural rules of interrogation and trial require an exceptionally high standard of proof of guilt and it naturally makes the task of prosecution difficult. People who have been involved in murder trials have also pointed out that juries are most reluctant to convict when the conviction will be followed by capital punishment and, in fact, there is more likelihood of a murderer walking away for this reason.

Sir Robert Mark's three points are:

> 1. To prevent the "awful possibility" of putting an innocent man to death, procedural rules of interrogation and trial require an exceptionally high standard of proof of guilt and it naturally makes the task of prosecution difficult;
>
> 2. One cannot have two systems of investigation and trial, one for the handful of capital murders, and another for the other two million offences recorded in England and Wales each year, and
>
> 3. Accordingly, the practical effect is inevitably to lessen extensively the effectiveness of the criminal law as a deterrent to crime or as a means of catching and, most important of all, convicting criminals.

In my view the most important deterrent is the certainty of capture and conviction, a certainty which I think is interfered with rather than aided by the existence of capital punishment.

Mr. Allmand: Mr. Speaker, I want to congratulate the Hon. Member for Trinity (Miss Nicholson). Is she aware that if this House were to vote for this motion and restore the death penalty in Canada, Canada would be the only country in the western world, including Australia and New Zealand, to have the death penalty?

It is true that in the United States the decision of whether to have the death penalty is a state matter. Since the U.S. Supreme Court reversed its decision and permitted the death penalty in 1976, executions have been carried out in only 12 states. If we were to pass this motion, we would be the only country in the entire western world, including Australia and New Zealand, to have the death penalty.

Has the Hon. Member considered that fact, and does she think it is appropriate that in Canada where we pretend to be a civilized country that we should go in the opposite direction, in the direction of South Africa, Iran and some other countries, rather than following the principle set forth in those countries with which we have most in common, namely, western Europe and Australasia?

Miss Nicholson (Trinity): Yes, Mr. Speaker, I am aware of the information which the Hon. Member has adduced. I do not particularly wish to see Canada in company with countries like South Africa and Russia which have kept capital punishment. Indeed, as the Hon. Member points out, the countries with which we feel we have common ground on matters of public morality and public principle have long since abolished capital punishment.

Mrs. Finestone: Mr. Speaker, I always listen to my colleague with a great deal of interest and that situation has not changed. I listened to her concern about the criminal element, what is happening and how perhaps we might change the end result with other policies. Does the Hon. Member have some observations with respect to family violence and the number of murders that occur in family situations?

Miss Nicholson (Trinity): Mr. Speaker, I thank the Hon. Member for Mount Royal (Mrs. Finestone) for her question.

As I said at the outset, the vast majority of murders in Canada are family murders. They very often arise in connection with alcohol or drug abuse. They are impulsive murders done at a time of stress.

Basically what we need to do is provide more services to assist families. Certainly unemployment puts a lot of stress on families. While the Government appears to be very content with a 9 per cent unemployment rate even now five years after the recession, I certainly am not and the unemployed are not. There are other stresses on families too, including housing. All these matters should be addressed. Probably there should be much more concentration. Although we are a prosperous country, we do have families who are finding life very difficult economically and otherwise. We need to look at all our policies that are designed to reduce sources of stress and strain for families.

A faster response and better service in case of domestic quarrels is very important. We have all heard from police that they consider themselves more at risk going into a family quarrel situation than in many other situations. As a civilized country, we have to be prepared to put some money into training and resources in view of the fact that the vast majority of murders are family murders. As well, where the link comes in with organized crime is that so often these family murders are associated with drug abuse. We know who the people are who have a vested interest in encouraging drug abuse because there is a large profit motive for them, even if they are destroying families in the process.

• (1340)

Mr. Allmand: Mr. Speaker, is the Hon. Member aware of a recent study completed in the month of April by Professor Kenneth Avio of the University of Victoria? The study found that when a Government resolves to execute its criminals, those who die come disproportionately from the ranks of the poor, the minorities and the powerless. After studying 440 capital murder cases which occurred in Canada between 1926 and 1957, he came to the conclusion that even if capital punishment were justified in principle, something which it is not, he says, the spectre of its uneven application would haunt all of us. I wonder if the Hon. Member would comment on the findings of Professor Avio.

Miss Nicholson (Trinity): Mr. Speaker, I am not aware of that particular study, but I am aware of other studies which have reached the same conclusion. For instance, there was one edited by Thorsten Sellin and published by Harper & Rowe in 1966 which showed that capital punishment was disproportionately inflicted on black offenders during the period 1930 to 1965. There was another study done by Wolfgang, a comparison of the executed and the commuted among admissions to death row. This New York study done in 1962 showed that blacks convicted of murder were three times less likely to have death sentences commuted than white offenders convicted of the same offence.

I would suggest that this is not simply because of racism but because of low educational levels and poverty. These are the people who cannot afford to buy high-priced legal help or, as someone has said, to pay for the very high-priced legal fictions that enable the rich and in some cases the crime bosses to walk away from crime.

Mr. Friesen: M. Speaker, in her previous response to another Hon. Member, the Hon. Member for Trinity (Miss Nicholson) said that the Government was content with the 9 per cent unemployment rate. When has the Government ever expressed that?

Miss Nicholson (Trinity): Mr. Speaker, it was as late as this morning in question time when the Minister of State for Finance (Mr. Hockin) was congratulating himself on the Government's performance. I have yet to hear any Minister, when mentioning the unemployment rate in the House, express any conviction on the need to bring it down further. If the Hon. Member has heard such statements and I have missed them, I would be very pleased to have him tell me.

The Acting Speaker (Mr. Paproski): Questions and comments are now terminated but I will allow a short question to be put by the Hon. Member for Surrey—White Rock—North Delta (Mr. Friesen).

Mr. Friesen: Mr. Speaker, was that not an expression of pleasure in the improvement it brought to those who are now employed rather than unemployed as a result of the economic policies of the previous Government?

Miss Nicholson (Trinity): Mr. Speaker, under other circumstances, I have great regard for the Hon. Member. However, for him to try to introduce this kind of thing into a debate of this kind is regrettable.

I repeat that we are into the fifth year of recovery and I do not think that a 9 per cent unemployment rate in the fifth year of recovery is anything of which to be proud.

Mr. W. R. Bud Jardine (Northumberland—Miramichi): Mr. Speaker, I present my views on this motion with some mixed emotions. While I feel it is important to speak out, I find it unfortunate that it has become necessary to do so.

I begin by saying that I am a very proud Canadian. It has been my privilege along with my family to have lived in five of our provinces, to have travelled the length and breadth of our country, visiting each and every one of our provinces and the Northwest Territories and Yukon.

As well, I have lived in three other countries and I have lived in three of the southern States of the United States. I lived there in the late 1950s when the black citizens of that country could not sit on the park benches, could not use public water fountains and could not sit at the front of the bus. It was indeed a sad time in the history of that great nation. I personally felt offended by that visible slight to others, by man's inhumanity to man, and I felt proud to be a Canadian. I was

proud of what our country represented and what our people represented in that this sad state of affairs was not representative of my country.

I have lived as well along with my family in Syria and Israel. We witnessed strife and war and hatred. As we travelled in these two countries and throughout western and a part of eastern Europe, we were always pleased to be recognized as Canadians because Canada represents something to free people and those people who are less than free throughout the world.

I now ask myself, what league is it that Canada wants to join, what strange, unique club among the civilized nations of the world that condone capital punishment, that say it is all right for the state to take a life because it does not respect the dignity of life or the dignity of man? Is this what we have now evolved to as Canadians? Is this the legacy that I will be passing on to my children and my children's children? Is this what I was elected for, to tell the state that it can take a life, it can kill, because I do not respect the dignity of man? I say no, not now, not ever.

I have not come by this decision easily or lightly. I have worn the uniform of our country for over 30 years. I have served at sea, on land and in the air. I was prepared to take life because I was trained to do just that, and I would like to think that if it had become necessary, I was prepared to give my life because I feel that anyone who wears the uniform of his country must in fact be prepared to do just that.

Last summer the good people of my riding, which is small in population, were horrified and frightened by four separate incidents of assault, rape and murder. On a per capita basis, it was comparable to anything happening in any of our major centres. It was easy to think of revenge, it was easy to think of vengeance, and it was easy to want to lash out and strike back. I knew that given these incidents, the majority of the people would support me if I voted in favour of capital punishment.

Although we have been touched by violence, we are not a violent society. As I studied this issue, as I listened to parents who lost loved ones, who wrote to ask me not to vote in favour of reinstatement, as I looked at the statistics, I realized that capital punishment was no deterrence to murder.

• (1350)

Since 1962, the year of the last execution in Canada, there has been no increase in first degree murder. Indeed, with the introduction of capital punishment there is a great danger, a great fear that criminals could be found guilty of a lesser crime and be out on the streets much earlier.

On that last point, a report by the research and statistics group of the secretariat of the Solicitor General dealt with this question in a report prepared in October, 1985, called "Questions and Answers on Capital Punishment". The question asked therein was, does the death penalty lead to a higher proportion of acquittals for murder because juries are reluctant to sentence a person to death? The report concluded there is evidence to suggest that the death penalty exercises an inhibitory effect on judges and juries. It cites, for example, a study by the British Home Office which found that jurors were reluctant to convict in capital cases and that findings of guilt would have been entered in some cases in the absence of the death penalty.

An American study dating from 1909, which compared conviction rates in states having capital punishment and states which did not, found conviction rates higher in the latter. In 1968 an Australian study made similar findings. It also makes reference to Canadian research which found that between 1881 and 1967 the conviction rate for murder was the lowest for all crimes of violence.

The report makes the following tentative conclusions. Although other theories might explain this phenomena, it is possible that juries were reluctant to convict on a charge of murder when it was a capital offence. It is possible that jurors are more willing to convict for murder since the abolition of the death penalty.

Finally, I have to advise that in my heart and soul I cannot, from a moral standpoint, in a planned and premeditated manner, vote to take a person's life. We cannot hide behind the mask of the executioner. To my mind the executioner will now be the man or woman who votes in favour of taking a life. It will be his or her hand on the lever, his or her finger on the button, his or her hand holding the needle. If this goes through we can never say, forgive them, Father, for they know not what they do. We do know what we are doing. We cannot and must not place ourselves in that minority league of nations who still carry out this barbaric act. We cannot and must not leave the good company of those civilized countries such as Britain, France, Denmark, Norway, Portugal, Sweden and Italy, the list goes on, who have abolished state killing.

In the words of Arthur Maloney, the death penalty is not the answer to the problem of crime and of criminals. Crime has its cause and crime has its cure. Its causes are clear. They can be stated like a litany. They are poverty, slums, broken homes, drunkenness, divorce, lack of opportunity and lack of education. Those are the causes of crime.

In a booklet produced by The Criminal Lawyers Association of Ontario it is noted that psychiatrists tell us that those who were abused as children are more likely to become child abusers themselves when they become parents. When they were children our hearts went out to them for the trauma they suffered and for what such abuse must have done to their minds. Yet when they become what we knew they had a good chance of becoming, child abusers or even child killers, we want their death. We were not prepared to give them the time, the attention, the resources or help when they needed it. We want to wait and with vengeance repay the death to society.

Of the many letters I received on this matter I do not believe any touched me deeper than the one I received from Lesley Parrott, the mother of 11-year old Alison who was abducted and murdered last July. She said the death of her daughter

more than ever convinced her that as a society we cannot ever and must not ever condone killing, whether by state or individual, in any shape or form. Let the message be clear and unconditional: Human life is sacred and killing is always wrong.

We know capital punishment is not a deterrence. We know there has been a decrease in homicides and first degree murder charges. We have to ask ourselves why, why, why are we going through with this absurdity? Is it vengeance? Is that what is in our hearts? Can you imagine what kind of world we would be living in today if we had bowed to that most vulgar of passions, vengeance, after World War II? Where would we be today if everyone who lost a father, an uncle or a brother cried out for vengeance in the hour of victory? There would have been no Marshall plan, no reconstruction of Europe, no transformation in Asia. We would have lost our sense of humanity and our reason for living.

In dealing with this question we must understand and appreciate the underlying fears of Canadians, the concern that our justice system is too lenient, the concern that our parole system is too lax, the fear that those convicted of brutal crimes will all too soon be back on the streets, neither repentant nor rehabilitated. These concerns have to be addressed. The fears must be allayed.

When I say we are not a violent society, we must not then permit ourselves to become a violent society. In my own riding after the horrible experience of last summer good people who would never have thought of it before, never considered it before, were out buying hand-guns. These people are not vigilantes. The gun is no doubt more dangerous to them than to would-be intruders or assailants. But they were fearful. Fearful that they were no longer protected, that our judicial system, our penal system had failed them and let them down.

There are over 70 million hand-guns in the U.S., more than one for every family living there. This figure is expected to grow to over 100 million by the end of this century. There is only one kind of animal you hunt with a hand-gun, the two-legged kind. Violence begets violence.

What is the solution? We can begin with the Archambault commission. Is it fair to society when those who have offended society, who have forfeited every right to the freedoms and privileges which law-abiding citizens should enjoy are all too soon back on the streets? Does a life sentence mean behind bars for 10 or 15 years? I think not. Society thinks not.

• (1400)

I began by saying that I was a proud Canadian. We are proud Canadians. The countries of the world do look to our just and rational society. They want to follow our moral compass. We are not the greatest country in the world, only the best. Laurence Grafstein in one of his articles spoke of Canada's tolerant tradition and humane values. Patrick O'Callaghan has said that a country must be seen by reason and logic, not by age and artificially nurtured passion. That is true. That is the tradition of Canada, to follow the path of logic and reason.

Let us put this sad motion behind us, Mr. Speaker. Let us bury it in the past once and for all. Let us get on with the affairs of state that have made and will continue to make our country, Canada, the best place on earth to live.

Mr. McKenzie: Mr. Speaker, I continually hear the statistics from abolitionists that murders are down. I find it strange that they do not mention the Air India disaster in which 329 people were murdered. If a person or persons are cold-blooded enough to put a bomb on an aircraft their plan is to murder everyone aboard that aircraft. I would have no hesitation to execute a person or persons who would do such a cruel thing as that.

Statistics also show that attempted murders are up 939 per cent. Those are tremendous figures. The reason that there are not more deaths as a result of attempted murders is because of advanced medical technology, paramedics, use of protective clothing, et cetera. Rather than the murder rate being down, there has been a tremendous increase.

I find that abolitionists have no sympathy for and make no comment about prison guards. Prison guards have been murdered in my province by convicted murderers. Since 1977 at least 20 people have been murdered inside federal prison walls by convicted murderers. I would not want to be guarding a person who would put a bomb aboard a plane to murder 329 people. I would not want to turn my back on such a person or be near them for a second. Prison guards are being put in an awful position.

In July, 1982, three prison guards were murdered—one by hanging—by men who were convicted of first degree murder in killings of policemen. In July, 1985, Celia Ruygrok was murdered in Ottawa by a convicted rapist and killer on parole. In October, 1986, Linda Ray was murdered in Belleville by a convicted murderer on parole. How does my hon. friend justify to his constituents murderers who murder a second time? That fact must be considered, as must prison guards.

Mr. Jardine: Mr. Speaker, I think we must differentiate between a murderer and an act of terrorism. It is a sad commentary that the small country of Ireland still has terrorism taking place on a daily, weekly and monthly basis. Capital punishment is on the books of that country but I believe, and I stand to be corrected, that the last time anyone was executed in Ireland was in 1954.

We are all concerned about the role that prison guards and policemen have to protect society. However, the fact is that the number of killings of police and prison guards has declined while the number of prison guards and police has increased. When prison guards and policemen accept their vocation they do so knowing that they could very well be faced with violence. It is interesting to note that their on-the-job death rate is much lower than that of many other vocations such as military pilots,

miners, construction workers, et cetera. Therefore, I do not think that is a fair statistic.

Mr. Wilson (Swift Current—Maple Creek): Mr. Speaker, I would like to put a question to my colleague, the Member for Northumberland—Miramichi (Mr. Jardine). I would like to preface my remarks by saying that I very much appreciated the thoughtful and reasoned arguments which he put forward. With respect, I come to a different conclusion.

I would like to question my colleague on one of the points which he used to buttress his argument in favour of the abolitionist position, that being his reference to certain other countries which we should either imitate or emulate. Amnesty International has put out information which indicates that there are presently 28 countries in the world that do not provide the death penalty for any crime whatsoever. There are another 18 countries in which the death penalty has been abolished for ordinary crimes, but has been retained for certain circumstances such as war time and military law. There are another 129 countries, including Belgium, the United States, China and Japan in which the death penalty is available for ordinary crimes.

My hon. friend and the preceding speaker made reference to certain other supposedly civilized countries in the western world that have done away with the death penalty, and said that Canada should do so as well. I must say that I am somewhat confused by this. I note that among the 28 countries whose laws do not provide the death penalty for any crime whatsoever are Costa Rica, the Dominican Republic, Honduras and Nicaragua. In putting this position forward is the Hon. Member suggesting that Canada's system of justice should lean more towards that of Nicaragua and the Dominican Republic or, having regard to that which has taken place over the centuries, in countries such as the United States, China and Japan?

I would very much appreciate it if the Hon. Member would explain to me why we in Canada should feel obliged to emulate those few countries with less than 10 per cent of the population in the world which do not choose to have capital punishment.

• (1410)

Mr. Jardine: Mr. Speaker, I thank my colleague for his kind remarks. I know that he includes Belgium as one of the countries that has capital punishment on the books. While I may have the year incorrect, I believe the last time an execution actually took place in Belgium was either in 1954 or 1945.

The Hon. Member who spoke previously pointed out that capital punishment in the United States is a state responsibility and, unfortunately, the southern states tend to carry out capital punishment on those in a minority.

There are some 129 countries that still have capital punishment on the books, but I would have to ask my hon. friend how many of those countries have democratically elected governments? How many of those countries are civilized, as we recognize civility? How many of those countries would we actually want to emulate and compare with our society? I suggest that there are very few.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, in speaking to this ill-timed government motion in favour of bringing back the death penalty, I want to say I oppose it for the same basic reasons that other Hon. Members who have spoken on this side of the debate have opposed it.

First, capital punishment does not serve as an effective deterrent against murder. It tends to be administered selectively so that a disproportionate number of poor people or members of visible minorities are executed. Third, there is always the possibility of executing someone unjustly convicted of murder. Fourth, there is a documented tendency for juries to acquit a much higher percentage of accused murderers when the death penalty is present. Thus, society has less protection when the death penalty is in place than when it is abolished and juries convict a higher percentage of accused murderers. Taken together, I believe these four reasons provide a solid, pragmatic foundation for voting against the death penalty.

However, I think our opposition to the death penalty has to move beyond pragmatism, to ask what kind of society we want and how we can help to build it. In the debate so far there has been a great deal of reference to scripture. I want to begin with some reflections on a very interesting passage of scripture, the One Hundred and Thirty-Seventh Psalm, which begins as an expression of homesick longing by a Jew who is in exile in Babylon:

> By the rivers of Babylon, there we sat down, yea, we wept, when we remembered Zion.

The Psalm goes on to consider how his own people had been destroyed and devastated and how his city had been destroyed. It reads:

> Remember, O Lord, the children of Edom in the day of Jerusalem; who said, Rase it, rase it, even to the foundation thereof.

The Psalm goes on:

> Oh daughter of Babylon, you devastator! Happy shall he be who requites you with what you have done to us!

What follows is perhaps the most terrible verse in all of scripture:

> Happy shall he be who takes your little ones and dashes them against the rock!

We have heard a fair amount of talk about the Judaeo Christian ethic, but I am sure that these verses coming from the scriptures of both Jews and Christians shock the sensibilities of every one of us. They testify to the anguish, the despair, the deadening of mercy that wanton violence can bring about in the life of a person who is otherwise sensitive and caring.

This kind of violence and therefore this kind of vengeance is far removed from the daily experience of most people in Canada. Perhaps it might make more immediate sense in Lebanon, Kampuchea, Afghanistan, Central America or Northern Ireland. We cannot imagine the kind of inner anguish that would lead an otherwise sensitive person to say,

"Blessed is the man who takes your babies and beats their brains out against a rock". Yet, as I read these verses, I am convinced not only that they are diametrically opposed to everything that is best about Judaism and Christianity, even though they are in our Holy Scripture, but also that these verses are pathetically honest and even understandable in the context of a violent world.

What do these words have to do with the return of the death penalty to Canada in 1987? The connection lies in the sense of anguish and outrage that people feel at the time of some particularly vicious murder, especially one involving the sexual assault of children. Murders like that leave us feeling somehow unclean, as though our own humanity were under attack, just from hearing or reading about them. We want to assert our own humanity by denying any connection with the murderer. How can we possibly share any sense of humanity with a diseased creature who perpetrates that kind of an act? It raises the question, what must it be like for the immediate family of the victims?

Looking at these words from the One Hundred and Thirty-Seventh Psalm, 2,500 years after they were written, and living in the relative security of a country like Canada, we know that these words fall tragically short of what is required to put an end to the cycle of violence and hatred which destroys the lives of helpless children. We can understand the desire for vengeance but we cannot agree that it represents justice.

In a literal sense, these verses from Psalm One Hundred and Thirty-seven are simply an extension of the *lex talionis* from the twenty-fourth chapter of Leviticus which says:

> He who kills a man shall be put to death. He who kills a beast shall make it good, life for life. When a man causes a disfigurement in his neighbour, as he has done it shall be done to him, fracture for fracture, eye for eye, tooth for tooth; as he has disfigured a man, he shall be disfigured. He who kills a beast shall make it good and he who kills a man shall be put to death.

These words represent a surrender, rather than a solution to evil and violence.

The depth of suffering on the part of victims should warn us that we have no right to extend easy forgiveness to murderers. That adds insult to injury as far as the victims are concerned. Perhaps the families of murder victims can find it in their hearts to forgive the murderer, and I hope that they can, but that is their business, not ours. It is not something that society can do on behalf of the families.

We need to find another approach, somewhere between this false desire for vengeance and the equally false idea that society can forgive. Perhaps we should begin with our concept of justice. How do we achieve justice in a world where murder, assault and violence shatter innocent lives and communities?

We sometimes picture justice as a blindfolded woman holding balance scales in her hand on which the merits of each case are to be weighed in an impartial way. This concept of blind justice operates without fear or favour on the basis of an impartial standard determined by law. In the administration of law, this impartiality has some very obvious merits. But we all know that it falls woefully short of providing full justice in many cases.

All of us as Members of Parliament have been involved in tax cases or immigration cases where a strict application of the law or regulation would lead to greater injustice. All of us have intervened with Ministers, asking them to get involved in specific cases so that justice would not be blind but would be wise and compassionate.

The biblical understanding of justice involves much more than blind impartiality. Rather, the spirit of God intervenes for good in human affairs and human beings are invited to share in that work. Sometimes the most unlikely human beings play the greatest role in bringing about justice. We should remember that Moses began his career by murdering an Egyptian foreman who had been beating an Israelite slave. Later Moses was a fugitive slave, running because he feared the death penalty. But then he became the person who freed the people of Israel from slavery in Egypt.

• (1420)

Certainly, the Bible speaks of retribution and there are many situations in addition to murder where the Bible calls for the death penalty. Blasphemy (Leviticus 24:16) requires death by stoning. The daughter of a priest who played the harlot was to be burned according to Leviticus 21.:9. Sorcery, bestiality and false worship (Exodus 22:18) and contempt of court (Deuteronomy 17: 8-12) all called for the supreme penalty, as did selling a fellow Israelite into slavery (Deuteronomy 24:7). Being a stubborn and rebellious son or a non-virgin bride (Deuteronomy 21:18 and Deuteronomy 22) called for the death penalty. Deuteronomy, Chapter 20 called for the death penalty for the male inhabitants of any fortified city who had the temerity to resist invasion by the Israelites.

These examples come from a very early and primitive stage of Israel's development and its understanding of God. While the great ethical and spiritual prophets of Israel and Judah still believed in retribution, their vision of God's spirit and justice went far beyond retribution. They saw God as patient and long suffering with human evil and shortcomings, moving beyond retribution and punishment to restoration, new life and a new society.

Jesus radicalized the law by pushing it to its logical extreme. Jesus said that looking at a person with lust was committing adultery in the heart. He condemned not just murder but the contempt which destroyed another person's self-image by calling them a fool. Which of us has not been guilty of that kind of contempt of other people, particularly in this House of Commons?

In doing this, Jesus was really underlining the human solidarity we all share, even with those who commit murder. He said the way in which we treat one another with contempt, robbing another person of his or her sense of themselves as an important human being, is really equivalent to murder. So we all share a certain solidarity even with those who commit

murder. This should lead us away from a situation where we judge and condemn our brothers and sisters but remain blind to our own involvement in evil.

Jesus explicitly rejected the *lex talionis* by saying:

> You have heard that it was said: "An eye for an eye and a tooth for a tooth" but I say onto you, do not resist one who is evil.

Jesus urged us to imitate the goodness of God who makes the "sun to rise on the evil and the good and sends rain on the just and the unjust". All of this suggests to me a biblical understanding of the justice which moves far beyond retribution. The biblical concept of justice depends on an understanding of God's spirit working in and through human lives in spite of their grievous imperfections to create a better society. If this spirit does not give up working with us, then we are not to give up working with others.

Justice, then, is not an abstract impartiality but a living, dynamic spirit which seeks to operate in all of our lives for the creation of a new society. In varying ways we co-operate with that spirit or we impede it.

We need to bring our treatment of crime and wrongdoing and criminals into line with our understanding of the way that spirit works. Wherever possible, there should be rehabilitation of the criminal, bringing him or her back into a positive relationship with society. In minor crimes we note the positive attempts of some diversion programs. I have seen situations where people convicted of very serious crimes have had the opportunity to work with children with special needs and have been able to accomplish some very important things. In a very real sense they were able to pay their debt to society.

In conclusion I want to speak about the situation of criminals who cannot be rehabilitated and cannot be returned to a positive role in society. These people are beyond our best efforts and intentions. I think particularly of those diseased human beings who become sex criminals, those who have murdered while assaulting or molesting another person. In many cases, the roots of their disease go too deep to allow us any hope of rehabilitation, certainly at the present time. People can ask would it not be expedient to at least allow the death penalty for these people? The answer must be continue to be no. The death penalty evades the problem rather than deals with it. It camouflages our failure to find a constructive way to deal with these tragic and diseased human beings. All the arguments I mentioned at the beginning of my remarks also apply here. For that reason, I support the present law, imperfect as it is, which says that these people should be imprisoned for 25 years without the possibility of release.

We admit a sense of failure with these people but we at least keep the options open. We are continuing to testify to the fact that human life is valuable and I urge Hon. Members to consider the total picture of the kind of society we want to build, how we are going to build it, and to remember that violence itself, the taking the life of another person, cannot build that kind of society.

The Acting Speaker (Mr. Paproski): Questions and comments? Debate. The Hon. Member for Ottawa West (Mr. Daubney).

Mr. Heap: May I ask a question?

The Acting Speaker (Mr. Paproski): I will go back to questions and comments. I asked for questions and comments and I did not see anyone rising. I would hope Hon. Members would rise a little faster. The Hon. Member for Spadina (Mr. Heap) on a question or comment.

Mr. Heap: I am sorry, Mr. Speaker, I was rising right when you spoke but you were looking the other way. I simply want to ask the Hon. Member if he would deal with the question which was raised a few moments ago by another Hon. Member with respect to the situation in a prison in which there are convicted murderers. There have been indications where they have murdered a second time, that is, by murdering a prison guard. I do not know if there is any significance in statistics as to the danger rate for prison guards as compared to police or other people in dangerous occupations, but my concern is for the remedial approach the Hon. Member has very powerfully advocated. Has he any comment as to how he can pursue that remedial approach with the least possible danger to the people whom we employ and empower to be directly and physically responsible for the care or custody of those people?

I know it is a very large question because it involves the question of our whole prison and reform system. However, could the Hon. Member comment on the immediate sort of question which was raised about a half hour ago?

The Acting Speaker (Mr. Paproski): Before I recognize the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly), I would like to say to the Hon. Member for Spadina that the Chair can only see when it sees someone rise. I noticed very carefully that you were sitting right next to the Hon. Member for Cowichan—Malahat—The Islands and you were not rising. I do not wish to disagree or argue with the Hon. Member, but I would hope that he would let the Chair decide who is going to ask questions and who is not, and not argue with the Chair because there was no necessity for that.

Mr. Manly: Mr. Speaker, I think we are dealing here with a very important and sensitive question. The murder of a policeman or prison guard, particularly a prison guard, by someone who is already serving a sentence for murder, is something which has to be of concern to all of us.

• (1430)

At the same time, once we put it into context, we see that there are other occupations in Canada which have a much higher incidence of death than the occupation of prison guard. However, that does not relieve us from dealing with this very serious problem.

I think what we need are better standards of diagnosis so that when people are serving time for murder they should be

available for study, for testing and diagnosis, not simply when they come into the prison system but on a regular basis. In this way if they are dangerous then that can be pinpointed and extra-special precautions can be taken.

In the interests of society as a whole, in the interests of creating a society in which people can feel free to walk the streets, we need to continue the effort in our prisons to rehabilitate people. In fact, we have to increase our efforts in that direction. Rehabilitation cannot simply take a second place to our fear of certain criminals. When there are criminals who have very clear dangerous tendencies then protection has to take first place. But we cannot as a blanket policy say that rehabilitation should take second place. I think that we have always to keep rehabilitation at the forefront of our criminology procedures. Where there is very clear evidence that someone is dangerous, then extra protection has to be called for.

Mr. Stackhouse: Mr. Speaker, I wish to say how much I appreciated some of the remarks made by the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly) in his address, particularly those with respect to reminding other Hon. Members of how scripture can be used and misused. He rightly quoted passages that would not be welcome by everyone in the House, whether they support capital punishment or decry it. I hope that his message will also be taken to heart by those who oppose capital punishment, by those who have their favourite text to quote, including, "Father, forgive them for they know not what they do", which is a particular favourite. They might fully comprehend the wisdom of his remarks and understand scripture not in terms of citing this verse or quoting that text but in dealing with larger themes.

In that connection I was also impressed by the way in which the Hon. Member dwelt upon the whole subject of deterrence and the difficulty with which society has been able to deter murder, regardless of what penalty has been invoked. The point which needs considerable emphasis is that, yes, societies that have had capital punishment have not eliminated murder. That is true. Societies that have not had it have not eliminated murder, which is true as well. Societies that have been rich have not eliminated murder. Indeed, societies with socialist governments have not eliminated murder either. It is possible that there is no deterrent that any Parliament or Government can devise that will eliminate murder. What we have to do is focus on the real nub of the issue, I submit, which is whether or not capital punishment is just or unjust.

Mr. Manly: Mr. Speaker, I agree with the Hon. Member when he says that scripture has to be taken into its total context and one cannot pick out proof text to prove one thing or another. We must look at the total thrust of where scripture is going and what the biblical concept of justice is. I think that it is leading us toward trying to build a non-violent society. So the concept of justice that we are working for is a concept of justice that works for non-violence.

When we look at the statistics in the short run there can be debate; one can look at one state or one country and say that in this place they had capital punishment and the murder rate went up. It can be said that in other places capital punishment was abolished and murder rates went down, or vice versa. In the long run I think the Member opposite would agree with me that violence begets violence. Those who take the sword will perish by the sword. I do not say that as a proof text but rather as illustrative of a general truth that violence does indeed beget violence.

How can we create a non-violent society? How can we create a peaceful society when we feel that we have the right to take the lives of certain people because they have violated the norms of society? I think that if we have as a concept of justice not an impartial weighing of offences but, rather, the concept of a dynamic movement toward the kind of society that we all want, then the kind of justice we want will see the death penalty as being unjust.

The Acting Speaker (Mr. Paproski): The time allotted for questions and comments has now terminated. The Chair recognizes the Hon. Member for Ottawa West (Mr. Daubney) on debate.

Mr. David Daubney (Ottawa West): Mr. Speaker, I was one of those people who went into the last election campaign torn between the desire to protect the innocent victims of crime and my very real concerns over the effect I felt executions would have on the heart, the soul and the spirit of our country. During the last election campaign I said that I was not in favour of general reinstatement of the death penalty but that I wanted to know whether the death penalty would deter the killings of police officers and prison guards. I believe that these men and women taking special risks to defend the rest of us against violent crime and violent criminals deserve in return whatever protection and assistance we can give them and their families, the families they may leave behind when they die in our service. If it could be determined that the death penalty deterred killings of law enforcement officers and prison guards, I pledged to support its reinstatement in those limited circumstances.

Since then I have spent many long days and nights thinking about this, thinking about my feelings, my conscience, my attempts to grasp the nature of the problem, batting it back and forth by reading news reports about public opinion, the rising numbers of homicides and the falling murder rates. I have seen the conflicting claims on deterrence, the reports about the death rows of convicted criminals executed in the United States and the horrifying, enraging stories of innocent people dying at the hands of murderers in Canada.

I resolved some time ago that I owed my constituents, my colleagues in this House and my conscience more than a superficial review of press reports, more than a reading of public opinion polls or a response to organized letter-writing campaigns. I resolved to go beyond these reports, to go directly to the very large number of detailed studies by criminologists,

sociologists and economists, which have dealt with the relationship between the death penalty and murder.

I believe that in dealing with an issue of such profound importance we have an obligation as parliamentarians to look past the necessary superficiality of reports in the popular news media. I spent the last several weeks carefully seeking out and reviewing studies on both sides of the question. I cannot claim or pretend to have reviewed everything that has been published on this topic. However, I have examined more than two dozen serious studies representing both the abolitionists and the retentionists points of view, following the trail of research references from article to the next.

If you will excuse the presumption, Mr. Speaker, I believe the material I have reviewed is highly representative of the existing studies available on this subject. All of the references to research studies to which I will be referring can be found in a document entitled: "The Death Penalty, Deterrence and Retribution: An Annotated Bibliography", which I have prepared and deposited in the Library of Parliament.

• (1440)

The primary arguments in favour of execution are three—deterrence, incapacitation, and retribution. It is, I might say in passing, a macabre fact that rehabilitation does not enter into this debate.

If I could be convinced of the unique deterrent effect of executions, I would be inclined to support their reinstatement. If executions were the only means to incapacitate criminals, I would be inclined to support their reinstatement. If I could be sure that vengeance would affect only the guilty and no one else, I might be inclined to support reinstatement of the death penalty.

There are six issues which will affect my vote on this issue: the efficacy of the death penalty as a deterrent, the possibility of direct and immediate risks posed to society through the demonstration effect of executions, the effect which the death penalty has on juries, risks to the innocent, the issue of retribution, and finally the availability of alternative courses of action.

The issue of deterrence is the most important one I think we have to address. If in fact it could be demonstrated that execution was a unique deterrent, that it provided a deterrent effect which other punishments such as imprisonment did not present, that innocent lives would be saved by executing people convicted of murder, then the issue would be clear, and some other risks judged acceptable.

Superficial common sense tells us that the possibility of execution should deter murderers. The deterrence theory assumes that people rationally calculate the benefits and the risks of their actions, carefully weighing the net gain or loss. However, common sense also tells us that most murderers are not rational when they commit their crimes. If they were afraid of death, they would be more worried about their much greater chance of being killed by police or the civilian population during the course of their crime than about execution.

Clinton Duffy, a former warden of San Quentin prison, is reported to have asked thousands of prisoners convicted of murder, or armed robbery, whether they had ever thought about the death penalty before committing their offence. No one had done so. However, I think it is fair to say that this type of anecdotal evidence is not convincing. Anecdotes and raw, unanalysed data can be twisted to support any argument.

It is for this reason that criminologists, sociologists, and economists have turned to more sophisticated statistical analysis to isolate the effects which executions have on murder rates. Their attempt has been to provide empirical, verifiable evidence about whether and how executions affect murder; what happens in fact, not in theory. Any of us who are genuinely interested in the effects of the death penalty on murder and are not simply going through the motions in this debate should pay attention to this research. It may be dry, but I would submit that it is useful and important.

Economists in particular, beginning in 1975, have had a profound effect on modern thinking about deterrence and on the decisions of several of the United States to resume executions. These researchers have turned to what they call multivariate statistical analysis, which is the use of economic models, and regression analysis, to determine how a host of different variables—the age and ethnic composition of the population, poverty and unemployment rates, seasonal variation in weather, general crime and execution rates, and a number of other factors—interact with each other to affect murder.

The most famous of these studies, and by far the most controversial, was a study published by Isaac Ehrlich in the *American Economic Review* in 1975. This study, entitled "The Deterrent Effect of Capital Punishment: A Question of Life and Death", examined murder rates in the United States between 1933 and 1969.

Ehrlich used an economic model for behaviour of murderers, suggesting that they did balance advantages and disadvantages of their actions. He came to the conclusion that what he called the "pure deterrent effect" of executions on murders was in the range of one execution deterring seven or eight murders.

These results were literally sensational, and his study was cited in attempts to have the United States Supreme Court reinstate the death penalty in the United States. It is a study which still has an effect on the thinking of some people, including perhaps some of my colleagues in the House.

I will not go into detail on the debate which followed publication of the study, but there have been several dozen subsequent econometric analyses of murder rates in the last 12 years. Anyone in this Chamber who is planning to use the Ehrlich results, or who believes that deterrence is a demonstrated fact, should know that only a handful of studies support his findings.

In fact, the Ehrlich study was severely criticized by other researchers who claimed that his statistical methods were simplistic and inadequate for the complex series of relationships involved.

A large number of other researchers attempted to replicate and verify Ehrlich's findings, some using the same data he used, others using new and more extensive information on murder rates, and almost all using more sophisticated models and statistical methods. In fact, the issue was so controversial that the American National Academy of Sciences created a special panel on research on deterrent and incapacitative effects of punishment to review the different studies. The panel's conclusions supported the overwhelming body of research which has appeared since 1975. There is no evidence to support the contention that executions deter murder.

Representative of the many, many studies which have found no deterrent effect, in fact about 90 per cent of all research done, are the comments of Dane Archer, Rosemary Gartner, and Marc Beittel, writing in the *Journal of Criminal Law and Criminology* in 1983. They conducted an analysis of murder and executions in 14 countries including Canada. They came to the following conclusion:

> Other justifications for the death penalty can and presumably will be debated, but the deterrence hypothesis must be regarded at this time as scientifically insupportable—

William C. Bailey's statistical investigation of the relationship between killings of police officers and executions in the United States between 1961 and 1971 concluded that the death penalty offered no protection to police officers.

Ezzat A. Fattah, writing in the *Canadian Journal of Criminology*, reviewed a large number of deterrence studies, including 10 which dealt specifically with the effect of executions on murders of law enforcement officers. He also came to the conclusion that there was no evidence that the death penalty protected law enforcement officers.

These studies also indicate that the abolition of the death penalty does not result in an increase of violence within penitentiaries where convicted murderers are sent to serve their sentences.

As Members of Parliament we cannot rely on intuition for our judgment on this issue. We cannot afford to ignore the empirical evidence available to us. Deterrence is a utilitarian argument, one which must have demonstrable effects to be valid. Such an argument, as opposed to, say, the argument for revenge, demands evidence, and that evidence is not there.

I think we have as well an obligation to use the research resources available to us as Members of Parliament to test our preconceptions against reality, to bring our own intelligence and capacity for critical judgment into play, to inform our constituents, and not to just respond to them.

Let me move to the second issue which has affected my vote, that is, the question of the risks posed to society by the death penalty. Not only is there no demonstrated deterrent effect for the death penalty, there is good evidence to suggest that executions actually provoke murders which would not otherwise have occurred. This ominous possibility must be of concern to even the strongest proponents of the death penalty.

• (1450)

Several reputable studies, investigating the short-term deterrent effects of execution on murder rates, have found that the murder rate actually rose significantly in the weeks and months immediately following an execution. Among the chilling results of this research it was found that in several states where data was analyzed, such execution appeared to account for between one and two additional murders in the weeks following.

In South Carolina, an estimated 24 murders were directly tied to executions over a 10 year period. In New York State, one investigation of murder rates between 1907 to 1963 found that on average each execution accounted for an additional two murders in the month after the execution, which were definitely tied to the execution. Another study in Chicago also found a significant increase over a five year period in both first degree murders and general homicides following each execution.

This has come to be called the brutalization effect. Far from deterring murders, executions appear to legitimize the idea that death is justified for people who have gravely offended us.

Executions provide a savage example of how the state, with all of its resources, feels it must solve its problems. If some murderers are people who feel humiliated, betrayed or dishonoured, is it any wonder that they borrow the state's methods to solve their problems? But whatever the psychology behind the effect may be, the effects are nonetheless established, executions increase the risk to innocent people by provoking murders.

I would like my colleagues to consider this evidence carefully. It is possible, of course, to ignore this, just as it is possible to ignore the evidence on deterrence. But those who do so will bear a terrible responsibility for the effects of their judgment on the innocents who may die as a result of it. The dangers to innocent people do not end with the brutalization effect.

My third concern lies in the effect of the death penalty on juries. Several reputable studies, some already cited in this debate, have indicated that juries are reluctant to convict when the death penalty is in effect. A recent study in Ontario indicated that members of juries in 29 of 32 cases where defendants were convicted of murder, have said they would have been reluctant to convict if the death penalty had been in effect. At least some of the people convicted, incarcerated and, therefore, incapacitated right now, would be on the streets if the death penalty had been in effect in Ontario over the last five years.

My fourth concern, and in many ways I think the most important, lies with the threat to innocent life inherent in an imperfect judicial system. We all know, at least every single

one of us in this House who has had direct experience with the judicial system, that executing an innocent person is a real possibility. Yet some Hon. Members have said they doubt that anyone innocent has ever been executed. I think we have to look at the evidence, Mr. Speaker. Any Member might debate parts of it, but in the aggregate it makes a case that any reasonable individual must acknowledge.

In the United Kingdom, there is strong evidence that three people have been unjustly executed since 1945. In the United States, one study indicates that 12 per cent of people executed over a 40 year period may have been innocent. Another study indicates that 100 innocent people may have been executed in the U.S. since 1900. In Canada we have had two suspected, albeit unproven cases, of unjust execution, in 1956 and in 1960, in the cases of Wilbert Coffin and Raymond Cook respectively. We have had three certain cases of wrongful conviction for murder in Canada in the last 16 years. We have executed 710 people in Canada since Confederation. If our error rate was only half as high as the rate for errors in the American study, we may have executed 40 innocent people in Canada.

My fifth concern lies with retribution as a justification for the death penalty. At the heart of the retribution argument is the raw and honest demand for revenge. Retributionists, from Immanuel Kant to the present, have insisted that retribution need not be tied to deterrence, that it stands on its own as justification for execution. This is an argument, an appeal I can understand.

Faced with the horror of particularly brutal, cold-blooded or serial murders, our first reaction is that the murderer deserves to die, that no other justification is required. Kant and others have elaborated this argument, saying that we are reinforcing the value we place on life by demanding for murder the greatest of all payments, the forfeit of the murderer's own life. I will not deal with the paradox implicit in this logic. I will accept it as a natural, visceral first reaction to murder.

Let us clearly understand, however, that the basis for this moral argument is that those people who die are those who deserve to die—only the guilty, not the innocent. But if the net result of restoration of the death penalty is the possibility of executing innocent people, provoking new murders and releasing potential killers onto the streets because of reduced conviction rates, where is the justice in retribution?

We have in the last analysis, Mr. Speaker, other alternatives. We are not a poor society, and we must determine how highly we value the lives of innocent people. We must decide, as a society, just how highly we value revenge.

I know very well what public opinion has to say on the death penalty. I have no reason to believe that the views of my constituents in Ottawa West are any different than any others. I believe, however, that the public desire for the return of the death penalty is based on the mistaken belief that it deters murder. It is rooted in a legitimate fear of violent crime and violent criminals. It reflects a justifiable frustration with a criminal justice system which sometimes appears unable to keep dangerous offenders from repeating their crimes.

We have the resources to strengthen and increase policing, to reform our sentencing and parole procedures, to keep convicted murderers off our streets. The costs are not high, $5,500 a year, according to the Solicitor General (Mr. Kelleher) for each prisoner we add to the prison population. Even if the death penalty does not deter murders, deterrence research has shown us what factors do affect murder rates. Poverty and unemployment are at the heart of all detected rises in murder rates. We have to decide what we really want to come out of this debate. Do we genuinely want to reduce murder rates? Or do we simply want the atavistic satisfaction of killing those who offend us, whatever the risk to innocent lives?

Are we prepared as Members of Parliament to make the hard choices implicit in a policy which would reduce poverty and unemployment, improve policing and strengthen parole regulations? Or would we prefer the notion of a quick fix, which all available evidence tells us may please the public, but which will do nothing at all to reduce murder rates?

What this motion tells us is that we can be seen as champions of law and order without taking the trouble to deal with the real and complicated issues we know are at the heart of crime. We have the resources as a civilized society to solve our problems without killing people. If we decide that our desire for revenge is stronger than our taste for justice, then we will deserve the moral agony we will surely face on the day we learn that we, as Canadians, have executed an innocent person.

I believe that on the day we vote as a House for restoration of the death penalty by supporting this motion, we will inflict a dark scar on the soul of our nation. We will announce to the world that knowing all the risks to innocent lives we still demand the sweet satisfaction of revenge.

It is because I know we need not resort to this needless savagery, Mr. Speaker, that I will vote against the restoration of the death penalty.

[*Translation*]

Mr. Ferland: Mr. Speaker, I would like to start by congratulating the Hon. Member for Ottawa West (Mr. Daubney) on his excellent exposé of this question, and I must say I share his views. However, perhaps he would care to look at the problem from another angle, especially considering that since the beginning of this debate on capital punishment, there has been no attempt to look at the problem as a personal responsibility. Let me explain, Mr. Speaker. As Members elected to the Parliament of Canada, we share the power in this country and I would even go so far as to say we share the power over life and death of all Canadians, but we share this power among 282 Members, including yourself, Mr. Speaker. This means that the Hon. Member and myself each share one two hundred and eight-second of the power in this country. And perhaps he would care to comment on the following. If the Parliament of Canada adopts a Bill to reinstate capital punishment in

Canada, would the Hon. Member have the impression he would be an accessory to a premeditated crime? We must not forget, Mr. Speaker, that if the Canadian Government decides to reinstate capital punishment, certainly it would be a kind of retribution, as the Hon. Member said, but on the other hand, it would be premeditated retribution through the judicial process, and in the final instance people would say, it is because the Government passed the Bill. But as an individual taking part in this decision, one of 282, would he personally feel to some extent guilty of being an accessory to a premeditated crime?

Mr. Daubney: Mr. Speaker, I would like to start by thanking the Hon. Member for his comments.

• (1500)

[*English*]

The question he poses is a more difficult one to answer, but if I understood the question correctly, I think the answer is yes.

I have certainly gone through the moral agony of this debate myself. I realized that there was the possibility that I as a single Member of Parliament could, if this motion were to be defeated by one vote, make the difference because of the points I made in my speech about whether or not an innocent person might die or whether or not we may see more murderers loose on the streets as well as all the other arguments I made. I realized that I had to vote with my conscience on this issue and that if I had an opportunity to make a difference in this debate, I had to exercise that opportunity despite the views, many of them strongly held, of my constituents. It is a debate we have all had to go through.

Mr. Tupper: Mr. Speaker, through you, I would like to compliment my colleague, the Hon. Member for Ottawa West (Mr. Daubney), for his presentation this afternoon, particularly because it was so well researched. I felt that our hon. colleague had given a great deal of thought to his presentation and that he had looked at many very fundamental data relative to deterrence in particular but to other aspects of the criminal justice system as well.

I would like to compliment the Hon. Member as well on the sincerity with which he presented his thoughts on a very, very difficult subject. Recognizing his legal background and the fact that he made a substantive point of his feeling that Canada could still afford to maintain within our prison system criminals who were found guilty of the utmost crime, he has undoubtedly spent a great deal of time thinking about how the criminal system and the parole system could be improved to protect Canadians. I would like to ask the Hon. Member if he could share with the House his thoughts on penal reform.

Mr. Daubney: Mr. Speaker, I thank my colleague for his kind comments and his very pertinent question. As he knows, I am Chairman of the Standing Committee on Justice and the Solicitor General. The points he made have been of concern to me and my committee colleagues from all Parties for some period of time. In fact, yesterday at a meeting of the committee, we decided that two areas which we would investigate in the fall and start to research now would relate to the very question he asked.

We have not yet had a review of the corrections system in Parliament. Members like our distinguished Speaker who have been here for a while will recall the MacGuigan report of about 10 years ago. I think it is the view of the committee that, in any event, it is time for parliamentarians to take another look at the corrections system, particularly with a view to what can be done to improve rehabilitation.

Related to that is the whole question of parole. This is a matter which has been of particular concern to me as an Ottawa Member. Here in Ottawa, we have experienced a dreadful case about which I cannot speak in detail because it is still *sub judice*, that is, the Ruygrok case. I might add in parenthesis that I had the opportunity of meeting with Mr. Ruygrok, the father of the social worker in a halfway house who was murdered. It was a very touching meeting. He told me early on in this debate that he was against the death penalty. Despite what had happened to his daughter, he knew capital punishment would not have kept her alive.

Going back to my main point, the committee decided to look at the parole system beginning in the fall with a view to ensuring that tragedies like the Ruygrok case and others which happen all too frequently in Canada will not happen again. We intend to see that procedures are put in place that, to the extent humanly possible, would not allow such dreadful things to happen.

There is a lot of room for improvement in the parole and corrections systems. I would also suggest that there is room for improvement in sentencing and I welcome the recent developments initiated by the Minister of Justice (Mr. Hnatyshyn) in that regard. I can assure the House that the Justice Committee will be giving a great deal of attention to all of these important issues.

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, while I am strongly opposed to the reinstatement of the death penalty in Canada, I want to start by making it absolutely clear that I believe murder to be a most serious and heinous crime and that we in government at all levels must do everything in our power to reduce and prevent murder. The fact that I and others in this House are opposed to capital punishment does not mean that we are soft on murder, nor does it mean that we care more for the criminal than for the victim. That allegation is pure rhetoric, hokum and a red herring in a debate like this.

I believe very strongly that we should act to prevent murder but we should do something that is effective and meaningful and not something like the death penalty which is simply an illusion of action. Many of those who favour the death penalty say it is necessary to protect the public, to protect the police, to protect corner-store owners and to protect old people and children who walk the streets. Once again, I agree that we must protect those people, but there is absolutely no evidence showing that the death penalty offers this protection.

The death penalty certainly has not protected policemen. The year when the greatest number of policemen were killed on duty in Canada was 1962 when 11 policemen were killed on the job. In that year, there were two hangings in Canada, one for killing a policeman.

Since 1962, there has been an average of four policemen killed on duty per year while there is now a much greater number of policemen than there were in 1962 and a larger population. Of course, four per year is four too many, but the point is that when the death penalty was in force in 1962, it did not protect those 11 policemen who were killed while on duty. Nor does the death penalty protect the public generally. In 1976, the year we totally abolished capital punishment in Canada, there were 668 murders, a rate of 2.9 per 100,000 population. Ten years later, in 1986, we had 561 murders, a rate of 2.2 per 100,000. That is the lowest rate in 15 years.

• (1510)

Let us compare that with those states in the U.S. which have brought back capital punishment. So it is absolutely clear I must point out, that in the U.S., unlike Canada, capital punishment and criminal law is not a national matter. It is under the jurisdiction of the individual states. Every state has its own criminal law and every state decides whether or not it will have capital punishment and how it will be carried out. The U.S. Supreme Court decided in 1976 that the states could reintroduce capital punishment and some states did. In 1985 the rate of murder in the U.S. as a whole was 7.9 per 100,000 population. That compares with 2.2 in Canada.

There are two states which have reintroduced capital punishment and have the most executions, Texas with 18 and Florida with 16. The rate of murder in Texas in 1985 was 14 per 100,000, and in Florida 11.6. Not only is the rate of murder in those two states with capital punishment higher than in Canada, it is higher than the U.S. average. The death penalty is not protecting the citizens of Florida and Texas.

In the debate in this House on this issue in 1976 many Hon. Members rose in their place and said that if we removed the death penalty people will feel free to kill. Murderers will run amok in the streets. That did not happen. As a matter of fact, the rate declined, as I pointed out. I have here a clipping from the Montreal *Gazette* dated February 14, 1987. The headline reads: "Shot Montreal man in cold blood, Miami killer laughs at crime". This is a story about a Montreal businessman who flew to Florida, rented a car at the airport and drove away looking for the interstate highway. He did not know where it was so he stopped his car on the side of the street and asked a citizen where the interstate highway was. This citizen, as I call him, pulled out a gun and shot him in the head because he wanted the car. They caught that man later the same day and he was quoted in this article as saying:

> "I just shot him," shrugged the man who confessed yesterday to murdering a Montreal millionaire who asked him the way to Interstate 85, and then he laughed.

The fact Florida has the death penalty and has had 16 executions did not protect this Montreal businessman in that state.

When we compare rates of murder in those states with the death penalty and those states without the death penalty there is a clear pattern of lower murder rates in the non-death penalty states. In recent months the United Kingdom voted against the reinstatement of the death penalty. That is the third time the British Parliament has turned down an attempt to bring back the death penalty in that country. There the rate of murder is 1.1 per 100,000, much less than in Canada. In Belgium it is 1.3. In New Zealand it is 1.6. In France it is 3.3. All are much lower than the U.S. where 12 states have brought back executions and carried out executions since the U.S. Supreme Court permitted them to do so.

I have had several occasions to debate this issue with the Hon. Member for Peterborough. He has said that the U.S. reinstated capital punishment and the murder rate came down. Before 1976 he says the rate was over 10 per 100,000 and it has come down to 7.9. It is still very high but it has come down. Let us make absolutely clear that the U.S. did not reinstate capital punishment. In the U.S. it is a state matter. Thirty-seven states voted to bring back capital punishment, but executions have been carried out in only 12 of those states. There have been 66 executions in the U.S. since 1976 and more than half took place in Florida and Texas. Capital punishment is not protecting people in those states where it exists. Capital punishment does not protect, and that is our first argument against it.

Second, it is against most of our moral codes. The commandment is, thou shalt not kill. Before World War II and back into the last century capital punishment was justified as a self-defence mechanism. There was the exception to the commandment that in self-defence you could protect yourself and your loved ones. If someone came in to kill you or your loved ones, as a last resort you could kill him and that was justifiable. The justification was self-defence. It was thought that capital punishment was a legitimate self-defence mechanism. However, as statistics-gathering bureaus in many countries in the western world became more sophisticated it was soon learned that the death penalty was not acting as a self-defence mechanism. If it did not do that, it had no moral justification.

That is why we have seen in this debate that every mainline church in Canada has come out against the death penalty. The Catholic Bishops, the Anglican Bishops, the United Church, the Presbyterian Church, the Lutheran Church, the Baptist Church, the Salvation Army and synagogues have come out against it. It is true that some of the evangelical churches have come out in favour, but the great majority of our principal Christian churches have been opposed.

I have already said that in the so-called western world the death penalty does not exist in one entire country. It is still on

the books in Belgium and Ireland, but it has not been carried out since 1945 in Belgium, and 1954 in Ireland. In effect, in all of western Europe, Canada, and most states in the U.S., as well as New Zealand and Australia, the death penalty is not in force. If Canada were to vote for this resolution and bring back the death penalty, we would be the only entire country in the western world to go in that direction.

As I said a minute ago, the British Parliament turned down an attempt recently to bring back the death penalty because they believe it is inappropriate in a civilized society. The death penalty does not protect. It is against our moral codes. It is not appropriate in a civilized society.

• (1520)

Fourth, it is irreversible if you make a mistake. There have been people mistakenly convicted of murder in recent years. Thank God we did not have the death penalty. Donald Marshall, a young Micmac Indian from Nova Scotia, was convicted of murder and served 11 years before they found out that he did not commit the crime. He was released from prison and has been compensated. If he had been convicted prior to 1962 he would have been hanged. John Wildman of Ontario was convicted of murder and served seven years before they found out he did not commit the crime and he was released from prison.

Professor Bedau in the United States recently wrote a book on the subject documenting 349 cases of people being mistakenly convicted of murder. Of those, 23 were executed. Capital punishment does not protect, it is morally wrong, it is not appropriate in a civilized society, and it is irreversible if you make a mistake.

Fifth, it is selectively inequitable. When it exists it is applied unevenly against the poor, minorities and immigrants. It is applied in that way because these people do not have the money to hire the best attorneys or to pursue the long process through the appeal courts, which sometimes takes years and is extremely expensive. Even if you are convicted in the last court of appeal you can go on and apply for commutation to the Governor in Council or, in the United States, to the Governor of the State. That is a very expensive process in which much discretion is exercised at every level.

Discretion is used at the very beginning of the system in determining whether a charge of first degree murder is laid, the punishment for which is death, or a charge of second degree murder, the punishment for which is life imprisonment, or a charge of manslaughter, the punishment for which is lesser again. The exercise of discretion at the beginning of the process by the Crown can mean life or death and depends to a great extent on the bargaining which takes place between the attorneys and on how good your attorney is.

Some people have described the death penalty as a lottery in which the odds are loaded against the poor. In the years in which we had executions in Canada there were a very small number of executions compared to the number of murders. The highest number of executions in Canada in any one year was in 1931 when there were 22 hangings. It is interesting to note that that was in the pit of the Depression when people were out of work and desperate. There were 172 murders in that year and only 22 hangings. The average rate in the 1950s, which is the last decade in which we had the death penalty, was five executions and 140 murders per year. In the 1940s there was an average of 10 executions and 120 murders per year. One might ask what happened to the other murderers during the 1950s and who the five were who were executed. More often than not they were the poor, the minorities and the immigrants.

Those are the main arguments against the death penalty. It does not protect, it is morally wrong, it is not appropriate in a civilized society, it is irreversible if you make a mistake, and it is applied inequitably to the poor and the minorities.

The principal argument we hear these days in favour of the death penalty is that it is the only appropriate form of justice. Where does that standard of moral justice come from? It certainly does not come from the western countries or the churches. I have pointed out that the churches do not accept that as a standard of justice nor do the western countries. Who accepts it? Who has that type of justice?

The country recorded as having the greatest number of executions last year is Iran where there were 450 executions. Is that our model of justice? In South Africa there were 125 executions. Is that our model of justice? In Communist China there were 105 executions. Is that our model?

People who argue that capital punishment is the only appropriate form of justice for murder are proposing an eye for an eye and a tooth for a tooth type of justice. They are proposing a system based on revenge, and that is not our concept of justice.

There is a lot to be said on the subject and I will not have time to cover it all. If we are really serious about reducing and preventing murder we will do things to prevent the act from taking place in the first place. We will deal with the causes of violent crime and murder, we will do things which are proactive rather than reactive. That is what has brought down the murder rate in those states which have very low rates of murder. In the State of Minnesota the rate of murder is 1.7 per 100,000. Compare that with Texas or Florida. Minnesota abolished capital punishment a long time ago and has had much better social and public education programs. They were involved in the communities in a way not seen in the southern states.

We must concentrate on the causes, prevention, security, rehabilitation, assistance to victims, more resources and training for the police, better family crisis intervention, better drug and alcohol rehabilitation, more effective gun control, less violence on TV, better juvenile corrections, education and recreation, and more support for the home and school.

It is my belief that the motion before the House is biased and indeed foolish. When the Government introduced it it said

it wanted to remain neutral. However, the motion says that this House supports the reinstatement of capital punishment and sets up a committee to decide for what kinds of murder and by what method. If the Government was really neutral it would have introduced a motion saying that the House should re-examine the penalty for murder and make recommendations as to what that penalty should be. This motion is unfortunate.

In conclusion, if we in Canada believe that the supreme value is human life, then society should never repeat the act of the criminal. A criminal justice system based on revenge is not appropriate to a civilized society. We must do everything in our power to combat murder and other violent crime. We must look for solutions which are humane and civilized but also effective and ones which will provide security. Capital punishment is not humane, it is not civilized, it is not effective, and it does not provide security. As a result, under no circumstances should capital punishment be reinstated in Canada as a response to murder.

Mr. Manly: Mr. Speaker, I would like to thank the Hon. Member for Notre-Dame-de-Grace—Lachine East (Mr. Allmand) for his speech and also for the leadership which he has given on this issue, not only in the present debate but in years past. I can remember writing to him when he was the Solicitor General and trying to give him some encouragement. I am sure he does not remember that letter because he was getting thousands of them from people all over Canada who were very concerned at that time that we should abolish the death penalty.

The Member may have mentioned this before I came in, but it seems to me that one of the major concerns which Canadians should have in re-examining the question of the death penalty is that juries have a much greater tendency to acquit those accused of murder if there is a possibility that a conviction will be followed by the death sentence. I saw one study which indicated that prior to the abolition of the death sentence there was a 10 per cent rate of conviction for those who had been accused of murder. Following the abolition of the death sentence, the rate of conviction went up to 20 per cent. It seems rather conclusive proof that having the death penalty in place means that a much higher percentage of those who are acquitted could be guilty. Could the Hon. Member comment on the safety aspect of this to Canadians on the streets, when there is a higher rate of acquittal when the death penalty is in place?

• (1530)

Mr. Allmand: Mr. Speaker, in the middle of the debate on the abolition of the death penalty in 1976, the head of Scotland Yard in England made a statement that he was opposed to the death penalty precisely because too many juries were acquitting too many people who were actually guilty of murder and should have been convicted because they were afraid of convicting someone by mistake. The head of Scotland Yard said that, for that reason alone, he was opposed to the death penalty. He would prefer a system in which there is no death penalty in which at least those people who were guilty of murder would be behind bars until they were rehabilitated. He felt there was a more dangerous situation to have murderers acquitted because of a fear of the death penalty.

Several studies have been done in Canada, including one by Ezzat Fattah, of Simon Fraser University, who did a study that supports that theory, and a study by Jonathan Friedman of the University of Toronto, who conducted studies with jurors who served in murder trials. They said that if the death penalty had been in effect they would not have convicted some of the people they did.

There is also a report by Crown prosecutors in Ontario which states the same thing. There is much evidence to the effect that with the death penalty we often end up with a much more dangerous situation than without it. Of course, I am convinced of the argument for other reasons as well.

Mrs. Finestone: Mr. Speaker, first I want to say that I am proud to be a member of a Party which has a member who so strongly speaks in defence of all aspects of our society, particularly in this debate. I enjoyed the Hon. Member's speech and listened to him with great care.

Will he comment further on the social impact of the television medium in which we try very hard to imitate many American programs? The program Night Heat is the Canadian version of Miami Vice. The Hon. Member talked about the violence that we see on television. Can we do something about that?

Mr. Allmand: Mr. Speaker, studies have been conducted on this subject as well. The American Senate conducted a study under the chairmanship of the Senator from Rhode Island. It was a study on the relationship between violence on television and violent crime. His findings were to the effect that while violence on television would not prompt people who basically were not violent in the first place to commit a crime, it would prompt those who were basically violent to act out their violence in the way they see it portrayed on television.

That U.S. Senate committee made strong recommendations to limit the violence to hours that were late in the evening so that it would not be seen by the younger segment of their population. That was never legislated in the United States, but was put into effect loosely by some of the networks. I personally believe that there is too much violence on television and films that are available to minors.

We talked about limiting films in which there is pornography but we do not sufficiently consider the effect of violence on their development.

If we are serious about combatting violent crime and murder, there are many things we can do that are preventive, including this.

The Acting Speaker (Mr. Paproski): I will recognize the Hon. Member for Cape Breton Highlands—Canso (Mr.

O'Neil), the Member for Yorkton—Melville (Mr. Nystrom) and the Hon. Member for Swift Current—Maple Creek (Mr. Wilson) in the next five minutes. Therefore, let the Hon. Members govern themselves accordingly.

Mr. O'Neil: Mr. Speaker, if it could be clearly established that capital punishment is a form of self-defence, would the Hon. Member be prepared to accept capital punishment? I understood him to say in his comments about self-defence that there was no proof that capital punishment was a deterrent. Is he opposed because there is no proof of its deterrence or because it is unacceptable?

Mr. Allmand: Mr. Speaker, I was saying that in the past, books on ethics and morality more or less justified capital punishment as a kind of self-defence mechanism, in which self-defence justifies killing someone. That kind of argument was used to justify capital punishment.

However, at that time our statistical information was very weak and it was hard to tell whether or not that was correct. Now we know that it is not correct.

The Hon. Member's question is hypothetical. I am convinced by the evidence that capital punishment does not effectively protect. However, that is only one argument that I gave against capital punishment. The Hon. Member will know that I gave five or six arguments, including mistake, morality, non-protection, inequitable application and so on.

If there could be proof to the contrary, that would prompt considerable re-examination on that one point. However, there are still many other arguments that would lead one to oppose capital punishment.

Mr. Nystrom: Mr. Speaker, I want to commend the Hon. Member for Notre-Dame-de-Grace—Lachine East (Mr. Allmand) for the leadership he has provided on this issue over the years. I am proud of his leadership on this particular issue.

I also want to commend the Hon. Member for Ottawa West (Mr. Daubney) who I believe delivered a very thoughtful speech today. My question relates to the speech given by the Hon. Member for Ottawa West. The Hon. Member for Ottawa West referred to the brutalization effect. He said studies have shown that executions evoke more murders within the state where the person is executed. He gave examples of South Carolina, New York, and Chicago, where executions took place and seemed to provoke even more murders.

Does the Hon. Member for Notre-Dame-de-Grace—Lachine East believe there might be some validity to that theory?

Furthermore, I am reminded of the incident which took place in the House of Commons a few days ago, when someone rushed in and grabbed the Mace. I wonder if that might have been provoked because of the films of Corporal Lortie in the Quebec National Assembly which had been released for massive television use in this country a few weeks ago. One sometimes wonders whether that might give an idea to a person like the one who came here.

Should we be concerned about the brutalization effect? I am concerned about it, and the Hon. Member for Ottawa West has done a great service in bringing it to our attention.

Mr. Allmand: Mr. Speaker, it is very difficult to prove that one is the cause of the other. However, I am convinced from the evidence I have seen, without being able to prove it scientifically, that there is a relationship between violence that is carried out by the state and the growth of violence in society. If the state condones violence by bringing back the death penalty, whether by hanging, firing squad or the electric chair, it says something about the value it puts on human life. When it carries out executions in these very horrible, violent ways, it is also setting an example for society.

During this debate and similar debates, Hon. Members will bring forward for our consideration some horrible crimes, describing crimes in which some innocent child is brutally murdered by a criminal. Of course when we read about these crimes we are all incensed. I myself feel at the time, even though I am opposed to capital punishment, that if I had that person in front of me I would beat him to death with a baseball bat or something. That is how I feel. However, when we sit down to develop a criminal justice system, we do not base it on the emotions we have when we consider some violent crime. We use our heads. We ask what is going to be effective against this kind of thing. We do not really think about revenge.

• (1540)

If the state says, as a collectivity, that it approves of the death penalty, which is a type of violence, it gives a horrible example to the entire society and one which I think in the long run provokes more violence rather than less.

The Acting Speaker (Mr. Paproski): The Hon. Member for Swift Current—Maple Creek (Mr. Wilson) for a very short question, please. We are running over the time now.

Mr. Wilson (Swift Current—Maple Creek): Mr. Speaker, I noticed that the Hon. Member raised the old argument about miscarriage of justice as one of his points. It is the classic argument that the death penalty must be abolished because there might be the possibility of executing an innocent person. He quoted Adam Bedau who, of course, is one of the most resolute and implacable opponents of capital punishment in the United States. Interestingly enough, Mr. Bedau cited a study of some 7,000 executions in the United States and concluded that the record failed to show that such cases occur. He also said, and I would like to quote from one of his articles:

> It is a false sentimentality to argue that the death penalty should be abolished because of the abstract possibility that an innocent person might be executed.

The main point, I think is that if governments were to function only when there was no possibility of error, how on earth could government function at all?

Mr. Allmand: Mr. Speaker, I do not know what book or article of Professor Bedau's the Hon. Member was reading, but he is out of date. The professor has written a more recent book. I spoke to Professor Bedau three weeks ago in Boston. I met with him at a conference. He has just published a book in which he documents 349 cases, 23 of which were executed by mistake. I would say to the Hon. Member that if the state wants to take a life, the burden of proof is on those people who want to take that life through capital punishment to prove it will have a positive effect on society. The burden is not on us who are opposed to the death penalty. If the state wants to take a life by bringing back the death penalty, or several lives by execution, it is up to it to demonstrate the need for it. It is doing a very serious thing by taking a life. It is up to the state to demonstrate that by taking those lives through execution, it will protect society and bring about a better society. If it cannot prove that, then it fails and we should not have a death penalty.

The Acting Speaker (Mr. Paproski): Questions and comments are now terminated. Debate.

Mr. Dan McKenzie (Parliamentary Secretary to Minister of Veterans Affairs): Mr. Speaker, I welcome the opportunity to enter into the capital punishment debate. I would just like to read the results of a recent survey taken in my riding of Winnipeg—Assiniboine. It is the largest return I have ever received on any questionnaire in my 15 years in Ottawa. I received some 7,000 responses to a detailed questionnaire. The return of capital punishment was requested by 78.7 per cent of the respondents. Legal injection over hanging, gas or electrocution was preferred by 85.8 per cent of the respondents. One question asked was: "If you favour capital punishment, what crime should be capital crimes?" The response came in to "all premeditated first degree murder" at 93.8 per cent. For the murder of police and prison guards the response was 94.2 per cent and for murder involving another serious crime it was 75.8 per cent. so there is strong support for the return of capital punishment in Winnipeg—Assiniboine and also in Manitoba. A capital punishment survey taken in Manitoba indicated, and I quote:

> 82.5 per cent of the Manitoba population favour the death penalty for the killing of either police officers or prison guards;

I think we are also going to have to add security guards, uniformed and plainclothes. There are uniformed guards in this building and their lives are at risk just the same as the policeman on the beat. So I believe we have to include these guards and others in the House of Commons and provincial legislatures, and also include private security people.

We have heard a lot of quotes from the Bible, different church organizations and different religious groups. I received a letter today from the Toronto Free Presbyterian Church. I would like to read part of its statement into the record:

> Please do not let yourself be overly swayed by those Church leaders who call loudly for the abolition of the death penalty. Is it not strange that many of them who regard capital punishment as barbaric are, at the same time, through the World Council of Churches, sending financial aid to terrorist groups, whose stock in trade is murder?
>
> It is obvious these Church leaders have lost touch with their people when the overwhelming desire on the part of Canadians is for the return of the death penalty for first degree murder. These are not "revenge-seekers" and "barbaric". Canadians generally are hard-working, loyal and law-abiding citizens, and their voice must be heard. It is our hope when the vote is taken you will faithfully represent the views of your constituents.

I will be voting on behalf of my constituents when we vote, Mr. Speaker. Members of Parliament have received a document from the Reverend E. Stevens of the St. Paul's Presbyterian Church here in Ottawa. It is entitled "Capital Punishment Again? A Christian perspective". Mr. Stevens stated:

> Capital Punishment is a subject which, in my view, needs a major "rethink" in Christian circles, because for almost 50 years now the official thinking of the major denominations has been dominated by a liberal-humanitarian philosophy which needs to be challenged. Finally, the subject is important because it involves other important Christian beliefs, notably three: the nature of God, the authority and responsibilities of the state and the nature of punishment.

We have all heard statistics, and I guess we could all stand up here for a couple of hours quoting every statistic under the sun, but the Citizens United For Safety & Justice in North Vancouver, British Columbia, have compiled some very interesting statistics which show that attempted murders have increased by 939 per cent over the last few years. The reason we have not had another 939 murders on our hands is due to advancement in medical technology, paramedics, use of protective clothing, and so on. Many victims' lives have been saved which otherwise would have been lost. How many listed as attempted murder would otherwise have been listed as murder?

As I mentioned earlier today, we have to take the Air India disaster into consideration. That was premeditated, cold blooded murder. A person who would plant a bomb on a aircraft containing 329 people is not a person we would want to have on this earth. I do not want to have to ask any prison guard to guard a person or persons who would do such a cruel act. These types of persons have to receive the death penalty.

Other statistics are coming in my office daily. I hope they are all accurate. I checked a number of them out and have not found any which are totally wrong. I think it has to go into the record that since 1977 at least 20 people have been murdered inside federal prison walls by convicted murderers. We have had prison guards murdered in my province, and I have a lot of sympathy for prison guards. I think we have to do something to protect them. In July, 1982 three prison guards were murdered, one by hanging, by men who had been convicted of the first-degree murder of policemen. I can recall that a couple of years ago a guard in the Archambault Prison in Quebec, one hour before he was to retire was murdered by a murderer. He was knifed to death. So there you are. In October of 1986 a young girl was murdered in Belleville by a convicted murderer on parole. I certainly do not know how he got out on parole.

• (1550)

There is another issue which we have to consider under the capital punishment umbrella, that is, the issue of drug dealers. In the United States there is a debate going on with respect to this subject. The U.S. House of Representatives passed a sweeping anti-drug Bill on Wednesday which includes a death penalty for drug dealers in drug-related murder cases. I would have no opposition to such a provision being included in the final drafting of our death penalty Bill, if it goes through.

There is only one country at the present time which has the death penalty for drug traffickers. That country is Malaysia. I just discussed this issue with a couple of Malaysian politicians recently. They would like to have some further conferences within the Commonwealth in regard to the drug problem. I hope that the Commonwealth countries can get together to deal with the issue in the near future.

I would now like to quote from an article published in *The Globe and Mail* recently, an article written by Mr. Les Bewley, a retired Vancouver criminal court judge. He is a columnist for *Canadian Lawyer* magazine. He states:

> Murder is the unlawful killing of a human being. The murderer has preferred no lawful charge against his victim; given him no right to counsel, no right to cross-examine or make full answer and defence; denied him the right to be tried before an independent, impartial, public tribunal; denied him any appeal. The murderer is prosecutor, judge and jury, all without lawful authority. Only such killing can be called murder.

I have heard it stated repeatedly that we should not have capital punishment in a civilized society. I am not so sure we have a civilized society when someone will plant a bomb aboard a 747, crush the skulls of young girls, break their necks, abduct them, and all the other horrible things they do. I do not consider that civilized. So we are not actually living in a civilized society when things of that sort are happening.

The Hon. Member for Notre-Dame-de-Grâce—Lachine East says that we will be reading some terrible and bizarre cases into the record. I think we should. I think they should be discussed because we have had some terrible cases in Winnipeg in which children have been abducted. As I mentioned, their heads have been crushed like eggs, their necks broken, and all the rest of it. Young girls have been abducted, molested, bound hand and foot, thrown in a shed and left to freeze to death. I would have absolutely no hesitation in calling for the execution of persons who conduct themselves in that manner.

The following is one of the most bizarre cases I have ever read about. It happened in London, England recently. A young girl was burned on her chest, tummy and bottom. The article states:

> TRAGIC toddler Kimberly was branded on her chest, stomach and bottom before she was battered to death—
>
> The burn marks on her bruised and emaciated body were in the shape of an "L" or a "7"—
>
> All the branding scars were caused "by the application of a hot instrument,"... Other injuries found on four-year-old Kim's body indicated she had been:
>
> TORTURED with a lighted cigarette—at least 15 burn marks were found running the length of her spine and on her pelvis.
>
> BATTERED about the face, groin, legs and arms, and picked up bodily by her ears.

The 24-year-old man who tortured this girl for weeks got life, real life, in Britain. But he will not be able to be put in a section of the prison where other prisoners are. He will have to be kept in solitary confinement for the rest of his life, as the other inmates would deal with him in short order. The mother of the child received a 12-year sentence.

At the present time I would like to move, pursuant to Standing Order 9(4)(a):

> That the House continue to sit beyond the daily hour of adjournment for the purpose of—

Mr. Parry: On a point of order, Mr. Speaker.

The Acting Speaker (Mr. Paproski): On a point of order, the Hon. Member for Kenora—Rainy River.

Mr. Parry: I am raising a point of order that there is not a quorum in the House and that therefore the motion of the Hon. Member for Winnipeg—Assiniboine (Mr. McKenzie) is out of order.

The Acting Speaker (Mr. Paproski): I regret but there is a quorum in the House. The Hon. Member can move his motion.

Mr. McKenzie: Before I was so rudely interrupted, Mr. Speaker, I will move the complete motion again. I move, pursuant to Standing Order 9(4)(a):

> That the House continue to sit beyond the daily hour of adjournment for the purpose of completing consideration of the motion standing in the name of the President of the Privy Council concerning capital punishment and amendments thereto.

The Acting Speaker (Mr. Paproski): The only motion with which I can concur is one which does not state "completing". It can state "continuing". The Hon. Member will have to change that, and then we can continue.

Mr. Nystrom: Mr. Speaker, on a point of order—

The Acting Speaker (Mr. Paproski): Yes, I will recognize the Hon. Member for Yorkton—Melville, but first the Hon. Member for Winnipeg—Assiniboine.

Mr. McKenzie: I can do as you suggest, Mr. Speaker.

Mr. Nystrom: I rise on a point of order, Mr. Speaker. I think if you take a look at the motion as proposed by my friend from Winnipeg Your Honour will notice that he is asking the House to consider extending the hours to complete the debate on the motion that is before the House at this particular time. At this time we are debating not the motion itself but an amendment to the motion.

What we are talking about here in the Hon. Member's motion is dealing with the entire motion. What is before the House is an amendment—

The Acting Speaker (Mr. Paproski): The Hon. Member for Winnipeg—Assiniboine moves:

That the House continue to sit beyond the daily hour of adjournment for the purpose of continuing consideration of the motion standing in the name of the President of the Privy Council concerning capital punishment and amendments thereto.

Mr. Nystrom: Mr. Speaker, a point of order—

The Acting Speaker (Mr. Paproski): Will those Members objecting to the motion please rise in their places—

Mr. Parry: A point of order, Mr. Speaker.

The Acting Speaker (Mr. Paproski): I have already recognized the Hon. Member on a point of order.

Mr. Nystrom: Mr. Speaker, I rise on a point of order—

Mr. Lewis: They do not have 25 Members in the House to block it, Mr. Speaker.

Mr. Nystrom: On a point of order—

The Acting Speaker (Mr. Paproski): Before I recognize another Member on a point of order I have to see if there are 25 Members in the Chamber—

Some Hon. Members: No, no!

Mr. Nystrom: A point of order with respect to the motion, Mr. Speaker—

The Acting Speaker (Mr. Paproski): First, I must count to see if there are 25 Members in the House. I will then recognize the Hon. Member.

Mr. Allmand: Mr. Speaker, my point of order is on the wording of the motion—

The Acting Speaker (Mr. Paproski): There is nothing wrong with the wording of the motion. I have just read it.

Mrs. Finestone: Did you correct it?

• (1600)

Mr. Nystrom: A point of order, a point of order, Mr. Speaker. You have to get that motion in writing.

The Acting Speaker (Mr. Paproski): I have it in writing. I will now count to see how many Members are in the House.

Mr. Nystrom: You have to get that in writing. He changed it verbally from his seat.

The Acting Speaker (Mr. Paproski): All those—

Mr. Nystrom: He has to have it in writing. Mr. Speaker, a point of order—

Mr. Manly: It is after four o'clock.

The Acting Speaker (Mr. Paproski): Would those Members who object to the motion please rise in their places.

Mr. Manly: It is after four o'clock.

Mr. Nystrom: A point of order, Mr. Speaker, a point of order—

Mr. Allmand: A point of order, Mr. Speaker.

And fewer than 25 Members having risen:

Mr. Nystrom: A point of order, Mr. Speaker—

The Acting Speaker (Mr. Paproski): Fewer than 25 Members have risen. Pursuant to Standing Order 9(4)(b), the motion is deemed to have been adopted.

Motion (Mr. McKenzie) agreed to.

The Acting Speaker (Mr. Paproski): On a point of order, the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand).

Mr. Allmand: Mr. Speaker, when the motion was read by the Hon. Member, it said precisely that the hours be extended to deal with the motion of the Hon. House Leader.

We are not dealing with the motion but with the motion and the amendment thereon. That was not the motion that he made, and I believe that the whole matter is out of order.

What we are debating now is the amendment to the motion. His resolution to extend the hours was wrongly drafted in that he said extend the hours on the motion but not on the amendment. I think it was wrong to permit the matter to be put to the House in that way, and I think it was wrong to take the count, the way the motion was worded, because we were not debating the motion but the amendment.

Mr. Lewis: Mr. Speaker, I think I can assist the House on this matter. If you check in *Hansard*, you will find that this happened on February 3 when the motion for second reading of Bill C-18 was before the House.

At the time that the motion to extend the hours was put, you will find, Mr. Speaker, there was an amendment by the Hon. Member for Regina West (Mr. Benjamin) to take the substance of the Bill and refer it to committee.

The motion to extend hours was accepted even though the motion under debate was amended. A motion was put not only for the main motion but for the amendment, and that precedent on February 3 should be followed here. It is exactly the same. The motion for second reading, as amended by the Hon. Member for Regina West, was before the House. The Chair accepted the motion to extend the hours. It was at about 4.50 p.m.

Debate continued on the amendment, debate collapsed on the amendment, Private Members' Hour took place, and then after Private Members' Hour the debate was extended until the motion on the main question was decided. This is exactly the same question, the main question amended. It is exactly on point.

The Acting Speaker (Mr. Paproski): On a point of order, the Hon. Member for Yorkton—Melville (Mr. Nystrom).

Mr. Nystrom: Mr. Speaker, I wish to make two points, and I make them very seriously. When you did the count to see how many Members were in the House opposing the extension of hours, it was one minute after four o'clock, and the Hon. Member for Malahat—Cowichan—The Islands (Mr. Manly) had been calling it four o'clock. According to our Standing Orders, at four o'clock we go into Private Members' Hour and there cannot be a motion put at that time because we are no longer in the regular business on the capital punishment debate. It is four o'clock, a Member of this House called it four o'clock, and you are not allowed, in my opinion, to put the motion at that particular time.

Second, Mr. Speaker, you were sent in writing a copy of a motion to extend the hours by the Hon. Member for Winnipeg—Assiniboine (Mr. McKenzie), saying that he wanted the hours extended on the motion before the House. Now, Mr. Speaker, that was clearly out of order. He sent that to you in writing, and he got up and verbally tried to change it from the word "motion" to the word "amendment".

The practice in this House is that if one moves an amendment in this House or a motion in this House, one sends it to the Speaker in writing.

First, Mr. Speaker, you counted the Members, who opposed extending the hours after four o'clock and, second, the motion was changed when the Speaker was already up in the chair considering the original written motion.

In both cases I think we have here a procedural irregularity.

Mr. Fulton: On a point of order, Mr. Speaker—

The Acting Speaker (Mr. Paproski): Before I recognize any more points of order, let me indicate that we are looking for a precedent right now. Before I recognize the Hon. Member, and if he would bide his time for a few minutes, then I could just get the official transcript of what I am looking for at this time.

Order, please. The Chair has looked at this motion. It finds the motion in order. We will now go into Private Members' Hour and then continue, at ten minutes after five o'clock, with the debate as we had it this afternoon.

Mr. Murphy: You guys just killed the weekend.

An Hon. Member: Is this new co-operative federalism?

Mr. Allmand: Mr. Speaker, I rise on a point of order. I want to ask the Deputy House Leader—and here we have before the House an extremely serious motion as to whether or not we bring back the death penalty in this country—whether he considers this the way we should deal with the motion, that is, late on a Friday afternoon, without consultation with the opposition Parties, and on a matter which could bring back the death penalty in this country. Is this the official policy of the Conservative Party on how we deal with a serious matter like this one in this country?

A vote could take place this evening on this without two-thirds of the Members—

Mr. King: No, it can't.

Mr. Lewis: No.

Mr. Allmand: Debate could end. The Hon. Member is right. The vote could not take place, but the debate could end and the vote would be on Monday before a lot of Members could speak on this matter.

I am asking him if that is the policy of the Government in dealing with this extremely important matter. If it is, he won't get any co-operation from me this week or any other week.

Mr. Manly: It is shameful.

The Acting Speaker (Mr. Paproski): That is not a point of order. It being 4.10 o'clock, the House will now proceed to the consideration of Private Members' Business—

Mr. Prud'homme: Mr. Speaker, on the same point of order—

Mr. Malone: It cannot be the same point of order because there was no point of order.

The Acting Speaker (Mr. Paproski): I am now entertaining Private Members' Business. Private Members' Business is in the next hour. If the Hon. Member wishes to raise any more points of order with regard to the motion, he may do it after Private Members' Hour. I do not want to disturb Private Members' Hour.

It being 4.10 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--PUBLIC BILLS

[*English*]

CRIMINAL CODE

MEASURE TO AMEND

Mr. Jim Fulton (Skeena) moved that Bill C-213, an Act to amend the Criminal Code (gun control), be read the second time and referred to a legislative committee.

• (1610)

He said: Mr. Speaker, it is a disturbing moment to start debate on Bill C-213 which I think is a fundamentally important Bill to many Canadians. It includes two particular sections. One, the removal of search and seizure powers of a dwelling house without warrant. This Bill flowed from amendments to the Canadian Criminal Code in 1977. Since that time, as we know with the adoption of the Charter in 1982, many people view with repugnance the section that was brought in with those amendments to the Criminal Code which allowed for powers for the search and seizure of a dwelling

house without warrant. As you know, in the Charter, protections against unreasonable search and seizure are no longer possible. I think many Members of this House would like to support that particular section of my Bill.

The second section of the Bill will eliminate the requirement for firearm acquisition certificates in northern and remote regions of Canada. That requirement in relation to FACs is in relation to rifles and shotguns. I know there are many who shoot targets. Many hunters, trappers and northerners would like to see the firearm acquisition requirements removed because they have turned out to be a bureaucratic nightmare for most Canadians living in northern rural and remote areas.

I want to make it clear at the beginning that I wholly support the extension of safe handling and use of firearm courses. I think the RCMP and municipal police forces, boy scout operations, rod and gun clubs and whatever else, should all be involved with the assistance of the federal and provincial Governments in putting forward those kinds of courses. As all Members will know, seven out of ten firearm deaths in Canada are self-inflicted and it is very important that proper training and handling courses be made available.

Old Bill C-51 which brought in these two wrongful laws, as I describe them also included some good things. Bill C-51 increased the severity of criminal sanctions for misuse of firearms. I support the new indictable offence, Section 83, which incurs a minimum jail sentence of one year and mandatory firearm prohibition orders for those who have been involved in firearm offences.

There has been abuse of the legislation, Mr. Speaker. The requirement that a return to a magistrate be made subsequent to Section 101 search and seizure has seldom been met as we found in the final report of the evaluation of Canadian gun control legislation. There are several rather important quotations I want to take from that final document produced for the Solicitor General (Mr. Kelleher) in relation to these two provisions of Bill C-51.

First, in relation to search and seizure of a dwelling house without warrant, I quote:

> To safeguard against abuse, the legislation requires that following any Section 101 search, with or without a warrant, a report or return shall be made forthwith to the magistrate. However, we have found that in most jurisdictions, returns are made only if a seizure has occurred and a request for forfeiture is intended. Since returns are made only in those instances where the evidence is strong enough to support a forfeiture application, any protection afforded by having a magistrate review all Section 101 searches, is non-existent.

I stress those last words because this was from a study. Most of this legislation came into effect in 1979. In the years since, we have found that where police and peace officers have made use without warrant of the search and seizure provisions of a dwelling house, the proper returns to a magistrate have simply not been made.

Another quote reads:

> —lack of returns on all searches means that we cannot completely endorse the opinion that Section 101(2) is not abused—
>
> —we have found that the return procedure is not followed, except in cases of forfeiture applications. This defeats the purpose of having a judicial review of the circumstances of all searches and seizures and leaves this section open to possible abuse in the future.

On the question of search and seizure of a dwelling house without warrant, I think it is abundantly clear that the Government's own data and research on this matter makes it perfectly clear that that section of the existing Criminal Code must be removed. I hope to hear the support of government and Liberal Members in relation to this.

For many years there has been a long and strong debate in northern, rural and remote Canada about problems related to this particular power. We should keep in mind that peace officers have always had—and I support their continuing to have—the powers of hot pursuit. I support their having the powers that they have in relation to search and seizure where they have gone to a magistrate—and, in a day and an age of high technology peace officers can always set up systems where they can be in touch with magistrates—to obtain the necessary warrants. I think the protection of the rule of law and the protection of civil liberties of Canadians requires that this Draconian measure be eliminated from Canada's Criminal Code.

On the matter of firearm acquisition certificates, I have a number of quotations that I want to put on the record. They are also taken from the final report provided to the Solicitor General's Department concerning FACs:

> —subtle pressures are used to eliminate potentially unsuccessful candidates. Firearms officers frequently claimed they could 'sense' poor candidates. They will usually attempt to dissuade them from making formal application. One jurisdiction estimates that informal refusals were approximately 150 times greater than formal ones.

When I appeared before the legislative committee, in determining whether or not this would be a one hour or a five hour debate, I pointed out a number of jurisdictions, confirmed with statistics from the RCMP, from the Solicitor General's Department, that there are some jurisdictions where people apply for FACs and no one is turned down. We have to ask ourselves what kind of a system has been set up where people come in and firearms officers can say yes or no without any kind of judicial review. In my constituency many times people require six days to go and get an FAC. They have to drive hundreds of miles to get to an RCMP station to apply. Then they have to wait 24 hours, and if that firearm acquisition officer is not there, for example, he is in Atlin, Cassiar, Prince Rupert, the Queen Charlottes or anywhere across the North, if the officer is not there, they simply cannot apply. I think as you know, Mr. Speaker, you cannot even lend to your own brother, father or son one of your own firearms under the existing legislation unless they go and get a FAC, even if it is to run a fox out of the chicken house.

The second quote I have is also from the final study. It reads:

> Due to a general lack of data, it is difficult to assess the effectiveness of the FAC system in reducing firearm incidents.

> An analysis of the number of firearm incidents involving individuals with FACs would probably provide an indication of the influence of the system. However, none of our data sources, including police occurrence reports from the local jurisdictions, record whether involved individuals have a FAC.

That makes it clear that the whole premise on which FACs were brought in, which was to provide information to the courts and the police departments in relation to firearm incidents, has been demonstrated not to be operating at all in any jurisdiction in Canada.

The third quote reads:

> We cannot make a direct causal connection between these provisions and any reduction in the number of firearm incidents.

I do not think any stronger statement can be made about firearm acquisition certificates than that in the final study. There is no direct relation in terms of the reduction of firearm incidents. Clearly that system, particularly in northern, rural and remote Canada, is an absolute failure.

With regard to the situation in Canada in terms of the search and seizure of a dwelling house without a warrant, peace officers have all of the powers which they require to do everything surrounding those kinds of incidents by involving a magistrate on the one hand or being involved in hot pursuit. This section in my own constituency has been abused. In light of the provisions in our Charter of 1982, this section should be struck down both on constitutional grounds and on the grounds that I have laid out in terms of the study that has been carried out over the last six years.

Concerning the elimination of firearm acquisition certificates, I think the information is overwhelming that this has turned into nothing more than bureaucratic regulation that is harmful to safe, honest gun handling Canadians who shoot a little trap, a little target, or carry a firearm on a trap line or go hunting from time to time.

In the next 45 minutes I would encourage someone on the government side to speak in support of this Bill, because when I appeared before the legislative committee the government Members who did speak spoke very much in favour of it. I thought perhaps today the Hon. Member for Mission—Port Moody (Mr. St. Germain) would be here because he said:

> —Mr. Chairman, that I am in agreement with the Hon. Member from Skeena.

And the Chair was clearly very supportive in his remarks.

I would hope that over the next 45 minutes we will hear from the Government because I have suggested to my colleagues in the Opposition that we would like to hear from government Members why they support or do not support Bill C-213. I know that I have received letters from people from every province and from both territories in support of this Bill. Many government Members, before being elected, said that they were very much in support of this Bill, so I would hope that we will hear from them their support for it.

[*Translation*]

Mr. Nic Leblanc (Longueuil): Mr. Speaker, I welcome this opportunity today to speak to Bill C-213, which concerns gun control.

The Bill raises a number of concerns that are felt not only in my riding but across this country. Gun control relates to the very nature of our individual freedoms in a free and democratic society. This question also relates to public safety, and is thus of interest to all Canadians. That is one of the reasons why the very issue of gun control is so controversial and why opinions on gun control are so diametrically opposed.

The use of firearms in sports, for recreation and for survival has been part of our Canadian heritage for over four centuries, and the tradition continues today. In fact, since its introduction at the beginning of Confederation, gun control has been an important part of Canada's social policy. Today, it is not the principle of gun control itself that is being challenged, because measures that prevent the criminal and irresponsible use of firearms deserve our support. However, I believe the Government should try and strike a sensible balance between the need for protecting the public and the legitimate interests of owners and users of firearms. To achieve this balance, it is important that the House consider all those who are affected before amending the existing legislation. And this brings me, Mr. Speaker, to the proposal made by the Hon. Member for Skeena.

The Hon. Member would like to see abolished the right to search and seize, without a warrant, firearms, ammunition and other explosive substances in a dwelling house. Mr. Speaker, in my view, this provision is in the sections of the Criminal Code dealing with firearms for a very good reason. As the House is aware, many crimes, especially murders, are committed in the course of family or neighbourhood fights. Firearms are involved in most cases.

By adopting subsection 101(2) which allows search and seizure without a warrant, Parliament wanted the police to be able to seize firearms and ammunition and explosive substances in family fights, to prevent a tragedy. Whether a firearm is seized or not, the police officer must subsequently report to the court to justify the action taken, this to prevent arbitrary seizures and the harassment of innocent people.

Family quarrels break out suddenly and police are quickly called on the scene. Apparently the Hon. Member would seek to make it more difficult for police to take effective action in such cases, and to prevent them from conducting searches and seize firearms to avoid the possibility of a quarrel ending in a fatal accident. He would rather have police wait patiently for a provincial court magistrate to complete the search warrant application forms while their services may be urgently required elsewhere.

Mr. Speaker, I have always been concerned over human rights violations and police power abuses. Still, in cases such as I described which may lead to death or serious injuries, I

admit that exceptional and constraining circumstances may indeed justify searches and seizures without a warrant.

In the case of Hunter et. al C. Southam Inc., the Supreme Court of Canada ruled that, in certain cases, searches without warrants do not constitute a breach of the Charter. The same rationale applies to urgent situations where police must intervene quickly.

For my own benefit and on behalf of my constituents, I have been trying to follow the evolution of the situation with respect to firearms control. I have yet to hear of a case where someone allegedly abused Criminal Code section 101(2). If ever this provision were to be the source of many instances of human rights abuses I would be the first one to advocate the necessary amendments.

• (1620)

Under the second amendment proposed by the Hon. Member for Skeena (Mr. Fulton), firearms acquisition certificates would no longer be required for people living in the federal electoral ridings listed in Schedule III of the Canada Elections Act. These include Kenora—Rainy River, Thunder Bay—Nipigon, Yellowhead, Prince George—Peace River and the riding of the Hon. Member.

To my mind this is a discriminatory provision. Firearms acquisition certificates should be mandatory for all persons seeking to acquire a firearm, no matter how. The Hon. Member would extend special privileges to those whom he refers to as the "residents of the more northerly and remote regions of Canada".

In my opinion, such cities as Prince George, Thunder Bay or Gander cannot qualify as remote regions.

Mr. Speaker, I do not intend to support this Bill. One of its provisions could result in needless injury or loss of life, while the other is clearly discriminatory on the basis of the area where one chooses to live.

[*English*]

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I am pleased to participate in this debate this afternoon. It is somewhat ironic that we are discussing this particular issue at this time today. A while ago, we ended temporarily a discussion on the death penalty, knowing of course that a large proportion of murders are directly related to firearms, and we began to discuss a private Member's Bill on firearms. We will then return a little later to the debate on the death penalty.

I should begin my remarks by saying that I am one of those individuals who does his absolute best to stay as far away from firearms as possible on every possible occasion. I am one of those people who has never owned a firearm and I believe I have only shot a firearm two or three times in my life.

I do not have much use for them personally, but I recognize that some people use firearms for sports and for hunting and, as my hon. friend from Skeena pointed out very appropriately, some actually require them for their protection if they live in very remote areas. As well, some who hunt for a living require firearms for their livelihood.

Having recognized the need for firearms as expressed by the Hon. Member for Skeena (Mr. Fulton), I nevertheless have two particular concerns that I must raise with him and the House. First, it is a fact that the number of firearms in existence and their availability is unfortunately very closely linked with the murder and crime rates.

• (1630)

I will digress for a moment to point out that it is well known that a number of U.S. Presidents have been assaulted with firearms over the years. I believe three were killed while in office, all of them by firearms. Not too long ago I read a newspaper article which referred to the fact that it cannot just be a coincidence that every one of those assaults on a President involved the use of a firearm. No President was ever choked, stabbed or anything else. They were all shot or shot at. I think there is a frightening message in that, which leads me to believe that firearms should not be as available as they generally are in this country.

I know the Hon. Member is very well intentioned with his Bill. I support him in his good intentions. I do not support his Bill but I certainly commend him for bringing before this House an issue which is obviously important to people in his constituency. However, that does not mean this is a good Bill for Canada as a whole. Nor is it a good Bill for those constituencies listed in Schedule 3 of the Canada Elections Act.

[*Translation*]

Mr. Speaker, I see that some ridings are listed in Schedule III to the Canada Elections Act. Let me give you an example. There is for instance the federal constituency of Thunder Bay—Nipigon. What our colleague is saying is that in the heart of the city of Thunder Bay, there would be exemptions which the Hon. Member for Skeena (Mr. Fulton) may feel are necessary in remote areas of his own riding, but which are not required in the downtown Thunder Bay.

Here are other examples. Among the other constituencies which the Hon. Member for Skeena (Mr. Fulton) feels should be exempted from this section of the Criminal Code, I see the riding represented by the Hon. Member for Cochrane—Superior (Mr. Penner); I know that there are areas in that riding which are quite distant from major urban centres. However, we should not overlook the fact that it includes cities such as Timmins and communities such as Cochrane, even if they are located in Northern Ontario. Because of other similar examples, and although its intentions are good, I am not going to support the Bill introduced by the Hon. Member for Skeena, a man very familiar with the administration of justice for having worked in it for a great many years, as I feel that the list of constituencies which he has proposed and his geographic approach to this legislation are both unacceptable.

Moreover, I have another problem resulting from the fact that it would include in the Criminal Code divisions which are federal constituencies. I am a little concerned about this, because riding boundaries are changed every ten years on the basis of census results. Some of these ridings should not appear in that group. But I am mostly concerned about the fact that, following the next electoral boundaries readjustment, other regions could be added to the list which are not really remote and where this legislation could be used differently from what our hon. friend expects. I urge him, therefore, to suggest a more equitable formula—I am not saying that our party would necessarily support it entirely—to define these so-called remote regions, in order to convince Hon. Members that they do need and want these exemptions.

Mr. Speaker, we know that many Canadians, but certainly not most of them, would like to have an unrestricted right to carry fire arms. But I know that there are a great many more who insist on restrictions and controls. This does not mean that we want to prevent reasonable people who have full use of their faculties and who do not represent any risk to society from owning firearms. Nevertheless, Mr. Speaker, both as Members of Parliament and as Canadians, we want to avoid a proliferation of firearms and especially their falling into the hands of people who should not have them, as is often the case especially in the United States.

I therefore urge the Hon. Member to prepare another Bill which would be more acceptable to the House, because, in spite of his good intentions, I do not feel I could support Bill C-213 as debated in the House this afternoon.

Mrs. Anne Blouin (Montmorency—Orléans): Mr. Speaker, I welcome this opportunity to take part in the debate on Bill C-213, whose purpose is to amend the provisions of the Criminal Code relating to firearms.

The explanatory notes accompanying this Private Member's Bill are very revealing. They start with the words:

> The purpose of this Bill is to relax certain features of the gun control legislation in effect since 1979.

Mr. Speaker, the very purpose of this Bill raises some very serious questions. In fact, the question of relaxing some very important features of Canada's gun control legislation deserves to be looked at very carefully.

Canada has a long tradition of responsible use of firearms and a long history of controlling ownership and use. Although it is not generally known, Canada has exercised control over this area for over 100 years. As early as 1877 there were restrictions on the carrying of firearms. After Confederation, the federal Government adopted a Criminal Code that was administered by the provinces, and in 1892, the first national gun controls were introduced.

With the support of successive Governments, Canada's gun control system has evolved over the years and been reinforced to take into consideration the situation existing at the time. I am sure that most Hon. Members will remember some very interesting debates that took place when the last amendments to the provisions on gun control were passed in 1977.

Mr. Speaker, I think it would be a mistake to depart from a national control system which has been in place for such a long time and which provides for uniform controls across this vast country of ours. Exempting the twenty-five ridings listed in Schedule 3 of the Canada Elections Act from the obligation to obtain a firearms acquisition certificate might do tremendous harm to an important part of this program and would be a direct contradiction of its fundamental principles.

Mr. Speaker, I said that Canada's reasonable approach to firearms control has been endorsed by successive governments. I should also point out that firearms control has had considerable public support. The provisions concerning firearms acquisition certificates came into force in 1979. Three years later, the following question was asked in a Gallup poll:

"Under current legislation, a person must be at least 16 years of age, have completed an acquisition form and obtained police permission before buying a firearm. In your opinion, should this law be maintained as is, should it be more restrictive, or should it be less restrictive?"

According to the results tabulated throughout Canada, 28 per cent of respondents felt it should remained unchanged, 66 per cent were in favour of more restrictive control, and only 4 per cent thought the law should be less restrictive. In addition, even in communities of fewer than 10,000 residents, only 7 per cent favoured less restrictive legislation.

More recently, in 1985, another survey on this issue produced similar results. To sum up, the response in the country as a whole indicates that 90 per cent of Canadians want existing controls to be maintained or tightened.

Mr. Speaker, such findings deserve serious thought. I do not advocate government by polls, but it seems obvious that the legislative provisions concerning firearms in general and the firearms acquisition certificate system in particular have gained widespread acceptance. In fact, I saw nothing to indicate this system is an excessive hurdle for *bona fide* firearm users. Nothing has been adduced to show the usefulness of dismantling it by eliminating the firearms acquisition certificate in major areas of Canada. As far as firearms control is concerned, the Government insisted on the need to strike a balance between the genuine interests of users and public security.

It should be recalled, Mr. Speaker, that the goal of the firearms acquisition certificate is to provide better public protection. By making firearm buyers subject to a review process, the system is aimed at preventing as far as possible that access to firearms be opened to potentially dangerous people. Each year, the firearms acquisition certificate is denied for cause to some 1,000 individuals. In my view, those rejections are a very significant contribution to solving what otherwise could be serious problems. Why should we abolish such a system in a large part of the country?

The only reason submitted by the Hon. Member for Skeena (Mr. Fulton) is that firearms acquisition certificates are a hindrance for firearm users and owners. Mr. Speaker, I do not deny that the need to apply for a certificate can inconvenience. But if we consider that the licence is valid for five years and enables its owner to acquire all firearms he may need over the period, the inconvenience is minimal. After all, this is a hurdle most people would have to go through only a few times in the course of a lifetime. The procedure itself only requires a few minutes. As far as going to the local police station is concerned, most applicants can do that on the occasion of other necessary errands, thereby limiting any inconvenience.

The matter of applying for the firearms acquisition certificate also raises another major point the Hon. Member for Seena seems to have overlooked. It is simply that the issuing of certificates and the conditions therefore are matters of purely provincial responsibility. For instance, New Brunswick has implemented a system of mail applications under which the applicant sends his filled questionnaire along with the prescribed moneys, his application is then processed by the police, and eventually the firearms acquisition certificate is sent by mail. One could hardly qualify this as a bureaucratic impediment. If the existing method really makes things difficult for people living in Canada's northern and remote areas—although nothing proves that is the case—other, more satisfactory measures could be introduced. Provincial or territorial procedures for issuing the certificates could be changed to allow for cases where applying for the certificate would be particularly difficult for the applicant. If problems of this nature exist, they should be brought to the attention of the responsible provincial and territorial authorities. However, I do not think there is any justification for amending the Criminal Code to abolish completely the system we have now across this vast country. The same principles should apply everywhere in Canada. However, it is possible to adjust the procedure to meet local needs.

Mr. Speaker, the legislation's existing provisions already include one that allows the provinces to ask the federal Government to declare that in their province, hunting licences, competence certificates and other permits issued for the use of firearms may be substituted for firearms acquisition certificates. By adopting this provision, Parliament clearly wished to give local authorities the necessary flexibility to enforce these provisions in the light of their own particular situation. However, it is interesting to note that none of the provinces ever asked for this provision.

I think that indicates that the system of firearms acquisition certificates was introduced without any problems and that the general public and the provincial and territorial governments accepted this as a useful form of public protection. The very existence of this provision is one more reason not to amend the Criminal Code so as to abolish the requirement for firearms acquisition certificates in twenty-five federal ridings.

Mr. Speaker, so far my comments concerned the proposal about firearms acquisition certificates. I would also like to say a few words about the possible repercussions of a proposal by the Hon. Member for Skeena to relax the provisions relating to search and seizure. The existing provision is in fact an important preventive measure. When policemen have to intervene, for instance in a family quarrel where a firearm may be used, they have the authority to search for and seize the firearm before it becomes a tragic part of the quarrel. We all know that that kind of incident unfortunately is frequent. It should be noted that family or social relations are involved in the majority of homicides. Needless to say, those situations are so unpredictable that it would be totally unreasonable to require police to get a warrant before moving in. In fact, they may have to act immediately to save innocent lives.

Provisions pertaining to searches and seizures have led to controversy. It was feared giving the police additional powers would lead to abuses. Such has not been the case. Current legislative provisions also include a system of checks and balances under which control is exercized to prevent abuses.

This is another area of the law where it is important to maintain an adequate balance. The need to protect the people must not infringe upon individual rights and freedoms. There are safeguards in that respect, and this is a matter that we should be closely monitoring.

In conclusion, Mr. Speaker, the proposals put forward by the Hon. Member for Skeena would significantly dilute of important provisions protecting the public. It is therefore my view that Bill C-213 does not deserve our support.

Mrs. Claudy Mailly (Parliamentary Secretary to Minister of Communications): Mr. Speaker, I would like first to state that I am in support of legislation to control firearms.

• (1640)

[*English*]

In my view no civilized society can exist without some restrictions. In an open and progressive society the task of striking the appropriate balance between liberty and order is an ongoing process and the end result is dependent upon public consensus.

The first amendment which the Hon. Member for Skeena (Mr. Fulton) is proposing would do away with warrantless searches and seizures by police. He views this provision in the legislation as unnecessary and an infringement upon legal rights. Section 8 of the Charter of Rights and Freedoms reads:

Everyone has the right to be secure against unreasonable search or seizure.

• (1650)

It is a fine balance between the needs of public safety and the legitimate interests of firearm owners and users.

The Supreme Court of Canada has already recognized that in exceptional circumstances, searches and seizures without warrant do not infringe on individual legal rights under the Charter. An example of a warrantless search and seizure

would be the case of a domestic dispute which might end in the death of one of the people involved.

It has not been found that this power has been abused by the police. Moreover, the provision requiring a return before a court whether or not articles were seized provides a check on undue harassment of individuals. If the Hon. Member knows of examples which might counter my argument, I would be pleased to hear them. However, I am not aware of there having been an over-all abuse of this by the police. I would be the first to ask the Government to review the policy if the Hon. Member could show some facts that would dispute my position.

His other amendment in Bill C-213 would abandon the need for a firearms acquisition certificate in 25 electoral districts spread across the country. How would the Hon. Member explain to Members representing those areas the creation of inequities in safety and rights of people in those areas as a result of this amendment?

The FAC provisions were intended by Parliament to apply equally throughout Canada and not give one region an advantage over another. This is not the way the gun control legislation operates in Canada. Why should the general public residing in these regions be afforded less protection and benefit of the law than those who reside in large urban areas? I recognize that there is a problem with respect to distances and people having to travel a long way to get a licence as a result of provincial regulations. However, I suggest that this is an administrative problem rather than something requiring an amendment to the Criminal Code. That is why I cannot support that second provision in his Bill. Perhaps there is another solution to that problem.

The Government is currently reviewing the legislative portion of the firearms control program to determine which amendments are required to further facilitate its administration. While contemplating no alteration of the fundamental principles underlying the program, it will be seeking to find ways to enhance the protection of the public, as well as to limit some overly burdensome administrative provisions of the law which inconvenience legitimate gun owners and which do not serve to protect the public. This review will help to ensure that the firearms legislation is able to respond to problems which were not anticipated at the time of its introduction.

It is an interesting coincidence that today we are debating the death penalty. I have discussed the question of the death penalty with enforcement people in my riding. As an abolitionist, I was comforted to hear that stronger penalties for illegal use of firearms would be preferred by the senior members of our forces rather than the use of the death penalty. Our local police have managed to reduce the crime rate in our region which, unfortunately, is very high in comparison with the rest of Quebec as well as the rest of Canada. They are doing a splendid job and certainly would not appreciate any relaxation of gun control.

My area is also a natural paradise. There is plentiful game and a beautiful landscape. Therefore, my constituents are very individualistic, but they recognize that there is a need for gun control and the legislation we have at the moment. While it may be imperfect in some technical, administrative way, it is protecting the public and giving them a chance to enjoy the sport that they want to enjoy in our region.

Mr. Bill Tupper (Nepean—Carleton): Mr. Speaker, I am pleased this afternoon to take part in the debate on Bill C-213. The purpose of this Bill is to relax certain features of the gun control legislation that has been in effect since 1979, while retaining strict prohibition of firearms possession by those convicted of violent or firearms-related offences.

Section 95 of the Criminal Code makes a firearms acquisition certificate mandatory for practically anyone seeking to acquire a firearm. If I understand this amendment correctly, it would accordingly eliminate the requirement for a firearms acquisition certificate for residents of the more northerly and remote regions of Canada in some 25 constituencies.

The other amendment deals with the section of the Criminal Code which currently provides extensive powers to police officers to search for and seize firearms without a search warrant, in some circumstances. This amendment would remove the power to search a house without such a warrant.

My life today is much different than it was at one time. I want to speak to this Bill from some personal experience in the area of firearms.

In the course of my professional life I have been obliged to carry a firearm for a variety of reasons. I have been obliged to carry a firearm to protect myself from wildlife. I have been obliged to carry a firearm to provide my food supply. I regret that I have been obliged to carry a firearm to protect my life and the life of those with whom I worked. Of course, in my farming operation in which I am involved, the use of firearms is not necessarily a daily occurrence, but it is frequently required to protect my livestock from rodents, wolves and so on.

I approach this Bill with a considerable amount of personal interest.

In the spring and summer of 1976, and again in the same period in 1977, the House of Commons went through an emotional and controversial period, all in aid of amending the gun control provisions of the Criminal Code.

Finally, in July, 1977, Bill C-51 was passed, and that is the legislation that is on the books today. I think it has been well received in Canada.

The legislation contains several significant provisions. Those measures include the increased court powers to prohibit persons with histories of violence from possessing firearms; stiffer sentences, including a mandatory minimum for persons using guns to commit indictable offences; tighter controls over firearms businesses or dealers; expanded powers of firearms seizures for police to aid them in dealing with domestic

disputes and new penalties for carelessness in storage and use of firearms.

Perhaps the most important feature of the firearms legislation was the establishment of the firearms acquisition certificate system to control the availability of firearms to potentially dangerous or unstable individuals.

I want to devote a few moments to the first amendment proposed by the Hon. Member for Skeena (Mr. Fulton). He would like to remove the power of police to search for and seize firearms, ammunition, or other explosive substances from a dwelling house without a warrant. As he states, searches of private homes would be lawful only when authorized by a magistrate.

• (1700)

I once found myself in my daily life, not recently, albeit, in a situation where I went into a home in the middle of the night, in the presence of a police officer, where violence at its worst was taking place. Firearms were present. Lives were in danger, the life of a mother and potentially the lives of the children. There was no time to react, but in one direction and that was to get that weapon out of the house as quickly as possible and out of the danger area.

I can only imagine if this amendment were in place at that particular night what would have happened during the period when the police officers who were involved would have had to go for a warrant in order to retrieve and remove that firearm. I trust that my colleague has considered that aspect carefully. I am not sure what is motivating him to move in this direction.

I support the measure which gives police the power on reasonable grounds and under judicial control to take firearms without a warrant, which I believe is urgent, and which was unanimously endorsed by all Parties when the present legislation was under consideration.

Domestic disputes are volatile and there is no way to predict their outcome. I believe that police officers in our country need this special provision. I also believe that this is one of the ingredients in the legislation which gives reasonable balance between the needs of public safety and the legitimate interests of firearm owners and users. So I cannot support the first amendment.

The second amendment would eliminate the requirement for a firearms acquisition certificate for residents, as he describes, of more northerly or remote regions of Canada. He has chosen and identified 25 federal constituencies named in Schedule III to the Canada Elections Act. I find it a great dichotomy that one member of the New Democratic Party wants to loosen the firearms acquisition certificate system and another of his Party, in a Private Member's Bill, is making it even more restrictive. There is very awkward and difficult dichotomy within the New Democratic Party on firearms control. For instance, the Hon. Member Burnaby (Mr. Robinson), I understand, has sponsored a Bill which would turn the firearms acquisition certificate into a firearms possession certificate. The effect of this would be to extend the present system of control over unrestricted firearms, which only covers transactions, to include control over possession.

I honestly do not know how the Hon. Member is going to implement his scheme. One does not have to be a resident of the jurisdiction in which one applies for a firearms acquisition certificate. One could live, for example, in Ottawa and apply for a firearms certificate elsewhere and all of the guidelines would apply. What if one lived in Ottawa and wanted a firearm? One would only have to go to one of these 25 constituencies where one would not require a certificate in order to procure it and be able to obtain a firearm. Therefore, if an individual believes he would not meet the requirements for a certificate in his own area, he or she could simply purchase a long gun in any of the 25 constituencies named, no question asked.

The Hon. Member's proposal reminds me of the kind of checkerboard firearms legislation which exists in the United States. If the legislation is too tough in one area, all one has to do is to drive across the state line where controls are few or non-existent. Is that the type of firearm control we want in Canada? I do not think it is. I do not think it is what we, as legislators, have in mind for Canada.

I do not think that we can accept the proposals before us this afternoon. As legislators, it is up to us to ensure that there are adequate and good gun control laws. The Hon. Member's suggested amendments are unreasonable, not to mention controversial, and I think it would be wrong to support such measures in this debate.

Mr. Barry Moore (Pontiac—Gatineau—Labelle): Mr. Speaker, I welcome this opportunity to speak on the Private Member's Bill submitted by the Hon. Member of Skeena (Mr. Fulton). I congratulate him for his interest in this area, which is one which concerns all Canadians, especially those in my riding.

I am certain that Members of this House appreciate that Canada's firearms control program, presently set out in part II (1) of the Criminal Code, is one of the most effective mechanisms existing in the world today for controlling the ownership and use of firearms. All free and democratic countries have recognized the necessity of controlling the possession of such weapons and strive to achieve what is for them an appropriate balance between the interests of society and those of persons interested in acquiring these potentially dangerous weapons.

This proposed legislation focuses on two issues: first, the issuance of the firearms acquisition certificates in remote areas of Canada, such as my riding, and, second, the right of police officers in exigent circumstances, to search for and seize a firearm without a warrant. It is my view that both proposals submitted for our consideration today are wrong-headed. One would seriously diminish the effectiveness and universality of the protection of the public offered through the firearms acquisition certificate's screening process in the existing

legislation as it is applied across the country. The other would hamper the police in performing their duty to preserve the peace and protect the public.

I would propose to address the proposed modification of subsection 101(2) of the Criminal Code first. Let us be clear from the outset with regard to the present Criminal Code provisions set out in respect of search for and seizure of firearms. Where the police have reasonable grounds to believe that it is not in the public interest for the individual who is believed to be in possession of the firearms to retain them in his possession, there are two possible courses of action. Section 105(1) of the Criminal Code states that upon application to a provincial court judge made by or on behalf of the Attorney General with respect to any person, the provincial court judge is satisfied that there are reasonable grounds for believing it is not desirable in the interests of the safety of that person, or of other persons, that that person should have in his possession custody or control any firearm or other offensive weapon or any ammunition or explosive substance, the provincial court judge may issue a warrant authorizing the search for and seizure of any firearm or other offensive weapon, or any ammunition or explosive substance in the possession, custody or control of that person.

Subsection 101(2) reads that where, with respect to any person, a peace officer is satisfied that there are reasonable grounds for believing that it is not desirable in the interest of the safety of that person, or of any other person, that that person should have in his possession, custody or control any firearm or other offensive weapon or any ammunition or explosive substance and that the danger to the safety of that person, or other persons, is such as to proceed by way of an application—I notice, Mr. Speaker, my time has run out and I thank you very much.

The Acting Speaker (Mr. Paproski): The hour provided for consideration of Private Members' Business has now expired. Pursuant to Standing Order 42(1) the order is dropped from the Order Paper.

Pursuant to the motion adopted earlier today pursuant to Standing Order 94(b) the House will now revert to the consideration of the motion on capital punishment and the amendment of Mr. Robinson.

• (1710)

GOVERNMENT ORDERS

[*English*]

CAPITAL PUNISHMENT

ESTABLISHMENT OF SPECIAL COMMITTEE ON REINSTATEMENT

The House resumed consideration of the motion of Mr. Mazankowski:

That this House supports, in principle, the reinstatement of capital punishment and directs that a special committee on reinstatement, composed of 15 members, be established, hold hearings and make its final report to the House no later than three (3) months following the adoption of this motion, such report to provide recommendations on:

(a) which offence or offences should carry the death penalty, and in what circumstances;

(b) which method or methods should be used to carry out the penalty of death, and in what circumstances;

That, pursuant to Standing Order 107(1), this special committee be hereby appointed as a committee to prepare and bring in a bill no later than three months following the adoption of this motion, founded on the committee's recommendations on (a) and (b) above; such a bill shall be the object of a separate and distinct report of the special committee, and such a report shall be its final report;

That such bill, when reported from such special committee to the House, be deemed pursuant to Standing Order 107(1) to have been introduced and stand on the Order Paper, in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business"; and that, when the said bill has been read a second time, it shall stand referred to a Legislative Committee;

That the Striking Committee be empowered to name the Members of the special committee, provided that once the Striking Committee report is laid upon the Table, it shall be deemed concurred in;

That the special committee have the power to sit while the House is sitting and during periods when the House stands adjourned;

That the special committee be empowered to report from time to time and send for persons and papers, and to print such papers and evidence from time to time as may be ordered by the committee and to retain the services of expert, technical, professional and clerical staff;

That the special committee be empowered to adjourn from place to place inside Canada and that, when deemed necessary, the appropriate staff accompany the committee;

That a quorum of the special committee be eight (8) members for any vote, resolution or other decision; and that the chairman be authorized to hold meetings to receive evidence and authorize the printing thereof whenever six (6) members are present;

That any substitution of membership on the special committee be made pursuant to Standing Order 94(4); and

That, notwithstanding the usual practices of this House, if the House is not sitting when the special committee is ready to issue its final report and the said bill, the special committee shall present its report and the bill to the House by filing them with the Clerk of the House provided that the report shall then be deemed to have been laid upon the Table, and the bill shall then be deemed, pursuant to Standing Order 107(1), to have been introduced at the first sitting of the House thereafter and to stand on the Order Paper in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business".

and on the amendment of Mr. Robinson (p. 5331).

Mr. Speaker: Pursuant to the motion adopted earlier today pursuant to Standing Order 9(4)(a) the House will now revert to the consideration of the motion on capital punishment and the amendment of Mr. Robinson.

Are there any Members rising?

Mr. Prud'homme: Mr. Speaker, I rise on a point of order. I wish to know if we have a quorum to proceed.

Mr. Speaker: I thank the Hon. Member for Saint-Denis. I do see a quorum.

Is the House ready for the question?

Some Hon. Members: Question.

Mr. Speaker: The question is on the amendment standing in the name of the Hon. Member for Burnaby (Mr. Robinson). Is it the pleasure of the House to adopt the amendment?

Some Hon. Members: No.

Some Hon. Members: Agreed.

Mr. Speaker: All those in favour of the amendment will please say yea.

Some Hon. Members: Yea.

Mr. Speaker: All those opposed to the amendment will please say nay.

Some Hon. Members: Nay.

Mr. Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Speaker: Pursuant to Standing Order 13(5), the recorded division stands deferred until 6 p.m. on Monday, June 8, 1987.

It being after 5 p.m. the House stands adjourned until 11 a.m. on Monday.

The House adjourned at 5.14 p.m.

HOUSE OF COMMONS

Monday, June 8, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*Translation*]

SMALL BUSINESSES LOANS ACT

MEASURE TO AMEND

Hon. Michel Côté (Minister of Regional Industrial Expansion) moved for leave to introduce Bill C-63, an Act to amend the Small Businesses Loans Act.

Mr. Speaker: Shall the Minister have leave to introduce the said Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

Mr. Speaker: When shall the Bill be read the second time? At the next sitting of the House?

Some Hon. Members: Agreed.

* * *

[*English*]

QUESTIONS ON THE ORDER PAPER

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I would ask that all questions be allowed to stand.

Mr. Speaker: Shall all questions be allowed to stand?

Some Hon. Members: Agreed.

• (1110)

[*English*]

GOVERNMENT ORDERS

BUSINESS OF SUPPLY

ALLOTTED DAY, S. O. 82—CONSTITUTIONAL ACCORD, 1987—RIGHTS OF NORTHERN CANADIANS—FIRST MINISTERS' CONFERENCE ON ABORIGINAL RIGHTS

Mr. Riis: Mr. Speaker, Members of Parliament who are very interested in today's motion will recall the recommendation in the McGrath report that motions, unless they are declared such, are considered not to be motions of confidence in the Government. I want to make it very clear that, as a member of the caucus of a Party which supports the constitutional Accord and wishes today to make some fine tuning comments, we consider the motion before the House to be not a motion of confidence—no reflection of a non-confidence vote—if it is voted in the affirmative. I just wanted to make it very clear in the spirit of the McGrath report that this motion has nothing to do with confidence in the Government.

Mr. Lewis: Mr. Speaker, in responding to my hon. friend's point, I know the motion is well intended and that my hon. friend wishes to have a full and complete debate on the matter, but he will remember that while the Government responded favourably to many parts of the McGrath Committee report—and you will know, Mr. Speaker, as will the House, that this is the first day under which the new rules have been brought into full force without any provision—I would point out to the House that the confidence convention was considered by the Government, and we did not feel that we were able to put the confidence convention into play as suggested by the McGrath Committee.

The Government will be considering today as an allotted day and the motion as a matter of confidence. That does not mean we cannot have a full debate on the matter or have it explored fully.

While I am on my feet, Mr. Speaker, if I may, I gave my friend notice that I wanted very briefly, without interfering with the debate which shall go forward, to make a point of order with respect to the Opposition Day motion. I suggest that the Hon. Member's motion deals with two distinct propositions. One is the rights of Canadians in the Yukon and Northwest Territories, and the second is a request for a First Ministers' Conference on Aboriginal Rights.

There is no doubt in my mind that it is appropriate to put a complicated question before the House, but I am concerned in that the first part of the motion deals with the constitutional

rights of Canadians residing in northern Canada, a matter which is now *sub-judice*. The Government leaders of both Yukon and the Northwest Territories have recently filed petitions in the Supreme Courts of those jurisdictions which seek judicial declarations that certain constitutional measures which the Meech Lake agreement anticipates are in contravention of the Constitution of Canada, including the Charter of Rights and Freedoms, in their anticipated impact upon residents of the Territories.

The Yukon petition is scheduled for hearing on June 15, and the Northwest Territories petition on June 22.

I would refer you, Mr. Speaker, to Citation 335 of Beauchesne's Fifth Edition which indicates that, pursuant to the *sub-judice* convention:

> Members are expected to refrain from discussing matters that are before the courts or tribunals which are courts of record.

This is a matter which the Minister of Justice (Mr. Hnatyshyn) raised in response to questions during last Thursday's Question Period. I understand the reluctance that the Chair has shown in the past in ruling opposition motions out of order, and I support that principle. In this case, however, I would suggest there is a possible solution; if you were to find one part out of order, that you give consideration to splitting the motion and proceeding with that portion which is not barred by the *sub-judice* rule—I am referring to the latter part of the motion.

I would ask you to consider this point of order, Mr. Speaker, and whether or not you might properly find that since the matter of the rights of Canadians in Yukon and Northwest Territories is, in fact, before a court of record that you should properly amend the motion. That amendment could take place by deleting all the words after the word "should" in the second line, down to and including the word "to" in the fourth line so that the motion would read:

> That the Government should make a commitment to hold a First Ministers' Conference to discuss aboriginal concerns, in particular self-government.

Mr. Speaker: Are there Members rising on the point of order raised by the Parliamentary Secretary?

Mr. Riis: Mr. Speaker, I do not want to prolong this discussion but I think it is an important point. The motion as it presently reads affirms that the question we are discussing is a political question and it is a matter quite appropriate for the House to discuss. We have sought advice on the appropriateness of the particular wording and consider it to be appropriate. It is certainly a political question and goes far beyond any restrictions that the court would place on such an initiative by the House of Commons.

Mr. Allmand: Mr. Speaker, this resolution and the debate on it, in my opinion, in no way impinges on the court action taken by the Territories with respect to their rights under the Constitution.

We are not in this debate or by this resolution trying to resolve that court action or anticipate the court action. We are dealing with the political will of this House to decide on the Meech Accord and what is in or not in it. We are not in any way trying to deal with the court action. I do not think that this resolution can be ruled out of order on those grounds.

There have been, I believe, many precedents where Parliament has passed legislation dealing with an issue that is before the courts and resolved it once and for all. In passing such legislation, Parliament has not attempted in any way to impinge on the rights of the litigants in the case. They have settled for the future once and for all and what would then be the situation.

With respect to the other point, I am deeply disappointed that the Deputy House Leader for the Government has refused to accept this resolution as a motion other than one of non-confidence. When the Government brought in the new rules suggested by the Committee of the House, chaired by the then Hon. Member for St. John's East, this was supposed to be a new era of putting more meaning into opposition resolutions before the House. I do not think the Government has accepted one opposition resolution as a motion other than one of non-confidence, even though opposition Parties have, time and time again, asked that they not be considered questions of confidence.

I would like to know from the Government, if this is not accepted as a motion other than one of confidence, what will the Government accept as such a motion in an opposition resolution? The Government is making a farce of the new rules which the Government itself has proposed that we continue, to which we have agreed. I cannot see what is meant by that provision in the rules if the Government will never accept any resolution put forward by the Opposition as a motion other than one of non-confidence. This is one which the Government should certainly accept on that basis.

Mr. Riis: Mr. Speaker, I want to add one further point to this important debate. I am referring to Beauchesne's Fifth Edition Citation 336(1) which reads:

> The sub-judice convention has been applied consistently in criminal cases.

It then goes on in Citation 337(1) to read:

> No settled practice has been developed in relation to civil cases, as the convention has been applied in some cases but not in others.

This is clearly not a criminal case that we are considering and, therefore, I think the argument of the Parliamentary Secretary to the President of the Privy Council (Mr. Lewis) is simply not appropriate.

Mr. Lewis: Mr. Speaker, if I may, I have two additional points which I will make briefly because I do not wish to impinge upon the debating time.

First, with respect to the point which my hon. friend has just made, there is quite a difference between Parliament commenting on a civil case between two individuals or two different parties and Parliament commenting on a case which is being brought to a court of law by a territory which involves Parliament. For that reason, simply because we want to have

the matter heard by the courts without any question, a decision by Parliament should not impinge on that.

• (1120)

The second point I would make is that my friend may say that this is a political matter, but in the motion the reference is that the Government should seek to restore existing rights of Canadians in Yukon and the Northwest Territories to the Constitutional Accord, 1987. I do not think there is any question that we have not diminished in any way the rights of Canadians in Yukon and the Northwest Territories. I think we should try to separate what is properly the matter which should be dealt with in Parliament and properly the matter which should be dealt with by a court of law.

Mr. Broadbent: Mr. Speaker, as the mover of the motion, I would like to reply very briefly to the Government's arguments and to support what our House Leader has just said. The wording, as is my wont, was chosen with care. The words at the outset are that the Government should seek to restore existing rights of Canadians in Yukon and the Northwest Territories to the Constitutional Accord, 1987. It does not say legal rights nor does it say moral rights, it simply says rights.

With foresight, I thought the Government might try to make even what on legal grounds I would regard to be a spurious argument, but certainly if the House gives the wording of the motion the latitude of interpretation it deserves, we may be talking about moral rights. That is one case that can be made and I will make it.

A stronger kind of case could be made that in addition to moral rights that are being infringed upon there are certain legal rights. If the wording had been "legal rights", the Government's case might be somewhat stronger than it is now. It certainly would not have been persuasive, but since the word "rights" is used and can be interpreted as meaning moral rights, I think that slight degree of credibility the Government had in its argument falls completely to the ground.

Mr. Boudria: Mr. Speaker, I would like to address two issues which have come to the attention of the House in the last few minutes. First, Rule 337 of Beauchesne's as it applies to *sub judice* refers quite clearly to the fact that no set practice has been developed in relation to any civil case. Certainly, the civil case convention does not apply after it reaches trial stage in any event.

It is quite different, of course, when dealing with criminal cases because then Rule No. 336 applies. Rule No. 336, as the Parliamentary Secretary to the Government House Leader indicated quite truly, indicates that debate at that point would be inappropriate if this were a criminal case, which it is not.

Finally, discussions about existing rights or rights of any other kind is a point of debate and not really central to the point of order, or to whether Rules 336, 337 or any other rule applies. Whether or not rights have been taken away or whether they have been taken away morally, legally, constitutionally or otherwise is a point that could be raised during debate, but that discussion does not in any way affect whether or not Rules 336 or 337 of Beauchesne's apply in this particular case.

Mr. Robinson: Mr. Speaker, I would like to make one very brief point. I would suggest that the precedent which the Parliamentary Secretary is seeking to establish would in fact be a very dangerous one in that it would significantly limit the powers of Parliament to debate issues of public concern.

The Parliamentary Secretary suggests that the mere issuing of a writ in the courts would cut off parliamentary debate and discussion. Surely Members of the House would recognize the implications of that. I know Your Honour recognizes the very serious implications of that. The Parliamentary Secretary sought then to shift ground. He probably recognized that the soil was eroding rapidly beneath him so he then started to suggest that perhaps the nature of the litigant made a difference. He said that it was a territorial Government that was suing and somehow that made it different. I would ask Your Honour to recognize that the fact that a writ has been issued and a civil action is under way should certainly not preclude a discussion by the House of the very important issues that have been raised by my leader.

Mr. Speaker: In the interests of not holding up debate, the Chair has decided that, rather than reserve in this matter, the Chair will rule immediately.

In the interests of Hon. Members and of the public watching and listening, I want to be sure that everyone understands the issue that has been raised here. It is an issue that is always likely to be raised in the House, especially with respect to a matter being debated here which may be the subject of consideration by the courts.

I would say at the outset that the Hon. Parliamentary Secretary raises a matter of concern to Hon. Members and a matter upon which the Chair has had occasion to comment in the past. In order to make the issue absolutely clear, I will read the motion. Mr. Broadbent, seconded by Mr. Riis, moves:

> That the government should seek to restore existing rights of Canadians in Yukon and the Northwest Territories to the Constitutional Accord, 1987; and further, to make a commitment to hold a First Ministers' Conference to discuss aboriginal concerns, in particular self-government.

One of the points the Hon. Parliamentary Secretary has made is that the view of the Government is, and I think I have his words correctly, that it has not diminished the rights of Canadians in Yukon and the Northwest Territories. That may very well be, but that is of course a matter of debate. However, I have taken the Hon. Parliamentary Secretary's point.

The reason that there has been throughout the centuries the admonishment by Speakers, contained in the learned comments on procedure, with respect to debates which concern matters before the courts is of course fundamentally to ensure that the rights of those who are before the courts are not prejudiced. Again, so that all Hon. Members and the public

will understand, I would like to refer to Rule No. 335 in Beauchesne's Fifth Edition which reads as follows:

> Members are expected to refrain from discussing matters that are before the courts or tribunals which are courts of record.

There is no question that in this case the action that has been taken with respect to Yukon and the Northwest Territories is before a court of record. The rule goes on:

> The purpose of this sub-judice convention is to protect the parties in a case awaiting or undergoing trial and persons who stand to be affected by the outcome of a judicial inquiry. It is a voluntary restraint imposed by the House upon itself in the interest of justice and fair play.

Rule 336 goes on to say:

> The sub-judice convention has been applied consistently in criminal cases—
>
> The precedents in criminal cases are consistent in preventing reference to court cases before a judgment is rendered—the convention is applied again when an appeal is launched.

In the view of the Chair, this clearly is not a criminal matter. Rule 337 goes on to say:

> (1) No settled practice has been developed in relation to civil cases, as the convention has been applied in some cases but not in others.
>
> (2) In civil cases the convention does not apply until the matter has reached the trial stage.

• (1130)

I think it is common knowledge that even were the rule to apply in this particular case the matter has not reached the trial stage.

I also draw to the attention of Hon. Members Citation 479(2) of Beauchesne's. It reads:

> The Opposition prerogative is very broad in the use of the allotted day and ought not to be interfered with except on the clearest and most certain procedural grounds.

In this case the issue which has been raised is a matter of public debate and a great deal of comment on both sides. No trial has yet commenced and if indeed it ever comes to trial it will certainly be treated as a civil matter.

Therefore, the case against proceeding with the debate is not strong enough on procedural grounds to move the Chair to set aside rule 479(2), that the use of the allotted day ought not be interfered with except on the clearest and most certain procedural grounds.

Having said all that, I know Hon. Members will want to support the Chair in the suggestions and admonishments that I have made in the past with respect to comment on cases before the courts. I have urged Hon. Members to be very careful and to extend the principles of fair play, which is the basis of this place. I do want Hon. Members to understand that nothing I say in this ruling takes away from the very paramount necessity for all Hon. Members to guard with great care the rights of any citizen who may be involved in a court case, most especially, of course, a criminal case, which this is not.

I thank the Hon. Parliamentary Secretary for raising a matter which does warrant the consideration of the House and the Chair. I regret that I have not had time, under the circumstances, to give as extensive a ruling as I may have wished to in this case, but under the circumstances this morning the Chair will allow the debate.

Hon. Edward Broadbent (Oshawa) moved:

> That the government should seek to restore existing rights of Canadians in Yukon and the Northwest Territories to the Constitutional Accord, 1987; and further, to make a commitment to hold a First Ministers' Conference to discuss aboriginal concerns, in particular self-government.

He said: Mr. Speaker, following the historic meeting of the First Ministers last Tuesday in which the Prime Minister (Mr. Mulroney) and the Premiers of the provinces reached an accord on a variety of propositions designed to amend the Canadian Constitution we in the New Democratic Party expressed our pleasure. We were happy with two things; first, that with the great diversity of political backgrounds and Parties of the Premiers and Prime Minister, representing the highly diverse country of Canada, they were able to come together on an agreement, and that ought to be an indication to those of us in this House who had to express a final opinion that we should likely be able to find ourselves in agreement with what was proposed, and second, we were pleased because we had said as a Party, following the Meech Lake meeting, that although we liked the process up to that point, and that in principle the Meech Lake Accord seemed to move in the right direction, we wanted to see the final wording. Last Tuesday we saw the final wording.

I am pleased to say on behalf of my caucus that we had the longest discussion that my caucus has had during this session, on a matter of great importance to the future of Canada, not only for the next five or ten years but, one hopes, for a few decades to come. Such a matter requires a most systematic and thorough discussion by all political Parties, about all of the elements and their implications to the Accord. My caucus spent over four hours discussing this matter in what I thought was one of the most constructive, useful and informative discussions we have had on any matter. Frankly, I would have welcomed public observation of a serious group of men and women actively deliberating upon a very serious matter.

At the end of that meeting I announced, on behalf of the New Democratic Party, our support for the resolution. I did so with great confidence that people from one end of Canada to the other—

[*Translation*]

Quebecers and other Canadians as well, when they examine this document, will find that the resolution is an excellent one. It is good for the federal Government and it is good for the provinces, because thanks to this Accord, the provinces will start to play a more positive role within our federal system.

Third, for the first time in our history, the Province of Quebec, as a result of a decision made by the Government of Quebec, will become a full participant in the Canadian federation. As I said before, this is a historic moment.

[*English*]

We are pleased that all the elements which needed to be considered were considered by the First Ministers. We think the package is a very positive one for the federal Government's role in our society, for greater participation by the provinces, and particularly because it constitutes an opening up to the Province of Quebec which was acceptable to the Government of the Province of Quebec.

I said that while accepting the Accord we would have more to say about the process of its consideration by Parliament and, very important, about the right of Canadians to learn in greater detail about what is involved and their right to make constructive suggestions about some of the details of that Accord.

Second, we said that we would have constructive suggestions to make about changing the Accord which would be consistent with its purposes and which we hope the federal Government and, in turn, the provincial Governments, will be able to reach final agreement upon and accept as positive.

I want to say something important on behalf of my colleagues with regard to the process. We want the Government to announce soon what it plans to do in terms of establishing a committee to look into the Accord and provide an opportunity for input from the people of Canada and Members of Parliament. The Government has an obligation to get this under way and to do so soon.

Today I want to talk about two groups of Canadians who are quite unhappy with the Accord. They are northerners and aboriginal peoples. Aboriginal peoples think they are doubly jeopardized because in addition to fearing that certain losses in terms of aboriginal rights could occur, since a majority of Canadians living north of the 60th parallel are aboriginal peoples, they believe that they lose once again in terms of discrimination against rights of people who live north of the 60th parallel.

I want to stress to Members of the Government that today's motion is fully consistent with the spirit and purpose of the Accord.

[*Translation*]

As a country, we wanted a process of renewal so that the founding partners of Confederation would feel both legally and morally comfortable within our federation. It would be most unfortunate if in the course of this process, two major groups of Canadians were to feel left out.

Seventy-five thousand people live in Yukon and the Northwest Territories, in an area that represents one third of Canada's territory. At a time when we are talking about the importance of Arctic sovereignty, the Accord as it reads today confers on northern Canadians a status that is somewhat inferior to that of the residents of other provinces. I am sure that we all want to try and improve the situation so that people in the north will not feel like second-class citizens. The Minister of Justice (Mr. Hnatyshyn) said last week that the process will enhance our ability to achieve that goal, the goal being to realize more fully the aspirations of northern Canadians. Canadians in the north want a strong voice in the decisions affecting their future in Confederation. They want a strong voice in areas that affect them.

The leaders of the Governments of Yukon and the Northwest Territories believe that they should be able to consider the option for their territory to become a province. They have expressed serious doubts about the success of such an option, since now the approval of all provinces will be required for the two territories to become provinces.

• (1140)

[*English*]

Although there is no doubt that the central purpose of the last two First Ministers' meetings was to bring the people of Quebec, through their Government and in a positive way, to acceptance of a federal Canada, it was also desired by everyone there I am sure to do this without jeopardizing the rights of other Canadians. It would be very unfortunate if this accord, which is such a plus for so much of Canada, ends up doing injury to other Canadians. The changes I am proposing today are intended to avoid that possibility. They are intended to meet with the purpose and spirit of the Accord and I hope they will be listened to and accepted by the Government.

The people of Yukon and the Northwest Territories have two central complaints. First, they object to the amending formula which requires unanimity in order for them to obtain provincial status. This requirement is a departure from the history of the evolution of Canada. When your province, Mr. Speaker, as well as the Provinces of Manitoba, Saskatchewan and Newfoundland became part of Confederation only the federal Government was involved in the decision. Certainly the other provinces played no role whatsoever. In 1982 this principle, which held sway up until then, was changed to require at least seven provinces and 50 per cent of the population to agree to the establishment of a territory as a province. With this Accord a more regressive step has been taken and, if adopted as part of our Constitution, all 10 provinces plus the federal Government have to be in agreement. This is quite unacceptable to the NDP.

The people in Yukon and the Northwest Territories simply want the restoration of the situation to what it was in 1982. They are not asking us to go back to the situation prior to 1982, they are simply asking us to restore the formula of seven provinces and 50 per cent of the population plus the federal Government being in agreement.

I hope the Government has an adequate answer to the question I am going to ask. Why have we changed the formula to require unanimity? It goes against our history. It goes against logic. It goes against fairness. The people of those two territories want the right to make up their own mind about becoming a province and they do not want one province alone to be able to say no. That is what is involved. Now is the time in this debate for all the Parties to make clear that what has

been fair for other provinces in the past ought to be fair for Yukoners and people in the Northwest Territories today. We should all commit ourselves to Part 1 of this motion.

I would say parenthetically about the former Member for Yukon, a former Deputy Prime Minister, a man with whom I did not agree about an awful lot, and he would say the same thing if he were here today, that Mr. Erik Nielsen fought hard for the goal of Yukon eventually becoming a province. He made many speeches on that subject, both in this House and in Yukon. I have a suspicion that were he still a member of the Cabinet this kind of unacceptable proposal would not have been made. I will not say anymore on that.

The other point is that not only is there discrimination against the north in this respect, there seems to me to be an infringement of their legal rights in the provision in this Accord for the selection of new Senators. Far be it from me to praise the Senate and I certainly will not praise it as it now exists. However, if we are going to turn over to the provinces the right to select future Senators from their regions, then it seems to me logically, and I would have thought legally, necessary that those regions participate in the selection of their Senators in exactly the same way as the provinces.

I am not a lawyer. I have many other faults but that is not among them. However, I would think the legal case being made about differential rights in the Charter of Rights by the Northwest Territories and Yukon is a solid one. It seems to me that what is involved in this provision is a different set of rights. If you are a Canadian living anywhere other than north of 60, you have the right through your provincial Government to participate in the selection of Senators. Yet if you live north of 60 you do not have that right. I believe that discrimination ought to be corrected by this Parliament before the resolution is adopted.

• (1150)

I want to talk about Canada's aboriginal peoples. In March, we saw the conclusion of the fourth constitutionally required attempt by the First Ministers to deal with aboriginal rights. It was the last in a series of meetings that have been designed to redress a very important and profoundly sad historical wrong. As all Canadians know, that meeting ended in failure. It was indeed a sad day for Canada.

It was both sad and poignant for many of us who were not participating in the conference but saw the wind-up session and saw, in particular, the very distinguished, committed and very moving statements made by the leaders of the aboriginal peoples of Canada. They were speaking as leaders of aboriginal peoples, but also were making it clear that they were speaking in a fundamental way as Canadians. They were saying that they wanted to be brought in as part of the Canadian family.

I say that we should not at this time continue to ignore their claims and that we should positively make a commitment to resolve what failed to be resolved in March. We should be making a commitment to have a First Ministers meeting on aboriginal rights, particularly on the question of self-government for aboriginal people.

Some Hon. Members: Hear, hear!

Mr. Broadbent: Following the failure of that meeting, the Prime Minister said: "It was with the greatest sadness that this was a moral obligation that has been unfulfilled by Canada, by the federal Government and by the provinces". He was alluding to the failure to establish within the Constitution the principle of aboriginal self-government. It is important that we deal justly with the ongoing injury of unfulfilled rights for our aboriginal peoples, particularly the right of self-government within Canada.

On behalf of my colleagues I said to the aboriginal leaders' conference in Toronto on February 5, that as a nation we ought to be proud of our federal system which, in historical terms in the modern world, is one of the earliest democracies. We were the first to really combine the principle of responsible government and federalism. We have had a positive, at times exuberant, history in terms of resolving constitutional differences which, in effect, are by-products of differences within society.

There is now an important opening of considerable historic significance to the Province of Quebec. We are adjusting our federal system in a realistic way that accords with the human reality as it exists in Quebec and Quebec's relations with the rest of Canada. We have shown that flexibility in our federal system. In this regard, we ought to be energetically committed to the ideal that the federal system in Canada must be further amended to incorporate within it, the aboriginal peoples of Canada with their own form of self-government.

I wrote to the Prime Minister on March 5, expressing my Party's desire for the Government to take the lead at the First Ministers' conference on aboriginal rights to be held later that month, and to work vigorously for an agreement. While I understand the Government's strategy of playing a consensus role, we wanted it to put a set of propositions forward that could have provided the foundation for the support from a number of provinces which could then jointly deal with the dissenting provincial Premiers. We know that rather than pursuing such a strategy, we saw a strategy of consensus building.

It is time that the federal Government took a more vigorous position, one that is clearly worked out and discussed with the leaders of the aboriginal peoples. It is time the Government took the initiative rather than wait for all ten provinces to be in agreement. It must formulate a package of proposals with the support of the majority of provinces who are on side in this important issue, significantly the Province of Quebec, and then work on the other provinces. I am sure that with the support of the vast majority of Canadians we can win.

The Acting Speaker (Mr. Paproski): I hesitate to interrupt the Hon. Member for Oshawa (Mr. Broadbent), but is there unanimous consent to give the Hon. Member some extra time?

Mr. Gauthier: Mr. Speaker, we agree to allow the Leader of the New Democratic Party to continue his remarks. Of course, we take it that he will be reasonable and take into consideration the fact that members from our Party want to speak to this important motion.

The Acting Speaker (Mr. Paproski): Is it agreed?

Some Hon. Members: Agreed.

Mr. Broadbent: I thank Members of the House for their consideration.

Following the Meech Lake agreement, I questioned the Prime Minister about the need for a specific commitment by the First Ministers to be put in the Accord to have additional meetings to deal with the question of aboriginal rights, particularly the right to self-government. At that time, the Prime Minister responded with openness and said that he was prepared to rethink the position that was taken at Meech Lake. I hope that rethinking process is taking place with great seriousness.

An appropriate metaphor has been used with reference to the inclusion of the aboriginal peoples with their rights in the Constitution. It is the metaphor of the circle. The circle of our Constitution simply is not complete. I am convinced that after the appropriate decision is made in the National Assembly in the Province of Quebec, for the first time Quebec will be openly making a positive decision to be part of the Canadian federation. That is an important part of closing the circle. However, we must now include the aboriginal Canadians. It is unthinkable to close the circle without them because the Canadian family must include all of its members within the circle.

[*Translation*]

Mr. Speaker, native leaders, the Prime Minister and the Opposition are agreed that if during the past five years, Quebec had taken part in the struggle for constitutional recognition of native peoples, our chances of success would have been greater. Now that Quebec has signed the Constitution, we must try again.

The Prime Minister has stated that genuine co-operation is necessary to see that justice is done to Canada's native peoples. We can give these words muscle by adding to the Accord a constitutional conference of First Ministers on native rights, especially the right of self-government.

We can respond to the concerns of native peoples and the citizens of Canada's North.

On May 4 this year, the Prime Minister said that the Meech Lake Accord was not about the possibility of creating new provinces but about bringing Quebec back into the Constitution.

Native leaders and leaders of the Governments of Yukon and the Northwest Territories are glad to see that Quebec has been brought back into the Constitution, although they do believe that the Accord could have disastrous consequences for native peoples and the people of the north.

We now have the time and the opportunity to improve the Accord in such a way that it enhances and does not restrict the aspirations of Canada's native peoples and the residents of Yukon and the Northwest Territories.

[*English*]

Now is the time to complete the circle of confederation. Supporting this motion will move us clearly in that direction.

• (1200)

The Acting Speaker (Mr. Paproski): Questions and comments? There being no questions and comments, debate.

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I appreciate the opportunity to participate in this debate which follows a very historic event in the history of our country, that is, the unanimous agreement and signing last week of the Accord with respect to an amendment to our Constitution which says: "Welcome back Quebec. Welcome to Canada as a full and participating member of our Confederation".

I think it important at this point to reiterate, and again from time to time as we discuss the matter, not only here on the floor of the House of Commons, but generally in Parliaments of the provinces of our country, that we have taken this step to make our country whole, as the Prime Minister (Mr. Mulroney) has said, and to have a most important part of Canada feel at home and part of this union.

I was gratified to hear, not only from the Right Hon. Leader of the Opposition (Mr. Turner) but from the Leader of the New Democratic Party (Mr. Broadbent) as well, in their formal responses on behalf of their Parties their unequivocal approval of this Accord. I say to them that the position they took was positive and constructive, coming as it did at a time when it seems to me we are moving towards a Canada that does in fact constitutionally reflect the realities we face. It is in that spirit that I address this debate.

The Leader of the New Democratic Party has, in his motion, raised a couple of issues which bear full debate and consideration. Let me say at the outset that I want to deal with these issues as best I can in a non-partisan way, because I believe that is the kind of debate we should have with respect to constitutional matters. However, I have to say that I do not share the basic premise of the motion put forward by the Leader of the New Democratic Party. He is dealing with two elements in his motion, the position of those important citizens of our country who reside in the Territories and our aboriginal people, and that the position we have taken as a Government and as a Parliament with respect to these people constitutionally has been anything but supportive. In fact we are making progress, and I want to deal with the realities of what has transpired and what we now face. I want also to give my

assurance to Members of the House, on behalf of the Government, that in these two important areas our commitment remains to achieve progress and to work towards that priority.

The Hon. Member for Oshawa alluded to the process which is taking place with respect to this particular matter. I think it is important for us to put this into context. Some people have said that this particular Accord is not receiving the kind of debate it should. I think the facts are that this particular Accord has and will receive by far the most complete and intensive consideration of any political accord with respect to our Constitution in the history of our country.

I want to remind Hon. Members that in 1980, 1981 and 1982, we were in an evolutionary period with respect to constitutional change. They will recall that until 1982 the whole question of constitutional change in law, practice and convention was really a unilateral function of the federal Parliament. There was reference in some judicial pronouncements that there should be some consultation and agreement where actions were taken that might impact on the legislative capacity of a province but, in reality, when the last province was added to our country this was a unilateral action taken by the federal Government without consultation with other provinces. So I think it is important to note that we have progressed in constitutional terms to 1982 when the inclusion of additional provinces was in fact a matter which required the consensus of provincial legislatures, and also the consent of those legislatures representing over 50 per cent of the population of Canada.

Therefore, I take it that the New Democratic Party is not taking the position that when we deal with matters of national institutions and the creation of new provinces, and when we talk about giving self-government to aboriginal peoples, we should move back to the point that unilateral action can be taken by the federal Government. I take it that indeed the NDP supports the idea that provincial participation and consultation in these important issues is fundamental in modern Canada.

I wanted to put that in context, because it seems to me that when we debate this issue, we need to remember that the last time we had a constitutional amendment, in 1982, there was no debate by the provinces and no debate with respect to any provisions which took place, except on the floor of the House of Commons and in the Senate of Canada. The agreement was finally put together, as history tells us, in a kitchen, with the exclusion of the important Province of Quebec. It was negotiated in the dead of night between the provinces, with the exception of Quebec, and manifested itself in an Accord which was not signed by Quebec. It was simply put to us in Parliament and we were asked "yea or nay". There was no subsequent discussion about the elements which went into the compromise arrived at in the night without the participation of Quebec. There were no debates in the provinces with respect to that matter because all that was required was a joint address of the Senate and the House of Commons with respect to that particular amendment.

We are now moving to a point where we not only will have a discussion here on the floor of the House of Commons, but there is also a provision—this will be negotiated between the House Leaders of the various Parties in this place, that is an appropriate method of dealing with this matter—for each of the provinces, in all regions of Canada, to debate and discuss this matter. A more complete process has never been undertaken for constitutional change in Canada.

On the political side, and I do not want to get myself involved in the legal arguments which will be addressed with respect to matters before the court, but speaking in terms of the interests of people who live in the Territories, I want to say that the matter we have before us is a matter arrived at by unanimous consent in trying to reflect the realities of Canada today. I do not think anyone can challenge the fact that my Party and this Government have taken a leadership role with respect to devolution in the Territories and with respect to ensuring that, as quickly as possible, we move forward in this area of the Territories controlling their own destiny and attaining provincial status.

• (1210)

In terms of what we have before us, the reality is simply this. Part of this arrangement, which was in effect a discussion of what will happen in the future, is a constitutional recognition that whenever one talks in terms of additional provinces within our country, regardless of the government in power at any particular time, there must be the fullest understanding and consensus of all provinces with respect to such admission or creation. Indeed, the provision for unanimity addresses the reality of today. We are entering into a new phase in federal-provincial relations.

When was the last time in Canada that we could have attained such accord? When was the last time we saw representatives from all political Parties moving forward co-operatively to strengthen our country and to give a proper recognition to all its regions? Could one have visualized two or three years ago constitutionalizing a process by which every year there would be a meeting of First Ministers with an agenda regarding constitutional amendment?

What an opportunity for Canada to move forward in terms of the development of the north! In the Northwest Territories there is an internal discussion going on now with respect to boundaries and the division of the Northwest Territories into two separate Parties. I simply say that we now have an opportunity to move forward in this area. We have a new spirit of co-operation, a new spirit of confederation. I say to Hon. Members opposite in the New Democratic Party that this is an opportunity for us to move forward in this spirit of co-operation to serve the legitimate and proper aspirations and purposes of the people within the territories of our country.

I should point out that there is also a protection built into this unanimous provision in the Constitution, inasmuch as it will not be possible for intrusion into the Territories by existing provinces wishing to expand their boundaries into that area of

our country. That would require unanimity as well. Thus there is a protection to people in the territories built into this Accord, which I recommend for support on the floor of the House of Commons.

We have an opportunity to go forward on this matter and, indeed, with respect to the matter of aboriginal rights on a formalized basis. We have now agreed for the first time in our country to have constitutional amendment as an annual process, to work together to try to develop a country which will be not only more sensitive to the concerns of all its residents and citizens but, indeed, responsive to all areas and regions of the country.

I wish to deal briefly with one or two items that have been raised with respect to the 1987 Accord and some of the misconceptions that may have been brought forward. I think that this is a strong and solid document which recommends itself for the unanimous support of all Members of the House of Commons and of the Senate, if I may be permitted to refer to the other place. This is an opportunity for us to go forward and to say to Quebec, "Yes. We want you as part of Canada to play an important and integral role".

Before we start to become involved in a discussion of the wording or some element that some Hon. Members might have preferred to be in the Accord, I ask all Hon. Members this. Consider the consequences of having failed over the course of the long and protracted negotiations that have taken place over the last three years, which negotiations have culminated in the Meech Lake Accord and subsequently in the agreement signed formally by all Premiers and the Prime Minister last Thursday. What kind of country would we have faced today if we had come out of those meetings saying no to the Province of Quebec? This has to be an underlying consideration. I cannot as a western Canadian visualize as a western Canadian the type of insular attitude that would be taken by some who would say to an important part of our country, "It does not suit our convenience right at the moment, therefore we are not going to pay attention to your legitimate concerns and your wish to become part of Confederation".

If that was the attitude prevalent with respect to the part of Canada which I represent, then my attitude toward Confederation would be severely limited and negatively impacted. Instead of standing in our places and saying that we wished that the Constitution contained this word or that word, let us be forward-looking. Let us be generous. Let us support what I say and suggest is a solid supportable document which, in fact, strengthens Canada and all parts of it.

Some Hon. Members: Hear, hear!

Mr. Hnatyshyn: The Accord has two essential characteristics which reflect the Canadian federation. The first is the incontestable fact that a fundamental characteristic of Canada is the existence of persons who speak one or other of our official languages, together with the fact that Quebec, within Canada, possesses a distinctive heritage. This is a feature which is indeed recognized by our founding constitutional document of 1867, which singles out Quebec's civil law system, the use of both official languages in the law, courts and legislature of that province, as well as at the federal level. The second is the affirmation of the basic nature of a federal system of government wherein the component units, that is, the provinces, have a legitimate, shared interest in the establishment and composition of the central institutions of government. These bodies do not exist for the sole interest or benefit of the central government.

This is a point that was made very clear by the Supreme Court of Canada when, in 1980, it struck down a unilateral attempt by the federal Government to reform the Senate. This is equally true with respect to areas such as immigration,about which the provinces already have a concurrent jurisdiction with Parliament. It is true about spending power with respect to which the provinces take an obvious interest in shared cost programs in areas of exclusive provincial jurisdiction. Nor is it surprising that the provinces be viewed as standing on a basis of equality when decisions are being made about the fundamental alterations in the central institutions of the nation or in the evolution of its political structure. These are the essential features of the Canadian federation which are the heart of the new constitutional Accord, a translation of basic facts into legal reality.

At the same time the central government and its capacity to govern as a strong government have not been impaired. Its full powers to ensure a united and strong Canada with English, French and multicultural dimensions are fully protected. Its essential powers over immigration remain undiluted. Its spending power is civilized but undiminished. Indeed, this power is now explicitly recognized in the Constitution by the Accord. The ultimate authority of the central government over the Supreme Court and Senate remains, and no amendment to the Constitution can be made without its consent. So where are all these alleged so-called losses in federal authority that have been stated to be at peril?

As the preamble to the 1987 Accord states, the purpose of the amendments are,

[*Translation*]

—to bring about the full and active participation of Quebec in Canada's constitutional evolution and provide new arrangements to foster greater harmony and co-operation between the Government of Canada and the Governments of the provinces, and would require that annual First Ministers' conferences on the state of the Canadian economy and such other matters as may be appropriate be convened and that annual constitutional conferences composed of First Ministers be convened.

• (1220)

[*English*]

There is a second misconception about the wording of the proposed constitutional amendment. The constitutional amendment gives as much, if not more, precision in its language as any previous set of constitutional amendments we

have seen and, indeed, as some of the concepts contained in the original BNA Act and the Constitution Act.

Let us look at the Constitution Act, 1982. Section 1 of the Charter of Rights and Freedoms guarantees rights and freedoms "subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society". Is there anything more general one can state in a constitution or a charter than those words?

In Section 7 everyone has the right to life, liberty, and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice. Those words outline principles which we all support and which we would want to be interpreted in the proper Canadian way.

Let us go back to Parliament's powers in Section 91 of the Constitution Act, 1867. It allowed Parliament to make laws for the peace, order, and good government of Canada. The Privy Council and the Supreme Court together have been moulding and remoulding that expression for 120 years. We still have no certainty about its meaning, whether it is a residual or an emergency power.

I think the wording of the proposed amendment is in comparative terms most precise and supportive. I do not think any of us would want to have such restrictive and constrained wording in the course of a constitutional amendment that it would not allow for expansive, creative, evolutionary development of a united Canada which recognizes the interests and the uniqueness of the country; one which can in fact be developed as time goes by.

Since questions have been raised in respect of allegations—

The Acting Speaker (Mr. Paproski): I regret to interrupt the Hon. Minister, but he too is about to take up a few extra minutes. I hope he will get unanimous consent to continue.

Some Hon. Members: Agreed.

Mr. Hnatyshyn: Mr. Speaker, I will try to be brief. I want to touch upon the second part of the motion because I believe it is a very sustainable—

Mr. Gauthier: Mr. Speaker, I rise on a point of order. Here again I must remind the House that we have Members on all sides who want to speak in this debate. This is an Opposition Day. If government Members could take their 20 minutes, plus the 10-minute Question Period, I would appreciate it. If the Minister could give us an undertaking that he will not take any more than three minutes or four minutes to finish his speech, I would appreciate that also.

Mr. Hnatyshyn: I will try to take no more than four minutes or five minutes.

Mr. Gauthier: All right.

Mr. Hnatyshyn: In respect of appointments to the bodies in question, there has been no limitation of the ability of the federal Government represented in Parliament to make the appointments in question. However, there has been a new process in respect of consultation, not only in terms of appointments to the Senate until Senate reform is a reality, but also in terms of the Supreme Court of Canada. I suppose the impact is more pronounced in the Province of Quebec than in the rest of Canada. Consultations can take place with the provinces in respect of the other positions in terms of the Supreme Court of Canada.

I want to deal with the latter part of the motion before us by pointing out that we are in fact moving forward in terms of our consideration of constitutional amendments in the interests of aboriginal peoples. I share the disappointment. I think all Hon. Members of the House felt that we were unable to strike an arrangement on aboriginal constitutional amendments at the last First Ministers' meeting. However, the federal Government gave leadership. I hate to take issue with a statement by the Hon. Leader of the New Democratic Party, but the reality is that the federal Government was in a position of leadership to bring forward, in all stages of the discussions over the course of the last three years, a proposition which would have allowed for self-government in Canada. We felt that it should have been acceptable and sufficient, not only to the aboriginal peoples but also to the provinces, to bring about an amendment. All of us agree that the objective is one toward which we all want to work. However, it became a question of whether or not we would be able to bridge the gap which unfortunately existed between a number of provinces and the aboriginal people over the question of the inherent right to self-government existing for aboriginal peoples. We tried every device and every initiative to bridge that gap. It was not consensus making which was at stake; it was a fundamental principle in which the federal Government said that self-government must always be within the context of Canadian confederation.

If we consider that basic principle, then any other position on the part of the federal Government would not find acceptance by Members of Parliament, let alone the population of Canada. We wanted to allow for a position which could be evolved and developed, and for a commitment to be made to sit at the table with the aboriginal people on a mandatory basis to move forward with self-government, but it did not work.

However, that was not the end of it. The Prime Minister (Mr. Mulroney) indicated at the conclusion of the First Ministers' meeting that it was not the end of it and that we may not call a First Ministers' meeting in order simply to go over what happened in the past, but that we would want to see some indication that we would make progress. Therefore I have met, on behalf of the Government of Canada, in an initial way with three aboriginal representative groups. The Minister of Indian Affairs and Northern Development (Mr. McKnight) has been in communication on an ongoing basis with the AFN. We are asking for their input into what would be an appropriate mode to proceed in respect of aboriginal self-government. I have had very helpful discussions with representatives of the aboriginal groups. I am now consulting to determine what will

be the most appropriate way to maintain the priority to move toward the ultimate constitutionalization of the concepts of self-government and aboriginal rights within the constitution.

It seems to me that it would be unrealistic for us to convene meetings which would take place on a formalized basis until we were able to examine with aboriginal groups the appropriate way to proceed at this point in our history.

As far as the federal Government is concerned, I assure Hon. Members that our commitment to aboriginal peoples and people in the territories of Canada remains. We believe that their rights are protected under the Accord and that there is a new prospect for movement in a constitutional way which did not exist prior to the Accord.

The final result of this meeting of minds in a unanimous way was to give us the prospect—and a happy prospect it is—that in the months and years ahead Canada will make progress and serve the best interests of its citizens.

The Acting Speaker (Mr. Paproski): There are still two minutes remaining in the 20-minute plus 10-minute total, so I will allow a question or comment by the Hon. Member for Regina East (Mr. de Jong).

Mr. de Jong: Mr. Speaker, I enjoyed listening to the remarks of the Hon. Minister and essentially agreed with much that he said. However, I missed any precise explanation from him about why he is opposed to the motion. What are the objections of the federal Government or any of the provinces to maintaining the system that now exists in allowing new provinces into Confederation? I do not understand who would object to the existing system. Why necessitate having all 11 provinces in agreement?

• (1230)

Mr. Hnatyshyn: Mr. Speaker, my answer will be brief and to the point with respect to those two elements put forward by the Hon. Member. I do not find it possible to sustain and support the motion because I do not accept the premise. It is not a question of restoring the rights of people in the Territories. I have explained with respect to the aboriginal people why a First Ministers' conference at this point may not be the best method. There is an understanding among aboriginal peoples that there has to be emphasis on a little different approach before a First Ministers' conference is called on aboriginal constitutional matters. That is not to say that these are not legitimate matters for First Ministers' meetings, but what we want to do is look at the most appropriate way to make sure we will have success. It is one thing to have a meeting but it is another thing to have success.

I do not think the New Democratic Party wants to go back to unilateralism on the part of the federal Government. I think New Democrats believe in the phrase co-operative federalism.

Mr. de Jong: Yes.

Mr. Hnatyshyn: I think we all agree with that. When we get involved in the policy question, a legal question has to be asked. If you add new provinces to our constitution that would affect such programs as equalization. Are we to move ahead without first having an understanding and consensus with all participants in our confederation on these issues, even with the positive merit of devolution of the Territories to provincial status in Canada?

Secondly, this does impact on the amending of our constitution. When you bring in new provinces, a new dimension is brought to the amending formula which, in another section of the present Constitution, requires unanimity having two-thirds of the provinces of the country representing 50 per cent of the population of Canada? If, by way of example, you create three new provinces in northern Canada, do you not first want to understand what the implications are for Saskatchewan, Ontario, Nova Scotia or any province or region? What are the implications of such change, Mr. Speaker?

I am trying to suggest to the Hon. Member that these concerns are shared. The desire is to move ahead with the Territories in full consultation with them, but there are a number of considerations in our modern confederation which have to be taken into account, that cannot simply be overlooked for the sake of political rhetoric. We have to look at some real problems to see how we are going to address them realistically, recognizing that certain important constitutional elements will be affected if we do not have that unanimity for the establishment of new provinces.

The Acting Speaker (Mr. Paproski): Questions and comments are now terminated. Debate.

Mr. Gauthier: Mr. Speaker, I rise on a point of order. I would like to ask you how questions and comments can be terminated when they started only a few minutes ago?

The Acting Speaker (Mr. Paproski): I think the Hon. Member realizes that the first speaker spoke for close to a half an hour. I am trying to balance the time for the first three speakers. The Minister took 32 minutes, to be exact, of his allotted time. I am now going to the Liberal Party. I would like to balance things off before the end of the day. If there is a problem and if the Hon. Member wishes the Chair to do something differently, would he please so advise?

Mr. Gauthier: Mr. Speaker, I thought that the Minister had sought consent of the House to finish his remarks. I believe in the exchange he would take four or five additional minutes to the 20 minutes allotted to him, then there would be a 10 minute question and comment period which would give us in the Opposition, both the New Democrats and the Liberals, a chance to question the Minister. We agreed to that, Mr. Speaker. I find it difficult now that you have combined the 20 minutes plus the additional time—

The Acting Speaker (Mr. Paproski): I do not find any problem with that at all. The Chair is the servant of the

House. If there is agreement here to allow an extra eight minutes for the Hon. Minister to answer questions, I am easy. Is there unanimous consent to allow an extra eight minutes for questions and comments?

Some Hon. Members: Agreed.

Mr. Keeper: Mr. Speaker, I appreciate your reasonable approach in this matter and that of my colleagues in the House. Actions often speak louder than words. I observed that when the Prime Minister (Mr. Mulroney) and the First Ministers met during a series of meetings regarding aboriginal rights ,there was no fruitful outcome, that the meetings ended in the early afternoon with statements of regret. But when it came to bringing Quebec back into the Canadian constitutional family, which is a legitimate matter and one we all support, the Ministers met throughout the night and produced results. What can the Minister do now to reassure Canadians and the aboriginal peoples that the same kind of commitment will be demonstrated with regard to aboriginal peoples and self-government for them?

Mr. Hnatyshyn: Mr. Speaker, I think the facts speak for themselves in this regard. We had, unfortunately, in the aboriginal constitutional conference what I would call wide apart positions on the part of the representatives of the aboriginal peoples and certain of the provinces. We had been able to garner for the federal position very substantial support, but it was not sufficient to get the kind of consensus that I think would be essential under our Constitution, which provides for an amendment with two-thirds of the provinces representing 50 per cent of the population. Significant agreement was also required by representatives of the aboriginal peoples present. A realization came that we were not able to bridge the gap and that more work had to be done. More work will be done because the federal Government is prepared to give leadership in finding areas of common ground.

The Prime Minister has stated perhaps the obvious, that one can keep people together at a First Ministers' meeting, but at some point in time, whether having to do with aboriginal peoples or other matters of such immense importance—as was the case in bringing Quebec back into the constitutional process—an assessment must be made as to whether or not it is possible to get consensus. Happily, in terms of the developments that have taken place concerning the agreement signed last week, there was not only consensus but unanimity. That state did not exist with the aboriginal constitutional conference. We did not have unanimity. We had some very sharply stated differences which emerged after many, many months, weeks, hours and days of discussion and negotiation, not only with ministers but also with officials.

Over the course of the last year I have spent a very substantial period of time trying to get a constitutional amendment on behalf of the federal Government for the aboriginal peoples of our country. We have tried to give leadership. We have tried to bring the provinces and the aboriginal peoples toward a position that we think will serve our country and the aboriginal peoples well, by having a constitutionalized provision for self-government. We continue to believe that we should have that constitutional provision. We are now canvassing the suggestions of representatives of aboriginal groups as to how we should proceed. As well, I will be consulting with the provinces to obtain their views.

• (1240)

Until we can develop an alternative regime, I do not think, as suggested in this particular motion, that it would be fruitful or helpful to convene a First Ministers' conference at this time. This is an item that can be placed on the agenda at the annual meetings on constitutional amendments. I believe at this time we should have an ongoing and continuing exchange, particularly with the aboriginal peoples, as to how they think we should develop this. That is what I am now in the process of doing.

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, the resolution before the House of Commons today deals with two important matters. First, it deals with a request made by Yukon and the Northwest Territories that we change the provision in the Meech Lake Accord which requires the unanimous consent of all provinces to establish new provinces. Second, we are discussing the request of the aboriginal peoples that we hold further federal-provincial conferences to entrench aboriginal self-government.

The Liberal Party supports both requests and will vote for this resolution today. In doing so, we do not believe that the passage of this resolution will in any way detract from the principles agreed upon in the Meech Lake Accord and in the Meech Lake-Langevin resolution.

I would like to say a few words about the process which allows for further discussion and for amendment of the Meech Lake Accord. It seems to me that the basis of the Meech Lake Accord is the adherence of Quebec to the constitutional document of 1982. The thrust of the Accord is to meet the five conditions laid down by Quebec in May of 1986 for adherence to the Constitution.

What were those five conditions laid down by Quebec in May of 1986? They were: first, the explicit recognition of Quebec as a distinct society; second, a guarantee of increased powers for Quebec in matters of immigration; third, a limitation of the federal spending power; fourth, revision of the amending procedure including recognition of Quebec's right of veto; and fifth, Quebec's participation in appointing judges to the Supreme Court of Canada.

We believe that the Meech Lake Accord and resolution responded to those five demands. However, very often when dealing with certain matters we must then examine what has been agreed upon to see how it touches on other parts of the Constitution and on other rights. As we do that, we see that this agreement could possibly touch on other matters such as aboriginal rights, the rights of the Territories and linguistic rights. We can maintain what was agreed upon in response to

Quebec's five demands, but we must make certain that in agreeing to those demands we do not detract from other rights that were in the Constitution and were not necessarily discussed by the people who met at Meech Lake and in the Langevin Block last week.

While the principles of the Meech Lake Accord must remain sacrosanct, or else we will scuttle the whole agreement altogether, I see no reason why every detail of the Accord must remain sacrosanct. Let us look at what was done in 1981 and 1982 when we patriated the Canadian Constitution and provided for a Charter of Rights and an amending formula. That whole process took more than one year. It began on October 6, 1980, with a constitutional resolution similar to the one in the Meech Lake Accord tabled in the House. The final vote was taken on December 1, 1981. In the interim, there were three debates in the House and three votes. There was a long debate which terminated on October 4, 1980, at which time a vote took place. Then the resolution was sent to a Special Joint Committee of the Senate and the House of Commons where it was improved upon. Amendments were made with the agreement of the committee and, if I recall correctly, all Parties agreed to many amendments made by the Special Joint Committee.

Once the committee had finished its work in February 1981, the resolution was returned to the House where it was again debated and another vote was held on April 24, 1981. Then it was referred to the Supreme Court of Canada, there were further discussions and there was a Federal-Provincial Conference on the resolution as it came out of the House of Commons.

At the Federal-Provincial Conference, certain things were changed. When the Ministers signed that Accord in the fall of 1981, they took out provisions Parliament had put in with respect to women and aboriginal rights. Having signed the Accord, it returned to the House of Commons for the third time and Parliament, despite the fact that the Accord had been signed by the provinces, put back in the aboriginal rights and women's rights clauses, though they were not entrenched as well as they had been in the first place.

That is the process that was followed in 1981-82. It entailed much discussion, three debates, three votes and the work of a Special Joint Committee which heard the evidence of groups from all over the country.

The importance of the two matters we are dealing with today is that neither of them are mentioned in the five conditions put forward by Quebec. There is no mention in the proposals put forward by Quebec in May, 1986, of the rights of the Territories to become provinces, or of aboriginal rights. Consequently, I cannot see why there is any objection to dealing with these two matters as proposed.

Who would object? Obviously Quebec did not object. We do not know what went on in the chamber where the Meech Lake Accord was discussed, but it is hard to understand why the unanimity rule was put into the Meech Lake Accord when it was not part of Quebec's proposals. It does not seem to me that it had anything to do with the agreement to Quebec's five proposals. While we want to respect the principles on which Quebec and the other provinces and Governments agreed, we must ensure that these principles agreed upon do not derogate unintentionally from other existing rights.

The first matter raised by the resolution which is to change the provision in the Meech Lake Accord that requires unanimity of all the provinces in order to establish new provinces was never the rule in Canada. When the federal Government carved the Provinces of Alberta and Saskatchewan out of the Northwest Territories in 1905, it was done by a statute of the Parliament of Canada with the agreement of the Assembly in the Northwest Territories. The other provinces were not involved and two important provinces were established in that way. The same was true with the admission of Newfoundland in 1949. That was an agreement between the Newfoundland or colonial legislature of the day and the Parliament of Canada. The other provinces were not involved.

In 1981-82 when we patriated the Constitution and put in it the requirement for the creation of new provinces of the agreement of at least seven provinces representing 50 per cent of the population, the two Territories objected at that time because we were departing from the rule we had followed in the past. If they objected to that provision in 1982, they are certainly upset with what is being proposed now. As a matter of fact, they are now saying let us at least stick with the 1982 provision. They see no reason, nor do we, why we must have unanimous consent of all provinces, especially since that was not part of Quebec's conditions for entry into the constitutional agreement.

• (1250)

As was noted by other Hon. Members, the Northwest Territories and Yukon have evolved over the years. I can remember the day when those two Territories, especially the N.W.T, were run by a bunch of mandarins from Ottawa. In due course Assemblies were set up in the N.W.T. and Yukon, much earlier in Yukon, in a move towards a system of responsible Government.

There was also a time when the Governments of those two Territories were almost completely non-Indian or non-Inuit. Now Indians, Métis and Inuit are very much involved in the Governments of those two Territories. As you know, an agreement in principle has been reached to divide the Northwest Territories in two. One would cover the area of Nunavut populated principally by Inuit. The other, in the Western Arctic along the Mackenzie, would have a mixed population of Dene, Métis and non-native people. Those areas are evolving and it would be unfortunate if we stick with this unanimity provision in the Accord for the creation of new provinces.

As far as I can see, that provision is not necessary. Certainly if we agreed to what is in this motion today, that would not be a barrier to the acceptance of the other conditions put forward by Quebec. I want to point out that when the Liberal Party

was in convention last November we passed a resolution to completely withdraw Article 42(1)(f) of the 1982 Constitution. That is the provision which requires agreement of seven provinces plus 50 per cent of the population. It was the feeling at the convention that we should return to the traditional way of doing things whereby it would be a matter between the federal Government and the new province concerned.

Another issue is that in drafting the Meech Lake Accord the Premiers and the Prime Minister (Mr. Mulroney) completely overlooked the appointment of more Senators for those two Territories. They provided that each province provide a list of names for appointment to the Senate and forgot that we have a Senator from Yukon and a Senator from the Northwest Territories. If in due course we have a third territory we will probably have three Senators. That is with respect to that part of the resolution relating to the Northwest Territories and Yukon.

With respect to other parts of the resolution, which deal with aboriginal rights and the aboriginal right of self-government, once again I believe we can provide in this Accord further constitutional conferences on aboriginal self-government without impinging at all on Quebec's proposal. There was nothing in the Quebec conditions which dealt with aboriginal rights, and as far as I can see you can completely agree to the distinctiveness of Quebec's society and the promotion of that distinctiveness without being prevented from recognizing aboriginal rights and aboriginal self-government in the Constitution.

It is interesting to note that there was some movement between the Meech Lake Accord and the Langevin resolution. The Accord did not refer at all to the question of aboriginal rights or the rights of the multicultural heritage in Canada. However, in the resolution they at least put forward in Section 16 a non-derogation clause whereby the new Section 2 of the Constitution would not derogate from those rights entrenched in the Constitution with respect to the aboriginal people and multicultural heritage. That indicates that there was some goodwill there. Yet we know they did much of that in the middle of the night, after a long, long meeting, and probably it was not completely thought through.

In Section 37 of the Constitutional Act of 1982 they provided for further First Ministers' Conferences to discuss and take action on aboriginal rights, and in particular aboriginal self-government. Four conferences were held as required, one each in 1983, 1984, 1985 and this year, 1987. Alas, no agreement was concluded. The aboriginal peoples of Canada are saying to us that we went through four First Ministers' Conferences on aboriginal self-government and we could not agree. That shows we did not have the same political will at those conferences that we had when we sat down to discuss the Meech Lake proposals where we agreed unanimously to the conditions put forward by Quebec. We have now moved forward quickly on the resolution. They are saying if we can demonstrate that political will with respect to one group of people in Canada, surely we can do it with respect to another which was here for thousands of years before the Europeans came.

It is also interesting to look back on those four conferences. The objection of several provinces was that they could not agree to entrenching aboriginal self-government in the Constitution because they did not know what it means. They said "It must be more precise." They want to make sure they know what they are agreeing to. Isn't it interesting that in the Accord all the provinces and the federal Government agreed to a distinct Quebec society without that being precisely defined. They also agreed to a provision with respect to the spending power without that being precisely defined. I agree that we need not precisely define those two things. On the other hand, if there is no need to define those provisions in the Meech Lake Accord, surely that should not be used as an objection against aboriginal self-government, which I also believe need not be precisely defined in order to agree to it.

There is an additional reason to request in the Meech Lake Accord a commitment to another First Ministers' Conference on aboriginal self-government. That is, Quebec is now in the process and there is now a much greater chance of something being agreed to. It will be easier to get agreement of seven provinces representing 50 per cent of the population. I refer to Section 16 of the Langevin resolution which is a non-derogation clause for aboriginal people and the multicultural heritage of Canada. While that was a step in the right direction, it is not complete. If we think this thing through, I think we should admit that the non-derogation clause should not only apply to Article 2 but to the entire Accord. In other words, I think it should read that nothing in the Meech Lake Accord should derogate from the rights of aboriginal peoples as set out in Section 25 and Section 35, and so on, of the Constitutional Act of 1982.

I note it is one o'clock. I believe I have some time left.

Mr. Deputy Speaker: When the debate resumes, the Hon. Member will have two minutes in his debate and 10 minutes of questions and comments.

It being one o'clock, I do now leave the chair until two o'clock this day.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

THE CONSTITUTION

1987 CONSTITUTIONAL ACCORD

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, continuing with some thoughts on the Constitution here are a few questions Canadians are beginning to ask. What is a distinct society? What powers does a province have when it has a distinct society within it? Does a provincial Government's power override a citizen's right under the Charter? If it does, should it?

When you single out one distinct group, what else constitutes a special group? Why lock aboriginal and ethnic communities into their current status rather than improving their status? Why go down this path of separating groups of Canadians? Where does the man or woman who does not speak a word of English or French fit into this new scheme of things?

On spending powers, how is the word "objective" to be interpreted? Who is to establish national objectives? Why is Parliament now left out?

On immigration, what happens to two immigrants to Canada who enter the country under different immigration policies? What happens when they move from province to province? If the words of the Accord were left vague on purpose, why saddle judges with the political job of sorting out what the politicians really meant?

These are questions which Canadians would like to have answered.

* * *

HUMAN RIGHTS

U.S.S.R.—PETITION SEEKING EXIT VISAS FOR VLADIMIR AND MARIA SLEPAK

Mr. William C. Winegard (Guelph): Mr. Speaker, last week I sent the Right Hon. Secretary of State for External Affairs (Mr. Clark) a petition signed by 200 people in my riding of Guelph. They urged the Minister to make a personal appeal to Chairman Gorbachev of the Soviet Union for the repatriation to Israel of long-term refuseniks Vladimir and Maria Slepak.

The Slepaks have been trying to exit for 17 years without success. Surely these decent people should be allowed to leave the Soviet Union to be reunited with their children. I appeal to the people of the Soviet Union to join with others around the world and urge the Government of the Soviet Union to allow the repatriation of the Slepaks to Israel.

S. O. 21

ENERGY

PROPOSED PURCHASE OF DOME PETROLEUM BY AMOCO CANADA—PAYMENTS TO DOME OFFICIALS

Mr. David Orlikow (Winnipeg North): Mr. Speaker, three senior executives of Dome Petroleum will receive a total of about $3 million if and when that company is sold to Amoco. The chairman, whose annual salary is just over $600,000, will get a lump sum of $1.5 million U.S. One vice-president, who makes $247,000 a year, will get a lump sum of $600,000 on top of the interest-free housing loan of $225,000 he has received. Another vice-president, who has been paid $222,000 a year, will get $600,000.

This is taking place when ordinary workers are getting pay increases even lower than the increase in the cost of living.

It may make sense to reward company leaders when the company they lead is a winner, but this is a company which would have been declared bankrupt if it had not received hundreds of millions of dollars in government subsidies, if it was not carried for years by Canadian banks which will now get only 75 cents on the dollar owed to them although Dome did not even meet its interest payments on its loans, and while hundreds of unsecured creditors to whom millions are owed will get nothing.

Surely there is something wrong with our income tax laws and business morality which permit such unconscionable payments to those officers of Dome who helped bring this corporation to the brink of bankruptcy.

* * *

IMMIGRATION

PROJECTED POPULATION DECLINE—DECISION REQUIRED ON IMMIGRATION LEVELS

Mr. Alan Redway (York East): Mr. Speaker, this is a time for tough decisions. Canadians must decide whether we want Quebec in or out of Canada. We must decide whether we should contribute to our own defence or leave it to the Americans and, very soon, we must decide whether Canada's population should increase, decrease, or remain the same as it is now.

In making the population decision Canadians must bear in mind that, if present trends continue, by 1990, less than three years from now, the total number of people dying and leaving Canada will exceed the total number of new births and immigrants.

We must also bear in mind that there are 15 million people in refugee camps around the world, that thousands of Canadians want their families abroad to be allowed to immigrate to this country, and that our aging population means there will be a shrinking number of wage earners to support a growing number of senior citizens.

In these circumstances is a stable or lower population really practical? The time for decision is drawing near.

* * *

• (1405)

EXTERNAL AFFAIRS

U.S.S.R.—VIOLATIONS OF UNIVERSAL POSTAL UNION REGULATIONS

Miss Aideen Nicholson (Trinity): Mr. Speaker, Canadians who are constantly worried about the welfare of friends and relatives living in eastern bloc countries must also live with the frustration of knowing that their efforts to keep in touch by mail can be disrupted by Soviet authorities who do not deliver letters and gift parcels, but merely return them to the Canadian senders without explanation.

This violates the Universal Postal Union Regulations. However, Canadian postal officials say that they cannot investigate unless the sender provides full details. My constituents say that to do so could expose a friend or relative to the risk of retaliation.

It is encouraging to know that the Government of Canada has raised the matter in bilateral meetings with the Soviets, as well as at meetings of the Conference on Security and Co-operation in Europe.

Under the terms of the Helsinki Accord, the 35 member states of the CSCE have a mutual obligation to maintain open lines of communication among their citizens. This obligation is not being met, and the Government of Canada should be doing all it can to see that the eastern bloc respects the integrity of postal and other forms of communication.

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[*Translation*]

AIR TRANSPORT

VAL-D'OR REGIONAL AIRPORT

Mr. Guy St. Julien (Abitibi): On June 5, Mr. Speaker, on behalf of the Minister of Transport (Mr. Crosbie) I attended the official opening of the new Val-d'Or regional air terminal in Abitibi-Témiscamingue, a project which local residents had been waiting for for 14 years.

The new air terminal is a major component of the regional airport redevelopment project valued at more than $10 million. The project got under way in late 1984 and I did appreciate the work of the airport director, Mr. Daniel Bleau, and of Transport Canada in this case.

With respect to air transport, the Val-d'Or regional airport is the turntable of the entire development of Abitibi-Témiscamingue, James Bay, and Northern Quebec. Indeed this is what prompted the Conservative Government of Canada and Transport Canada to invest $10 million.

The main air carriers are: Air Canada, Canadian International, Nordair Metro, Quebecair Inter, Voyageur Airways, Are Creebec and Hélicoptères Abitibi.

Mr. Speaker, this new air terminal meets the needs and wishes expressed by the business circles and the traveling public of Abitibi-Témiscamingue and the northern regions of Quebec.

* * *

[*English*]

THE CONSTITUTION

LINGUISTIC RIGHTS

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, my Leader, the Hon. Member for Oshawa (Mr. Broadbent), today introduced a motion before the House that seeks to advance the rights of northerners and aboriginal peoples.

One, if not the most important, indicator of one's rights, is the ability to protect and enhance one's own language.

[*Translation*]

The people of Quebec were right to identify the language as being the true spirit which reflects a distinct society.

[*English*]

For the aboriginal people of Canada, the indicator is not only a matter of principle, it is one of necessity.

Of Canada's 53 indigenous languages, it has been estimated that only three have strong chances of survival into the next decade. The Museum of Man study found that eight languages are now facing extinction, 29 are in a state of deterioration, and 13 are moderately endangered.

The three languages given the best odds of survival are Cree, Ojibway and Inuktitut.

The languages found to be in the most danger, measured by the rate of change in the number of speakers and the age of the speakers, are those in British Columbia. They include the Haida, Tlingit and Kootenay languages.

On behalf of my Party I call upon all Members of the House to support the motion presented today. For those of us fortunate enough to have our native language not only thrive, but also enjoy constitutional protection, we must make every effort to ensure that the aboriginal people of Canada will retain their languages for future generations.

NATIONAL DEFENCE

SUPPORT FOR WHITE PAPER PROPOSALS

Mr. W. R. Bud Jardine (Northumberland—Miramichi): Mr. Speaker, a true north strong and free! We will now be able to say that with greater conviction, with greater confidence, since the release of the White Paper on National Defence *Challenge and Commitment*.

The Government has no aggressive intentions toward any country, but, as the White Paper pointed out, we can and will deter the use of force against Canada and Canadian interests.

The proud men and women of our three services, in their distinctive uniforms, now know that they will have the tools to do the job, to carry out those responsibilities which the Government has imposed upon them.

Well selected, well trained, and finally well equipped, they and all Canadians can share the satisfaction that we, in concert with our friends and allies in NATO, are making our contribution to world peace and harmony.

The introduction of a White Paper was a promise made by the Prime Minister (Mr. Mulroney) and by the Government. We all take heart at its deliverance.

* * *

• (1410)

THE PRIME MINISTER

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, a poll released over the weekend shows that 70 per cent of Canadians believe the Prime Minister's (Mr. Mulroney) lifestyle is too lavish. Even Tory supporters believe that the Prime Minister should conduct himself in a more down to earth fashion. In other words, Canadians are saying no more $3,000 per night suites, no more butlers, no more maids, no more people to watch their luggage, no more closets to hold 80 pair of Guccis, no more back-up planes and, finally, no more podium to travel around with.

Canadians expect their Prime Minister and members of the Government to live well, but do not want their money to be wasted in a manner which is more synonymous with the rich and elite. Will the Deputy Prime Minister (Mr. Mazankowski) now say to the Canadian people that they are guilty of muck-raking too, because that is what I asked the Deputy Prime Minister last week in the House of Commons? The people of Canada believe that the extravagance and the excess must come to an end. Let us see if the Deputy Prime Minister will make accusations against them too, now.

S. O. 21

SPINA BIFIDA WEEK

DISABLING DISEASE AFFECTING NEW-BORN CHILDREN—NEED FOR GREATER AWARENESS

Mr. Gerry St. Germain (Mission—Port Moody): Mr. Speaker, June 8 to June 14 of this year is Spina Bifida Week in Canada. Spina bifida is one of the leading disablers of new-born children in our country, and is known by most experts to happen more frequently than muscular dystrophy, multiple sclerosis, polio, or cystic fibrosis combined, yet until recently most people had never heard of it.

Prior to the early 1960s, the majority of babies born with spina bifida died. Today, thanks to medical advances, nearly all new-borns with spina bifida survive and, with aggressive medical rehabilitation, they can become contributing members of our society.

The Spina Bifida Association of Canada will be making a special effort this week—and I repeat "this week"— to encourage greater awareness of this pre-natal condition. I would urge all Members of this House, and all Canadians, to participate in these activities. We must join in the spirited efforts led by a great Canadian, Mr. Rick Hansen, to increase awareness of spinal cord and related defects and ultimately to find a cure for these disabling conditions.

* * *

TRADE

EFFECT OF U.S. FARM BILL ON CANADIAN HONEY EXPORTS

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, American farm policies, using their "buy-back" scheme, have virtually closed the doors on Canada's beekeepers.

Historically, this nation's apiculturists have shipped over one-quarter of their annual production southward. This figure has risen dramatically in recent years with more than 8,500 tonnes of honey enjoyed by American citizens last year, putting $12.5 million into the honey jars of Canadian beekeepers. But the Farm Bill has soured things.

A Canadian beekeeper selling into the U.S. today would net 40 cents to 44 cents a pound Canadian, which is equivalent to the U.S. buy-back price. Cost of production on the Prairies, however, is 58 cents a pound. As a result of this, no Canadian honey flowed southward in 1987. About one-third of the year's production was in storage until beekeepers began to sell off at fire sale prices to get badly needed cash.

The Farm Bill is also damaging our traditional markets. U.S. producers are quoting honey into European markets at 8 cents to 10 cents a pound below Canada's prices. In light of the hurt being done, I feel the Canadian Government should consider the Honey Council's request for $15 per colony compensation for their losses.

Oral Questions

REGIONAL INDUSTRIAL EXPANSION

FUNDING OF PROGRAMS

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, it is important that the terms and conditions attached to the cash flow freeze announced in respect of the Department of Regional Industrial Expansion be clarified as soon as possible. Many DRIE programs are of a continuing nature and potential recipients, on the reasonable expectation that funds would be forthcoming, have entered into contracts and sometimes even borrowed and have already spent these moneys.

A case in point is the Travel Industry Association of the Northwest Territories which will find itself in severe difficulties if promised funds are now withheld. When the Department wishes to cease funding an organization, it ought to give reasonable notice and not do this in the middle of a multi-year agreement.

ORAL QUESTION PERIOD

[*English*]

NATIONAL DEFENCE

WHITE PAPER—ARCTIC SOVEREIGNTY—ACQUISITION OF NUCLEAR-POWERED SUBMARINES

Hon. Douglas C. Frith (Sudbury): Mr. Speaker, my questions are all directed to the Minister of National Defence, but in his absence I will direct them to the Deputy Prime Minister. My questions concern the White Paper on Defence. The Secretary of State for External Affairs was quoted as having said that the issue of sovereignty in Canada's Arctic is essentially a legal question. Yet the Government is about to spend $10 billion to acquire nuclear-powered submarines in a military response to what is essentially a legal question.

• (1415)

What does the Minister expect a nuclear-powered submarine to do when it encounters either a Soviet sub, an American sub or a British sub in what he considers to be Canadian waters but which they consider to be international waters?

Hon. Harvie Andre (Acting Minister of National Defence): Mr. Speaker, the whole idea of deterrents and the whole reason for our expenditure on them is to make it obvious to potential adversaries that we have the capability of knowing if they are in our waters and of doing something about it if it should ever come to that—and Heaven forbid that it should ever come to that. Without the capability of going into our northern waters with nuclear submarines, we do not have that capability. Therefore we potentially invite intruders. By having that capability there is no such implied invitation. People undertaking that act would be doing it knowing that it is an act of provocation.

So in fact the giving to us of that capability through nuclear submarines improves our capability of deterring that kind of action, therefore improving the capability of the over-all NATO alliance to keep the peace.

Mr. Frith: Mr. Speaker, the action of the Government precludes any other option other than a military one, and there are others, if proper foreign policy initiatives are followed. Even the Secretary of State for External Affairs called the acquisition of nuclear-powered submarines something like science fiction in a response to questions before the Standing Committee on National Defence.

UNITED STATES FORWARD MARITIME STRATEGY

Hon. Douglas C. Frith (Sudbury): Mr. Speaker, my second question deals with what I find to be something that is curiously silent in the White Paper on defence. There is no mention at all of the U.S. Forward Maritime Strategy, yet many military experts consider that the Forward Maritime Strategy is a very dangerous one. I want to make sure, and I would like to have the Minister assure the House, that no Canadian submarines will ever be sucked into the vortex of U.S. Forward Maritime Strategy now or in the future.

Hon. Harvie Andre (Acting Minister of National Defence): Mr. Speaker, we are, we have been for a long time, and I think we are likely to be for quite some time in the future members of NATO and committed to joint defence activities on the part of NATO. In that context we have undertaken, on behalf of NATO, certain responsibilities in the North Atlantic, responsibilities in terms of patrol, in terms of presiding, letting potential adversaries know that we know they are there, and patrolling that area. We would expect to continue that.

As we bring on these nuclear submarines we will then be in a position to undertake the same kind of activity off the Pacific coast where there is a growing threat, one we cannot meet. Of course, we will be able to do the same in our own Arctic waters. It will always be done in the context of NATO policy until such time as Canada withdraws from NATO, which I do not think will be in the near future.

Mr. Frith: Mr. Speaker, prior to my concluding question I want it perfectly understood that the Liberal Party remains committed to our participation in NATO and in NORAD. There should be no misunderstanding that position.

Some Hon. Members: Oh, oh!

SIZE OF PROJECTED EXPENDITURES

Hon. Douglas C. Frith (Sudbury): Mr. Speaker, we have now had the opportunity over the weekend to read the White Paper on Defence. I think all of us have come to the same conclusion. Would the Minister not agree that the total dollars promised in the White Paper are based on the assumption that military or defence spending will increase by only 2 per cent over the next 15 years, totalling $183 billion? Would the Minister not admit that that is $25 billion less than what had

been projected under the previous Liberal Government's defence expenditures? All the Government is attempting to do, besides engage in an exercise in smoke and mirrors, is to make less look like more.

Hon. Harvie Andre (Acting Minister of National Defence): Mr. Speaker, no. As a matter of fact the fiscal plan, and it is in the budgets of the former Finance Minister, the Hon. Marc Lalonde, called for no increases in defence spending after 1983. I think the Hon. Member should check that out before making an accusation.

This is the first time that a long-term commitment has been made in terms of defence expenditures, which will allow the military to engage in long-term planning and ensure that we get full value for the money.

* * *

• (1420)

ATLANTIC CANADA OPPORTUNITIES AGENCY

SIZE OF FUNDING

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, my question is for the Deputy Prime Minister. According to the 1987-88 Budget estimates of the Minister of Finance, regional development funding has been cut by 32.4 per cent or $4.4 billion in the 2.5 years since the Government has come to power.

The Prime Minister's announced $200 million per year, or one-fifth of one per cent of the federal Budget for the Atlantic Canada Opportunities Agency, pales beside the regional development funding cuts which have already been made over the last 2.5 years.

How is it that the Prime Minister of Canada, with all the sombre seriousness of the face of a robber's horse, can go to St. John's, Newfoundland, and announce new money and new initiatives when regional development funding over the last 2.5 years has been cut to the bone?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, the Prime Minister announced on Saturday—and I would have thought that Hon. Members from the Atlantic provinces would have received this with great joy, but apparently not—$1.05 billion in new money for a new approach to overcoming regional economic disparity in Atlantic Canada.

Some Hon. Members: Hear, hear!

Mr. Crosbie: This is $200 million in new dollars in each year for the next five years.

It is not true that there has been any diminution in regional development spending under our Government.

I will give the hon. gentleman some facts. For example, in Newfoundland in 1983-84, which was the last full year under the last administration, the Government spent $32.9 million under GDA and ERDA.

In the year 1986-87, that had increased by $43 million to $75.9 million. We more than doubled the spending of the hon. gentleman's Government.

The prelude to his question was entirely false and fallacious. We have already doubled regional development spending, and we are pledging to continue regional development spending in Atlantic Canada at its present level over the next five years while we add $1,050 million to that total.

If my hon. friend does not rejoice at that news, he should at least keep his facts straight.

Mr. Tobin: Mr. Speaker, the Minister of Transport is playing a mug's game. It is the equivalent of a Canadian citizen being held up on the sidewalk by a mugger who takes $100 out of his pocket, returns the next day and gives him $50 and tells him that he has $50 of new money. Atlantic Canadians will not fall for that kind of mugwash, foolishness, and flimflam.

ROLE OF DEPARTMENT OF REGIONAL INDUSTRIAL EXPANSION

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, given that the projections of the Minister of Finance for 1987-88 show that you have cut some $4.4 billion out of regional development funding, and given that you have now had this pale announcement of new initiatives, can—

Mr. Speaker: I ask the Hon. Member to put his question through the Chair.

Mr. Tobin: Can the Minister, who is now responsible for this initiative along with fish, transport, and everything else, assure the House that the Department of Regional Industrial Expansion is not about to fade out of existence as a result of the paltry statement this last weekend in St. John's, Newfoundland?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, if the hon. gentleman would spend some time reading the information which is put out, he would know that the Department of Regional Industrial Expansion will continue to administer national programs, while in Atlantic Canada the new Atlantic Canada Opportunities Agency will take over certain of those programs and will lead the battle to overcome regional disparity.

Might I quote to the hon. gentleman what was said: "What this announcement means is that over the next five years we will maintain this year's level of spending"—

Mr. Tobin: Which has been cut.

Mr. Crosbie: Not cut, Mr. Speaker. It is $258 million, approximately, under ERDA and GDA in Atlantic Canada this year, a great increase over 2.5 years ago.

We will maintain this year's level of spending. In addition, we are committing $1.05 billion to the region through this new agency.

In the last year for which we have figures, that is the year 1985-86, per capita spending under regional development in Newfoundland was $122 per year as compared with $4 per year per capita in Ontario. Those are the facts.

* * *

NATIONAL DEFENCE

COST OF NUCLEAR-POWERED SUBMARINE PROGRAM

Mr. Derek Blackburn (Brant): Mr. Speaker, I have some questions on the Government's White Paper on Defence, but I think it is absolutely deplorable that the Minister of National Defence is not here to defend his paper, that the Associate Minister is not here, and that the Secretary of State for External Affairs is not here.

Some Hon. Members: Order, order!

• (1425)

Some Hon. Members: Oh, oh!

Mr. Crosbie: You wouldn't be here if anybody had any use for you somewhere else.

Mr. Speaker: The Hon. Member for Brant, I know, has a serious question. I would tell him that reflections on Members being here or not being here is, of course, improper. Members often have other very pressing matters to attend to, and that applies equally to cabinet Ministers.

Mr. Blackburn (Brant): I will put my questions to the Deputy Prime Minister, not to the Minister responsible for the Post Office, of all things, Mr. Speaker.

The Minister of National Defence has only given an estimate of the sail-away cost for nuclear submarines. Will the Deputy Prime Minister now inform us or reveal the total cost of the program, which includes new training facilities, two crews per submarine, and the infrastructure needed to service each of the nuclear subs?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the Hon. Minister of National Defence is away from Ottawa on government business. The Secretary of State for External Affairs is attending the Summit in Venice.

An Hon. Member: What about the Associate Minister?

Mr. Mazankowski: The Minister in charge of the Post Office, the Minister of Consumer and Corporate Affairs, is quite capable of answering all of the Hon. Member's questions.

COMPARISON OF OPERATING COSTS

Mr. Derek Blackburn (Brant): Mr. Speaker, the Minister of National Defence heralded the nuclear submarines as the greatest thing imaginable for Canada's defence policy. Is the Minister aware that a Canadian Defence Quarterly appraisal said of conventional submarines "That the cost of the capability gained"—that is the return on investment—"is better than for any other major warship" and that "the defence of our waters in the Arctic can be achieved without going into the enormous expense associated with the large nuclear attack type submarine"?

Hon. Harvie Andre (Acting Minister of National Defence): Mr. Speaker, the Minister of National Defence acknowledged that nuclear submarines cost 1.6 times as much as conventional submarines. For that expenditure you get at least three times the capability in defence commitments, as a platform. It was on that basis for maximizing the defence capability per dollar of expenditure that the decision was taken to look to the acquisition of nuclear submarines. They are a very effective weapon system. For our commitments to NATO they will be very, very useful, and they will give good value to Canada for the money.

TOTAL COST QUERY

Mr. Derek Blackburn (Brant): Mr. Speaker, my final supplementary goes back to the first question that I put to the Deputy Prime Minister.

Can the Minister in charge of the Post Office inform the people of Canada what the total cost of this program will be? I am not talking about the sail-away cost of some $500 or $600 million per boat, I am talking about the total cost of the nuclear submarine program, a figure we could not get from the Minister of National Defence on Friday. Maybe the Post Office could tell us.

Hon. Harvie Andre (Acting Minister of National Defence): Mr. Speaker, as a result of this White Paper at least the defence people will soon have more people in uniform than I have in the Post Office.

Mr. Blackburn (Brant): I don't doubt that.

Some Hon. Members: Oh, oh!

Mr. Andre: No one can obviously give the detailed cost of expenditures—

Mr. Blackburn (Brant): Somebody has to pay for them.

Mr. Andre: Of course they have to be paid for. The expenditure plan was laid out in the White Paper—

Mr. Blackburn (Brant): No it wasn't.

Mr. Andre: —the minimum of 2 per cent real growth over the next 15 years. Within that context the equipment required, including surface ships, tanks, minesweepers, minor war

vessels and so on will be purchased in an orderly fashion. The rough figure to know is that a nuclear sub costs 1.6 times that of a conventional submarine. Support facilities are about 1.8 times more for nuclear than for conventional. For that, one receives several times more capability.

* * *

• (1430)

ATLANTIC CANADA OPPORTUNITIES AGENCY

RESPONSIBILITY TO PARLIAMENT

Mr. George Baker (Gander—Twillingate): Mr. Speaker, finally the Prime Minister announced the Atlantic Canada Opportunities Agency on the weekend. We are told that one of the key architects of the program was one Dalton Camp and it is to be headed up by the Ambassador to West Germany, Donald McPhail. The Minister responsible for the new agency is Senator Lowell Murray.

Some Hon. Members: Hear, hear!

Mr. Baker: Mr. Speaker, my question is for the Deputy Prime Minister. Of all the Members of Parliament in this Chamber on the government benches, was there not one man or woman who the Prime Minister thought was capable of being the Minister for this new agency? Is the Government not even concerned that not one Member of Parliament can ask even one question of the new Minister responsible for this agency because he is not here, he is in the Senate? That Senator is responsible to no one but his maker, the Prime Minister.

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, I am pleased to advise my hon. colleague that I have been appointed to answer in the House.

Some Hon. Members: Hear, hear!

Mr. Crosbie: I am quite willing to change places with Senator Murray if necessary.

Some Hon. Members: Oh, oh!

Mr. Crosbie: It may be true that Liberal Senators are answerable to no one, but PC Senators are answerable to the Prime Minister and to their cabinet colleagues. Our Prime Minister is a maker, not a faker, or a shaker as is the Leader of the Official Opposition.

I will do my best to answer to the House for this very important agency, hand-in-glove and in tandem with Senator Murray who will be answering in the Senate. Both of us together will see that the $1.05 billion is spent on new activities and new money for new projects over the next five years. I thank my hon. colleague for his interest.

FEDERAL FUNDING

Mr. George Baker (Gander—Twillingate): Mr. Speaker, the Prime Minister can appoint whatever mouthpiece or loudspeaker he wishes. The fact remains that DREE is now a distant dream and DRIE has dried up. Now the entire future of industrial development in Atlantic Canada is left in the hands of the Prime Minister's new troika, Camp, McPhail, and Murray, the bureaucrat, the diplomat, and the old school chum.

Does the Minister not realize that $1 billion over five years divided up into four provinces makes about $50 million a year to replace the $65 million Newfoundland used to get under DREE? Now the Fisheries Improvement Loans Program of $250 million will be terminated by the Government at the end of the month. Will the Minister not admit that this is simply a recycling job with less money, no parliamentary control and total control by a single, solitary Senator?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, we all understand that our hon. colleague is very touchy today. His brother Winston did not make it at the leadership convention on Saturday. Winston Baker got it good, like a battered baker should.

With respect to—

Some Hon. Members: Oh, oh!

Mr. Speaker: I know the Hon. Minister intended to say: "With respect to the question", and with respect to the question, the Hon. Minister will answer.

Mr. Crosbie: Yes, Mr. Speaker, and I might say that they had a farewell tribute to their departed leader, Leo Barry, on Friday night. The only trouble was that their battered former leader, Leo Barry, did not turn up. Having been stabbed to death by his colleagues, he did not bother to go. This is a precedent for the Leader of the Official Opposition.

With respect to DREE being dried up, DREE was in a drought with $32.9 million spent by DREE under ERDA and GDA in Newfoundland in the last full Liberal year, 1983-84. That amount was more than doubled last year to $75.9 million and that will continue. There will be added to that and to the other spending in Atlantic Canada another $1.05 billion, $200 million per year, and that ain't hay. If it is hay, it is the kind of hay we can use plenty of in Atlantic Canada.

CREATION OF JOBS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the Minister made some disparaging comments about the brother of the Hon. Member for Gander—Twillingate. All I would say is that I hope, unlike the Minister, he will not decide to join the Conservative Party now that he has lost the Liberal leadership.

Mr. Crosbie: He was an NDP member.

Mr. Broadbent: You will get your chance, Mr. Minister.

My question is for the Minister. The Government could not find among 24 Conservatives who were elected from Atlantic Canada one person apparently capable enough to be a Minister, and disgracefully appointed a Senator to account for this important work.

The Government has allocated $200 million per year for this important work, and according to the press release it is to cover procurement, training and skills development, technology infrastructure, local investment promotion and, finally, job creation. Will the Minister tell us, out of these many things that have to be done with this $200 million, precisely how much will go for job creation and particularly how much will go to Newfoundland where, under the Conservatives, unemployment has risen 2 per cent in the past year?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, I know that Winston will not be as offended as the Leader of the NDP. Winston used to be a member of the NDP. No wonder the hon. gentleman is so sensitive on his behalf.

The question is why was Senator Murray appointed to look after the agency. One reason is that the Government of Newfoundland recommended in a brief to the Government of Canada that the Minister responsible for federal-provincial relations should look after this agency and Senator Murray is the Minister responsible for federal-provincial affairs. In addition, the Prime Minister did not want to appoint a Minister having line department responsibilities which might interfere with him giving this agency most of his time and attention. Those are the reasons.

The agency will not have to finance procurement. The hon. gentleman knows that if he has read the statement. The principal function of the agency is the design and delivery of programs for small and medium-sized businesses and industries within the region. In addition, the agency is responsible for bringing regional perspective to the design of national economic and social programs that affect Atlantic Canada. That is what it will do.

For the first time there will be a regional input into national programs for Atlantic Canada, and the four Atlantic Premiers have reacted positively, and strongly in favour of this. The hon. gentleman sings from his own song sheet as usual.

UNEMPLOYMENT LEVELS IN NEWFOUNDLAND

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I prefaced my last question by saying that people in Atlantic Canada are happy with the decentralization program but they want something other than a few cents per citizen to create badly needed jobs. That is the issue. They want money, real money.

Since the Government has cut about $4 billion out of the Atlantic regions, specifically from regional development programs, will he tell us how much of the $200 million will go specifically into job creation? Since unemployment in Newfoundland has risen by 2 per cent in the past year, when will the Government move to bring down the unemployment level? That is the issue.

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, I do not know where the hon. gentleman gets his figures. The unemployment rate in Newfoundland in September, 1984, was 23.8 per cent. It has gone down to 20.1 per cent. Total unemployment has fallen by 9,000 in the last two and a half years. These are strides. In 1980-84 unemployment rose by 27,000 under the Liberals. I could go on and on but I will not.

• (1440)

Spending in Atlantic Canada on programs to overcome regional disparity will be about $258 million this year. We are going to just about double that. The $200 million going to this agency will be used for economic development, job creation, and long-term improvements to business and industry in Atlantic Canada. The other programs will continue to be financed by their present sources. That should reassure the hon. gentleman who is worried about what is going to happen to his candidate in St. John's East, not about what happens to the people of Atlantic Canada.

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CANADIAN ARMED FORCES

ALLOWANCES PAID PERSONNEL SERVING IN EUROPE

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, in my years in this House I have never seen such disrespect for Parliament as we are witnessing here today.

Some Hon. Members: Hear, hear!

Some Hon. Members: Sit down then!

Mr. Hopkins: On Friday the Government brought in a 15-year program for defence spending in this country amounting to $183 billion. We have got two Ministers. Neither one of them is here to answer questions. That is an insult to Parliament.

I will pose my question to the Acting Minister of National Defence who promised a 6 per cent real spending in the last election campaign across this country and all the Government has come up with is 2 per cent. The Minister is aware that the Canadian military and civilian personnel in Canadian Forces Europe receive a cost of living exchange rate allowance to protect their income and purchasing power while serving abroad. Bank of Canada records show that the Canadian dollar has lost considerable value against the Deutschmark in the last year, reaching an all-time low on May 4.

Some Hon. Members: Debate!

Mr. Hopkins: I ask the Minister why in the face of this evidence why did his Government cut the allowances of Canadian Armed Forces personnel in Europe by 15 per cent on May 1? How can this Government take a White Paper ego trip while at the same time pulling a cheap stunt like that on our military personnel serving abroad? Is this the way the Minister is going to create good—

Mr. Speaker: Order.

Hon. Harvie Andre (Acting Minister of National Defence): Mr. Speaker, as the Hon. Member should know, salaries and benefits, including overseas allowances for Armed Forces personnel, are set by Treasury Board at a level to ensure that Armed Forces personnel are remunerated at the same level as permanent members of the Public Service. That is the formula. If he has a complaint perhaps he can show up at the appropriate standing committee and look at the policies of Treasury Board.

Mr. Speaker: The Hon. Member had a very extensive preamble and I would ask him to make his supplementary question direct and to the point.

TREATMENT OF PERSONNEL

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, will the Minister review StatsCan's procedures and bring in a decision on the cost of living and the exchange rate allowances for our Armed Forces personnel abroad that will be fair and just to the lower ranks of the Canadian Armed Forces in Europe who are the hardest hit? Surely fair treatment of our personnel and good morale are as important as equipment?

Hon. Harvie Andre (Acting Minister of National Defence): Mr. Speaker, absolutely. I can assure the Hon. Member that nothing will be more beneficial to the morale of our troops than to have good equipment for the first time in many years.

Some Hon. Members: Hear, hear!

Mr. Andre: I realize the Hon. Member had his supplementary prepared before he heard my first answer, so I think he should re-examine the "blues" in that regard and, as I suggested, examine Treasury Board policies which establish these remuneration and expense levels. If he has a suggestion to make I am sure the President of the Treasury Board would be willing to hear it.

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REGIONAL INDUSTRIAL EXPANSION

INVESTIGATIONS OF DEPARTMENT'S EXPENDITURES

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, my question is directed to the Minister of Regional Industrial Expansion and concerns the unprecedented overspending in his Department in the last couple of months. I want him to answer two specific questions today.

First, can he make a commitment to this House that he will make public the finding of two investigations into his Department's spending, namely, the internal investigation now being conducted and the audit by Price Waterhouse?

Second, can he now confirm that as of last Friday the overspending in his Department reached an astounding level of almost $100 million?

[*Translation*]

Hon. Michel Côté (Minister of Regional Industrial Expansion): Mr. Speaker, last week I announced I had been informed that expenditures for the 1986-87 financial year may have been in excess of our budget. I also said that both internal and outside reports would be forthcoming. As soon as I have the reports and have examined their findings, I will act accordingly, and I will then be in a position to let the Hon. Member know whether I will release them or not.

[*English*]

SPECIAL PROJECTS BUDGET

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, can the Minister confirm today that as of last Friday the overspending in his Department for the first two months of the year is approaching $100 million? That was my first question and surely he knows the answer.

Since Treasury Board approved on Friday the shifting of money from the special projects part of his Department to regular programs can he tell us if there is a shifting of money from one pocket to another? Can he tell us whether or not any special projects will now have to be delayed, cut back or cancelled? Can he please answer those two questions?

Hon. Michel Côté (Minister of Regional Industrial Expansion): As to the first question, Mr. Speaker, I have heard a lot of figures so I am not prepared to comment on any of those until we receive the reports we are supposed to receive.

Second, I can tell the Hon. Member that the Department and the Government remain committed to helping regional development. It was exactly in this regard that we announced last Saturday some big programs that will help reduce regional disparities.

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AGRICULTURE

FARMERS' FINANCIAL DIFFICULTY—REQUEST FOR DEBT RESTRUCTURING

Mr. Maurice Foster (Algoma): Mr. Speaker, in the absence of the Minister of Agriculture I will direct my question to the Deputy Prime Minister. Last week StatsCan revealed the Government is presiding over the worst decline in agriculture

since the 1930s. Young farmers are being driven off the farm in record numbers. Fully 30 per cent of farmers are in serious financial difficulty. When is the Government going to take action and bring in new debt restructuring instruments to assist farmers in staying on the land?

[*Translation*]

Mr. Michel Champagne (Parliamentary Secretary to Minister of Agriculture): Mr. Speaker, to answer the Hon. Member's question, I may remind him that since we came to power, with the Minister of Agriculture we have been working very hard to restructure agriculture and provide for future generations of farmers. There is the 6 per cent program, for instance. We have the shared-cost mortgage. If we look at the situation the Liberals left us, with farm credit rates at nearly 20 per cent, and at the present rate of 10 per cent, we have a real success story, that will have an impact on farming and on future generations of farmers in Canada.

[*English*]

Mr. Foster: Mr. Speaker, I would point out to the Parliamentary Secretary that 97 per cent of farmers, or 50,000, rejected the commodity-based mortgage.

REPORTED OVERCHARGING BY CHARTERED BANKS—REQUEST FOR PUBLIC INQUIRY

Mr. Maurice Foster (Algoma): Mr. Speaker, my supplementary is directed to the Minister of State for Finance. He knows that banks overcharged hundreds of farmers by switching their notes from a fixed rate of interest to a floating rate, a higher rate, during the 1980s.

Mr. McDermid: When the Liberals were in power.

Mr. Foster: Since the Inspector General of Banks has refused to take action, is the Government prepared to set up a public inquiry into this overcharging by the chartered banks in the face of serious financial difficulty for our farmers?

• (1450)

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, that particular matter has been brought up in the House a number of times in the last two months by Members on both sides of the aisle. The Inspector General of Banks is preparing a report and expects to have it in my hands this week.

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THE CONSTITUTION

ABORIGINAL RIGHTS—REQUEST FOR FIRST MINISTERS' CONFERENCES

Mr. Rod Murphy (Churchill): Mr. Speaker, my question is for the Deputy Prime Minister and is a follow-up to the question I asked him on Friday. As he knows, the aboriginal people feel that they were left out in the cold as a result of the Meech Lake Accord.

I asked the Deputy Prime Minister on Friday whether he, the Prime Minister, or the Minister responsible would call the Governments of Quebec and the other provinces and ensure that there will be agreed-upon First Ministers' conferences on aboriginal rights. Will the Government undertake to do that?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I would have thought that the Hon. Member, with his vast parliamentary experience, would have recognized that this issue is being debated on the floor of the House sponsored by the New Democratic Party as an Opposition Day motion. Surely the points which he has raised in Question Period today and on Friday can be raised and responded to during the course of that debate.

Mr. Murphy: Mr. Speaker, that may be possible, but I am asking the Deputy Prime Minister a question as to government policy.

GOVERNMENT POLICY

Mr. Rod Murphy (Churchill): Mr. Speaker, the native people feel offended because there is no guarantee that there will be a First Ministers' conference on aboriginal rights. Will the Deputy Prime Minister call the Government of the Province of Quebec and the Governments of the other provinces to ensure that a First Ministers' conference is agreed upon and that aboriginal rights will be a main topic on the agenda?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the Hon. Minister of Justice has participated in the debate today and has answered that question. If the Member was not here to hear the Minister of Justice, I would invite him to read *Hansard*.

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AUTOMOTIVE INDUSTRY

CANADIAN CONTENT—CLOSURE OF SHELLER-GLOBE PLANT IN WINDSOR

Hon. Herb Gray (Windsor West): Mr. Speaker, I have a question for the Minister of Regional Industrial Expansion. Last week the Sheller-Globe Company said it had closed its Windsor plant putting 200 workers out of work overnight because of the Government's policy of allowing offshore automotive manufacturers unlimited access to the Canadian market with regard to auto parts.

Why is the Government refusing to establish a policy now that offshore automobile companies which want to manufacture or import in the Canadian market must follow the same

rules with regard to Canadian content and jobs as do the North American manufacturers?

How long will the Government stand by and put at risk tens of thousands of automotive jobs? Will it not accept its responsibilities and act on this matter now?

[*Translation*]

Hon. Michel Côté (Minister of Regional Industrial Expansion): Mr. Speaker, first I would like to set the record straight. The products manufactured at Sheller-Globe include steering wheels, which are now recognized as being less and less competitive.

Consequently, the company was in a position that it had to close the plant to which the Hon. Member was referring. However, it decided to maintain the plant in Kingsville which employs 350 workers.

Mr. Speaker, I may add that the Government is very much aware of and concerned about such plant closings but the company in question has never asked for federal assistance.

[*English*]

Mr. Gray (Windsor West): Mr. Speaker, if the Minister and the Government continue this attitude the predictions of the Canadian based automobile manufacturers and the representatives of the workers will come true and more than 40,000 jobs will be at risk.

GOVERNMENT POLICY

Hon. Herb Gray (Windsor West): Mr. Speaker, I will give the Minister another chance. Why will he not establish a policy now that companies which want to manufacture in Canada or import into Canada must meet the same rules for Canadian content, jobs and production as do the North American manufacturers? Why does the Minister continue to sit idly by when we see these problems arising because the Government is allowing companies to establish themselves here without meeting the same requirements as the North American manufacturers?

Hon. Michel Côté (Minister of Regional Industrial Expansion): Mr. Speaker, the Government will continue to issue policy which will continue to create the numbers of jobs that it already has created. More than 840,000 jobs have been created and the unemployment rate is going down. Those are the kinds of decisions which Canadians expect from the Government.

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ADMINISTRATION OF JUSTICE

RECOMMENDED TELEVISION COVERAGE OF CRIMINAL TRIALS

Mr. Alan Redway (York East): Mr. Speaker, my question is for the Minister of Justice. In a working paper released last week the Law Reform Commission of Canada recommended a more open criminal justice system, including experimental TV coverage of criminal trials.

Will the Minister of Justice advise the House whether, in order to assist the Law Reform Commission to come to final logical recommendations, the Minister will permit experimental television coverage of criminal trials?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I wish to thank the Hon. Member for his question. As he pointed out, this is a working paper of the Law Reform Commission. We will, of course, continue to carry out consultations with those people who are primarily responsible for the administration of justice. There is federal responsibility and jurisdiction with regard to a certain number of courts, but the provinces themselves are essentially responsible for the administration of justice and the utilization and provision of rules of court.

I will carry out discussions and examinations with my provincial colleagues in conjunction with the Law Reform Commission. It is conceivable that some of the suggestions which the Hon. Member has made will commend themselves to either level of Government.

I appreciate the Hon. Member's interest in this matter. We will continue to examine whether television enhances judicial proceedings. We have some experience in the House of Commons, but I will not comment on that.

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CANADIAN JOBS STRATEGY

APPLICATION TO HAMILTON INDUSTRIAL TRAINING CENTRE

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, in the absence of the Minister of Employment and Immigration I will direct my question to the Deputy Prime Minister. My question is with regard to the Hamilton Industrial Training Centre which has a better than 90 per cent success rate in getting its trainees into the job market and yet has experienced cuts from 200 to 120 places thanks to cuts in the Canadian Jobs Strategy.

What does the Government intend to do to alleviate the current waiting list of 400 people, which will be added to with the impending closure of Otis Elevators? What action can we expect to ensure that this successful program will be able to do its stuff?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, without accepting the premise of the Hon. Member's very important question, I have to take it as notice and get back to the Hon. Member, perhaps later this week.

Oral Questions

GOVERNMENT FUNDING

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, since these cuts do come from the Canadian Jobs Strategy, will the Government undertake not to forget about the people of Hamilton but to restore the $1 million which was cut from this program so that this very successful program can go ahead?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the Government has no intention of forgetting about the people of Hamilton or those of any other part of Canada for that matter. As I said, the comments which the Hon. Member has made are very serious. I would like to look into them and get back to her as soon as I possibly can.

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AIRPORTS

OTTAWA INTERNATIONAL AIRPORT—MAINTENANCE OF GROUNDS

Mr. Barry Turner (Ottawa—Carleton): Mr. Speaker, my question is directed to the Minister of Transport. I am pleased that the renovations to the Ottawa International Airport are almost complete, as I am sure are all Members in the House. The renovations are on budget, albeit a bit behind schedule.

However, the maintenance of the grounds around the airport, especially in the parking area, is a mess. Visitors coming to the capital for the first time do not receive a good impression. Will the Minister of Transport crack his transport whip, shall I say, to ensure that the grounds are better maintained immediately?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, I will certainly make a commitment to the Hon. Member to that effect. With regard to parking, I understand that there are 1,600 parking spaces provided. The contractor was occupying about 100 spaces until 14 days ago but they are now available to the public. I will look into the question of landscaping and maintenance of airport grounds.

We are all pleased, of course, that the renovations and improvements to the airport are now being completed. We will certainly look into the hon. gentleman's suggestion.

• (1500)

CANADIAN ARMED FORCES

BLACK WATCH REGIMENT—QUEEN MOTHER'S VISIT—ROLE OF WOMEN PERSONNEL

Ms. Sheila Copps (Hamilton East): Mr. Speaker, I cannot believe the utter hypocrisy of the NDP in asking a question about the Canadian Jobs Strategy when they know that they would not even allow opposition Members of Parliament to have access to information on this issue. However, that is not my question.

My question is directed to the Minister responsible for supermailboxes and deals with a promise made by the Minister of National Defence in the House last week. Last week the Minister promised that women would be marching in the Black Watch march last Saturday. In fact, women were not allowed to march. Apparently the so-called order of the Minister of National Defence was overruled. I want to ask the Minister responsible for superboxes, who is acting on behalf of the Minister of National Defence, just who gave Perrin Beatty his marching orders anyway?

Hon. Harvie Andre (Acting Minister of National Defence): Mr. Speaker, I do not know whether that type of question, considering all the admonitions in Beauchesne, should be answered. However, because it is an important question when stripped of all the ridiculous garbage surrounding it, let me say that women participated in the Guard of Honour which met Her Majesty on June 4. They participated in the quarter guard on her departure on June 8. Between those two occasions there were seven other occasions when women and men participated together in respect of the visit of Her Majesty Queen Elizabeth.

Ms. Copps: The fact is that female cadets were not allowed to march and that their participation occurred when one of the male cadets fainted and a woman had to come out to recover his rifle.

NON-PARTICIPATION IN MARCH

Ms. Sheila Copps (Hamilton East): Mr. Speaker, last Wednesday in the House the Minister of National Defence promised the House that women would be marching in the Black Watch ceremony. Last Saturday, those women were pulled off parade. Who gave the Minister his marching orders, and who is running this Department anyway?

Hon. Harvie Andre (Acting Minister of National Defence): Mr. Speaker, as I have just told the Hon. Member, I am informed that on nine different occasions in parades of various sorts in association with the Royal visit—

Ms. Copps: Not trooping the colours.

Mr. Andre: —men and women participated together. There was one occasion in which only the infantry and not the rest of the regiment participated in one parade. It so happens that

there are no women in that infantry group. The Hon. Member keeps her mouth so open that it is no wonder she cannot hear what I am saying.

* * *

CANADA POST CORPORATION

FINANCIAL SELF-SUFFICIENCY GOAL—REQUEST FOR POSTPONEMENT

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, my question is directed to the Minister responsible for the Post Office. Will he acknowledge that his plan for the Post Office, which includes job cuts of some 8,700, privatization, and service cuts, puts the Post Office on a collision course with the postal unions? Will he not reconsider that plan and delay the date for financial self-sufficiency by next spring so that he can give some elbow room to the Post Office in order to negotiate a collective agreement and maintain service?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the Hon. Member knows that the plan calls for an improvement of services. Eight thousand new postal outlets will be opened over the next few months.

Elements of the Hon. Member's comments are subject matter of negotiations before the table now. If he is interested in avoiding a strike, he would stop raising these issues in the House in that context, making it look as though the Post Office intends to cut back on employees. He knows that is not the case. He knows that the intent is to improve service in a fiscally responsible way.

He ought to let the negotiations carry on rather than try to foment the situation and thereby contribute to a possible strike.

MINISTER'S POSITION

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, the Minister appears to have denied that his own plan includes cuts of some 8,700 jobs at the Post Office. Does he not recognize that a plan for such deep cuts in employment at the Post Office will obviously be provocative in the present situation and that if he wants a negotiated settlement he must put service at the Post Office first and give the employees some job security? Will he not reconsider his plan in this light, to continue service in the Post Office for Canadians?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, let me repeat that service is the first priority. I mentioned in the House on several occasions that this service will be independently audited and there will be reports made to Parliament on a quarterly basis.

The Member would like to leave the implication that there will be 8,000 people laid off, but he knows that is not the case. There are plans for lay-offs. There are plans for opening new postal outlets and privatizing some of the activities, but in a way that treats the employees with the respect they deserve and will receive.

The Hon. Member seems to want a strike. That is why he keeps raising these issues in a way that implies that some ill is being done to the people affected.

* * *

BUSINESS OF THE HOUSE

Mr. Lewis: Mr. Speaker, there have been discussions between the Parties with respect to the order of business for tomorrow. I think you will find unanimous consent for the following motion to be put to the House and passed unanimously. I move:

> That notwithstanding any Standing Order of this House, on Tuesday, June 9, 1987, when the Order for the second reading and reference to a legislative committee of Bill C-50, an Act respecting the treatment of pension payments in determining certain unemployment insurance benefit entitlements and to amend the Unemployment Insurance Act, 1971, is called and is disposed of on that day, it shall stand referred to a Committee of the Whole;
>
> That the House shall continue to sit, if necessary, beyond the ordinary hour of daily adjournment, to complete all stages of the Bill;
>
> That not later than 10 o'clock p.m., on that day, the Speaker shall interrupt the proceedings, and put forthwith, without further debate or amendment, all questions necessary to complete the remaining stages of the Bill;
>
> That should a recorded division be demanded on the motion for the third reading and passage stage of the Bill, it shall stand deferred until 3.15 o'clock p.m. on the following day;
>
> That Private Members' Hour and proceedings on the Adjournment Motion pursuant to Standing Order 66 shall be suspended; and
>
> Provided, that when the proceedings on the Bill pursuant to this Order have been completed, and if the House has gone beyond the ordinary hour of daily adjournment, the Speaker shall adjourn the House until the next sitting day.

The Acting Speaker (Mr. Paproski): Does the Hon. Parliamentary Secretary have unanimous consent to move his motion?

Mr. Allmand: Mr. Speaker, I rise on a point of order. I agree in general with the motion that has been proposed by the Hon. Deputy House Leader. However, I am confused about one point. If there should be a reasoned amendment on second reading, it seems to me we would have to dispose of that reasoned amendment by a vote before moving to Committee of the Whole, rather than waiting until the next day. I do not know whether that possibility has been considered.

If there is such an amendment on second reading, we would certainly facilitate the taking of such a vote almost immediately.

Mr. Lewis: Mr. Speaker, you have my copy of the motion, but I think from listening to my hon. friend's question that the motion does not preclude the taking of a division on a reasoned amendment during the course of the day. The motion calls for all questions to be put at 10 p.m.

Mr. Riis: Mr. Speaker, there has been an understanding that if there are reasoned amendments put forward, they would be dealt with during the proceedings of the day.

I also want to indicate that there have been discussions between the Parties and in an effort to facilitate passage of Bill C-50 and expedite the business of the House we will be co-operating 100 per cent.

The Acting Speaker (Mr. Paproski): The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

BUSINESS OF SUPPLY

ALLOTTED DAY, S. O. 82—CONSTITUTIONAL ACCORD, 1987—RIGHTS OF NORTHERN CANADIANS—FIRST MINISTERS' CONFERENCE ON ABORIGINAL RIGHTS

The House resumed consideration of the motion of Mr. Broadbent:

That the Government should seek to restore existing rights of Canadians in Yukon and the Northwest Territories to the Constitutional Accord, 1987; and further, to make a commitment to hold a First Minister's conference to discuss aboriginal concerns, in particular self-government.

The Acting Speaker (Mr. Paproski): When the House rose at one o'clock, the Hon. Member for Notre-Dame-de-Grace—Lachine East (Mr. Allmand) had two minutes remaining in his speech plus a ten-minute question and comment period.

Mr. Allmand: Mr. Speaker, before lunch I referred to some of the concerns of aboriginal peoples with respect to the Meech Lake resolution. I mentioned that the aboriginal peoples want the resolution amended to provide for further First Ministers' conferences which would entrench aboriginal self-government. Section 13 of the Meech Lake Resolution provides for further conferences on fisheries and the Senate but does not mention aboriginal self-government. Surely aboriginal self-government is part of the unfinished constitutional business of this country and should be included in Section 13.

• (1510)

Second, the aboriginal peoples want Section 16 of the Meech Lake Resolution amended so that none of the Meech Lake Accord—not just Section 2 of the Act—will affect other aboriginal rights provisions.

Third, the aboriginal peoples ask the following question. If precision of definition was not necessary to entrench Quebec's distinctiveness and the spending power as set out in the Meech Lake Accord, why is precision of definition necessary to entrench aboriginal self-government, as was demanded by several provinces when they met to discuss aboriginal self-government and the Constitution? The aboriginal people say there is a double standard on this matter and that should be resolved.

Fourth, the aboriginal peoples cannot accept that the fundamental character of Canada, as defined in the Meech Lake Resolution, be expressed to simply include French and English speaking Canadians. Certainly the aboriginal peoples are part of the fundamental character of Canada and should be included as such.

In conclusion, we support this resolution. We support that part which relates to the concerns of the northern Territories and that part which relates to the aboriginal peoples. In supporting the resolution, we do not believe that it conflicts or contradicts the five principles put forward by Quebec and which form the basis of the Meech Lake Accord. We do not see any good reason for refusing these requests made by the northern Territories and by the aboriginal peoples. The Government, I believe, has agreed to hold hearings on the Accord and to the possibility of amendments. Why does it not say yes to these kind of amendments right now?

Finally, I want to reiterate what was stated by the Leader of the New Democratic Party (Mr. Broadbent), that this motion should not be considered a motion of confidence or non-confidence in the Government but simply as an expression of will on the part of this House. As a result, I would ask Hon. Members, especially those on the Government side, to consider this motion in the terms put forward by the proposer, that they should express their will with respect to these matters and not be concerned about want of confidence in the Government. The measures proposed in the resolution are justifiable and will not derogate from anything in the Meech Lake Accord proposal.

The Acting Speaker (Mr. Paproski): Questions and comments? Since there are no questions or comments, debate.

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, it is my privilege today to rise to support the motion of my Leader concerning the constitutional aspirations of aboriginal people and territorial residents. As my Leader stated, we in the New Democratic Party, after extensive, exhaustive and, indeed, exhausting discussion, reached the conclusion that we could, in broad terms, support the principles on which the Meech Lake Agreement was founded and that we would be prepared to extend our every effort and commitment to improve that Accord by the process of amendment, committee hearings and open public discussion.

When we talk about the Constitution of our country, we talk of the basic, fundamental and supreme law which governs all of us, which binds our allegiance and commitment and which defines our institutions; which must enshrine our aspirations, and very much recognizes the inspirations from which this country has sprung.

The Meech Lake Accord provides the framework of the latest amendments to this Constitution. They are amendments of considerable import and great weight. They bring into full

participation, within the Constitution, the Province of Quebec, the second largest province in terms of size and population, and the home and birthplace of francophone culture on this North American continent.

I am proud to have the opportunity to be part of the beginning of the process of parliamentary discussion and, we hope and trust, eventual modification of the Meech Lake Accord to reflect as fully as possible the consensus which we are able to obtain right across this country and the aspirations and inspiration from which it springs.

The Meech Lake Accord, when initially announced in very broad terms, with its wording as yet unspecified, was greeted, unfortunately, by a salvo from a person who used to sit in this place, a person I could perhaps most politely describe as driven to petty invective and personal imprecations which have no part in a national debate of such major proportions. Those comments were, of course, picked up and spread across the country by members of the media, as is its duty and, indeed, its right. However, in spite of that kind of interest, there have been some intelligent, persuasive and very deeply felt objections and criticisms to the contents of the Meech Lake Accord.

We are continuing in a constitutional process which will take some time, but it is worth devoting time to. It is a constitutional process which will reframe the Constitution. If our amendments are not accepted through the process of constitutional adaptation, it will then again have to be subjected to further amendment. It is worth while remembering that this is not the first Constitution which has held sway in Canada even dating back to the year 1867 when Confederation was formed. That distinction belongs, of course, to the Great Law of Peace of the Haudenosaunee, the six nations of the Iroquois, who now inhabit the southern part of Ontario but who previously were spread across the eastern half of this entire continent.

The Great Law of Peace of the Haudenosaunee was not simply understandings on an oral basis. Those understandings were essential to the life and spirit of a document, which infused and united the six nations. It was a genuine constitution in the sense of being codified by means of the wampum, and by the ability of those who could interpret the wampum. Those who have read the transcription, shall I say, of the great law of peace into the English or French language, have found that it is a document of considerable complexity, but one which is obviously infused and marked by the need for goodwill, good intentions and fair understanding in order to make it work.

Thus it is with the present Constitution of Canada, be it in its unamended form or with the addition of the amendments we are contemplating today. My colleague, the Hon. Member for Winnipeg North Centre (Mr. Keeper), said that actions speak louder than words. Indeed, they do, and this should be a key to the understanding of the Constitutional context in which we propose amendments to recognize the self-government rights of the native people of Canada.

The aboriginal people have had to put up with much. they have had to put up with dispossession, displacement, the stripping of their culture and the imposition on them of the myth of two founding peoples in this country, whereas there were in fact many peoples before even one of the so-called founding peoples came.

In more recent years they have had to put up with being dragged through the process of four First Ministers' conferences, seeming to have the goal within their grasp and then having it snatched away by intransigence and an unwillingness to recognize the centrality of their role to this country and to this society. They had to put up with the Prime Minister (Mr. Mulroney) not accepting their invitation—and we know that he was busy with other matters—to come to discuss before the final Meech Lake meeting in the Langevin Block the claims and the requests of aboriginal peoples and their just demands. They have had to put up with a double standard.

• (1520)

I could recite the history at some length. However, I think briefly outlining some of the wounds that the aboriginal people of this country have felt through the recent constitutional process will suffice. They went through four conferences in five years. They had the most recent conference adjourned on them early. They were not given the opportunity to sit up until five in the morning to reach an agreement. We know that if an agreement had been possible they would have sat far beyond that. We all know that the best decisions are not taken at five in the morning. Regrettably, they did not even get a mention in the closing speech of the most recent conference in the Langevin Block.

The prediction of Mr. Jim Sinclair, the Métis leader for Saskatchewan, that it would be awfully easy by comparison to bring Quebec in because Quebec was seen by the Premiers and by those involved in the constitutional process as being one of "our own" was sadly fulfilled. The native people did not have that courtesy extended to them. The aboriginal people of this country have consistently supported the inclusion of the Province of Quebec in the Constitution. Their magnanimity in that regard is also to be commended.

Their objections to the Meech Lake Accord do not extend to a desire to see it rejected. They know that political will rather than merely supportive language will be the ultimate instrument by which aboriginal self-government rights will be entrenched. I am glad to say that that political will exists in my Party at all levels. When we form the Government of Canada we will ensure, if it has not already been remedied, that the insulting omission of the entrenchment of aboriginal self-government rights is included.

While it is said that the inclusion of Quebec in the constitutional process radically strengthens the opportunity to entrench aboriginal self-government rights, that is a conclusion for the long term. It is not the way that aboriginal people or, I believe, the majority of Canadians would have wanted to see it. I say that because it offers the hope of bringing aboriginal

people in, but by a process of coat-tailing, a process by which they are subordinated to the wider constitutional process.

The territorial governments, and all the people of the Northwest and Yukon Territories, are disappointed with the Meech Lake Agreement. They felt that there was an implied commitment on behalf of the Governments of Canada that they would be admitted to Confederation when the time was due. There is a unanimity of territorial opinion on this point. The Territories have seen the amending formula slide from the pre-1982 position, that only the federal Government's say-so was required, to the 1982-87 position of the seven provinces, 50 per cent rule, to the 1987-onward position which seems to say that there must be unanimity to allow a new territory into Confederation.

The Government Leader in the Yukon said "We have become second-class citizens". Others have compared the situation now to that of foreign countries that might seek admission into the Canadian federation. Therefore it is not surprising that the governments have filed, in their own Supreme Courts, actions designed to object to and to state their objection to the Meech Lake Accord.

The letter that I saw recently from the Prime Minister concerning the admission, eventually, of the Territories, whether it be after, or concurrent with, the division of the Northwest Territories into Nunavut and Denendeh, seems to equate the admission of new provinces with a *de facto* constitutional amendment. That surely is at variance with our history, and at variance with the process that brought Saskatchewan, Alberta and Manitoba into Confederation. Indeed, I feel that it is somewhat sad that we do not have the sort of oral history within the majority cultures in the country that would have provided us with some examples of the hopes and aspirations of what were then the Northwest Territories and which are now Alberta, Saskatchewan and Manitoba.

Canadians are very disturbed by the social and economic inequities that aboriginal peoples face. The average family income is much lower while unemployment is much higher. Indeed, no statistical social measure seems to be positive in the case of the comparison between the aboriginal people of the country and the wider society.

Those conditions can only be alleviated by providing a framework under which aboriginal people will be able to develop their communities as their own centres of cultural integrity, of economic opportunity and of administrative and political development. These are the goals of aboriginal self-government.

The letter that the aboriginal summit, the four major national groups, sent to the Prime Minister contains the aboriginal peoples' commitment to constitutional development within Canada, a commitment that is there despite all the problems, a commitment that is part and parcel of the emerging and encouraging renaissance that aboriginal peoples and aboriginal communities are undergoing in this country. Despite all the rejections it states "We believe that the Constitution must stand as a symbol of hope and inspiration for aboriginal peoples, as well as for other peoples of Canada". The aboriginal commitment to the Constitution of Canada is there. They only desire to be part of the circle of Confederation.

It is obvious, and not only through hindsight, that the Meech Lake Accord could not of itself bring aboriginal people into the Canadian Confederation because they, after all, were not represented at that meeting. What is most insulting and most discouraging to aboriginal people and their leaders is the apparent omission of any framework, any hint of the process, that will eventually bring them into the Constitution. Aboriginal self-government rights in the Meech Lake Accord are relegated to the level of "other matters". Surely, that must be a profound criticism of the lack of a continuing high priority awareness that all our leaders should be bringing to the situation of aboriginal people in this country.

On May 27, 1987, the aboriginal summit wrote the Prime Minister outlining eight points. I will go through them briefly. They are: explicit constitutional recognition; a guarantee of non-derogation and non-abrogation; a guarantee that opting-out provisions will not prevent aboriginal people from delivering national programs through their own governments; a guarantee that the Territories will be admissible on the same basis as before; that aboriginal people will be able to participate directly on matters that affect them such as fisheries; that they will be able to negotiate constitutional provisions that might arise out of the Meech Lake Accord and affect them; and, finally, a timetable. Out of those eight legitimate claims that the aboriginal people made, only one, the non-derogation clause, was actually recognized.

We have from *Le Droit* of Ottawa:

[*Translation*]

—the headline:

NATIVE PEOPLES ASTONISHED.

And they have every reason to be, Mr. Speaker, as Konrad Sioui, regional leader for Quebec of the Assembly of First Nations pointed out:

> "The federal Government is handing over to the provinces areas that until now were under federal jurisdiction. And from now on, the provinces will be free to opt out of certain shared cost programs. This means that federal programs for native peoples may be turned over to the provinces, which may decide either to change them or drop them altogether."

• (1530)

[*English*]

That is a major concern of aboriginal people who, after all, are in the early stages of being able to offer those programs through their own Governments.

I should like to refer to the fisheries. The number two item in the Meech Lake Accord after Senate reform—and I do not want to get started on it because I could say so much—is the fisheries. Surely that is something on which the aboriginal

people of the country must be consulted. Surely their leaders must be heard and their concerns must be recognized.

We have had situations which have even gone to violence in which the aboriginal people have a vital stake because it affects the economy of their communities. We have the salmon fishery on the B.C. coast. We have the salmon fishery in the Restigouche River in New Brunswick and Quebec. We have the situation in my own riding of Kenora—Rainy River where, because of the lack of attention to the definition of the rights of aboriginal people, there are grave concerns being raised and in many cases played upon by others for their own advantage. We have the situation at Rice Lake in southern Ontario.

I raise these examples not to say that the aboriginal position on all these questions or issues is correct, but to point out the depth and gravity of the concern which aboriginal people have for the regulation of both the freshwater and the salt-water fisheries in virtually all provinces and territories in Canada.

An entrenchment of the inherent rights of self-government for which the aboriginal leaders of the country sought and strove so valiantly at the First Ministers' Conference is, as I have said, something that cannot be included in the Meech Lake Accord. However, it seems that the First Ministers of the country met without considering the unfinished business, which was left before them as recently as some two months ago when they came together in the Langevin Block. Surely any conference, any consultative body, or any deliberative assembly, when meeting again, should be considering what was left undone from its most recent meetings. Surely that is something which was a grave omission from the Meech Lake Accord.

In the last couple of minutes which I have, I should like to turn to the situation regarding the Province of British Columbia and the way in which aboriginal rights and aboriginal aspirations are continually denied, derogated from, and devalued under a Government which I should not like to try to describe in analytical terms when related to the democratic system of Canada. We have a situation where the aboriginal people are essentially considered as not having a communal interest, not having communal aspirations, not possessing cultural heritage that they share among each other, and not being worthy of explicit recognition, even though everyone concedes that it is their ancestors who were here first and extended so much co-operation and welcome to the interlopers.

I should like to refer to a letter from the Assembly of First Nations to the Prime Minister which outlines the situation so clearly. It reads:

> It appears that the federal Government has not been able to muster the political will necessary to deal with aboriginal and treaty issues in a way that would provide clarity and certainty.

As Mr. George Erasmus, the Grand Chief of the Assembly of First Nations, said, "the political will that was demonstrated over the last couple of days"—and he was referring to the first of June—"by the First Ministers was just not there in March".

"Consider the glaring inconsistencies of the double standard employed by the provincial delegates at the aboriginal rights conferences", says Tony Hall who is on the Faculty of Native Studies at the University of Sudbury.

The Meech Lake Accord requires revision and amendment if it is not to leave the aboriginal people of the country in the limbo which they have so long inhabited. As my Leader said, reconciliation of the people of Quebec with the Constitution is essential. My Party and I say that reconciliation of the aboriginal people of Canada with the Constitution is equally essential.

Mr. McCurdy: Mr. Speaker, my Party is inspired to hope that the Meech Lake Accord can produce an optimistic future for Canada based upon the inclusion, at long last, of Quebec in the constitutionalized family. However, there are some who share the concern, as reflected in the motion before us, that certain sins of omission leave the Accord flawed. I agree with that proposition.

I would ask the previous speaker whether there is not another area in which the Accord is flawed. Is there not the danger that the deliberations involved in leading up to the Accord have not seen so far too much debate between the two founding peoples? Is there not another sin of omission which should be addressed?

I call attention to the fact that Sections 7 to 15 are subject to Section 33, the *non obstante* or the notwithstanding clause. I am particularly concerned that there is a large portion of the Canadian population which sees in Section 15 guarantees of rights to those who are neither English nor French nor aboriginal.

Is it not another important omission which must be addressed that Quebec, shortly after the adoption of the Constitution Act, 1982, invoked Section 33 and applied it to all of its future legislation? Should we not be speaking on behalf of an increasingly significant portion of the Canadian population in ensuring that all provinces will be bound to respect in perpetuity the rights of those who are neither English nor French? Should we not ensure that rights accorded to people irrespective of race, colour, creed, and religion should not be subject to override?

Mr. Parry: Mr. Speaker, I thank my hon. colleague for the question. He is a far more learned constitutional scholar than I am. I will do my modest best to respond to him.

I think it must be said that the multicultural and multiethnic dimension of Canada is as central as any other proposition or fact to an understanding of what makes the country live, move, breathe, talk, and co-operate; sometimes we struggle but we always finally get along together.

One of my initial fears in reviewing the Meech Lake Accord was the provision on immigration. I think its intent is something I would certainly want the Government to devote some time and effort to clarifying. I wonder—and others have expressed the same fear—if there is not some element in there

where provinces would eventually gain the power to be very selective over the origins of people they admit to the country.

Although there have been, certainly in the past, stains on the immigration policies and practices of the country, most notably right before and in the first years of the Second World War, by and large we have an excellent record. That was celebrated and recognized by the United Nations in the awarding of the Nansen Medal.

• (1540)

We want to keep that record and I believe we as Canadians want to build on that record, not by adopting a policy which will exclude large numbers of bona fide refugees. I saw a cartoon based, I believe, on Jacques Cartier's landing. People were being greeted by the Indians and one of the native people was looking over his shoulder saying "they lied to get in too". We do not want to see a refugee policy that rejects those who are legitimate refugees, and we do not want to see an immigration policy, nor does the Minister—if we are to believe the news reports—want to see an immigration policy that unduly restricts immigration into Canada. Let us remember that in, I believe, 1910 under the policies led by Sir Clifford Sifton Canada saw an influx of some 400,000 immigrants, some of whom today would qualify as refugees. This was a country then with a population of 7.5 million. I would challenge any Member or anyone anywhere to say that those people and their descendants did not integrate, participate and become fully part of Canadian society. Any notwithstanding clause that cuts off that sort of opportunity for the future would be something against which I feel we would have to speak out.

[*Translation*]

Mr. Richard Grisé (Chambly): Mr. Speaker, I welcome this opportunity to take part in today's debate on the Constitutional Accord, and I can only say that we as parliamentarians are indeed privileged to witness this turning point in Canadian history: one chapter is closed and a new chapter commences. We rejoice in Quebec's return to the Canadian constitutional family. We have formally drafted the principles of the Meech Lake Accord in terms agreeable to the eleven First Ministers. We can now proceed with the task of building the Canada of the next decade and the next century.

The constitutional question is undoubtedly the most oldest one in our federal-provincial relations. It is a complex, emotionally charged issue which encompasses so many divergent interests. It is a question that has shaped the last 100 years of our history and our society and that will shape our future. It is a question that has always spoken to the hearts and minds of Canadian politicians who realize the importance of what is at stake here. It is also a question we have given centre stage on our political platform, first of all because we intended to deal with a problem that goes back to 1927 and which was not satisfactorily dealt with in 1981.

In the historic speech given by our Prime Minister (Mr. Mulroney) at Sept-Îles during the last election campaign, it was on August 6, 1984, he made a commitment to conduct discussions with a view to bringing Quebec back to the Canadian constitutional family. We left nothing to chance, we worked very hard and now we are reaping the benefits. Mr. Speaker, without wanting to make this a partisan debate, I must say that we have our Prime Minister to thank for this achievement.

I am proud and pleased that the Meech Lake Accord which in itself was a major achievement has been formally made into a constitutional agreement endorsed by all Parties. I am proud because the initiative which led to this outcome did avoid ambiguity and improvisation; because Quebec will join the constitutional family with honour and enthusiasm; because the democratically elected Quebec Government, with its openly federalist program, has expressed full satisfaction with the response to its demand; because nine other provinces as well expressed their satisfaction with this statement of principle of the equality of the provinces; because this new opening will eventually make it possible to launch discussions on other questions of general interest to all provinces, and of particular interest to some of them; because the 1987 Constitutional Accord is synonymous with national reconciliation, one of the major planks of our Prime Minister's election campaign; because, as a Quebecer and a Canadian I consider it is fair to and equitable for Quebec and Canada as a whole.

When the First Ministers met at Meech Lake it was the first time since the April, 1982, patriation of the Constitution that they got together to review the concerns which had prompted Quebec to refrain from participating fully in our country's constitutional evolution. Once again, Mr. Speaker, we are witnesses to the improved federal-provincial relations, particularly between Quebec and Ottawa, which have prevailed since our Government came into office.

Each of the five propositions of Premier Bourassa's Liberal Government was the object of serious considerations and of the April 30 agreement in principle. The 11 Governments were able to draft a constitutional amendment project which was endorsed on June 3.

Mr. Speaker, I should like to comment briefly on certain aspects of this project. First, the acknowledgement of Quebec's distinct society and the Canadian duality. In this House last October 3 the Prime Minister had this to say about Quebec, and I quote:

> It is indeed a province with a difference! We have different roots, a different culture and the French language which is different . . . Thank goodness, it is a language which contributes to our Canadian identity.

Yes, Mr. Speaker, Quebec, a distinct society, enriches the very nature of Canada and gives it a unique character. As this century is drawing to a close, when as Canadian men and women we seek to establish a clearer definition of the values we share to confirm our common identity, by the same token we become aware that Canada's unity is closely linked to respect for its diversity.

Since the Canadian Constitution was patriated in 1982, most of our basic values and features that give Canada its essential identity have been recognized and protected by this country's supreme law. The Canadian Charter of Rights and Freedom is an integral part of the Constitution. Of course the Charter mainly enshrines individual rights, but the Constitutional Act, 1982 also includes some collective rights.

Indeed aboriginal rights in Canada are recognized and affirmed even though a lot of progress is still needed. One provision states that the Charter shall be interpreted in a matter consistent with the preservation and enhancement of the multi-cultural heritage of Canadians. Finally, the Constitution urges Parlement and provincial legislatures to promote and develop Canada's regional energies.

Therefore, Mr. Speaker, the Constitution Act, 1982 is more than a constitutional document, it is to a great degree a statement of the features that make Canada unique. It is my conviction the constitutional recognition of vital components of our society will remain incomplete as long as we do not recognize in the Constitution the existence both of French-speaking Canadians centred in Quebec, and English-speaking Canadians centred in the rest of the country, but also present in Quebec. If those basic realities are not recognized, how can we understand or explain for instance the language provisions of the Charter or the special protection afforded Quebec by the Constitution civil code?

I believe that that part of the agreement dealing with Quebec's distinctive nature strikes a fair balance between the principle of equality between all provinces and the need to protect and strengthen Quebec's uniqueness and contribution to the Canadian identity. And the agreement reaches that goal while guaranteeing that nothing will infringe upon the rights of aboriginal people and our multi-cultural heritage.

Let me now refer, Mr. Speaker to immigration, an aspect of the agreement that is closely connected to the matter of a distinctive society, its survival and developmenet.

Section 95 of the 1867 Constitutional Act gives Parliament and provincial legislatures concurrent powers to make lows in relation to Immigration, with federal lows taking precedence over conflicting provincial ones. In practice, it is essentially Parliament which has taken upon itself to legislate in this area, essentially through the Immigration Act. Throughout the years, however, the federal Government has signed administrative agreements for immigration with seven provinces to address their particular concerns. The most complete of the kind is the Cullen-Couture Agreement, signed with Quebec in 1978. Under this agreement, Quebec has considerable power to apply its own selection criteria to the choice of immigrants coming from abroad. The federal Government, however, continues to set the national standards and objectives in the area of immigration especially because of its authority to establish classes of immigrants.

• (1550)

[*English*]

Mr. Allmand: Mr. Speaker, I rise on a point of order. I do not want to be too hard on the Hon. Member but I thought the resolution before the House today dealt with the rights of the Northwest Territories and Yukon and aboriginal rights provisions in the Accord and not the Accord generally. It seems to me that the Hon. Member is involved in debate on the entire Accord, but this resolution is restricted to only two very specific points.

The Acting Speaker (Mr. Paproski): I am sure the Hon. Member is getting to the point.

[*Translation*]

Mr. Grisé: Mr. Speaker, I would like also to confirm to my colleague for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand) that, before integrating our aborigines to the Constitution, we must first adopt the Constitution.

As I was saying, Mr. Speaker, concerns vary from one province to the next. Quebec is concerned first and foremost with the implementation of an immigration policy which would favour the development of vigorous francophone communities and allow it to select every year a number of immigrants in proportion to its population.

British Columbia seems to be interested mostly in immigrants likely to create their own businesses. Other provinces have at present no objection to the federal Government assuming full responsibility in the area of immigration, but they wish to retain the possibility of signing such agreements in case of any change in their situation.

Although Quebec and the other provinces seem generally satisfied with the administrative agreements signed with the federal Government, Quebec wanted to have its agreement entrenched in the Constitution to prevent the federal Government from eventually cancelling the provision by using its own legislative powers.

Other provinces have also indicated that they would want to entrench any such agreements with the federal Government.

Mr. Speaker, all the provinces agree that the federal Government should continue to assume its general responsibility for setting national standards and objectives in the area of immigration, especially in terms of defining the various classes of immigrants, determining who is not eligible, and setting up comprehensive immigration quotas. The Government of Canada will retain the ultimate jurisdiction over family reunification and assisted relatives, matters of particular interest to Canadians who have recently settled in this country and to anyone who understands the importance of humanitarian reasons.

Mr. Speaker, the Accord signed on June 3 will enshrine in the Constitution an expanded version of the Cullen-Couture Agreement with Quebec, an agreement that has produced good results since it became effective ten years ago and whose principles have proved satisfactory for both parties.

The need to clarify the roles and responsibilities of the federal Government and the provinces with respect to immigration arises from the fact that Quebec wants to be responsible for protecting and promoting the distinct identity of its society. The Government of Canada shares this concern, aware that the existence of a Canadian French-speaking entity, concentrated in Quebec but also present in the other provinces and territories of this country, constitutes of one of the fundamental characteristics of Canada.

Mr. Speaker, I sincerely believe that thanks to the proposed constitutional amendment signed on June 3, federal-provincial relations in this area of shared jurisdiction will become more harmonious.

Mr. Speaker, in concluding, I would like to say that as a parliamentarian, a Quebecer and the Member for the riding of Chambly, I take great pride in the fact that on April 30, at Meech Lake, and last week in Ottawa, the First Ministers were able to meet the incredible challenge of reconciling the specific needs of Quebec with the interests of the provinces and the common good of the entire country.

The Acting Speaker (Mr. Paproski): Questions or comments. The Hon. Member for Témiscamingue (Mr. Desjardins).

Mr. Desjardins: First, Mr. Speaker, I should like to commend my colleague from Chambly for his remarks before making a brief comment and asking him a question.

The Opposition motion under consideration reads as follows: That the Government should seek to restore existing rights of Canadians in Yukon and the Northwest Territories to the Constitutional Accord of 1987; and further, to make a commitment to hold a First Ministers' Conference to discuss aboriginal concerns . . .

Unless I am mistaken, and my colleague may correct me in his response, there was a conference of aboriginal people here in Ottawa a few months ago, the fourth one, and the Prime Minister of Canada (Mr. Mulroney) is an unfailing supporter of their rights. It was not him who created a problem during the conference of aboriginal people here a few months ago. Not at all.

Given the motion under consideration today, my question to the Hon. Member for Chambly (Mr. Grisé) is this: Can he tell us how it had become imperative for both Quebec and Canada to do something about getting Quebec into the constitutional fold to repair the blunder of 1982?

Mr. Grisé: Mr. Speaker, I wish to thank my colleague the Hon. Member for Témiscamingue (Mr. Desjardins) for a very relevant question, especially as we know that the Hon. Member for Témiscamingue is deeply concerned with aboriginal matters in the vast Abitibi-Témiscamingue area. As we all know, there is a large population of Quebec native people in that area.

Once again, Mr. Speaker, following the comments by Members of opposition Parties, and again while trying to keep partisan considerations out of this debate, it is quite clear, from what the Members of other Parties have said, that there is a desire to reach a unanimous position and an attempt by opposition Parties to claim the merit of this historical achievement, namely the signing of that constitutional agreement by the ten Premiers and our Prime Minister, incidentally, Mr. Speaker, an agreement by 10 provincial Premiers representing four different political parties.

Let us think of the extraordinary conciliatory talent which was required to get those political leaders to reach an agreement. That is obvious, as was shown recently by the failure to reach an agreement here in Ottawa at the conference on aboriginal rights, when 25 per cent of the Canadian representation was missing from the negotiating table. How can we as a Parliament reach an agreement, how can we as a Government reach an agreement representing the whole of Canada and establish a unanimous position when 25 per cent of those concerned are missing in the debate, in the negotiation?

Mr. Speaker, we are obviously concerned with aboriginal matters. That is a fact. Indeed, the Prime Minister had organized that meeting of aboriginal people to try and reach a consensus on that matter. Unfortunately, the Province of Quebec was absent from that negotiation.

Why should we therefore try to put the cart before the horse now? In the first place, the Province of Quebec has to become part of that constitutional process, has to have its own fundamental right to speak at that table. When that is done, it will be much easier, Mr. Speaker, to invite aboriginal people as well as the Ministers of the 10 provinces to meet once again and ultimately to achieve an impossible task because our Prime Minister has a record of achieving what seems impossible, and once again I am satisfied that he will succeed eloquently.

• (1600)

[*English*]

Mr. Allmand: Mr. Speaker, I would ask the Hon. Member to look at page 6 of the Accord. I am referring to Section 41(i) which deals with the establishment of new provinces. In the present Constitution, that was dealt with under Section 38. In the Meech Lake Accord, that was moved to Section 41. Amendments under that section require unanimous consent. Nowhere in the five conditions laid down by Quebec is there reference to the entry of new provinces into Confederation. Those five conditions do not even imply that we must have unanimous consent to admit the Territories as provinces in Confederation. Perhaps the Hon. Member could tell the House why the admission of new provinces should come under Section 41 which requires unanimous consent rather than remaining in Section 38 which requires the consent of seven provinces representing 50 per cent of the population?

[*Translation*]

Mr. Grisé: Mr. Speaker, it is amusing to hear the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand). How awfully hard it is to accept something of benefit to everyone, not only Canadians but also Quebecers!

They are comparing cabbage to carrots. They would like to revert to the good old times of 1982. We are now in 1987. Pierre Elliott Trudeau is no longer Prime Minister. The Liberal Party of Canada is no longer in government in Ottawa, and the Hon. Member for Notre-Dame-de-Grâce—Lachine East has difficulty realizing that. We have been here for almost three years. He has been in opposition for three years, and still he grasped nothing. He is struggling to understand and compare the 1982 constitutional agreement and the 1987 one, when even today he cannot realize he has been in opposition for three years.

Mr. Gauthier: Mr. Speaker, that is a rather evasive answer, to say the least! I would like to come back to it because there is a difference between the 1982 proposal, which provided that the federal Government would sit at the table with provinces and discuss the matter. There have indeed been four federal-provincial conferences on the matter of aboriginals. I am asking the Hon. Member this clear and non-partisan question: How come—Canadians are listening—the 1982 agreement required the concurrence or support of seven provinces comprising 50 per cent of the Canadian people, either to amend the constitution or to include a new province—if you wanted to admit a new province, it took seven provinces with 50 per cent of the population, when today unanimity is required. All provinces! I am hearing the Northwest Territories and the Yukon say: This is unfair! So, can he give me a reason? Does he know or did his government tell him, did his Prime Minister explain to him in caucus or elsewhere why today they are insisting on unanimity, when it used to be 50 per cent of the people, seven provinces? That is clear!

Mr. Grisé: Mr. Speaker, I realize my time has almost expired, and I will be very brief. I repeat, what is more important? The contents of the 1982 agreement which Quebec did not sign and with which Quebec did not agree, or the 1987 agreement with the five recommendations by Quebec which were accepted, and which Quebec did sign? For the first time since 1927, Canada's 10 provinces are part of the Constitution, Mr. Speaker. That is the important thing. And that is the agreement that was signed on June 3, 1987. The Liberals don't seem to understand.

The Acting Speaker (Mr. Paproski): The period provided for questions and comments has now expired. Resuming debate. The Hon. Member for Churchill (Mr. Murphy).

[*English*]

Mr. Rod Murphy (Churchill): Mr. Speaker, it seems fitting that I have a chance to speak after hearing diatribes from those who are trying to make this a fight between Quebec and the native people in Quebec and the Territories. Obviously no Member of this House believes that is the case. Leaders of all three Parties have spoken in favour of the Accord. They expressed their wish to have Quebec feel it is a full partner in Confederation.

The purpose of this motion laid down by my Leader, the Hon. Member for Oshawa (Mr. Broadbent), was to go past that point. To recognize that Quebec now accepts the constitutional amendment process and has been brought into the family does not mean constitutional amendments have ended.

Obviously two groups in our society feel they have been left out of the process. Not only that, they were not invited to Meech Lake or the meeting last week in the Prime Minister's Offices. They were left out because the Accord effectively limited their rights. That is a concern and that is why we brought this motion forward. That is why, in introducing the motion, the NDP made it very clear that this is not a matter of confidence in the Government and that all Members have the right under the new rules to vote according to their conscience.

As I said earlier, when the Accord was reached and the final wording accepted, we said we were grateful to have this historic constitutional Accord. We were glad to see Quebec brought into the constitutional family. However, as I also said, there are groups of men and women who feel left out, namely, the northerners and aboriginal people. It is important to realize that the majority of people living in the Northwest Territories are also aboriginal people, so they have been doubly affected by the constitutional sleight of hand so far as natives and northerners are concerned.

It is important to remember that the federal Government should have been standing up for native people. It is important to remember that the federal Government should have been speaking and working for those people because the federal Government has that direct constitutional responsibility. I consider it a failure by the Prime Minister (Mr. Mulroney) not to have adequately dealt with the rights and concerns of those people. It was not the responsibility of the Province of Manitoba and of Premier Pawley to defend aboriginal people, although I know he tried to. It was not the responsibility of any other Premier. Constitutionally, the responsibility lies at the feet of our Prime Minister, and he failed.

I do not criticize him out of hand for that. There was the major task and responsibility of getting Quebec to accept the Meech Lake Accord. However, I believe that if he had worked harder he could have found a formula acceptable to Quebec and the other provinces, and at the same time moved us further along the road to having the concerns of aboriginal and other people in the north met by the Accord.

• (1610)

This motion requires that we move back to the existing rights of the people of Yukon and the Northwest Territories to be able to form their own provinces. My Leader, the Member for Oshawa, stated that, although it is not perfect, the old amending formula of seven provinces with 50 per cent of the population and the federal Government agreeing to a constitutional amendment makes a lot more sense than the proposal which will be before this House as a result of the Meech Lake Accord. The Meech Lake Accord requires the agreement of all ten provinces and the federal Government to form a new

province. Since this situation was not faced by any other province in order to enter the Constitution, it is a threat to the people of the Territories and Yukon.

We should not pretend that there will not be a province or provinces formed in the north. It was not that many years ago that people did not believe that provinces would be formed from the old Northwest Territories, the old Rupert's Land, and now there are more than three provinces formed by what used to be the Hudson Bay Company's land. Changes in population patterns and mineral development policies in the north may well mean that there may be even more than two or three new provinces in the future. It is important that when we change our Constitution we do not do so in such a way as to make it almost impossible to get the necessary agreement to form new provinces.

The aboriginal people of this country feel that they were left out of the circle. They believe they were not listened to at Meech Lake or last week. Their demands were quite simple. They wanted and still want a guarantee that there will be more First Ministers' meetings to try to make some constitutional amendments which will bring in self-government and answer other concerns of aboriginal peoples.

The aboriginal peoples recognize that there is no guarantee that we will find wording acceptable to all the provinces. They recognize that the federal Government may not consider this to be a high priority item on its political agenda. However, why could the Premiers and the Prime Minister not agree, as part of this process, that there will be more meetings on aboriginal rights, that the First Ministers will sit down with the leaders of the aboriginal people and the leaders of the Territories and work toward fully entrenching and fully explaining aboriginal rights in our Constitution?

The Minister of Justice (Mr. Hnatyshyn) and the Prime Minister have said that having Quebec in the Constitution makes it easier to have aboriginal rights entrenched. In the Prime Minister's speech last Thursday evening to the people of Canada he said in part that four attempts to bring justice to our aboriginal people have failed, in large part because Quebec was not there to vote on behalf of our native people, and perhaps next time, with Quebec's help, we will succeed.

Those were the words our Prime Minister spoke to the Canadian people, including the aboriginal people. If the Prime Minister and the Minister of Justice were serious in their remarks, why has the Government refused to act to ensure that there will be a First Ministers' conference on aboriginal rights?

If the Government does not act, we must question its sincerity. On Friday in the House of Commons and only an hour ago in Question Period we asked questions on this issue. We are not asking for a guaranteed constitutional change. We wanted the Deputy Prime Minister (Mr. Mazankowski), the Prime Minister, the Minister of Justice, or some Minister speaking and working on behalf of the federal Government, to call the Premiers and ask whether they can agree to have a First Ministers' conference on aboriginal rights, preferably within the next year.

We did not request a constitutional amendment or an amendment to the Meech Lake Accord. We only requested that the Government take the initiative to work toward solving the question of aboriginal rights. It would have taken only a certain number of phone calls, yet the Deputy Prime Minister would not even confirm that he would go that far.

That lack of a very simple action by the Government is the reason that native people are very concerned. They have to be concerned when the Deputy Prime Minister will not say that the Government will take the initiative and do what it can to ensure that aboriginal rights are recognized and self-government is proclaimed under our Constitution. As you know, Mr. Speaker, prior to the last meeting of First Ministers on aboriginal rights the Prime Minister was criticized for not taking a very active role, for acting as a chairperson of the meeting rather than as one of the leading instigators of action at that meeting. As I watched the part of the First Ministers' conference which was televised, that impression was further entrenched in my mind because I did not see the Prime Minister making suggestions, pushing the Premiers, or trying to get an agreement.

In the dying hours of that meeting which, by the way, did not continue all night, the Prime Minister was offered an option by the native people and the Premier of Manitoba, Mr. Pawley. That option was that rather than adjourning the meeting forever they should recess it only for three, six or twelve months until the officials of the provincial and federal Governments and the native leaders could work out a deal. At the end of that meeting the Prime Minister said: "This is the end". He put down his gavel and said that the meeting was over and that was it.

Contrast that with what happened with regard to Quebec. The Premiers worked until dawn to resolve the issue. There were two meetings of the First Ministers within a five-week period. The action was quick, concentrated, and very serious. I have commended the Government for that, as have the native people. We now need that same type of leadership and concern from the Prime Minister and his Ministers to ensure that we do not forget about the aboriginal peoples.

It is fine for the Prime Minister to say that now that Quebec is in the Constitution we will be in a better position to resolve this issue next time. Those are fine words and they may well be true, but they are meaningless unless the federal Government is willing to take the initiative to ensure that there is a meeting of the First Ministers with the aboriginal leaders and the elected leaders of the Territories. He must take that initiative and that is the intent of this motion. It calls for that initiative on behalf of the aboriginal peoples of this land and to ensure that the people of the Territories do not feel like the new second-class citizens of Canada.

• (1620)

Earlier, my Leader talked about completing the circle. He said Quebec has now come into the constitutional family but that there are aboriginal people and people in the Territories who still do not feel part of that circle. It is time that this nation took that leap of faith and that the Prime Minister and his Cabinet showed a sense of leadership on behalf of the aboriginal people and the people of the Territories by calling that meeting.

While the Prime Minister can call a meeting without consultation, our motion suggests he go one step further and consult with the provinces and make sure there is a First Minister's meeting to resolve these problems and reassure the people of Yukon and the Northwest Territories that their concerns are being heard.

They are the ones who were left out of Meech Lake. They feel that their issues and concerns were ignored by the Prime Minister, the person who is constitutionally responsible for representing their interests. They must next be brought into the constitutional family. I urge Members of the House to pass this motion. It does not speak against Meech Lake, but urges the Government to take action for the aboriginal people of this land and for the people of Yukon and the Northwest Territories who believe they are part of the constitutional family of Canada.

[*Translation*]

Mr. Ferland: Mr. Speaker, I have a question for the Hon. Member for Churchill (Mr. Murphy) who is talking about native rights. If I look at the wording of their motion, I find that the New Democrats always try to project the image of people who are concerned about problems that are, in fact, non-existent.

The first paragraph of their motion says: "That the Government should seek to restore existing rights of Canadians in Yukon . . . ". How are we supposed to restore rights if the rights are already there in the Constitution? I mean, we are not going to reinvent the wheel.

The Meech Lake Accord does not say that the people of Yukon or the Northwest Territories have lost something. They were already included in the 1982 Constitution which you, the New Democratic Party and the Liberals, ratified while excluding Quebec, and you did not object to Quebec's not being included.

You were talking about native rights in Canada, but by excluding Quebec, by excluding 25 per cent of the Canadian population, by excluding a provincial Government which was able to negotiate an agreement with native peoples in Quebec . . . Remember the agreement signed by the Government of Quebec with the native peoples of James Bay? Those agreements were made by Quebec within that province, and on that province's territory, by the politicians who were there at the time. But the 1982 Agreement excluded Quebec from the Canadian constitutional accords and today, they are saying: Yes, but it wasn't important for the native peoples to have Quebec in the Constitution. That is what you did in 1982. And today, you are trying to reinvent the wheel.

What I want to say to my New Democratic Party colleague is that it was through our Party, independently from the Meech Lake constitutional agreement and well before it was concluded, that the Indians, the Sechelt band, gained self-determination. Thanks to whom? Thanks to the Government now in office. It had nothing to do with the Constitution. Nothing in the Meech Lake Accord says that native people will be forgotten, on the contrary.

This is why I should like to know on what grounds your motion calls on the Government to restore the rights of northern residents, considering that these rights were never removed from the Meech Lake Accord, and then explain to me why it was not important for Quebec to get aboard to help all native people of Canada.

[*English*]

Mr. Murphy: Mr. Speaker, first, I think I should correct some of the inaccuracies in the Conservative Member's statement. He said that the Liberals and the New Democratic Party endorsed the 1982 Agreement. Had he been here at the time he would have known that all three Parties, and again all three Leaders, endorsed the 1982 package. I do not think he can pretend that this was some Liberal and New Democratic Party attempt to ignore the reality of Quebec.

In fact, I know that my Leader, the Member for Oshawa, made some suggestions to make sure that Quebec was in the Constitution. One of the amendments we suggested is now part of the Meech Lake Accord. It would have allowed Quebec to be compensated for any shared-cost program in which it did not want to take part. That was a specific recommendation that we made at that time because we felt strongly that Quebec must be brought into the constitutional family.

The Hon. Member denies that existing rights are being changed. While I do not come from the Northwest Territories, my riding of Churchill is as close as one can get to the Northwest Territories. I spent some time in Yukon and the Northwest Territories. The 1982 constitutional Agreement requires seven provinces and the federal Government to agree to the creation of a new province. This has been a very difficult problem for people in Yukon and the Northwest Territories. Previously, the federal Government could create provinces by itself, as it did for Manitoba, Prince Edward Island, Saskatchewan, Alberta and Newfoundland. After the 1982 constitutional Agreement, the opportunities of people from Yukon and the Northwest Territories were being restricted, but they accepted that.

As a result of the Meech Lake Accord and its successor, we now have a situation in which it takes the agreement of the federal Government and each of the 10 provinces for the creation of a new province. There have been times in our constitutional history when a province or provincial Premier may have had disagreements, sometimes justifiably, about a

particular issue. Therefore, if the Provinces of Newfoundland, Prince Edward Island or perhaps Manitoba are not satisfied about an issue which may have no relation to the creation of a province of Yukon or Provinces in the Northwest Territories, there may not be unanimous agreement.

While there are those who may say that this will not happen, I suggest that the history of our country has proven that it is quite possible that one or more provinces may say no.

The people of Yukon and the Northwest Territories want at least equal treatment as is the case for most constitutional changes. If they can make their case to the federal Government and seven provinces, with 50 per cent of the population of this land, then they should be able to form a province. That is the existing right that is being taken away by this Accord.

[*Translation*]

Mr. Ferland: Mr. Speaker, the Hon. Member keeps trying to raise the point that it is impossible to obtain unanimity in Canada. The 1982 option recognized implicitly that it is impossible to obtain unanimity in Canada. The Meech Lake Accord has proved the opposite to be true. And I do not see how the Meech Lake Accord, with the undertakings it contains, how those negotiations, and the new political will we have seen emerge in Canada, which reflects the Canada of 1987, a Canada that has evolved since the time, five years ago when they said that unanimity was impossible— So we have to have 50 per cent of the people agreeing because of the assumption that it would be impossible to get unanimity—

How could there possibly be this fear it would be impossible? Can you imagine ten First Ministers refusing to let Yukon, already a territory, become a province? What do the Premiers have to lose by having a new province in this country? What do they have to lose as Premiers? Are they going to lose anything? Not at all! They will lose nothing. And the new provinces that will be created have everything to gain, in that they will not be accepted by a certain proportion but by all. That is the difference between 1982 and 1987. Not accepted by 50 per cent and rejected by 50 per cent. This time, they will be welcomed by the entire Canadian family, not by five but by all 10 children of the Canadian federation.

• (1630)

[*English*]

The Acting Speaker (Mr. Paproski): The Hon. Member for Churchill for a short rebuttal.

Mr. Murphy: I think the important thing is to realize that there may be unanimous agreement right now with the 10 Premiers and the federal Government, but that does not mean it is going to be there forever and a day. What the people of the Northwest Territories are saying is to please make the constitutional amending formula flexible enough to recognize there may be some problems in the future. After all, my Province of Manitoba came in at a time when I suspect the Province of Ontario may have said no to Louis Riel. Unfortunately for the people of Manitoba and fortunately for the people of the Red River Valley, Ontario did not have a veto.

What we are saying is that there may be reasons in the future which would result in one province, for whatever reason, saying no, even though nine other provinces said yes and even though the federal Government said yes. Absolutely no one will claim responsibility for being the father of the amending formula. No province will claim it insisted on this. The federal Government will not claim it is the father of this change. But obviously someone pushed for it. Someone in that closed room pushed for this particular amendment, and the people of the Yukon and the Northwest Territories want to know why, just as the native people want to know why they cannot have a guarantee of at least one more conference with all the First Ministers in attendance to discuss aboriginal rights.

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, probably the worst thing about the debate today is that it is necessary. I wish we had not been called upon to debate this issue today. I wish that the 11 First Ministers who gathered in the Langevin Building some days ago had had the common decency to treat Canadians living north of 60 degrees as fellow men and women and not as some kind of creatures beyond the pale.

I am unable, Sir, to stand idly by when the interests of the people I represent are disregarded and when their heartfelt aspirations are cast aside. After having given the matter a great deal of reflection, I have come to the decision that I will support the motion before the House today. I have been here long enough to know that the introduction of such a motion was, in all probabilities, motivated by partisan considerations. I am sure that the Leader of the New Democratic Party (Mr. Broadbent) is not unmindful of the by-election which is coming up in the Yukon in a few days' time. I know that today's proceedings are part of the Business of Supply and, under normal circumstances, Members would be called upon to vote along Party lines. But I am going to treat today's motion at its face value, and it makes sense.

Perhaps it is time we did take cognizance of the suggestions made with respect to parliamentary procedural reform. Perhaps there is an occasion when a good idea can be brought forward by members of the opposition Parties.

There is no way that my vote is to be construed in any way as a vote of non-confidence in the Government. It is true that rapid advancements in constitutional development have taken place in the northern Territories under the Progressive Conservative Government. Far faster changes than ever took place previously when we were stalemated under the previous Government. I recall an example of that, and this goes back to the time the Hon. Member for Provencher (Mr. Epp) was Minister of Indian Affairs and Northern Development. He gave letters of instruction to the Commissioner of the Yukon which were challenged in this House by the Hon. Member for Cochrane—Superior (Mr. Penner), who now presents himself

as a great proponent of territorial rights. We made practically no progress during the time the Right Hon. Pierre Trudeau was Prime Minister. However, we have made great progress very quickly in the last couple of years. For that reason, I am proud to be a supporter of the present Government.

Let us look at the recent developments, going back just a few weeks, in the constitutional Accord and the perceptions of these in the Territories. We have heard a lot about how this has been perceived in Quebec and Ontario and southern Canada, but let us look at the perceptions which have come about in the Territories.

When the Meech Lake Accord was reached on April 30, we in the Territories were equally pleased, along with other Canadians, that a mechanism had been found for bringing Quebec into Confederation. This is something we wanted to see as much as anyone. However, we were bewildered and disappointed that we had not been invited to, and were not part of the Meech Lake Agreement. We could not understand why. Being a kind of gracious people, we assumed it might be an oversight. Therefore, we made every effort to see that elected representatives of the people of the Territories would be at the meeting to be held a month later when the ratification of the final draft was to take place.

I want to read into the record a letter I wrote at that time to the Prime Minister (Mr. Mulroney). I think it properly reflects the feelings of my constituents. It reads as follows:

> Congratulations on your successful negotiations with the provincial premiers towards bringing Quebec into the Canadian Constitution.
>
> Once this has been done then the only Canadians excluded from voluntary participation in this great confederation will be those living in the Northwest Territories and Yukon Territory.
>
> We must therefore redouble our efforts to extend full provincial rights to Canadians living north of the 60th parallel.
>
> In that the proposed Meech Lake constitutional amendment dealing with the changes to the amending formula for those items contained in Section 42 of the Constitution Act which include the creation of new provinces or the extension of existing provinces into the territories are of immediate and direct concern to the territories I solicit your untertaking that pursuant to Section 37(2) of the Constitution Act elected representatives of the Northwest Territories and Yukon Territory shall be invited to the contemplated First Ministers' Conference which is to deal with these proposed amendments.
>
> Thank you.

• (1640)

Unfortunately, Sir, I have to report that I have not received a written reply to that letter.

Similar importunities were made by the First Ministers of the Territories to the Prime Minister of Canada and to the provincial First Ministers. Apparently, these also fell on deaf ears.

We now come to June 3. This time things were a little different. This time the exclusion is deliberate—the denial is deliberate. Why this was so we do not know. We probably will never find out until some of the participants publish their memoirs in the years to come. We might suspect that Manitoba covets parts of the District of Keewatin, or that the Province of British Columbia has its eyes on parts of Yukon. We do not know. But what happened was that this cosy little club of southern provinces got together and made their own cosy little rules while other Canadians, those living north of the 60th parallel, just sat outside in the cold.

I think that all political Parties must bear some of the blame for this. Certainly, the provincial Premiers represented three federally-represented political Parties at that meeting. They all signed the agreement. They must all bear part of the blame.

The feeling in the Territories is that somehow the system has let us down. If this agreement goes forward, if goodwill is not shown in the future by the provinces and by the federal Government, then what will happen is that two classes of Canadian citizens will be created. We will have those enjoying full rights of citizenship below the 60th parallel, and above that line we will have second-class Canadians. That, of course, is not acceptable. What happened on June 3 is that disappointment turned to disgust. Bewilderment turned to revulsion.

There is a member of the Legislative Assembly of the Northwest Territories for whom I have a great deal of respect. His name is Mr. Robert MacQuarrie. He is not a member of any political Party. He is noted for his logical analysis. He is not given to hyperbole. This is what he had to say of the Langevin agreement. "It is a scandalous travesty of democracy". I think that he reflects the views of his constituents, who are also mine, in so saying.

I was back home in the Northwest Territories last week. As I walked around the streets of the various towns and settlements in my riding, carpenters would put down their saws and hammers, labourers would put down their shovels, and they would come up and ask me: "Why have they done this to us?" Sir, it is taken as a personal insult to those people who live in the Territories. The territorial Governments on behalf of the people they represent are taking these matters to court, and I think quite rightly so. They want judicial intervention into what they say is a denial of their rights, supposedly guaranteed under the Charter of Rights and Freedoms.

I would now like to go briefly through the agreement and outline the complaints that we have with it. First, there is the question of the Senate. Had we been there, the amendment to Section 25(1), I am sure, would have been worded differently. I think that this is an oversight. What this new section does is to deny any further appointments of Senators from the Northwest Territories or Yukon, although they are supposed to be guaranteed representation under other parts of the Constitution Act. But because they have no provincial Government to put the name forward on a list, when Senator Adams or Senator Lucier resigns, dies, or whatever, there can be no replacement until an over-all constitutional change is made. That is wrong. We ought to have representation in the Senate. I cannot see why anybody would deny that.

A very similar sort of situation arises with respect to the Supreme Court. No person in the Territories, no judge, can aspire to be appointed to the Supreme Court of Canada

because, under the proposed Meech Lake-Langevin Agreement, that will be denied to them, whether or not that is an oversight on the part of the drafters, I do not know. Had we been there, that would have been clarified.

There are annual First Ministers' conferences to be convened under the agreement. One is to be held on the economy and the second on constitutional matters. We were previously invited to constitutional conferences. We were to be there by virtue of Subsection (2) of Section 37. But that is something that has been taken away from the Territories now. There is no mention, no requirement, not even a possibility of them being there as participants at constitutional conferences when things of evident, direct interest to the people who live in the north are to be discussed.

The other matter of great concern that we have heard a lot about today already is the changes to the formula by which new provinces are created. In my way of thinking the evil deed was done in 1982. Prior to that time the creation of new provinces, whether, as we have seen, was the case with Manitoba, Saskatchewan, Alberta or Newfoundland, was a matter between that area and the federal Government. The change came in 1982 when Pierre Elliot Trudeau was Prime Minister of Canada.

I do not know about the practical results of the proposals here. I suspect that it will not make that much difference. If we are going to get seven provinces, we are likely to get 10. But we should have been there at Meech Lake. We should have been there in the Langevin Block when these proposals were being drawn up and discussed.

What could be of more direct interest to the people of a part of Canada as a discussion as to how they can become a province, how they can join this great Confederation?

In summing up I want to say that the Meech Lake-Langevin Agreement as it stands, as much as we like to see Quebec coming into Confederation, is unacceptable to the people of northern Canada. They have seen provinces kind of bending over backward to accommodate the reluctant bride, Quebec. But they themselves who have only wanted, and always wanted, to be part of this family of Confederation, have found themselves cut out. They have been left outside of the circle of Confederation.

The question that we have on our minds, the question that we want an answer for, is quite simply this. Why, under these agreements, is it to be proposed that we who live north of the 60th parallel be excluded from the Canadian family of Confederation?

• (1650)

Mr. Allmand: Mr. Speaker, I was pleased to hear the Hon. Member for Western Arctic (Mr. Nickerson) state that he would support the resolution today. I think his action is a natural consequence of the new rules and the statement by the proposer that the motion should not be considered as one of confidence in the Government.

I accept fully his statement that while he supports the motion, this does not stand for non-confidence in his own Government and the Prime Minister (Mr. Mulroney). While I congratulate him on that, I want to take him up on one point.

He said that he was surprised by the position taken by the Liberal Party today because in 1979 the Hon. Member for Cochrane—Superior (Mr. Penner) and the Liberal Party opposed the proposals made by the then Conservative Minister of Indian Affairs and Northern Development at that time for more responsible government in the Territories.

I know the Hon. Member wants to be fair. I recall very well that while this Party stood for more responsible government in the Territories, we did not want those proposals to move ahead unless there was assurance that the aboriginal people were involved with that movement toward responsible government in the north and there was some mechanism to provide for the settlement of land claims at the same time.

I must say that we tried to make the point that these measures for responsible government should not go ahead without some assurance of involving the aboriginal people. In fact, the Government acted on that, both the Conservative Government of 1979 and the Liberal Government of 1980, so that we now have in the north a quite significant evolution toward responsible government with the aboriginal people involved. We now see in the Northwest Territories the Inuit and Dene involved in the Government. It is the same thing in Yukon. We fully support that.

The only reason we took the position we did in 1979 was not that we were opposed to that development in the North but that we wanted to ensure that the aboriginal people would be fully involved.

I wanted to make those comments. As I say, I appreciate the position of the Hon. Member, but I want the record to be clear on that.

Mr. Nickerson: Mr. Speaker, I think to a certain extent the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand) is trying to rewrite history. I was in the House at that time. If I remember the arguments presented by his Party and the Hon. Member for Cochrane—Superior, they did not have too much to do with social justice. However, they had a lot to do with strict legalities and whether the letter of instruction sent by the then Minister of Indian Affairs and Northern Development to the Commissioner of Yukon was legally correct and proper. That is my recollection of the arguments presented at that time.

One small but positive development toward constitutional development in the time the Hon. Member enjoyed the portfolio of Indian Affairs and Northern Development—and I compliment him on it—was that in 1976 or 1977 he allowed the elected executive committee of the territorial Government to be increased by one additional member.

It just so happens that when this took place, the member of the Legislative Assembly who was chosen to take this new

portfolio at the territorial level was myself. I have never really come to the conclusion as to whether I should thank the Hon. Member for doing so or whether what should take place is entirely the opposite.

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I support the constitutional Accord signed by the Prime Minister (Mr. Mulroney) and the Premiers of the provinces last week. I believe it is good for Quebec and good for Canada.

I also said that it needed improvements and that I hoped public debate and public hearings involving the participation of Canadians from one end of the country to the other would, over the course of weeks and months, achieve those improvements. I believe the motion before us represents such improvement, and we support that motion.

[*Translation*]

I therefore support the motion moved by the Hon. Member for Oshawa (Mr. Broadbent). The motion is entirely compatible, to borrow a term from the constitutional Accord, with what members of my Party and I myself have already said on this issue. I am therefore happy to see that the members of the NDP now agree with us in this respect.

[*English*]

I agree with the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand) who spoke earlier. This motion does not detract from the Meech Lake-Langevin Accord. I agree that the principles of the Meech Lake Accord should remain sacrosanct. There is no reason, however, why every phrase in that agreement should remain sacrosanct or why the First Ministers, the Parliament of Canada, and the legislatures of the provinces should not yield to improvements which can be justified to those respective jurisdictions.

With regard to the admission of new provinces, I have pointed out to the House on more than one occasion that I believe one of the flaws in the constitutional Accord signed by the Prime Minister and the First Ministers is that the eventual admission of Yukon and the Northwest Territories as new provinces is now subject to the unanimous consent of all provincial Governments.

While I agree that existing provinces should indeed have something to say about the admission of new provinces, we should remember, as has been pointed out already in the debate, that this rule did not apply to any current provinces brought into Confederation since 1867.

Mr. Benjamin: Saskatchewan, Alberta, and Newfoundland.

Mr. Turner (Vancouver Quadra): What about Alberta and Saskatchewan in 1905, Manitoba in 1870, and Newfoundland in 1949?

Therefore, I believe that an exception should be made in the case of Yukon and the Northwest Territories. I believe that they should be governed by the current formula, which would be seven provinces and 50 per cent of the Canadian population.

Since I was not in the room when the constitutional Accord was reached, I do not know whether it was merely an oversight on the part of the Prime Minister and the Premiers pressing forward to get an agreement. However, as has been pointed out, there is also no provision for consultation with the Territories on the appointment of northern Senators.

We have yet to hear from either the federal or provincial Governments a satisfactory explanation as to why it was that the First Ministers wanted to make it more difficult to admit Yukon and the Northwest Territories as full partners.

The Minister of Justice (Mr. Hnatyshyn) said this morning that it had implications for equalization payments. I do not find that argument at all persuasive.

In the 1982 amendment enshrined in the Constitution, the commitment of all levels of government to regional equality is set forth quite clearly. Does the federal Government really believe that that provision would be weakened or changed because of the admission of new provinces? We do not think so. We are not getting very clear reasoning from the Minister of Justice on what is a very important and indeed a vital issue for northern Canadians.

The Government of Canada was the only Government at the negotiating table to speak for the interests of northern Canadians. I therefore urge the Prime Minister to take the lead with the provincial Premiers in seeking agreement to change that section of the constitutional Accord.

I support the Accord. I support the agreement reached over that marathon session in the Langevin Building despite its flaws because it represents a reaching out to Quebec and to our French-speaking citizens. I also believe we should reach a little further and extend our hand to Canadians living north of the 60th parallel and to our aboriginal peoples as is set forth in this motion.

• (1700)

My colleague, the Hon. Member for Notre-Dame-de-Grâce—Lachine East pointed out earlier that there was some movement from the statement of principles set forth in general terms at Meech Lake to the Accord signed last week in terms of the recognition of aboriginal rights and the multicultural nature of our society. Section 16 of that Accord will bear a good deal of scrutiny, hopefully in this House, in committee and by provincial legislatures. I believe that the Government should capitalize on that good will and bring it a step or two further.

You will know, Mr. Speaker, that I presented a motion to this House, together with the Hon. Member for Cochrane—Superior (Mr. Penner) and the Hon. Member for Notre-Dame-de-Grâce—Lachine East, which sought to correct what we believe to be an historic injustice to the aboriginal peoples of Canada. We sought the support of all Members at that time to recognize in the Constitution the inherent right to self-government of aboriginal Canadians. We also urge the Government of Canada to abandon its insistence that the right

to self-government should be contingent upon negotiated agreements.

As you know, Mr. Speaker, the First Ministers' Conference with aboriginal leaders held in Ottawa in March was the last such conference that Ministers were obliged to hold on this issue under the terms of the Constitution Act, 1982. That conference failed to produce an agreement to recognize aboriginal self-government. I believe the reason for that failure was the lack of political will and leadership of the federal Government on that issue.

Again this morning the Minister of Justice repeated the argument that until such time as there is significant agreement among the provinces to entrench aboriginal rights and aboriginal self-government there will be no further meetings. In other words, what the federal Government is saying to the provinces is, "Show me where you want to go and I will lead you". We consider that to be a vacuum in leadership. We consider that to be a derogation from the position the federal Government should take—

Mr. Benjamin: An abdication.

Mr. Turner (Vancouver Quadra): Abdication is a good word—in furtherance of the historic rights we believe to be inherent of our original peoples. That is not good enough, Mr. Speaker. Quite simply my intuition is that the Government does not believe in the concept itself of aboriginal self-government. The Minister of Justice complains that he has to know right down to the last dot and comma what precisely the concept of self-government means before the federal Government would ever pursue it.

We believe that those rights should be included in the Constitution first as a general statement and affirmation of the rights of our aboriginal peoples, rights which we consider to be inherent, never having been extinguished.

The federal Government, on the other hand, believes that all the details of every application of that right should be worked out first, and only then should that right be included in the Constitution.

Part of the constitutional Accord calls for further First Ministers' meetings to discuss the Senate and the fisheries. We believe that since the fishery is an important aspect of aboriginal rights, native leaders should at least be part of those meetings, along with the First Ministers. I go even further. I would like to see this Parliament add to that agenda to the Senate reform issue, to the fisheries issue, a commitment listed specifically to aboriginal right to self-government and the inherent rights of our aboriginal peoples. That should be added specifically to the agenda by this Parliament and the legislatures as part of the Constitution.

I believe, together with my colleagues, that the right of the aboriginal peoples to self-government has existed for centuries. It existed well before this continent was explored and colonized by Europeans.

[*Translation*]

We believe that this right to political autonomy has always existed and was never abolished. It still exists. It should therefore be written into the Constitution of Canada. At our convention last November our Party passed a resolution asking that self-government for aboriginal peoples be expressly acknowledged in the Constitution.

The Liberal Government headed by my predecessor, Mr. Trudeau, had also acknowledged this right. The Penner report, named after the Hon. Member for Cochrane—Superior, which recommended working towards the inclusion of aboriginal peoples' political autonomy in the Constitution had been commissioned by the Government of Mr. Trudeau. As a result of the report this same Government had also introduced a legislative measure designed to guarantee political autonomy for Indian nations.

[*English*]

Aboriginal rights were included in the Constitution of 1982 along with the guarantee that those rights apply equally to men and women. There was also the recognition of the existence of rights acquired through both future and existing land claims agreements.

[*Translation*]

Several of these agreements have been negotiated, among other with the Cree-Naskapi of the James Bay region. The federal and provincial Governments were also committed to hold three new conferences—one in 1984, another one in 1985, and the third in March of this year 1987—with a view to reaching an agreement on this question which is of crucial importance to the native people of Canada.

In fact, the present Government is moving backwards, going back to 1982. It simply wants to start all over again. How can the present federal Government think that the aboriginal people will have faith in it? In our opinion, it is simply not satisfactory either for the native people or for the Party I represent in the House of Commons, nor can it be either for the other Members of the House.

We in the Liberal Party are in favour of a constitutional amendment which would take into account the very right, the historic and never abolished right of native people to self-government.

[*English*]

Our First Ministers, we believe, should show faith in the ability of the aboriginal peoples to make their own decisions. They should not take refuge in the status quo, a status quo which has served the aboriginal people so badly and in such a frustrating manner in past decades.

I believe that not only should we have an acceptable amendment enshrining the right to self-government, we must also have a commitment from the federal Government to provide the fiscal resources necessary for the effective exercise of self-government and a commitment to negotiate the necessary agreements and infrastructure.

I believe it is not too late to improve this Accord to include aboriginal peoples and, as I said when I began, northern Canadians.

The federal Government has an opportunity to lead the way in convincing all provincial Premiers to make an historic gesture and, at long last, recognize the inherent right of our original peoples to self-government and to ensure that they be welcomed fully into the Canadian family as our original citizens, worthy of our respect, worthy of the friendship of their fellow citizens from one end of this country to another.

The purpose of my brief intervention is to urge the Government to listen to what the House has to say and to support the motion that was introduced by my colleague from Oshawa. We believe the amendment process should be more flexible along the lines I have suggested for admission of the two Territories should they eventually want to become full partners in our Confederation and to put onto the agenda of the recognized Constitution, the right of our aboriginal peoples to self-government and self-determination within the Canadian Confederation.

Those are two improvements I believe that could be made without in any way sacrificing the full purpose and intent of the constitutional Accord which, after all, is to bring Quebec fully into our Confederation politically, psychologically and emotionally. I believe that it merits the sincere and deep consideration of every Member of this House and, if we can look across the country, of members of our provincial legislatures who will have a duty, as we do, to seek improvements to this historic Accord.

Mr. Benjamin: Mr. Speaker, I want to compliment the Right Hon. Leader of the Opposition (Mr. Turner) and ask him for his opinion, and I mean this in a totally non-partisan manner. British Columbia, Manitoba, Saskatchewan, Alberta and Newfoundland came into Confederation without the unanimous consent or the consent of a number of provinces. I would like his view, and I mean this quite sincerely, on why it would be necessary at all to have even the consent of seven provinces if a Territory of Canada requests admission into Confederation as a province. Would he agree that that is an item of business between the federal Government and that Territory and no one else?

• (1710)

Mr. Turner (Vancouver Quadra): Mr. Speaker, I can say to my hon. friend from Saskatchewan, whom I have known for a long time, that while I recited the fact that historically the admission of a new province had been a bilateral matter between the then territorial concern and the federal Government or the self-governing dominion of Newfoundland, within the context of the 1982 Accord we had moved on to a more collective style of confederation. I would be satisfied if the seven provinces having 50 per cent of the population would be able to pronounce themselves upon the admission of either Territory. I think the necessary flexibility would exist and the chances of either Territory becoming a province would be enhanced as a result.

Since the 1982 Accord, we have had an amending formula that we did not have before. When Newfoundland, the last province brought into Confederation, was brought in, there was no definition by the Supreme Court of Canada nor by the British North America Act as to what the amending process was. I would be satisfied with the 1982 arrangement which would be flexible enough to obtain what northerners are seeking.

Mr. Benjamin: But seven provinces can stop it.

Mr. Turner (Vancouver Quadra): I do not want to bind either leader of either Territory, but it is my understanding, after talking to each of them, that the arrangement I have put forward would be satisfactory to them.

The Acting Speaker (Mr. Paproski): Since there are no more questions or comments, we will go on to debate.

Mr. John A. MacDougall (Timiskaming): Mr. Speaker, I am honoured to have the opportunity to speak today. I would like to review the progress the Government has made in promoting the political development of the Northwest Territories and Yukon. Self-government and political development in the north has been one of the most important foundations of the policy the Government has followed since its election. A great deal of progress has been made in transferring powers, programs and responsibilities of a type normally exercised by provincial Governments from the federal Government to the territorial Governments in the Northwest Territories and Yukon. The process is continuing and will continue to receive our unreserved support.

Our commitment to this course of action is based upon both principle and practicality. It is our belief that those providing public services should be as close as possible to the people being served. A better understanding of local conditions, a sensitivity to local aspirations and hence more accountability and improved services thus becomes possible.

I would like to outline some of the measures the Government has taken in support of northern political development. To begin with, formula financing for the territorial Governments was introduced in 1985. Under this system, about two-thirds of the funds required by the territorial Governments for the provision of public services are provided in the form of grants. In the current year, the Northwest Territories will receive $465 million and the Yukon $155 million under formula financing.

Before formula financing was introduced, grants were negotiated on an annual basis between the two levels of Government. This was a short-term approach that made long-term planning difficult and created some tensions between the federal Government and its territorial counterparts. Territorial Governments can now plan ahead with a predictable cash flow.

Consistent with its approach to financing arrangements, the federal Government has made extensive progress in transferring specific programs to the territorial Governments. The transfer of the Northern Canada Power Commission to the Yukon was completed within the established target date of April 1 of this year. Discussions have also been approved with the Northwest Territories concerning the transfer of the NCPC. Responsibility for forest management in the Northwest Territories has also been transferred involving the transfer of about $24 million to the territorial Government from the Department of Indian Affairs and Northern Development.

Nursing stations on Baffin Island were transferred to the Territories and similar transfers in the Keewatin, Central Arctic and Mackenzie regions are scheduled to occur early next year. Considerable progress has also been made in discussions concerning the transfer of health services in the Yukon. Discussions are also under way between the Yukon Government and the Department of Fisheries and Oceans on the transfer of responsibility for the management of inland fisheries.

The timing, conditions and nature of such transfers are developed together with territorial Governments and reflect territorial priorities. At the same time, such transfers must take account of the particular concerns of aboriginal groups, especially insofar as such transfers may affect land claims matters. Consultation with aboriginal groups is thus an important requirement in the transfer or devolution process and is fully supported by the federal Government.

The settlement of claims arising from aboriginal title in the Northwest Territories and Yukon is intimately linked to the processes of northern political development. By establishing certainty in relation to the ownership of land and resources, the settlement of comprehensive land claims will create a more favourable climate for investment and development, thus strengthening the economic basis which must provide the foundation for political development and self-government.

Further, the development of a constitutional framework through which aboriginal groups can participate in the management of wildlife and secure a say in environmental management more generally requires the participation of territorial Governments to arrive at arrangements for the participation of claimant groups in institutions of public Government. Thus, one of the greatest challenges for the federal Government, the territorial Governments and claimant groups in the north is the development of institutions and structures of public administration that accommodate the interests of aboriginal people, are accountable to the Legislative Assembly of the Territory and are responsive to the needs of all northerners.

Settlement of comprehensive land claims is a personal priority of the Minister of Indian Affairs and Northern Development (Mr. McKnight) and of the Government. In this regard, last year the Minister secured the approval of Cabinet for a revised comprehensive land claims policy that took account of many of the concerns over the old policy voiced by aboriginal groups.

Under the revised policy, the old practice of extinguishing in a blanket fashion all aboriginal rights, titles and interests is discontinued. The scope of comprehensive land claims negotiations includes a broader range of self-government matters. There is clear recognition of the aboriginal interest in marine areas, a matter of great concern to the Inuit in particular. Resource revenue-sharing arrangements may be negotiated to provide to claims a percentage of the federal Government's share of resource revenues. The revised policy will, together with other steps taken for the better management of the negotiating process, greatly facilitate comprehensive claims negotiations. We may expect some real progress in northern comprehensive claims over the next two years.

Of course, aboriginal people have insisted that for their aspirations to be fully met, there must be the negotiation of new political arrangements as well as the settlement of their interests in lands and resources. The process of claims settlement and of northern political development are thus intimately related.

In this regard, the Inuit of the central and eastern Arctic have for the past several years advocated the division of the Northwest Territories to create a new eastern territory, Nunavut, in recognition of its distinct linguistic, cultural, geographic and economic status. A plebiscite conducted by the territorial Government in 1982 showed an over-all level of support of 56 per cent of residents of the Northwest Territories for the division of the Territories with the support for this division especially strong in the Inuit communities.

• (1720)

The Legislative Assembly of the N.W.T. subsequently set up a constitutional alliance, which is organized in two forums—the Nunavut Constitutional Forum and the Western Constitutional Forum—with participation by aboriginal organizations. In February of 1985, the then Minister of Indian Affairs and Northern Development affirmed his support for division, provided that a territorial consensus could be developed on the issues of a boundary, the location of administrative centres and the distribution of powers between local, regional and territorial levels of Government. To assist in the development of this consensus, the Government provided $4.4 million to the constitutional alliance. A great deal of progress has been made by the two forums that make up the alliance, culminating in the negotiation of a "boundary and constitutional agreement for the implementation of division of the Northwest Territories", signed in Iqaluit on January 15 of this year.

There has been some disappointment that the failure to resolve some claims-related matters related to the boundary proposed in the Iqaluit Agreement has not led to the referendum on division anticipated for the spring of this year. There have also been suggestions the federal Government should intervene directly to settle this matter. But it is northerners

who will have to live with the decisions taken, and it is they who must resolve these questions. Matters like the establishment of a new territory and the determination of its boundaries are necessarily complex and involve many careful considerations. Some set-backs are inevitable in such a process. Personally, I am very impressed by the way northerners have approached this issue and the progress they have made. The federal Government will continue to support the principle of northern decision-making in this crucial area of concern to the future of the Northwest Territories.

Northern political development is important to all Canadians because it is linked to the key issue of Canadian sovereignty in the Arctic. Hon. Members may recall that in September, 1985, the Secretary of State for External Affairs (Mr. Clark) announced a strong package of federal actions aimed at strengthening Canadian sovereignty in our northern regions. These actions included legal adoption of straight borderlines around the perimeter of the Arctic archipelago, creation of an Act dealing with Canadian offshore application, increased surveillance flights by the Canadian Armed Forces, and the construction of a polar Class 8 ice-breaker. The intention to deploy a number of nuclear submarines in northern waters reinforces these steps. But our sovereignty can also be strengthened through the day-to-day activities of Canadians working and living and establishing political institutions in our northern regions. Mr. Nick Sibbeston, the Government Leader of the Northwest Territories, has expressed this idea forcefully as follows:

> The recognition of the rights of Canadian aboriginal peoples who have traditionally dwelt in the North, the formation of a strong northern Government and the active development of the North as an integral part of the Canadian economy will affirm the sovereignty of Canada in the Arctic far more completely and effectively than any other measure.

This approach, Mr. Sibbeston said, was very much in the Canadian tradition. Not with loud statements but with quiet action. Not with conflict but with co-operation.

There are many sound reasons for this Government to continue to encourage and facilitate the move to full responsible Government in our northern Territories. Like all Canadians, northerners have the right to participate in making decisions affecting their future. Political devolution will also speed the process of economic development and renewal in the North. It will simplify the regulatory structure in the Territories, create political stability, and encourage economic development. This will help the North and benefit all Canadians.

Finally, political development will help to assert the sovereignty of Canadians over our vast lands north of the 60th parallel.

This Government will continue to work with territorial Governments, native groups and northern citizens to ensure that the orderly political devolution now in progress proceeds to its logical conclusion.

The Acting Speaker (Mr. Paproski): Questions or comments? Debate.

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I appreciate the opportunity to participate in this debate, particularly because I was not sure I would get the chance. I want to outline why we have chosen to support this Accord and at the same time work to keep open the possibility of improvements. I want to do this for my constituents and those other Canadians who I know continue to have a lot of questions about the so-called Meech Lake Accord. I know the intervention by former Prime Minister Pierre Elliott Trudeau raised a lot of questions about the Accord. Certainly, after my own first reading of it I had a lot of questions. I have taken the time to examine the Accord in detail and consult with others, so I want to outline my views.

Up until now there have been some extreme views put forward in the public debate on the Accord. On the one hand, there is the kind of standard government line, the Brian Mulroney hyperbole.

Mr. Turner (Ottawa—Carleton): Order!

Mr. Keeper: Excuse me. I will not mention the name of the gentleman.

Mr. Turner (Ottawa—Carleton): Try Prime Minister.

Mr. Keeper: I respect the rules of the House. I was referring to the Right Hon. Member for Manicouagan (Mr. Mulroney).

Mr. Foster: What is his name?

Mr. Keeper: He is the gentleman who has been Prime Minister for a short period of time and will be for another year or so. After that the people will judge.

He says the deal he and the 10 Premiers cooked up overnight will result in harmony in the Canadian nation. This is an end to the conflict between federal and provincial Governments. From now on everything is going to be sweetness and light. Premier and Prime Minister will walk smiling, hand in hand, arm in arm. That is the kind of vision he presents. It is a Pollyannaish view and belies much of the reality of Canadian politics and the sociology of Canada. We have strong regional interests and a decentralized federation in which the provinces have considerable power and influence. When they feel they have to speak up for their people, they speak up strongly, and you are bound to have real differences between federal and provincial Governments.

Another view is that the Accord is a complete disaster for Canada. Somehow the agreement worked out at Meech Lake and in the Langevin Building is the end of an effective and powerful federal Government. From now on federal Governments will have their hands tied behind their backs. They will be impotent and unable to respond to the needs of ordinary Canadians. They will be unable to bring about the kind of national programs people need. The view is that we have abandoned the vision of one Canada and a common citizenship from sea to sea. The view is that there will be no more national programs. Progress towards a bilingual nation has been

stopped in its tracks. That is a disastrous scenario regarding the Meech Lake Accord which, upon reflection, I do not share.

Is there an alternative to those two views? I think it is possible to take a much more studied and balanced view of the constitutional Accord. I think it is important to have a more realistic view.

• (1730)

I want to focus in on a key element of the Accord which has concerned me, that being federal spending power. There is an interesting clause in the Accord which says that provinces will have the right to opt out of federal programs if they choose to put in place a compatible program. We will have national programs out of which the provinces can opt out. They can receive federal dollars to establish their own programs.

That is a key element of the Accord. I want to be sure that with this clause in the Constitution we can still create new national programs which will serve the needs of ordinary Canadians. We in this Party have a long and proud history of fighting for the social needs of Canadians. It was through the efforts of our predecessors in this Party that the medicare program came to be. The national pension programs are dear to our hearts. It is important that the capacity of the federal Government to initiate remains.

I took the time not only to read the words in the document but also to consult with people who have negotiated between the federal and provincial Governments. I asked them whether they thought we could still establish national programs such as a day care program. I took the time to speak to constitutional lawyers who have a handle on the legal aspects of the Constitution.

I must be frank and say that I got quite a variety of points of view. You get different points of view from different experts but in the final analysis, as an elected representative, one must reflect on all the data and make a judgment. I made an evaluation of this clause.

I think that this clause fundamentally writes in constitutional language that which has become the constitutional practice in the country. That is, when a federal Government chooses to establish a social program it will sit down with the provinces and negotiate the program. That is fundamentally what has happened in this country. The federal Government has not unilaterally established new programs and imposed them upon the provinces regardless of what the provinces said.

In the past, provinces have had a say in the way in which programs were developed. The extent to which they have had a say varied depending upon their financial capacity. The influence of the federal Government results from the fact that it was willing to put money on the table to establish new programs. Therefore, a province such as Ontario could be much more independent in its point of view. It could tell the federal Government to keep its money, that it is not interested in what the federal Government was proposing.

However, provinces like Manitoba or the maritime provinces which do not have the same kind of revenue need federal dollars and will be more inclined to negotiate to have the needs of their people met. Such underlying sociological realities will continue to affect constitutional negotiations for the establishment of new programs.

Fundamentally, the effectiveness of federal spending power to create new programs will remain. In the past, the federal Government had the spending power and the provincial Governments had the jurisdiction. The two bodies sat down together and negotiated to create a national program. In the future the federal Government will have a constitutional right to establish national objectives and the provinces will be asserting their right to establish standards for programs within their areas of jurisdiction. There will still be a process of negotiation to establish new national programs.

I contend that nothing fundamental has changed with the Accord. It is still possible to create new national programs and it still must be done through negotiation. We have written into the Constitution that which has been the practice over the last few years.

I think things will depend upon the quality of leadership in the country. If we elect political Parties which are committed to establishing programs that will meet basic human needs and which follow through on those commitments when elected, we will have good national programs. They will, of course, have to be negotiated with the provincial Government. While some provincial Governments may be able to hold out and weaken a program in some cases, other provincial Governments will be creative and find ways to improve programs.

I would like to make a point about the positive aspects of this Accord and another about how the Accord could be improved. We have established that the Accord does not make this country ungovernable, that we can still, with good political leadership, establish national programs. One of the advantages of the Accord is that it completes the circle, with Quebec signing the Canadian Constitution. In addition to that, it demonstrates to Canadians who live in Quebec that people across Canada have opened the door to them. Provincial leaders from across Canada have devised an Accord which makes room for Quebec in the Canadian Constitution. There has, therefore, been an opening of spirit to Quebec.

The Accord also recognizes the sociological reality that Quebec is unique, that the majority of its population speaks the French language. In this country we must celebrate our differences, we must recognize that our differences add to the value of our culture. We must do this while recognizing that we have a common Canadian citizenship of which we are proud.

My final point is that this Accord can be improved. The Premiers have said that the amending requirements of the Accord, such as the unanimity principle, do not put constitutional change in a strait-jacket. Let us call upon the Premiers to demonstrate that. If that is true for the future, it must also

be true for the present. After we have had public hearings on the Accord, the Premiers can get back together and improve the Accord in ways in which Canadians have identified.

• (1740)

Parliament will be holding hearings on this Accord and unless they are to be viewed as a complete farce, the Premiers and the Prime Minister (Mr. Mulroney) must be prepared to consider any change to the Accord on which a consensus develops in the country. Aboriginal rights and self-government are issues to be considered.

The Premiers met on four occasions to discuss aboriginal self-government, with no results. The final meeting broke early in the afternoon with the Premiers tearfully saying they tried their best, but with no results. However, a few weeks later they met to discuss the Province of Quebec. Obviously, Quebec is an entity in this country with much more political clout, and the Premiers stayed to negotiate seriously and demonstrate a commitment to meet all night in order to produce results. I ask them to show the same kind of commitment to aboriginal people in this country that they have just shown to the people in Quebec.

That is how the Accord can be improved, by building upon the consensus that the Prime Minister and the Premiers have been developing through this Accord. I call upon the Prime Minister and the Premiers to be open to suggestions made by Canadians who appear before the parliamentary committee. Canadians will have a greater opportunity in the weeks to come to examine the Accord in more detail. They may discover weaknesses in the Accord that are not yet apparent and which the Prime Minister and Premiers must be ready to correct.

The Accord can be improved by identifying and correcting the weaknesses. One immediate improvement to the Accord would be to make a serious commitment to address the question of aboriginal self-government.

Parliamentary hearings can be creative. We have heard a criticism that the lists of Senate and Supreme Court appointees that the provinces will present to the federal Government will tie its hands or make the appointments of Supreme Court justices secret. Perhaps parliamentary hearings could be conducted before the Prime Minister approves the appointment of a Supreme Court justice.

Changes in the rules of the House have allowed Order in Council appointments to be examined by a parliamentary committee. Rather than conducting such a hearing after the appointment, perhaps it could take place before the Prime Minister approves the appointment of a Supreme Court judge on the recommendation of the province. Such hearings could ensure the input of Canadians.

Perhaps such input to this Accord would encourage Canadians to make positive suggestions rather than simply to try to scuttle the Accord.

The Accord provides an open door for Quebec to enter the constitutional family. It leaves with the federal Government the capacity to establish new national programs such as child care. It is important to improve this Accord, and I believe a good beginning would be to take the strong initiative in the area of aboriginal self-government. We must remain open to the suggestions of Canadians so that the hearings do not become a farce.

The Acting Speaker (Mr. Paproski): Order. It being 5.45 p.m., it is my duty to interrupt these proceedings and put every question necessary to dispose of the proceedings now before the House under the provisions of Standing Order 82(9). The question is on the motion of Mr. Broadbent.

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mr. Paproski): All those in favour of the motion please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mr. Paproski): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mr. Paproski): In my opinion, the nays have it.

And more than five Members having risen:

The Acting Speaker (Mr. Paproski): Call in the Members.

The House divided on the motion (Mr. Broadbent), which was negatived on the following division:

• (1750)

(Division No. 134)

YEAS

Members

Allmand	Guilbault (Saint-Jacques)	Nicholson (Trinity)
Althouse	Heap	Nickerson
Axworthy	Henderson	Nunziata
Benjamin	Hopkins	Nystrom
Berger	Isabelle	Orlikow
Blackburn (Brant)	Jewett	Parry
Blaikie	Johnston (Saint-Henri—Westmount)	Prud'homme
Boudria	Keeper	Riis
Broadbent	Kilgour	Robichaud
Caccia	Killens	Robinson
Cassidy	Langdon	Rodriguez
Copps	Lapierre	Rompkey
de Jong	Marchi	Rossi
Finestone	McCurdy	Tobin
Foster	McDonald (Broadview—Greenwood)	Toupin
Frith	Murphy	Turner (Vancouver Quadra)
Gagliano		Young —53
Gauthier		
Gray (Windsor West)		
Grondin		

NAYS

Members

Belsher
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Boyer
Bradley
Brightwell
Brisco
Browes
Caldwell
Cardiff
Champagne (Champlain)
Clifford
Coates
Cochrane
Collins
Comeau
Cooper
Corbett
Crosby (Halifax West)
Darling
Daubney
Della Noce
Desjardins
Desrosiers
Domm
Duguay
Ellis
Epp (Provencher)
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gagnon
Gass
Gérin
Graham
Greenaway
Grisé
Gustafson
Halliday
Hamelin
Hamilton
Hardey
Hnatyshyn
Horner
Howie
James
Jardine
Jelinek
Jepson
Jourdenais
Kelleher
Ladouceur
Landry
Lanthier
Layton
Lewis
Lopez
MacDougall (Timiskaming)
Malone
Mantha
Martin
Mazankowski
McCain
McCrossan
McDermid
McKenzie
McKinnon
McKnight
Minaker
Mitges
Nicholson (Niagara Falls)
Nowlan
Peterson
Pietz
Plamondon
Porter
Redway
Reid
Reimer
Ricard
St. Germain
Schellenberg (Nanaimo—Alberni)
Scott (Victoria—Haliburton)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Speyer
Stackhouse
Stevens
Stewart
Taylor
Thacker
Tupper
Turner (Ottawa—Carleton)
Vankoughnet
Vincent
Warner
Wenman
Wilson (Swift Current—Maple Creek)
Winegard—107

• (1810)

And the Clerk having announced the result of the vote:

Mr. Baker: Mr. Speaker, I rise on a point of order. I was in my place. I intended to vote in favour of the motion.

The Acting Speaker (Mr. Paproski): I declare the motion lost.

* * *

CAPITAL PUNISHMENT

ESTABLISHMENT OF SPECIAL COMMITTEE ON REINSTATEMENT

The House resumed from Friday, June 5, consideration of the motion of Mr. Mazankowski:

That this House supports, in principle, the reinstatement of capital punishment and directs that a special committee on reinstatement, composed of 15 members, be established, hold hearings and make its final report to the House no later than three (3) months following the adoption of this motion, such report to provide recommendations on:

(a) which offence or offences should carry the death penalty, and in what circumstances;

(b) which method or methods should be used to carry out the penalty of death, and in what circumstances;

That, pursuant to Standing Order 107(1), this special committee be hereby appointed as a committee to prepare and bring in a bill no later than three months following the adoption of this motion, founded on the committee's recommendations on (a) and (b) above; such a bill shall be the object of a separate and distinct report of the special committee, and such a report shall be its final report;

That such bill, when reported from such special Committee to the House, be deemed pursuant to Standing Order 107(1) to have been introduced and stand on the Order Paper, in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business"; and that, when the said bill has been read a second time, it shall stand referred to a Legislative Committee;

That the Striking Committee be empowered to name the Members of the special committee, provided that once the Striking Committee report is laid upon the Table, it shall be deemed concurred in;

That the special committee have the power to sit while the House is sitting and during periods when the House stands adjourned;

That the special committee be empowered to report from time to time and send for persons and papers, and to print such papers and evidence from time to time as may be ordered by the committee and to retain the services of expert, technical, professional and clerical staff;

That the special committee be empowered to adjourn from place to place inside Canada and that, when deemed necessary, the appropriate staff accompany the committee;

That a quorum of the special committee be eight (8) members for any vote, resolution or other decision; and that the chairman be authorized to hold meetings to receive evidence and authorize the printing thereof whenever six (6) members are present;

That any substitution of membership on the special committee be made pursuant to Standing Order 94(4); and

That, notwithstanding the usual practices of this House, if the House is not sitting when the special committee is ready to issue its final report and the said bill, the special committee shall present its report and the bill to the House by filing them with the Clerk of the House provided that the report shall then be deemed to have been laid upon the Table, and the bill shall then be deemed, pursuant to Standing Order 107(1), to have been introduced at the first sitting of the House thereafter and to stand on the Order Paper in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business".

and on the amendment of Mr. Robinson (p.5331).

The Acting Speaker (Mr. Paproski): Pursuant to Standing Order 13(5), the House will now proceed to the taking of the deferred division on the amendment of the Hon. Member for Burnaby (Mr. Robinson). Mr. Robinson moved:

That the motion be amended by deleting all the words after the word "That" in line 1 up to and including the word "that" in line 2 and the words "on reinstatement" in line 3 in the first paragraph.

Shall I dispense with the ringing of the bells?

Some Hon. Members: Agreed.

Mr. Fennell: Mr. Speaker, I rise on a point of order. I believe that Your Honour would find agreement in the House to treat this vote as a free vote as we did last week and that the count would start in the front row of the government benches and then go to the other side to have the same thing done on the opposite benches.

The Acting Speaker (Mr. Paproski): Is the House in agreement that the division be taken by rows?

Some Hon. Members: Agreed.

The Acting Speaker (Mr. Paproski): We will then proceed as follows: As is customary, Hon. Members in favour of the amendment will be asked to indicate their position first, followed by Hon. Members who are opposed.

I will ask all Members in the first row to my right who are in favour of the amendment to rise together, whereupon their names will be called by a Clerk, beginning with the Hon. Member seated closest to the Chair. When the name of a Member in the row has been called and recorded, that Member will resume his or her seat.

When the taking of the names of Hon. Members in the first row to my right has been completed, I will ask Members in the second, third, fourth, and fifth rows on my right to proceed in a similar manner.

I will then ask Members in the first row to my left, regardless of their Party affiliation, who are in favour of the amendment to rise and remain standing until their names have been called. We will carry on similarly with other rows on my left.

Once the votes of Hon. Members supporting the amendment have been completed in this manner, I will then invite Hon. Members in the first row to my right who are opposed to the amendment to rise. I will proceed similarly through the remaining rows to my right and follow the same procedure for Hon. Members to my left.

Order, please. It has been a long day. This is the first time that this type of voting procedure has taken place—

Some Hon. Members: It is the second time.

The Acting Speaker (Mr. Paproski): It is the second time, but I was not here the first time.

It bears repetition that the taking of names of Hon. Members in every row will begin with the Hon. Members seated closest to the Chair and will continue consecutively to the far end of the row. This will be so to my right, regardless of rank. It will also be so to my left, regardless of rank or Party affiliation. The question is on the amendment.

The House divided on the amendment (Mr. Robinson), which was negatived on the following division:

(Division No. 135)

YEAS

Members

Allmand
Althouse
Axworthy
Benjamin
Berger
Blackburn (Brant)
Blaikie
Boudria
Broadbent
Caccia
Cassidy
Copps
de Jong
Finestone
Foster
Frith
Gagliano
Gauthier
Gray (Windsor West)
Grondin
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Isabelle
Jewett
Johnston (Saint-Henri—Westmount)
Keeper
Killens
Langdon
Lapierre
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Parry
Prud'homme
Riis
Robichaud
Robinson
Rodriguez
Rompkey
Rossi
Tobin
Toupin
Turner (Vancouver Quadra)
Young —52

NAYS

Members

Baker
Belsher
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Boyer
Bradley
Brightwell
Brisco
Browes
Caldwell
Cardiff
Champagne (Champlain)
Clifford
Coates
Cochrane
Collins
Comeau
Cooper
Corbett
Crosby (Halifax West)
Darling
Daubney
Della Noce
Desjardins
Desrosiers
Domm
Duguay
Ellis
Epp (Provencher)
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gagnon
Gass
Gérin
Graham
Greenaway
Grisé
Gustafson
Halliday
Hamelin
Hamilton
Hardey
Hnatyshyn
Horner
Howie
James
Jardine
Jelinek
Jepson
Jourdenais
Kelleher
Kilgour
Ladouceur
Landry
Lanthier
Layton
Lewis
Lopez
MacDougall (Timiskaming)
Malone
Mantha
Martin
Mazankowski
McCain
McCrossan
McDermid
McKenzie
McKinnon
McKnight
Minaker
Mitges
Nicholson (Niagara Falls)
Nickerson
Nowlan
Peterson
Pietz
Plamondon
Porter
Redway
Reimer
Ricard
Roman
St. Germain
Schellenberg (Nanaimo—Alberni)
Scott (Victoria—Haliburton)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Speyer
Stackhouse
Stevens
Stewart
Taylor
Thacker
Tupper
Turner (Ottawa—Carleton)
Vankoughnet
Vincent
Warner
Wenman
Wilson (Swift Current—Maple Creek)
Winegard—110

• (1820)

The Acting Speaker (Mr. Paproski): I declare the motion lost.

It being 6.24 p.m., this House stands adjourned until tomorrow at 11 a.m. pursuant to Standing Order 3(1).

The House adjourned at 6.24 p.m.

HOUSE OF COMMONS

Tuesday, June 9, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*Translation*]

OFFICIAL LANGUAGES

PRESENTATION OF THIRD REPORT OF STANDING JOINT COMMITTEE

Mr. Charles Hamelin (Charlevoix): Mr. Speaker, as Joint Chairman of the Standing Joint Committee on Official Languages, I have the honour of tabling, in both official languages, the Third Report of this Committee. In accordance with Standing Order 99(2), the Committee requests that the Government table a comprehensive response within the next 150 days.

Mr. Speaker, the report recommends that a First Ministers' conference should be held next year on obstacles to minority language instruction in Canada. The report points out that most provincial legislatures have yet to conform to the provisions on minority language education rights in the Constitution.

[*English*]

Another recommendation requests that the issue of the lack of post-secondary education in French outside Quebec be added to the agenda of the national forum on education scheduled for October in Saskatoon.

Finally the report recommends that the Bill to amend the Official Languages Act—

[*Translation*]

be referred to the Standing Joint Committee on Official Languages.

[*Editor's Note: For above report, see today's Votes and Proceedings.*]

[*English*]

PETITIONS

CALL FOR INQUIRY INTO USE OF PESTICIDES

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is my honour and privilege to present, commensurate with Standing Order 106, petitions from Kamloops, Penticton, Kelowna, Oliver, Smithers, Cranbrook, Surrey, Vancouver, Richmond, Burnaby, Lillooet, Victoria, Tofino and Port Coquitlam.

The petitioners are concerned about the increasing number of chemicals used as herbicides and insecticides proven to have had deleterious effects on human health. The petitioners are also concerned that these chemicals produce short and long-term harmful effects on non-target organisms, soil and water. They feel that these chemicals have in past years been registered and approved as safe for various uses and that new chemicals are constantly being approved under the same guidelines as the new ones that have been proven deleterious.

The petitioners call upon the House of Commons to initiate a full public inquiry into the safety, testing, registration and regulation of the use of pesticides and the examination of alternative ways of controlling pests such as biological control and plant derived pesticides.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the following questions will be answered today: Nos. 124, 125 and 126.

[*Text*]

CAPE BRETON DEVELOPMENT CORPORATION—LEGAL COSTS

Question No. 124—**Mr. Murphy:**

1. From January 1, 1986 to March 1, 1987, did the Cape Breton Development Corporation incur legal costs related to labour relations and, if so (*a*) what were they (*b*) what legal firms and lawyers represented the corporation in these cases?

2. For the same period, was the corporation involved in any arbitration cases and, if so, what legal firms and lawyers represented the corporation in these cases?

Order Paper Questions

Hon. Michel Côté (Minister of Regional Industrial Expansion): 1. (a) From January 1, 1986 to March 1, 1987, the Cape Breton Development Corporation incurred legal costs for the following:

(i) cases brought by various unions before the Canada Labour Relations Board seeking extension of representation rights for certain employee classifications: cost of $54,792.48;

(ii) action brought by the Cape Breton Development Corporation with regard to illegal work stoppages: cost of $4,413.76;

(iii) actions brought by the Cape Breton Development Corporation under Section 118 of the Canada Labour Code to cause consolidation of various bargaining units: cost of $9,084.08.

(b) In each of these actions, the Cape Breton Development Corporation was represented by the legal firm of McInnes, Cooper and Robertson.

2. Yes, and the Cape Breton Development Corporation was represented by the legal firm of McInnes, Cooper and Robertson.

CAPE BRETON DEVELOPMENT CORPORATION—CONTRACTUAL COMMITMENTS

Question No. 125—**Mr. Murphy:**

In 1986, was the Cape Breton Development Corporation able to meet all of its contractual commitments to supply coal and, if not, for what reason?

Hon. Michel Côté (Minister of Regional Industrial Expansion): During the fiscal year 1986/87, the Cape Breton Development Corporation was not able to meet 86,975 tonnes of contractual commitments due to the unavailability of the right quality coal. Geological conditions at the Lingan colliery were the main reason for this shortfall.

(in tonnes)	Thyssen Carbometals Co. (New York)	O.A. Mueller (Germany)
Contract	150,000	120,000
Actual Shipment	100,543	92,482
Shortage	49,457	27,518

In addition, the Cape Breton Development Corporation was unable to ship some 60,000 tonnes of coal to Ciment Indépendant du Québec, which could not take the full contracted amount of 120,000 tonnes because of a strike at the cement plant.

CAPE BRETON DEVELOPMENT CORPORATION—MINE DEVELOPMENT

Question No. 126—**Mr. Murphy:**

For each of the next five years, what is the Cape Breton Development Corporation's plans for mine development?

Hon. Michel Côté (Minister of Regional Industrial Expansion): The Cape Breton Development Corporation plans to have three collieries operating during each of the next five years, these being: Lingan, Prince and Phalen, the latter which became operational in May, 1987.

Current international market conditions of coal oversupply and declining prices make further expansion plans not feasible at this time. A second access tunnel was completed at Donkin-Morien in February, 1987, and the tunnels will be maintained for future access as required. The high sulphur content will also make this coal resource quite difficult to market.

Substantial on-going capital funds of between $29 to $44 million will be invested in each of the next five years to maintain the operating capacity of the existing three collieries and other surface infrastructure.

Should market conditions improve, the Cape Breton Development Corporation could consider increasing the production capacity of its existing collieries or, in the longer-term, bringing another colliery into production such as Donkin-Morien.

* * *

[*Translation*]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, if Question No. 122 could be made an order for return, this return would be tabled immediately.

Mr. Speaker: The questions enumerated by the Parliamentary Secretary have been answered. Is it the pleasure of the House that Question No. 122 be deemed to have been made an order for return?

Some Hon. Members: Agreed.

[*Text*]

ACTUARIAL VALUATIONS

Question No. 122—**Mr. Gauthier:**

1. From 1952 to the present (*a*) what has been the annual real rate of interest assumed in the actuarial valuations that have been carried out of the Public Service Superannuation Account (PSSA), the Canadian Forces Superannuation Account (CFSA) and the Royal Canadian Mounted Police Superannuation Account (RCMPSA) (*b*) what has been the basis of these assumptions (*c*) what have been the financial consequences, in actuarial terms, of any changes made in the assumption of this factor?

2. For the same years (*a*) what has been the annual real rate of salary increases resulting from salary revisions assumed in the actuarial valuations that have been carried out of the PSSA, CFSA and RCMPSA (*b*) what has been the basis of these assumptions (*c*) what have been the financial consequences, in actuarial terms, of any changes made in the assumption of this factor?

3. For the same years (*a*) what has been the average of retirement assumed in the actuarial valuations that have been carried out of the PSSA (*b*) what has been the basis of these assumptions (*c*) what have been the financial consequences, in actuarial terms, of any changes made in the assumption of this factor?

4. As of March 31, 1987, what is the actuarial surplus that would be realized by the PSSA, CFSA and RCMPSA if the assumption changes mentioned in Parts 1 to 3 had not been made?

Return tabled.

[*Translation*]

Mr. Lewis: Mr. Speaker, I ask that the remaining questions be allowed to stand.

Mr. Speaker: Shall the remaining questions stand?

Some Hon. Members: Agreed.

* * *

• (1110)

[*English*]

WAYS AND MEANS

INCOME TAX ACT AND CERTAIN OTHER ACTS

Hon. Tom Hockin (for the Minister of Finance) moved that a Ways and Means motion to amend the Income Tax Act, a related Act, the Canada Pension Plan and the Unemployment Insurance Act, 1971, laid upon the Table on Friday, June 5, 1987, be concurred in.

Motion agreed to.

Mr. Hockin (for the Minister of Finance) moved that Bill C-64, an Act to amend the Income Tax Act, a related Act, the Canada Pension Plan and the Unemployment Insurance Act, 1971, be read the first time and be printed.

Motion agreed to, Bill read the first time and ordered to be printed.

GOVERNMENT ORDERS

[*Translation*]

UNEMPLOYMENT INSURANCE BENEFIT ENTITLEMENT ADJUSTMENTS (PENSION PAYMENTS) ACT

MEASURE TO ENACT

Hon. Benoît Bouchard (Minister of Employment and Immigration) moved that: Bill C-50, An Act respecting the treatment of pension payments in determining certain unemployment insurance benefit entitlements and to amend the Unemployment Insurance Act, 1971, be read the second time and referred to a legislative committee.

He said: Madam Speaker, I welcome this opportunity to take part in the debate this morning on second reading of Bill C-50, which concerns amendments to the Unemployment Insurance Act, 1971.

This Bill, which deals with pension income and separation payments for the purposes of unemployment insurance, contains three important amendments for the Canadian workers described therein.

Unemployment Insurance

As Hon. Members are aware, on April 5, 1987, new regulations regarding pension income and separation payments came into effect.

The first amendment contained in Bill C-50 will make the effect of the amendments concerning pensions retroactive to January 5, 1986.

Since January 5, 1986, pension income arising from employment, paid either in a lump sum or in regular payments, is considered to be remuneration for the purposes of unemployment insurance.

Bill C-50 will enable workers whose benefit period is based on subsequent employment, whether it started before or after January 5, 1986, to have their pension income arising from their previous employment no longer considered as earnings for the purposes of unemployment insurance.

Madam Speaker, this Government has always held the firm conviction that people who retire should not consider unemployment insurance as an additional source of income.

However, a distinction must be made between people who retire permanently and those who retire in order to start a new career. The amendments that came into effect on April 5, 1987, make that distinction. They ensure that individuals who retire and start a new career are treated fairly and equitably, since they continue to be part of the labour force.

[*English*]

This Bill will allow the Canada Employment and Immigration Commission to apply the recent April 5 change on subsequent employment retroactively to January 5, 1986. It will allow for full UI benefits to be paid to claimants receiving a pension if their claim was based on employment obtained after the start of the pension.

[*Translation*]

The House will also be asked to consider another major amendment under which the eligibility of people who filed their unemployment insurance applications before January 5, 1986 would be assessed in accordance with the former regulations.

Hon. Members will recall that my December 5, 1986 statement had to do with the Government's conclusion that some people claimed they had been given inaccurate information about the implementation of the January 5, 1986 pension income provisions. To ensure fairness in the application of the January 5 measures, this Bill makes a clear distinction with respect to pension income handling before or after the January 5 legislative provisions.

The rule is very simple: the eligibility of all those who applied for unemployment insurance benefits before January 5, 1986—those who filed their application when the old regulations were in effect—will be determined on the basis of the old regulations. In each case the workers involved will receive from the UIC a refund equal to the deductions made with respect to their pension income.

[*English*]

The last change which is included in Bill C-50 aims at maintaining the right to benefits for those claimants whose separation payments have delayed the start of a claim for UI. Under the present regulations, separation payments can delay the start of a claim and can, in certain cases, reduce the number of insurable weeks that CEIC counts to establish a claim for benefits.

The passage of Bill C-50 will allow the qualifying period or the benefit period to be extended by the same number of weeks represented by the separation payment up to a maximum of 104 weeks. This will ensure that most people do not lose the protection of the UI Program.

[*Translation*]

In my judgment, Madam Speaker, Bill C-50 deserves the consideration of all Hon. Members. The proposed measures will have a direct impact on a good many Canadians. These amendments show that the Government is intent on treating all workers with fairness.

Bill C-50 must be adopted as soon as possible. The sooner the House supports this measure, the sooner the Employment and Immigration Commission will be in a position to make payments to all those who are covered under these legislative provisions.

[*English*]

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Madam Speaker, the Minister did not have very much to say about this Bill and with good reason. There is not very much good to be said about it. This Bill should not have been necessary in the first place and it was only required because last year before January 5, 1986, the Government decided, cruelly and unfairly, to cut the unemployment insurance benefits of thousands and thousands of pre-retired pensioners. So the Minister comes to the House today with the Bill and does not have very much to say because there is not much good to be said for it.

• (1120)

At least the Government has finally put Bill C-50 before this House for debate. As you know, the Bill was tabled for consideration in Parliament on April 1 of this year but was not called until today, more than two months later, even though the Government has the right to call Bills whenever it wishes. The Government has the power to set the business of the House. If it had placed a high priority on this matter it could have been called immediately after April 1. That was not done. As a matter of fact, we only heard from the Minister and the Deputy House Leader a couple of weeks ago when they approached us in order to deal with the Bill quickly in one day after delaying it since April 1.

What is Bill C-50 all about? I think it is important to repeat the story. On January 5, 1986, the Government cut unemployment insurance benefits of all those who were forced with little choice into early retirement and reduced pensions. Some of those people were military personnel who are required to retire in their 40s. Many others are in their early 50s with homes to maintain and children in university. While these individuals have pre-retirement pensions, many want and need to work. As required by the Unemployment Insurance Act they are ready and willing to work, otherwise they would not be eligible.

Here we have approximately 50,000 Canadians who faithfully paid their unemployment insurance contributions for years and were laid off before their official retirement age. They still want to work but they have unfairly and retroactively had their benefits cut. In the middle of the game the rules were changed. Many of these people accepted a reduced early retirement pension with the understanding that they would receive unemployment insurance until they found a new job, or for at least a year. Others counted on it to support themselves and their families until they qualified for Old Age Security at age 65.

Some employers used this system, smaller pre-retirement pensions combined with unemployment insurance, to ease older workers out in order to hire younger workers in their place. Because of the Government's action this is not possible. The Government expresses great concern about youth unemployment but its actions are a disincentive to bringing in young people to replace those older pre-retirees.

These cuts in unemployment insurance did not apply to those who took early retirement but received retirement income from stocks, bonds, registered retirement savings plans, rents or interests. In this way the measures are discriminatory. They were a cheap, cruel way of attempting to reduce the deficit on the backs of the unemployed.

The Government said to a group of pre-retired pensioners,"We are going to reduce your unemployment insurance because you have been laid off before age 65 and you are receiving a pre-retirement pension". However, others who may have taken early retirement in order to go to another job and are sustaining themselves not by a pre-retirement pension but through rents or interest from stocks or bonds, or an RRSP, are not touched in any way whatsoever. They still get their full unemployment insurance benefits.

We maintain that not only were these cuts in unemployment insurance against pre-retirement pensioners unfair, cruel and discriminatory, but also illegal. They were introduced by the Government by means of regulation, administrative action, not by a Bill in this House. We have argued that for a long time. We asked the Government to explain how it could take away benefits, reduce benefits provided for in the Unemployment Insurance Act, without amending the Act. As I said before, we had people who were obliged to pay contributions over the years, including employers, by virtue of the Act, and then the Government comes along in the dark of the night and introduces regulations to cut the benefits. That seems to me and many other learned lawyers to be illegal.

Once it was done we asked the Government to correct it in other ways. However, we want to put on record again that we believe this whole shameful mess was illegal in the first place.

Once it was announced more than a year ago we in Parliament strongly objected and asked that these measures be withdrawn. Nothing was forthcoming. The former Minister consistently refused to make any change or budge one inch. She would not agree that there was anything wrong with these cuts which, as I say, were introduced in the middle of the game when the rules had already been established.

Not only did we object but many associations of retired Canadians objected as well, associations of retired military personnel, retired RCMP personnel, and others from the public and private sectors. They all strongly objected. They held demonstrations on Parliament Hill. I believe we had at least three demonstrations. There were mass meetings in Montreal, Victoria, Halifax and other parts of the country. Not only did those associations and opposition Members of Parliament object, but very significantly, at the Government's economic summit conference in March of 1985, the only petition which carried—and by the way, everyone there had been invited by the Government—was ignored by the Government. Eighty of the 136 participants at the conference signed the petition which asked the Government to withdraw the measures. The Government called these people together in a conference to discuss certain economic and social questions, and the only thing the conference decided upon was ignored by the Government.

Later on we had the Canada Employment and Immigration Advisory Council with respect to older workers. The former Minister appointed that committee to advise her on programs and policies with respect to older workers. In August of 1985 the committee presented its report entitled *Older Workers, an Imminent Crisis in the Labour Market*. What did it say? It said the Government should not proceed with the announced changes in the unemployment insurance regulations scheduled to take place in January of 1986 regarding the identification of pensioners' income for the period immediately following layoff until the commission of inquiry on unemployment insurance has reviewed the issue and made recommendations.

• (1130)

The recommendation of the committee with regard to older workers was also ignored by the Government. In the interim we asked questions of the former Minister of Employment and Immigration and, after her, of the new Minister of Employment and Immigration (Mr. Bouchard). We gave new examples of the hardship this was causing. A retired pensioner in the West committed suicide because he could no longer make ends meet. He was so struck by the harshness of this measure that he took his life. That very sad case was put on the record by one of my colleagues.

We continued to ask that this measure be rescinded, but we were refused. The answer given by the Minister on all occasions was that no changes could be made because they were awaiting the recommendations of the Forget Commission. That answer was repeated over and over again.

Finally, on December 3, 1986, the Forget Commission reported and in a unanimous recommendation said that the current treatment of pension income should be rescinded with the effective date of January 5, 1986. The report went on to say that if such a policy was implemented it should be implemented on January 1, 1989. In other words, a lot of lead time should be given and it should not affect in any way those who had entered into early retirement schemes without knowing that this would happen.

In addition to the petitions, the meetings, the lobbying carried on by many associations, and the many questions put in this House, three groups set up by the Government to advise it with respect to older workers made recommendations against these cuts and asked that they be rescinded. Yet the Government refused on all occasions.

The issue did not die. These people did not give up. They continued to badger, push, pull and embarrass the Government until finally, under the new Minister, the Government agreed early this year to make some kind of reimbursement, but still on a discriminatory basis. The Government finally decided that it would reimburse those who had made their application for unemployment insurance before January 5, 1986. For those who applied after that date there is a nonsense formula.

The Government is saying that the cuts for them will be maintained because they applied after January 5, 1986, but if they get a second job and are laid off from it their pre-retirement pension will no longer be counted against them and their contributions on the previous job will count. They will get unemployment insurance at the full rate after being laid off from the second job.

That is a harsh and unacceptable provision. Many of these people are in their late fifties or early sixties and have no chance of getting a second job. If they live in the greater Toronto area or an area of economic growth they might be able to find a job, but a large number of these people live in Atlantic Canada or other slow growth economic regions. They are like myself and many other Members in this House in that they are in their fifties and early sixties and are still capable of working. However, we know that it is very difficult for people to get jobs at that stage of life. Because these people applied after January 5, 1986, they are subject to this cruel and harsh treatment.

In the last few days when the public knew that this Bill was coming forward today I received many calls from individuals who had been pre-retired before January 5, 1986. When they went to the Unemployment Insurance Commission to make their claims they were discouraged from doing so. The officials said there was no use in making a claim because they would not get anything anyway. They delayed making their claims until after January 5, although they could have done so before, because they did not have any expectation of what the Government might do. Later they found out that because they

delayed making their claims they are subject to the ridiculous proposal of having to get a second job and being laid off again. That is a very discriminatory proposal.

The Unemployment Insurance Act has always provided that while you work you pay contributions, and when you are laid off or pre-retired you get benefits. There was never any question of subjecting people to the requirement of a second job before they received benefits. This is a *post-facto* sort of fandangled method to get the Government out of the hole. It does not really get the Government out of the hole at all and it is unfair and discriminatory. To draw such a cut-off line between one group of pre-retirement pensioners and another is completely unacceptable.

The Government did not come to this position easily. When the Government first announced the policy, it said that it would reimburse those who applied before January 5, 1986, but only if they proved that they were misled by an official of the Department. There was a lot of protest against that and the Government backed down and finally came forward with the Bill we have today.

It is really amusing that the Government is now trying to blame the Opposition for this entire mess. Does the Government really think the public is that stupid? The Government implemented these cuts unfairly and harshly and maintained them for over a year. Finally, under pressure from the public and many groups, it backed down one-quarter of the way and then half way. That is where we stand now. Now the Government is blaming us for the fact that these people do not have their money. These people do not have their money because these cuts, which should never have been made, were made by the Government.

Bill C-50 provides for the full reimbursement of those who applied for UI before January 5. We support that, but I warn pensioners to watch out because the Government may still have some tricks up its sleeve to cut them out. However, we do approve of that provision. The Bill also contains the provision for no reimbursement of those who applied after January 5 unless they get a second job and are laid off again. We think that is discriminatory, unfair and unacceptable. We cannot support that.

Finally, there are provisions in the Bill which deal with severance pay. The Government also decided to cut back on unemployment insurance for those who got severance pay although that severance pay was necessary to relocate or set up in a new job or business. The Government of Ontario did not agree with that and passed provincial legislation to overcome the federal proposal. Through Bill C-50 the federal Government is implementing measures to render null and void that which the Ontario Government tried to do to protect certain pensioners.

We asked the Government several months ago to split this Bill into two Bills, one which would include the provision for reimbursing those who applied before January 5, 1986, which we would support and pass in five minutes. We wanted the new fandangled ridiculous system to be put in a separate Bill. It should have been put in a separate Bill because it is something entirely new in the unemployment insurance system.

The Government refused to split the Bill. It would rather hold one group of pensioners hostage in order to implement something with which no one agrees. The Government has put a good measure in the Bill along with an awful measure and expects that we will vote for the awful measure in order to have the good measure implemented. That did not work. The Government would not split the Bill. We asked the Government to take administrative action to reimburse those pensioners who applied before January 5 and who were going to be reimbursed anyway. Since the Government cut them by administrative action, we asked it to reimburse them in the same fashion. However, the Government turned that down as well.

• (1140)

Today we are faced with a Bill in which one part is beneficial to pensioners who were originally cut but will now be reimbursed, but in which there are two other completely unacceptable parts.

Consequently, I want to move the following amendment:

That the motion be amended by deleting all of the words after the word "That" and by substituting therefor:

"this House declines to proceed with a measure, the principle of which is to provide discriminatory and inequitable treatment for pre-retired pensioners with regard to their right to unemployment insurance".

Let me tell the Minister that if he were to accept this amendment and redraft the Bill so that all pre-retired pensioners would be treated the same way, we would pass the Bill in 15 minutes without any debate. We would do it before ten o'clock today and pass the entire Bill. However, we cannot accept a Bill which discriminates against a group of pre-retired pensioners in this way.

The Government eventually saw the folly in the cuts it had made last year and has moved in a piecemeal fashion to withdraw that injustice. However, it has only gone halfway. Why does the Government not recognize that these cuts were entirely wrong, as suggested by the Forget Commission, the advisory council on older workers, and as recommended by the people who attended the Prime Minister's economic summit? I suggest that the Government could accept this amendment and easily redraft the Bill.

I have further amendments to put forward in Committee of the Whole if the Minister does not accept this amendment, but this could be done very quickly and the Bill redrafted so that it would be non-discriminatory toward all pre-retired pensioners. We could then pass the Bill.

If the Government decides to reintroduce these measures next year so that they become effective at a future date, we would still oppose such legislation, but at least everyone would know the rules of the game and that the measure would be put into effect.

We appeal to the Government's sense of fair play and justice not to maintain this Bill in its present form in which it treats one group of pre-retired pensioners in one way and discriminates harshly and cruelly against others.

Mr. John R. Rodriguez (Nickel Belt): Madam Speaker, in the 11 years I have been in the House of Commons I have never seen a measure that has been subject to as much change as this. It is like taking three steps forward, four back, another three steps forward and five steps back.

On November 8, 1984, the Minister of Finance (Mr. Wilson) announced changes to the Unemployment Insurance Program that would affect pensions and severance pay. The Minister of Finance said that henceforth, pension income will be considered earned income for unemployment insurance purposes and likewise for severance pay. In the 45 years since the inception of the Unemployment Insurance Program, pension income was never so considered.

Some may ask why the Government decided to make these changes in November, 1984. The only charitable reason I can find is that the Government was newly elected and did not know what it was doing. In fact, it was in that same period that it tried to deindex old age pensions. Perhaps the Government was mesmerized and did not realize that the Unemployment Insurance Program had generated a surplus of $800 million in 1986 and 1987 and was projected to generate $1.7 billion in surplus in 1987 and 1988. Although the unemployment insurance fund was not in a deficit position, the Government made this announcement as a result of its fixation on fighting the deficit.

While it was forced to back off on deindexing, we are still faced with this announced move on unemployment insurance as far as the pensions are concerned. We in the New Democratic Party fought that move from the moment the Minister made his announcement. We launched an attack on that provision regarding the treatment of pension income as earned income.

I want to make it crystal clear to those who are watching this debate, particularly retirees in the private and public sector and in the Armed Forces, that our Party's position is based on the principle that Bill C-50 does not apply to pension income *vis-a-vis* earned income and earned benefits prior to 1984. It will only affect about one-third of the 50,000 early retirees who have been affected by the announced changes in November 8, 1984. Our position is that an injustice to one is an injustice to all.

The Minister may believe that he is taking the right steps and some of his colleagues in the back benches may believe that he is taking the right action, but there is absolutely no reason for him to consider making what we believe to be an iniquitous change because the Unemployment Insurance Program is generating $1.7 billion in surplus, based on present premiums. That is in addition to the $800 million generated in the fund last year.

Why is it necessary to nickel and dime people who took early retirement, in many cases to protect the jobs of younger workers? Why is it necessary to nickel and dime people who served this country in the Armed Forces, many of whom have no choice but to retire after 35 years in the services? The Government rewards them by saying they will not get the full unemployment insurance.

We believe this Bill is flawed on several grounds. It is a discriminatory Bill. One would assume that everybody who has saved for their retirement would be affected by the Government's announced changes on November 8, 1984 and by this Bill. However, that is not the case. One is only affected by this Bill if one has contributed to a pension fund in the workplace. Those who have contributed a percentage of their pay to a pension fund which has been matched by the employer are affected by this Bill. In other words, those who put money aside for retirement are affected by this legislation.

Armed Forces personnel are affected, those who have contributed to a provincial pension fund are affected, and those who have contributed to the Canada Pension Plan are affected. What if one is working in a company which offers no pension plan? If one took 7 per cent or 8 per cent of one's income every month and put it into some savings plan which would pay some sort of pension after 30 or 35 years, or if one put it into buying condominiums as an investment so that at retirement one can retire and live on the rental income, one could collect full unemployment insurance benefits and the pension would not be affected.

• (1150)

Large numbers of workers at Inco were encouraged to take early retirement to protect the jobs of younger workers. Because of the relationship between the leadership of the union and the company, they entered into a deal whereby in the first year of retirement the company would defer paying pension for a year, which would allow the workers to collect unemployment insurance for 49 weeks while they looked for work. After that, the pension from the company would be increased by a percentage to make up for the year which was deferred. One cannot do that in the armed services, and many other employers would not engage in that practice for their employees. So this Bill discriminates. It is illogical.

On November 8, 1984, the Minister and the then Minister of Employment and Immigration, who is now the Minister of Communications (Miss MacDonald), took the position that pension income was earned income, and she repeated that time and time again. What does this Bill do? It sets up two classes and it says that if one gets a second job while on pension and then loses that job, one can collect unemployment insurance benefits and full pension. What happened to the principle of pension income as earned income? It went out of the window. In fact, what the Government is doing is setting up two classes. At least, it ought to be consistent. If pension is earned income, then that is what it should be. What is so magical after the second job? One is still receiving the pension income from the

first job. It is absolutely ludicrous. It is stupid. What does the Government think Canadians are that they will not see through this?

I want to make crystal clear again to those who are watching, that while I have no problem with paying people their unemployment insurance based on what one part of this Bill is proposing, we cannot, in principle, accept that two-thirds of employees have to get a second job before they can collect. We cannot accept that because that is an injustice to 50,000 pensioners who were affected by this change in 1984.

We say the Bill is unfair. In many parts of the country such as Atlantic Canada, northern Ontario, parts of Quebec, the Prairies and British Columbia, it is not easy for an older worker who takes an early retirement to get a second job. What the Government is saying is that if one happens to live in the Golden Horseshoe in Ontario, that is great, one would be able to collect unemployment insurance and receive one's pension because one has a second job. But in many regions of the country it is not easy for the older worker to get a second job, and so they would never collect.

We say this Bill is absolutely undemocratic. On November 8, 1984, the Minister of Finance consulted no one, neither the Minister nor the Unemployment Insurance Commission, and we discovered that when the commission appeared before the standing committee. Neither did he consult the Advisory Council of the Department of Employment and Immigration, nor Members of Parliament, nor those who have an interest in unemployment insurance. The Minister of Finance unilaterally, in his autocratic way, rose in this House and holus-bolus said: "Boom, you are gone, sacked. You got it". He must have been taking lessons from the Prime Minister (Mr. Mulroney) when he said to the pensioners: "Zap, zap, you got it". What did he do? He amended—and this is the undemocratic part—an Act of Parliament by regulation. Parliament passed the Act which provided pensioners with their unemployment insurance and their pension income, but this Tory Government and this Minister amended that Act by regulation, which is an undemocratic principle. We in this House had no opportunity to debate those measures. I accuse this Government of being undemocratic, unfair and illogical. I can think of other things of which I can accuse the Government but this is a family show.

To rub salt in the wound, having amended an Act of Parliament by regulations, having taken away the pensioners UI benefits by regulation, what does the Minister do? He says: "Well, we cannot give it back to some of them by regulation. We have to do it by an Act of Parliament". So we have this mess of porridge called Bill C-50. People out there watching have to understand what a snivelling group are those sitting on the government side, although they are not so snivelling when it comes to their corporate friends, their buddies in high places.

We on this side of the House cannot support this Bill. The principle is flawed. I want people to understand as they watch this process that about one-third of those who are eligible will receive some money, but the fact is that two-thirds are going to be denied what is rightfully theirs. They have contributed. It is like an insurance scheme. Imagine, Madam Speaker, if you had fire insurance on your house and you paid the premiums faithfully and then the house burned down? You go to the insurance company and tell them your house burned down and you are ready to collect, and they say: "Well, just a minute now. You have $80,000 in the bank, two cars, and are earning so much in salary. Sorry, we cannot pay because you have income".

What kind of cockamammie scheme is that? What kind of a jiggery-pokery scheme is this? This is just flimflammery. It is taxation without representation, that is what it is. They have no choice but to pay the premium. Once they are working in the workforce of Canada, they have to pay, but then they will face all of these hurdles in order to collect.

• (1200)

This is a cruel Government. I want to make it clear that it is cruel, particularly with people who do not have the muscle to fight back. Across the country groups have fought against the original announcement since it was made in November, 1984. All the pension groups which have contacted me through my newsletters have indicated their opposition to Bill C-50. They are solidly together—they stand in solidarity. They have said that an injustice to one is an injustice to all. While there are some who are anxious to receive what is rightfully theirs under this Bill, there are far too many who will be denied and who will continue to be denied what is rightfully theirs in terms of unemployment insurance.

The compromise which the Government has come up with in Bill C-50 is no compromise at all. We will vote against this Bill. I want people to understand why we are voting against it. It is because in principle the Bill is flawed. It is because of that that I am now prepared to introduce an amendment.

I move:

That the motion be amended by striking out all the words after the word "that" and substituting the following:

"the House refuse to continue the studying of this Bill which:

(a) contradicts the principle that pension income is earned income and that pension is considered earnings for unemployment insurance purposes; and

(b) creates discrimination in an essential service."

The Acting Speaker (Mrs. Champagne): The Chair has listened carefully to the amendment moved by the Hon. Member for Nickel Belt (Mr. Rodriguez). The Chair realizes that the amendment is not at all related to the amendment previously moved by the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand). Hence, at this time, the Chair cannot receive the amendment from the Hon. Member. Of course, it could be moved once we have disposed of the amendment which is already before the House.

Mr. Rodriguez: Madam Speaker, just for clarification, after we have disposed of the amendment that is before the House, will the Chair then entertain my amendment?

The Acting Speaker (Mrs. Champagne): The Hon. Member has already spoken so someone else will have to move the amendment once we have disposed of the amendment which is being debated at the moment.

Mr. Riis: Madam Speaker, I rise on a point of order to clarify the situation. My colleague, the Hon. Member for Nickel Belt (Mr. Rodriguez), has been speaking to the amendment put forward by my colleague from the Liberal Party. Therefore, after we dispose of the amendment, the Hon. Member for Nickel Belt will actually have an opportunity to speak again to the original motion. If he so wishes at that time he can then put his amendment.

The Acting Speaker (Mrs. Champagne): The Hon. Member for Nickel Belt has effectively spoken on the amendment. Thus he could be heard again on the main motion, of course.

Mrs. Mary Collins (Capilano): Madam Speaker, I am pleased to be able to participate in debate on Bill C-50. As all Hon. Members know we will be sitting today and into the evening in order to have an opportunity to have a full discussion of the provisions of the Bill.

I would like to deal with the basic principles of what we are discussing today. That will take us back to November of 1984 when, as a Government, we came out with a policy statement which stated that, basically, all forms of income arising out of employment should be treated equally with respect to applying for unemployment insurance income. That is the basic principle that the Government has put forward, and it is our policy.

As some Hon. Members have already indicated, in November of 1984 when the Minister of Finance (Mr. Wilson) introduced this principle he said that it would become effective as of January, 1985. In December of that year the then Minister of Employment and Immigration, having looked at the situation and having recognized that there would need to be a further transitional period because people had not had the opportunity to change their retirement plans or make the appropriate arrangements, agreed to an extension of the implementation of this provision to January 5, 1986.

Today, in recognition of some of the concerns that have arisen in the interim period we are bringing forward legislation to clarify those concerns. In particular, we will put into effect a distinction between those persons who retire and those persons who, having taken an early retirement have not actually gone out of the workforce, who then go back into the workforce, will requalify at some later date if they are unemployed and be eligible to receive unemployment insurance benefits.

The third provision of the legislation deals with the issue of severance or separation pay and provides a more equitable way of dealing with it. It enables those who have received separation pay to qualify for UI benefits under the appropriate circumstances and receive the full benefit to which they would be entitled, perhaps up to as much as 50 weeks. I know from my own experience in dealing with constituents that these measures will be very much welcomed. In fact, we know that there will be about 55,000 Canadians who will benefit to the tune of about $295 million as a result of the legislation we are putting forward today. That is why we want to get it done, so that those who will qualify can begin to receive those additional funds.

I think that the basic principle has to be clearly understood. I am not sure that it has been understood by many Canadians. It makes the distinction that all forms of income from employment, in this case including pensions that arise as a result of employment, be treated in the same way. Therefore, this income would be deducted from any eligible benefits for UI. Of course, we know that in some cases where there is a high pension that person is not eligible for UI, obviously.

We have made this important distinction. It is one which has been brought to the attention of many in British Columbia. We had a meeting not long ago in Nanaimo at which we met with a number of retirees. We certainly heard from them that in many cases the retirement they were taking was not a permanent retirement, it was an early retirement. They were actually going back into the workforce and would be contributing again to unemployment insurance. In the event that they are laid off from that job, or some other unfortunate circumstance arose, they should be eligible to collect UI. As my colleague from Nanaimo—Alberni has indicated, that is something we felt to be only fair and appropriate. So we are very pleased that the Government has come forward with that amendment.

We also recognize that there has been some confusion about the various eligibility rules. Therefore, we are making it clear that those persons who have retired and who were receiving pension income but who had applied for UI benefits prior to January 5, 1986, will have their claims dealt with under the old rules.

• (1210)

Those who applied prior to January 5, 1986 come under the old rules, and those who apply after that date will come under the new rules. Hopefully that distinction, which is being clearly made in the legislation, will clear up some of the concerns we have heard over the past year in dealing with the issue.

We recognized that some of the administrative procedures and proposals made earlier caused some confusion, so we eliminated that complexity and the potential for uneven application across the country. We brought about changes to the implementation of that January 5, 1986 ruling.

The legislation with which we are now dealing draws a very clear and simple line to ensure fairness in the transitional provisions of the regulation for early retirees. I just want to make very clear that those who applied for unemployment insurance prior to January, 1986 under the old rules will have their entitlement to benefits determined under the old rules. Equally and in a straightforward manner, those who apply for

benefits after January 5, 1986 will be governed by the new provisions.

However, the principle—and we have not deviated from it—still comes back to the issue that the income one derives from employment, whether it is through wages, separation pay, or pension income, is considered income. I think most Canadians agree with the point of view that UI, for perhaps too long, was considered as something everyone got. It is not. It is a special provision under special circumstances. It was not designed to deal with those people who were retiring and leaving the workforce and had entitlement to an appropriate pension benefit from their employers.

Members will recall that on December 5, 1986, when the Minister announced his intention to modify the UI legislation dealing with pension earnings, he maintained the principle that persons who have retired should not use UI as a supplementary income. The announcement proposed that workers who took other employment after retirement and then worked long enough to requalify for UI benefits should receive the benefits without any deduction of their previous pension income. This particularly applies as we see people, perhaps increasingly, taking early retirement, in their early forties, some from the Armed Forces or police forces. They are not leaving the workforce; they are applying and going into other fields of employment. They will be treated as new entrants into the workforce in respect of UI.

With this Bill we are amending the pension regulations to permit this kind of thing as of April 5, 1987. With regard to qualifying for UI, we are making retroactive requalification back to January 5, 1986.

The changes will ensure that workers who start subsequent careers and contribute to unemployment insurance and subsequently become unemployed will be entitled to full unemployment insurance benefits based upon their post-retirement employment income regardless of their previous pension income.

Returning to the issue of separation pay, again it was an issue of fairness. I have certainly dealt with particular situations which have arisen in connection with the treatment of separation payments. Members will recall that on March 31, 1985 the treatment of payments on separation for unemployment insurance purposes was changed.

There were two facets to it. Certain employer-employee agreements have sought to take advantage of what might be construed as a loophole in the wording of current UI regulations. The purpose of the amendments is to provide a clear legislative attempt to avoid these kinds of loopholes. More important, they will provide an extension for the qualifying and benefit periods when an allocation of separation payments has prevented the payment of a UI benefit or has delayed the start of a UI claim.

For example, if an allocation of separation pay delays the start of a claim by seven weeks or ten weeks, the qualifying period can then be extended by seven weeks or ten weeks. If a person received 104 weeks of separation pay, in other words two years, he or she would not be eligible to claim UI. I think it is only fair. Obviously those persons are fortunate enough to receive two years of separation pay, and if they return to the workforce at some point, we hope they would be able to find that kind of employment in the two-year period.

The legislation maintains the basic principle of keeping separate the concept of unemployment insurance from regular income. Yet it deals with what we have found to be some of the inequities and unfairness which were brought to the attention of the Minister.

I compliment both the present Minister and his predecessors because they listened very carefully to recommendations which were brought forward by members of my Party and by members of the Opposition. They listened to the concerns which were expressed across the country.

In bringing forward the recommendations and the legislation today, we are dealing with those concerns and ensuring both fairness and equity in the treatment of Canadians, while maintaining the fundamental principle that UI should not be considered a supplementary income when a person retires no matter what the circumstances.

I appreciate the co-operation and support of all Members of the House in dealing with the issue today and this evening. We can deal with consideration in committee and third reading stage so that the 55,000 Canadians who will benefit from these changes will indeed start to receive their cheques.

Mr. Riis: Madam Speaker, I have a quick question for the Hon. Member. I would be curious to know how she has responded to those people in the Armed Forces and the RCMP who, by definition, receive pre-retirement incomes and then are expected to find a job.

The Hon. Member represents a constituency in British Columbia where the economic situation has been so woefully bad in the last number of years that many people who have retired from the Armed Forces and the RCMP have been simply unable to find jobs for many months, and in some cases longer. What has she said to those people who paid into the unemployment insurance fund for their entire working lives, only to find upon retirement that they were not eligible for the benefits for which they paid together with their employers for so many years?

Mrs. Collins: Madam Speaker, I am pleased to respond to my hon. colleague. I am sure that he, as have I, will have been pleased to have noted that in the recent statistics over the past week the unemployment levels in British Columbia, particularly in the Vancouver region, have dropped. It is a very encouraging signal and one we look forward to continuing over coming months as many of the economic initiatives of the Government take hold. These will be followed of course by the proposals in the western diversification plan, which I am sure will also be very important to British Columbia and the other western provinces.

In respect of the other part of the Hon. Member's question, we must again come back to the basic principle or the basic policy we have enunciated. UI is not paid to everyone. When one retires and receives a pension, one does not qualify for unemployment insurance. It is only for those who then go back into the workforce and requalify as part of their second career, second job, or whatever, and are paying back into unemployment insurance. If they should be laid off or lose that job, whatever benefits they have accrued as a result of the second job would then make them eligible for payments only related to the second job. It does not change the basic principle. When one retires and receives pension income arising out of one's employment, that pension income is considered as income and reduces one's eligibility for unemployment insurance.

• (1220)

Mr. Henderson: Madam Speaker, I would like to ask the Hon. Member for Capilano (Mrs. Collins) a question about what I think is the discrimination which this Bill provides after January 5, 1986. For example, an Armed Forces person who has served the country for 25 to 30 years, receiving very very low pay in the early stages of his or her career, retires, not voluntarily, because many people are forced to retire. Their trade may no longer be useful. Armed Forces people are at a tremendous disadvantage because, having had to retire at 45 to 50, it is very difficult to find a job in the private sector in most parts of the country. I speak mainly of my own province. A more extreme example would be parts of Newfoundland and parts of Prince Edward Island where unemployment rates are exceptionally high. Areas in Newfoundland have over 35 per cent unemployment.

People of 45 to 50 years of age are at a time in their life when costs are at their highest. They have children finishing high school. Some have children in university. There is a great misconception about the size of the pensions of some of these people, who are paying mortgages and trying to educate their children. These people have paid premiums into UIC for 25 years, which is back-door taxation in its worst form, and they are told that there is no way they can qualify for UI.

I have people who have come into my office for over a year, not former Armed Forces personnel. They are young people who cannot find a job, so how do we expect those who have had to retire from the Armed Forces to find ready-made jobs? People have settled. They have planned for years and have bought houses. Some of them are in parts of the country where they cannot find another job.

I would like the Hon. Member to comment on that. I must have 50 letters from people who find themselves in that serious situation. I just cannot understand why any Member of the House of Commons would ever agree with that part of this Bill.

Mrs. Collins: Madam Speaker, I appreciate the Hon. Member's question. One has to come back to the basic principle that pension income arising out of employment is now considered deductible from UI benefits. That has been well known since November-December, 1984.

Mr. Rodriguez: You will find out in the next election.

Mrs. Collins: For two and a half years people have been able to plan on that basis and to recognize that in planning for their retirement—

An Hon. Member: They are not all the same.

Mrs. Collins: Obviously it varies. Someone who has a high pension will not be eligible for any UI.

Mr. Robinson: It may wash in Vancouver, but that does not wash in Burnaby.

Mrs. Collins: For those whose pensions are very low, my understanding is that they can still be supplemented, and I come back to what I said. For too long people thought of UI as kind of a retirement cushion. That is not what it is all about. It is there to look after people who, because of circumstances in their workplace, have been temporarily laid off for a period of time. It is to help them readjust. It is just a change in thinking—

Mr. Manly: Tory thinking.

Mrs. Collins: —that people will have to understand. I support that point of view. People will have to make their plans based on that reality.

Mr. Allmand: Madam Speaker, the Hon. Member said that the distinction in the Bill between those who get full reimbursement under the Bill and those who do not is based on whether they really take retirement or whether they are retired but want to work again. It seems to me the Member has not read the Bill.

Mr. Rodriguez: She does not know the Act.

Mr. Allmand: If a person were forced to retire, as my friend pointed out, and wanted to work, that person is cut back just the same. The distinction in the Bill has nothing to do with whether one wants to work or does not want to work. The distinction is whether one happens to apply after January 5 or before January 5.

Does the Hon. Member support a system where some people who retired before January 5 but through illness, by misinformation, travel or whatever were not able to make their application until after January 5, are subject to the cuts, but a colleague down the street who retired at the same time but got his application in before January 5 is fully reimbursed? That is what is in the Bill. Does the Hon. Member support that?

Mrs. Collins: Madam Speaker, as the Hon. Member is aware, because I know he has been involved in UI for many years, within every UI office there is always some flexibility to deal with particular situations where, for valid reasons, a

person was unable to make the application on that date. As I understand it, there is that discretion.

Mr. Robinson: There is no discretion.

Mrs. Collins: It may indeed apply in this circumstance as well.

[*Translation*]

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Madam Speaker, I am pleased to rise to speak to Bill C-50. I suggest it is important that everyone should remember why Bill C-50 was introduced in the first place. The fact that we now have a measure designed to make refunds or correct the mistakes of the Conservative Government does not in any way reflect the will of the Conservative Government nor of the Conservative Members, except for one or two.

First it must be recalled that on January 5, 1986—this was the outcome of a December 23, 1985 decision to make a Christmas gift—the Cabinet headed by the Prime Minister himself saw fit to cut off the unemployment insurance benefits to which older workers voluntarily or involuntarily opting for early retirement were entitled. For example, an older worker who lost his job because the plant shut down. He had the right to withdraw his pension plan contributions, so the Government decided to cut him off UI benefits because he was receiving pension benefits. The decision was officially made public on January 5, 1986 and we know that the ensuing wave of protests from Canadians generally and the the Official Opposition, the Liberal Party, forced the Government to take cover behind the Forget Commission, waiting for advice. We also know that on December 3, 1986 the Forget Commission told the Government: You are wrong, you must rescind these regulations and reimburse older workers. On December 5, two days later, the Minister of Employment and Immigration (Mr. Bouchard) did admit the Conservative Government had erred and he unveiled policy changes.

Sadly enough, when the Minister of Employment and Immigration made his announcement he failed to remove all discrimination and, a few months later, he showed us a questionnaire which was more like a request that older workers in fact denounce the officials who were alleged to have misinformed them. And so it was that strong representations made by ARSAC, by the coalition and by spokesmen for retired military personnel once again forced the Government to backtrack and withdraw the questionnaire after owning up to its monumental blunder.

• (1230)

The end result of all this was that on March 18, 17 months later, the Government agreed that it was completely mistaken, that it was wrong to seek to cancel UI benefits, particularly in the case of men and women who had vested rights, and on April 1 the Government introduced Bill C-50.

Unfortunately, once more, older workers had to put pressure on this Conservative Government. In each Conservative constituency, they had to put pressure on their Members of Parliament to force the Government to debate this bill on June 9.

After fighting for seventeen months, older workers have won only part of the battle. For them, victory will come in two years when they defeat this Government. What they have won now, Madam Speaker, is that all workers who retired before January 5, 1986, voluntarily or not, and who filed a claim at their unemployment insurance office, and there are 35,000 of them, will be paid a total of $65 million.

Unfortunately, there are still 2,500 people in Canada who, as my colleague for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand) has just reminded me, also took early retirement voluntarily or not before January 5, 1986. The most obvious example is the case of the Gulf refinery employees who lost their jobs because of this Conservative Government and this Prime Minister (Mr. Mulroney). Because of this Prime Minister and this Government, these people have been denied their full unemployment insurance benefits. This is what happened when they filed a claim, Madam Speaker, as shown by the affidavits signed by people from all Quebec constituencies who have sent me postdated applications to prove that they went to their unemployment insurance office between September and November 1985 to file a claim, where they were told by unemployment insurance officials: "You have your separation pay and sick leave; when those have run out, you can come back and be eligible for unemployment insurance."

Once more, there is nothing for them in this Bill. Unfortunately, no Conservative Member is rising to defend these 2,500 people who are entitled to the full reimbursement of their unemployment insurance benefits because their case dates back to 1985. I trust that, when we move an amendment in committee, the Conservatives will rise to support this amendment so that all those who stopped working before January 5, 1986, will become eligible even if they did not go to their unemployment insurance office immediately. I have here a letter from a voter in a Conservative riding who has this to say: "I took early retirement on December 31, 1985. On January 1, 1986, Government offices were closed and the company office and staff were on holidays." This worker received his job separation form only on January 8, and when he went to the unemployment insurance office to file a claim, the Government would not let him.

There are hundred of cases in every constituency and this injustice will remain if the Government does nothing.

We all recall that the Government decided in secret to commit this injustice toward older workers by having an order in council published before the Christmas adjournment on December 23, so that no one would learn about it. The Cabinet had met with the Minister in secret to attack older workers, and all the Ministers who are here now were accomplices in that decision.

Today, the Government could have used the same method to say it had made a mistake and committed an injustice and that the Cabinet would cancel rules 57 and 58 to reimburse everyone automatically without discriminating against older workers.

Let us see now what we have in the Bill for all the men and women who have lost their jobs. People in the Champlain constituency, in the Trois-Rivières area, in East Montreal, in Abitibi, in Murdochville. Workers in Murdochville who are going to lose their jobs, will withdraw their pension funds, which belong to them, and contrary to what the Hon. Member for Capilano (Mrs. Collins) did, those people have contributed to a registered retirement plan out of their own income, They have used their own money to contribute. But those people will not be eligible for full unemployment insurance benefits. In Murdochville, those people will have to find another job, work for 20 weeks, and then they will be told that if they lose that second job, they will qualify under the system on the basis of what the Hon. Member for Capilano called—as the Hon. Minister for Employment and Immigration says, on the basis of employment income. That time it will work. The first time was no good. Yet what people tend to forget is that the unemployment insurance benefits paid to those recipients will be based on the income from their second job.

Take all the members of the Armed Forces in Canada. All the servicemen. The Government wants to spend $186 billion to buy submarines to defend ourselves against the invisible enemy. The enemy of Canadians is "Brian Mulroney" and the Conservative Government. That Government is reluctant to pay even its servicemen. It told so to the Armed Forces Personnel in Canada—and I am surprised that Conservative Members from provinces other than Quebec do not stand up to speak for those servicemen. We have former members of the Armed Forces in this House. It is a shame to see them remain silent.

That means that all those who now serve in the Canadian Armed Forces, and who have to quit their job, will not be eligible for full unemployment insurance during the seven, eight or nine months when they look for another job. And if after ten months they find another job and they work until they are 65, they will have paid unemployment insurance, they will have lost a job and they will have been discriminated against by this Government. Those people will never have been eligible for unemployment insurance benefits.

Those are the facts. Later on, we will be proposing amendments. We look forward to the attitude of Conservative Members . . . Some of them siad that they were open in their consitituencies. When people forced into early retirement went and met them specifically, they all said: You are right. But the time of reconing has come, and we shall know where we all stand.

Contrary to what the NDP says, I believe it would be wrong to vote against that Bill. It is not a perfect Bill, it is not a Government Bill. The reason we are dealing with this Bill is that the Official Opposition, the Liberals, the people of Canada have forced it upon the Government, Without the action of the Official Opposition, elderly people would never have been entitled to a refund. It was what the present Employment and Immigration Minister was hoping for, when he took part in the decision to cut unemployment insurance benefits, and we know what the Minister did with the Forget Commission. He wanted $6 million of the Canadian peoples' money, of the Canadian taxpayers' money. Now, Mr. Minister, whereas you took part in wasting $6 million, $4.5 million is all that would be required to bring some fairness to 2,500 people.

Mr. Minister, given that you have wasted all that money, I do hope that you will have a little more social sympathy when you think of those people.

Madam Speaker, what will be the consequences for older workers? There will fall into two groups: those who will be entitled to the benefits of a RRSP and those who will be entitled to the benefits of a Registered Pension Plan. And both will be penalized.

The Minister of Employment and Immigration will be entitled to a pension as a former director of a CEGEP and former teacher. He will get his full pension. When the time comes for him to collect his pension as a former teacher and former director of a CEGEP, he will not be asked: How much income do you get from other sources? Both he and his employer have contributed to his pension fund. Why should the Minister, who will be entitled to payment of a full pension, deprive older workers of their full unemployment insurance benefits while they remain available for work?

Madam Speaker, I would hope that the Minister comes to the realization that as a result of his Bill, some 2,500 people are in the grey area, I mean those older workers who have agreed to an early retirement. Take the case for instance of the Wabasso workers and those from various other companies in Trois-Rivières, Champlain, both Montreal East and Montreal West, as well as Saint-Hyacinthe. Their company has closed down and were laid off because of some provincial piece of legislation, they received separation payment after a notice of so many weeks. The House will remember the case of the Gulf refinery in Montreal East which was closed down by this Conservative Government: Because these workers had accepted separation payments, something like eight, ten or eleven weeks in compensation following the closing of the plant, they could not—and I have obtained notices from the Department, pursuant to section 17: The employment office cannot entertain an application for unemployment insurance benefits as long as the separation payments have not been exhausted.

Mister Minister, I do hope that you know the Unemployment Insurance Act and Regulations. To conclude, Madam Speaker, I wish to remind the Minister that the committee of the House, made up of representatives from the three parties, have recommended to withdraw Sections 57 and 58 and not to discriminate against older workers, both men and women.

Mr. Desrosiers: Madam Speaker, I should like to ask our colleague the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) whether he was present when the federal Government reopened the refinery he was referring to earlier in which millions of dollars were invested so that all the workers would get their job back.

Madam Speaker, furthermore I should like to ask him whether he remembers that three other refineries were closed down in Montreal East—of which time the Hon. Member for Montreal—Sainte-Marie never objected to or challenged their closing nor stood up for the hundreds of thousands of workers whose jobs were lost in Montreal East.

I hope that the Canadian people who are listening today will remember that when the three refineries which were closed down under the Liberal Government—the Hon. Member for Montreal—Sainte-Marie never stood up in the House to defend these hundreds of thousands of employees. And today he rises in the House to blame us for the closing of the Gulf refinery. May I remind him that he was here when we reopened the Gulf refinery and gaving back their jobs to all former employees, Madam Speaker.

Mr. Malépart: Madam Speaker, I am under the sad impression the Hon. Member for Hochelaga—Maisonneuve (Mr. Desrosiers) will go back to singing, because he just proved clearly that, as people in Hochelaga—Maisonneuve say, he did not do his homework on the Gulf refinery. He should have attended more regularly the Survival Committee and defend the rights of people in Hochelaga, Mercier, Rosemont; if he had done so, he would know the Gulf refinery facilities reopened thanks to the provincial government.

The Hon. Member for Hochelaga—Maisonneuve is not aware of it, unfortunately but quite understandably because he is present neither in Ottawa nor in his constituency, but half of the Gulf refinery employees are still laid off.

As a concrete example and proof, it is not for nothing that employees of a shut-down company have to send letters to the editors in district newspapers in order to meet the Hon. Member for Hochelaga—Maisonneuve.

And despite what the Hon. Member just said about the Gulf refinery, only 50 per cent of employees got their jobs back there. The Federal Government did nothing—it was a Cabinet decision to shut the Gulf refinery down.

In conclusion, Madam Speaker, I wish the Hon. Member for Hochelaga—Maisonneuve (Mr. Desrosiers) had risen and said "The Hon. Member for Montreal—Sainte-Marie is right". There are senior workers in the constituency of Hochelaga. Two plants are shutting down in the constituency of Hochelaga. I would have expected that the Hon. Member would rise and tell the Minister of Employment and Immigration: You are wrong, because older Hochelaga—Maisonneuve workers at the two companies that are closing down will not be entitled to full unemployment insurance. His role and his duty today would have been to rise and defend them. My conclusion is that he preferred to remain seated rather than defend his constituency, and the people will get rid of him soon.

• (1240)

[*English*]

Mr. Robinson: Madam Speaker, thousands of members of the Canadian Armed Forces from across Canada, including my constituency of Burnaby as well as others, including the Hon. Member who just spoke, are deeply concerned. They feel betrayed by the Government's policy on unemployment insurance. We know, because of Armed Forces policy, that these people are forced to retire at an age when in many cases they want to continue working. Despite that and despite the fact they are actively seeking employment, government policy denies them unemployment insurance. In some cases they have paid into the unemployment insurance program for many, many years. To me it is a betrayal of the members of Canada's Armed Forces and a breach of the contract they made with the Government to tell them they are not eligible for unemployment insurance benefits now. This Bill continues to exclude those people from coverage and makes an arbitrary division between those who retired before January 5 and those who retired after.

It is in that light that I want to ask the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) why he and his colleagues in the Liberal Party support this legislation. I am amazed that the Liberal Party is prepared to put its principles behind it and vote in support of this Bill despite the fact that it slams the door on thousands of Canadians who are entitled to unemployment insurance. How can Liberal Members stand up in good conscience, in principle, and support this Bill when it is so deeply flawed and denies unemployment insurance to so many Canadians who have legitimately earned it?

[*Translation*]

Mr. Malépart: Mr. Speaker, I appreciate the question and I thank the Hon. Member for it. We must keep reminding ourselves of what the Government did, what the situation was before January 5, 1986, and what the proposals are.

Before January 5, 1986, there was no difference made between income from an employer—employee or any other kind of pension plan, as far as unemployment insurance benefits were concerned. The decision made by this Government after January 5, 1986, is that not only our Armed Forces personnel, our people in the RCMP—and it is not my first responsibility to defend those people, I am thinking of all the older workers—those people found a new job, they kept on paying full unemployment insurance contributions, but they were not eligible to benefits.

What is the gain made by older workers under Bill C-50? This afternoon those people will be here. In the first place, all those affected by the decision of January 5, 1986 will get a refund. Secondly, there is a step forward, that is those who continued to make unemployment insurance contributions and were not eligible to receive benefits, will now be eligible.

However, I agree with the Hon. Member that it is not entirely satisfactory. I remember the workers of Lapalme and those of Richelieu and I will not ask anyone to sacrifice $10,000 to uphold the interests of someone else. And considering that it is a step in the right direction, I will support the Bill. The NDP will make its own decision and be accountable to its electors.

Mr. Champagne (Champlain): Madam Speaker, I listened carefully to the comments of my colleague from Montreal—Sainte-Marie and I was startled when I heard him say about my colleague from Hochelaga—Maisonneuve that he had not risen to defend strongly the rights of preretired workers. But, Madam Speaker, I read carefully *Hansard* for the early eighties when three oil refineries were closed. Nowhere did I read any comment by the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) indicating that he said to the then Prime Minister: "No! I am against that, because several hundred thousand workers will be laid off". I did not hear him say to the Minister of Energy, Mines and Resources (Mr. Masse):"I am against that, because workers should be protected". And today he is acting hypocritically, because he has set up a survival committee. Why did he not do so when the three other refineries were closed down? Why did he not rise as an honest man to say once for all: "No, I am against that, I want to protect the workers." Madam Speaker, the enemy of preretired workers is the Leader of the Opposition (Mr. Turner) and the Hon. Member for Montreal—Sainte-Marie.

Mr. Malépart: What the Hon. Member for Champlain (Mr. Champagne) is saying is stupid. It confirms . . . It so happens that I visited the ridings of Champlain and Trois-Rivières for meetings with unemployment action committees and preretired pensioners. The Hon. Member for Champlain and the Hon. Member for Trois-Rivières (Mr. Vincent) displayed what courage they had. They remained in hiding. They remained in Ottawa and sent their secretaries to defend them.

Mr. Champagne (Champlain): I rise on a point of order, Madam Speaker.

The Acting Speaker (Mrs. Champagne): The Hon. Member for Champlain (Mr. Champagne) on a point of order.

Mr. Champagne (Champlain): Madam Speaker, what the Hon. Member for Montreal—Sainte-Marie is saying is completely distorted. If we did not attend, it was not because we did not want to be there. It is because we were invited at a few hours' notice, which was not the case for the Hon. Member for Montreal—Sainte-Marie.

The Acting Speaker (Mrs. Champagne): This is a matter for debate. It is not a point of order. Very briefly, the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart).

Mr. Malépart: The Hon. Member is obviously squirming. He proves once again to be as much a disappointment as the Hon. Member for Hochelaga—Maisonneuve (Mr. Desrosiers). Old workers expect the support of the Hon. Member for Champlain who deluded them into believing he would protect their interests. Unfortunately, the Hon. Member did not rise to their defence.

The Acting Speaker (Mrs. Champagne): Resuming debate. The Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly).

• (1250)

[*English*]

Mr. Jim Manly (Cowichan—Malahat—The Islands): Madam Speaker, this travesty of a Bill, C-50, typifies the entire reason why the Government is in so much trouble. It typifies why the Government has gone down in the polls consistently over the last two and a half years. It typifies why the Government is headed for defeat in the next election.

The roots go back to November 8, 1984, when the Government thought it had a mandate from the people of Canada to do practically whatever it wanted. The Minister of Finance (Mr. Wilson) brought in an economic statement at that time through which the Government hoped to save $120 million off the backs of Canadian working people. In the changes to regulations which were announced in that economic statement both pension income and severance pay were classified as earnings for the purpose of calculating unemployment insurance. The Government thought it was in bright days in that time and could do whatever it wanted.

Opposition to that was mounted first in the House of Commons by Members like my colleague, the Hon. Member for Nickel Belt (Mr. Rodriguez), who saw what was happening, and then by the working people across Canada who recognized the threat which this posed to them and their livelihood. This forced the Government to delay the implementation of these provisions. The provision with regard to severance pay was delayed until March 31, 1985, and the pension provisions were delayed until January 5, 1986.

The unfairness to older workers was so obvious and evident that the Government thought that by delaying it people would become used to it and it would not be such a bitter pill to swallow. The matter was referred to the Forget Commission, but the Government refused to ask for an early recommendation. When the Forget Commission finally reported, it recommended that these provisions with regard to pension income being counted as income for the purposes of calculating unemployment insurance be dropped. However, the Government refused to act immediately on that.

The issue has been dragging on and on. The Government finally introduced a Bill in April. It is trying to blame the Opposition for the fact that it has not been dealt with, but the Government is supposed to be in charge of its own legislative timetable. Why has it not acted?

It is important that the people of Canada understand the unfairness and discrimination which was involved in the

regulations originally brought in by the Minister of Finance and the Conservative Government in November, 1984. I can underline that unfairness by talking about the impact it has had in my riding where many former service personnel have retired. It is important to remember that for most ratings in the Armed Forces early retirement is a requirement.

After 25 years in the services many members are required to retire. They are aged 45 to 50 and still have growing families. They still have heavy mortgage payments to make and must make provisions for their children's education. They still have a good part of their working lives ahead of them. The pensions they receive from the Canadian Armed Forces are not extravagant. They are very modest and they have a difficult time getting by on them. They need to have continuing employment but in that part of Canada there is high unemployment and it is very difficult for many of these early retirees to find employment.

When these regulations were brought in they formed a group called the UIC Repeal Group, 1986. It is made up not only of ex-service people but as well of early retirees from the Public Service and also of people on private sector pensions. This group is made up of working people who feel that they have been betrayed by the Government. They feel that the Government was elected on a promise of fairness and to create jobs. The jobs have not been created, particularly in my area, and instead of fairness they see discrimination pointed directly at them.

To give you a better idea I will read briefly from a couple of the letters I have received on this issue. A person living in Ganges, British Columbia, writes:

> Perhaps you can better explain why I can't or won't receive unemployment insurance benefits after having been told by my former employer B.C. Hydro and my union, I.B.E.W. that I should apply for same.
>
> In November 1986 I went to the U.I.C. office in Saanich and registered my application. In a few weeks I received two cards to complete and return on the appropriate dates which I did. Several weeks later I received a rather ambiguous letter—informing me of the weekly amount of my monthly pension but not denying me my claim, along with more cards to fill out. I have regularly been receiving and sending cards since.
>
> Finally, sometime later, I phoned the office to try to determine exactly what if anything was happening with my claim and was told that I was not entitled to any benefits unless I returned to work for the required minimum number of weeks. This seems to me to be absolutely ludicrous and totally unacceptable. I served overseas with the RCAF during WW2 and understand my UI payments were made by the military, I've worked for over 38 years and have never made a claim, I've taken early retirement because I am unable to safely climb power poles anymore, (I was a Hydro lineman) my monthly pension is considered to be "earned income" and now I'm told all of that amounts to nothing, but if I return to work for 20 weeks I will be eligible for benefits. This surely has to be the ultimate insult.
>
> The contradictory newspaper articles I've chanced across have done nothing but confuse me and in fact I fear I might find myself in a "no man's land" since my effective retirement date was 30 September 1986.

The correspondent is completely correct. He is in a no man's land, and that is exactly where this legislation leaves him. Perhaps I can call it one o'clock and resume my speech later.

[*Translation*]

The Acting Speaker (Mrs. Champagne): Order. It being one o'clock, I do now leave the chair until two o'clock this day.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

CANADIAN JOBS STRATEGY

CRITICISM OF PROGRAM

Mr. George Henderson (Egmont): Mr. Speaker, the Prince Edward Island Union of Public Sector Employees represents the employees of Holland College, the only community college on the Island. At their recent annual meeting the employees passed a resolution condemning the federal Government's Canadian Jobs Strategy Program.

They expressed a number of important concerns about the direction the Government has taken on job creation. The new emphasis on the private sector to provide skills training is not working in Atlantic Canada. The private sector cannot provide either adequate or comprehensive technical education.

In fact this backward job-creation program is hurting community colleges and depriving young Canadians of proper skills training. Holland College has already been forced to lay off some of its staff, and this trend is expected to continue.

Only the Government's incompetence is to blame for a job-creation strategy that results in lay-offs at those colleges where employment skills are supposed to be taught. I urge the Government to rethink its short-sighted attempts to privatize job training and put the funding back into community colleges where it belongs.

* * *

NATIONAL DEFENCE

SUPPORT FOR WHITE PAPER PROPOSALS

Mr. Bob Hicks (Scarborough East): Mr. Speaker, Canadians love their country, and because we cherish who we are and the resources we possess, it is worth defending.

Members of our dedicated Armed Forces, and Canadians over-all, have waited 16 long years for a caring and responsive Government to reply to the genuine concerns about our nation's defence and military commitments to our allies. I commend the Minister of National Defence (Mr. Beatty) on

his White Paper entitled *Challenge and Commitment, A Defence Policy for Canada.*

The White Paper has been heralded by members of the Armed Forces and our allies for the Government's decision to modernize and purchase essential equipment for our land, sea, and air forces.

Canadians and our allies have faith and trust in a Conservative Government that cares about the defence of our great country and freedom throughout the world.

* * *

ENERGY

END OF MORATORIUM ON OIL AND GAS EXPLORATION OFF QUEEN CHARLOTTE ISLANDS—POSSIBLE ENVIRONMENTAL EFFECTS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, yesterday the Minister of Energy, Mines and Resources (Mr. Masse) and his British Columbia provincial counterpart announced the end of a 14-year moratorium on oil and gas exploration off the coast of the Queen Charlotte Islands in British Columbia.

That moratorium had been imposed because of the environmental and ecological threat which could be posed by such activity. The Minister is aware that those same considerations for that marine life still exist.

The Government is also aware that the Queen Charlotte Islands are the traditional homeland of the Haida people, who have expressed their concern over this development.

A recent full day's debate in the House of Commons resulted in the unanimous recognition of the need to protect the Queen Charlotte Islands.

I trust that the Minister of Energy, Mines and Resources will respect the will of Parliament as he goes forward with this policy. The people of British Columbia know that with good will on the part of all participants, we can develop our resources while protecting our environment, particularly one of the treasures in this country, the Queen Charlotte Islands. It is an area that is the habitat of one-third of the nesting birds on the West Coast, with limitless aquaculture and one of the great rain forests in the world. I want to draw this to the attention of the Minister of Energy.

* * *

ENERGY

END OF MORATORIUM ON OIL AND GAS EXPLORATION OFF QUEEN CHARLOTTE ISLANDS—POSSIBLE ENVIRONMENTAL EFFECTS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, during the past few years Canadians have demonstrated their interest and support in preserving the natural environment of South Moresby and Lyell Islands off British Columbia's northern coast.

However, today Canadians learned that the federal Government, along with the Government of British Columbia, plans to support exploration and drilling for oil and natural gas in this area by lifting the moratorium that has barred offshore exploration north of Vancouver Island since the early 1970s.

This callous action will jeopardize the sensitive ecological balance of the area, provide a serious threat to the West Coast fishery, and place the visitor potential of this pristine environment at risk. It completely ignores the fact that this area, now open for oil and gas drilling, is under aboriginal claim.

The Minister of Energy, Mines and Resources (Mr. Masse) has said that various jurisdictional problems have been resolved. However, what about the ecological, environmental and cultural issues that originally precipitated the implementation of the moratorium? These have not been resolved. Simply because the multinational oil companies have lobbied successfully is no reason to sell out this unique ecological area to the highest bidder.

* * *

[*Translation*]

POVERTY

NECESSITY FOR GOVERNMENTS TO ACT

Mrs. Lucie Pépin (Outremont): These past few days, Mr. Speaker, *The Ottawa Citizen* and Montreal's *Le Devoir* have published a series of articles on poverty.

Mr. Speaker, the statistics we see are alarming. Descriptions of the day-to-day lives of between 800 and 1,000 people in our national capital and the poverty which prevails in Eastern Montreal are the symptoms of our society's deep malaise. Such poverty can be seen throughout our country.

I believe that all Members of the House, men and women alike, can only deplore this very serious situation. The elderly had long since been considered as being the poorest members of our society, but things have changed indeed.

Poverty today, besides being more prevalent among women, is the lot of all kinds of people who are often very young, between 14 and 20, people suffering from psychiatric disorders, heads of single-parent families. All these people have precious little chance of ever improving their living conditions.

Many women who are alone and raising a family are caught in a vicious circle. If they manage to find work for which they draw less than the minimum wage, they are no longer entitled to assistance for medical expenses. They have to work an ungodly number of hours barely to make ends meet. Other groups suffering from poverty experience the same difficulties when they try to better themselves.

We are not doing enough to help them. Mr. Speaker, this is why I believe the federal Government, in co-operation with the provinces and the municipalities, must find a solution to the poverty problem in the very near future.

* * *

TRIBUTE TO FRANÇOIS PERROUX, FRENCH ECONOMIST

Mr. Fernand Jourdenais (La Prairie): Mr. Speaker, François Perroux, Collège de France professor and founder of ISMEA, the leading European economic research centre under the direction of Denoel and Bernis, died Tuesday, June 2, at the age of 84.

Undoubtedly François Perroux was at once France's most reknown, most productive and most remarkable economist of our century. As an economist he had a major impact in Canada between 1945 and 1980.

A relentless worker, he is better known for his conceptual imagination, so rich that the mere listing of his books, articles and communications in France and in the fifteen-odd foreign universities from which he held *honoris causa* doctoral degrees—the Universities of Ottawa, Montreal and Moncton, among others—covers about 40 single-line pages.

After the liberation, he was the first French economist invited to the London School of Economics, to Harvard, and especially to Canada.

Prophet in the renewal of the general balance theory and in the analysis of Third World fundamental problems, author of the "development poles" concept which was so widely exploited, of the automotive industry "driving force" theory, of the "macrodecisions" and of the "structural disparities between large units", François Perroux made a long journey through concepts, and his contribution to applied economics deserves special mention.

François Perroux wanted—and this was but one facet of his generosity—economics to be normative rather than moralizing because it makes sense only to the extent that it contributes to the full exploitation of human resources.

We have lost a great man.

* * *

• (1405)

[*English*]

REFUGEES

CALL FOR WITHDRAWAL OF BILL C-55

Hon. Edward Broadbent (Oshawa): Mr. Speaker, today marks the beginning of the national week of protest against Bill C-55. It is a week to speak up for justice and fairness for refugees.

The situation for refugees has become a human tragedy of enormous magnitude. The United Nations estimates there are between 15 million and 20 million refugees around the world. There is a consensus that Canada needs a new refugee determination process but the Canadian Government is not responding fairly or listening to Canadians.

Every group involved with assisting refugees, all the major churches, the Canadian Jewish Congress, and Amnesty International, have condemned the Government's new Bill and asked for its withdrawal. Bill C-55 lacks the most basic safeguards set down by the United Nations High Commission for Refugees. It probably violates our own Charter of Rights and Freedoms and the United Nation's Convention on Refugees.

On behalf of my Party I call upon the Government again today to act swiftly to withdraw this unjust measure. We require an alternative instead. We need a fair, fast procedure, open to all claimants and consistent with the principles of fundamental justice. We must not betray Canada's tradition of compassion.

* * *

SHIPBUILDING

CONSTRUCTION OF POLAR 8 ICE-BREAKER—SUGGESTED PROPULSION BY NUCLEAR POWER

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, the advantages of nuclear propulsion over diesel fuel for ice-breakers operating in the Arctic are self-evident and incontestable. The only rational argument for the selection of diesel fuel for the proposed Polar 8 ice-breaker was that it might be uneconomical to build fuelling facilities for one vessel which would otherwise be dependent on foreign fueling.

With the recent announcement by the Minister of National Defence (Mr. Beatty) that Canada is to acquire a fleet of nuclear-powered submarines, fueling facilities will now be built in Canada. Therefore, there remains no reason why our Polar 8 ice-breaker should not be nuclear propelled. The Government ought now to reconsider its earlier decision before we get locked into a poor choice.

* * *

[*Translation*]

CANADA POST CORPORATION

GOVERNMENT'S OBJECTIVE

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, in 1981, when the Canadian Parliament under a Liberal Government passed an Act to establish the Canada

Post Corporation, the objective was improved services, better labour-management relations and a reduced deficit.

After six years, under a Conservative Government, the objective has become a reduced postal service, accelerated deficit reduction and a threatened strike.

The Conservative Government has completely ignored the recommendation of the Marchment Commission to give the Canada Post Corporation until 1990 to solve its deficit problem.

Why accelerate deficit reduction? We are now facing a strike, and according to the report of the conciliator, there could be violence in the workplace. This is how the Conservative Government solves the problems of Canadian society.

* * *

AIR TRANSPORT

PRESENCE OF AIR FRANCE CONCORDE AT VAL D'OR IN ABITIBI

Mr. Guy St. Julien (Abitibi): Mr. Speaker, the city of Val d'Or celebrated the inauguration of the new regional air terminal of the Abitibi—Témiscamingue region and northern Quebec on Friday, June 5, with the coming of the Air France Concorde.

The big white bird came from New York to land on one of the longest runaways in Canada. Twenty-three years after being designed, this French and British supersonic airplane still provokes wonder and astonishment. The artisans of this event were the airport general manager, Mr. Daniel Bleau, of Transport Canada, and Dr. Alfred Lomsy of the *Association pour le développement de l'anesthésie-analgésie en régions éloignées*, who is also from Val d'Or.

This was quite a challenge for northern residents. Schools were closed, buses were chartered everywhere in Abitibi for the event, and 10,000 people were able to watch this magnificient plane.

One hundred Abitibi residents made the trip from Val d'Or to Mirabel on the Concorde, returning that same evening on an Air Canada flight organized by Mr. Jean-Claude Tétrault, director.

The management of Air France and the Concorde pilots will be able to say throughout the world: Yes, we went to Val d'Or, in Abitibi, and we shall go back there because the people are wonderful.

• (1410)

[*English*]

REGIONAL INDUSTRIAL EXPANSION

DEPARTMENTAL EXPENDITURES—CALL FOR PUBLIC INQUIRY

Mr. Rod Murphy (Churchill): Mr. Speaker, as has been brought up in the House a number of times over the last little while by my Leader, the Hon. Member for Oshawa (Mr. Broadbent), and by the Hon. Member for Yorkton—Melville (Mr. Nystrom), the Department of Regional Industrial Expansion is having a serious problem with its budget. Right now there exists a situation in which in the first two months of this year the Government has managed to spend $100 million more than was allocated for the entire fiscal year.

The Government has announced that it is cutting back and freezing funds for native people who rely on the Department's programs. In addition, the people of the Northwest Territories are adversely affected. One-fifth of the Territories' annual budget comes from these funds.

We must have a public inquiry into this situation. We must know what amounts have been spent. We must know who authorized the amounts. We must have some mechanism to ensure that native people and northerners do not suffer from the Government's incompetence.

* * *

HIGHWAYS

AGREEMENT TO UPGRADE YELLOWHEAD HIGHWAY

Mr. Don Ravis (Saskatoon East): Mr. Speaker, in October of 1986 the Government announced that it would join with its Saskatchewan counterpart to upgrade the Yellowhead Highway.

I would like to take this opportunity to inform the House that on Friday, June 5, I was a witness to the $22 million agreement which will set in motion restoration and widening of this vital northern route.

The upgrading of the Yellowhead will not only improve access to Canada's northern industrial and resource development areas, it will also provide a safer, more efficient highway for those Canadians travelling in the west.

I know that in Saskatoon alone this project will have a significant effect on highway safety, eliminating two particularly hazardous traffic areas, the Eighth Street traffic circle and Circle Drive, and a narrow strip of highway on the south end of the city.

I wish to commend the federal and provincial Governments for their ongoing co-operation in developing this vital tourist and commercial highway.

S. O. 21

TRADE

EFFECT OF IMPORT REGULATIONS ON TENT MAKERS

Hon. Bob Kaplan (York Centre): Mr. Speaker, I wish to bring to the attention of Hon. Members the damage that is being done to a number of small industries in Canada which depend on imports which they manufacture for sale. I am referring to items such as shirts, neckties, clothing and, latterly, tents. Tent manufacturers, like the others I mentioned, have to compete with their finished products against foreign imports. The products they want to use to manufacture their goods are subject to heavy duty, if they wish to bring them in from abroad.

I submit that when an industry cannot obtain a Canadian manufacturer that is comparable in terms of its product and its appropriateness for manufacturing a product, it should be allowed to import duty-free. This case has been made by manufacturer after manufacturer. They are now beginning to go out of business.

Tent manufacturers are in very grave jeopardy. I urge the Government to look at their situation and to take steps now, where foreign competition is so serious, to allow them to import the goods that they need to manufacture their products here in Canada.

* * *

[*Translation*]

NEW DEMOCRATIC PARTY

UTILIZATION OF PRIVILEGES RESERVED FOR PARLIAMENTARIANS

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, yesterday at my home in Charny, I received an envelope on which the sender was identified as being the Hon. Member for Oshawa (Mr. Broadbent). The envelope contained a letter printed on official House of Commons paper, from the office of the Leader of the NDP.

The letter is essentially a political one and contains a message about the Canadian tax system. It also contains a card addressed to the Hon. Member's office, no postage required, which will be used to make lists of addresses of Canadian citizens. The addressee is asked simply to sign at the bottom of the following form, which says, and I quote: "I want you to know what I think about fair taxes and jobs". And there is a space for the names and addresses of those who complete this form.

Mr. Speaker, the leader of the socialist Party is increasingly using Members' privileges for his own Party's political purposes.

Mr. Speaker, this simple letter, if sent to five and a half million addresses in Canada, will cost taxpayers $550,000. It is high time Canadians judged the honesty of these socialists. They must give an explanation today, here in the House.

I wonder, is it me or is it just the weather that is getting on the nerves of those—gaymocrats, Mr. Speaker.

* * *

• (1415)

[*English*]

HISTORIC EVENTS

ANNIVERSARY OF ARRIVAL OF CHRISTOPHER COLUMBUS IN NORTH AMERICA

Ms. Sheila Copps (Hamilton East): Mr. Speaker, the Government talks a lot about multicultural policy, but when the time comes to deliver it is noticeably absent. I refer specifically to the Government's lack of action in respect of the five hundredth anniversary of the arrival of Christopher Columbus in North America.

I have here a letter dated March 18, 1984, from former Prime Minister Pierre Elliott Trudeau naming Alex Roncari of the City of Hamilton the chairman of the quincentennial celebration. More than three years have elapsed, and the Government will not even commit itself to having a committee to look at what Canada will do to celebrate the five hundredth anniversary of the arrival of Christopher Columbus in North America.

E facile per parlare di multiculturalismo, ma quando arrivo il tempo di fare qualche' cosa, questo governo non fa niente.

It is easy to talk about it. I want the chairman from Hamilton to be recognized and allowed to continue in his work, not stopped by the Secretary of State for External Affairs (Mr. Clark) as he is doing at the moment.

* * *

RAILWAYS

CANADIAN TRANSPORT COMMISSION—FORTHCOMING DECISION ON CABOOSELESS TRAINS

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, many Members might be aware of the fact that the Canadian Transport Commission is wrapping up its hearings in Ottawa this week in respect of the application of railways to run cabooseless trains. I want Hon. Members to be aware—and perhaps they are not—of the seriousness of the decision the CTC would be making if it decided to do what the railways wanted and allowed cabooseless trains to run.

The railways have argued sometimes on the basis of the American experience. However, if the CTC were to decide to allow cabooseless trains in Canada, we would have a situation quite different from that in the United States where only 25

per cent of trains are actually running without cabooses because of the way States have jurisdiction over transportation and the way collective bargaining is involved in the issue.

What would happen here, when this industry is primarily federal, if the CTC were to decide to allow caboose less trains is that we would have, *carte blanche*, cabooseless trains running from one end of the country to the other on the basis of limited American experience and other arguments that the railways have made which fail to take into account the need for the human touch when it comes to safety on trains running through Canada.

I hope the CTC will make the right decision, not the wrong one, and forbid the running of cabooseless trains.

ORAL QUESTION PERIOD

[*English*]

EXTERNAL AFFAIRS

FRENCH GOVERNMENT'S ISSUANCE OF PERMITS TO DRILL FOR OIL AND GAS IN CANADIAN WATERS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, my question is for the Deputy Prime Minister. At my request, the Members of Parliament for Gander—Twillingate and Humber—Port au Port—St. Barbe have consulted with officials at External Affairs, and indeed with French officials in Paris, and have confirmed that the Government of France has issued permits to two giant French oil companies—Elf Aquitaine and Total—to drill for oil and gas in over 20,000 square kilometres of Canadian waters.

In response to the investigation of my two Members, the Department of External Affairs this morning issued a weak-kneed protest.

Will the Deputy Prime Minister confirm that the Prime Minister was aware of what was happening when the President of France was in the country last month, and why did he not raise a claim for Canadian sovereignty and protest this matter with the President of France when he was in the country?

• (1420)

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the Right Hon. Leader of the Opposition is correct. We have been advised that the French Government has granted joint exploration permits to two French companies to explore for oil off the coast of St. Pierre-Miquelon. Instructions have been issued to the Canadian Ambassador to protest the granting of these permits.

I should say as well, Mr. Speaker, and I am sure the Right Hon. Member is aware, that under both Canadian law and international law activities related to the exploration and exploitation of resources on the Canadian shelf may be undertaken only with the express authority of the Canadian Government.

Mr. Turner (Vancouver Quadra): Mr. Speaker, if the Deputy Prime Minister takes the time to read what the Canadian Government sent to France this morning, he will recognize that it was a mealy-mouthed weak-kneed protest.

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): Having sold out our East Coast fishermen, the Government is now selling out East Coast oil and gas workers.

CANADIAN POSITION—REQUEST THAT PRIME MINISTER PROTEST

Right Hon. John N. Turner (Leader of the Opposition): I will put my question in terms that will get the point right home to the Deputy Prime Minister. Why didn't the Prime Minister of our country tell the President of France that France has no more right drilling off the coast of Newfoundland than it has to drilling rights in the Province of Alberta? Why hasn't that message been delivered?

Would the Deputy Prime Minister relay a message directly from this Parliament to the Prime Minister in Venice to say to President Mitterrand, when he is sitting across the table from him, to stop that unlawful drilling in Canadian waters?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I am not sure whether the Right Hon. Leader of the Opposition is advocating the same kind of gunboat diplomacy as the New Democratic Party. His rhetoric is sounding almost as shrill. I might remind the Right Hon. Member that last year, in October, 1986, a similar application was made and Canada did protest. No drilling was taking place at that particular time.

Ms. Copps: They really listened, eh?

Mr. Mazankowski: In reply to the latter part of the Hon. Member's question, my understanding is that the Prime Minister did meet with Prime Minister Chirac earlier this day. I have not had a report on the outcome of that meeting but I am sure that that will be forthcoming and I am also sure that this matter would have been raised.

Mr. Turner (Vancouver Quadra): I am not going to be diverted by the Deputy Prime Minister. We are not advocating gunboat diplomacy. We are advocating that this Government stand up for Canada's rights, that it show some guts, some backbone and some forthrightness.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): It is absolutely unbelievable that a European nation should pretend to exercise sovereignty rights over our waters while this Government does nothing about it but make a feeble protest.

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

An Hon. Member: Be honest, John.

Some Hon. Members: Question.

Mr. Turner (Vancouver Quadra): And the only noise we hear in this House is the flapping of the fins of the trained seals behind the Deputy Prime Minister.

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

Mr. Speaker: Perhaps the Right Hon. Leader of the Opposition would put his question. Thank you.

GOVERNMENT ACTION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, we have a lot of empty wind and fin-flapping over there.

An Hon. Member: Be careful now.

Mr. Turner (Vancouver Quadra): The Deputy Prime Minister may feel temporarily secure in the numbers behind him, but the people of Canada do not feel secure in the way his Government is protecting our sovereignty. That is quite clear.

What specific action will the Government take to prevent the French from exercising pseudo-sovereignty rights over Canadian waters? When, how, and what action will be taken?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I know it is encouraging for all Members of the House to notice that the Right Hon. Leader of the Opposition can rally his troops over something.

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

• (1425)

Mr. Mazankowski: We hope that that might enhance his own personal security because many of us are very concerned about his own personal security.

Some Hon. Members: Oh, oh!

Mr. Mazankowski: My colleagues behind me are saying that they want the Right Hon. Leader of the Opposition to stay.

Some of the—

Mr. Rossi: We're not sure that Canadians want you though.

Ms. Copps: Bring back Erik.

Mr. Shields: Oh, Sheila, be quiet.

Mr. Speaker: Perhaps the Hon. Deputy Prime Minister could get to the answer to the question.

Mr. Mazankowski: Mr. Speaker, the Right Hon. Leader of the Opposition has gotten carried away with some of his rhetoric. He may want to go back to check what he has said because some of the things he said are totally inaccurate.

As I said earlier, we are talking about a disputed area, and under both Canadian law and international law the activities related to exploration and exploitation of natural resources undertaken on the Canadian shelf can only be undertaken with the express consent of the Canadian Government.

RIGHTS OF NEWFOUNDLAND

Mr. George Baker (Gander—Twillingate): Mr. Speaker, the Atlantic Accord was supposed to give to Newfoundland, not France, the right to drill and explore in the waters off Newfoundland out to the 200-mile limit. Now the French Government, apparently over the objections of the Canadian Government, has issued drilling permits to two companies in France allowing them to drill out to 200 miles and to as close as 30 miles of the Newfoundland coast.

I ask the Deputy Prime Minister what the Government will do to end once, and for all, the issuing of these permits by the French Government in order to live up to the spirit of the Atlantic Accord and protect the rights of Newfoundlanders?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I think I have already answered that question. I indicated that a formal protest has been launched. The Prime Minister of France and the Prime Minister of Canada met earlier today and I am sure this was a matter that was discussed.

I should indicate as well that Canadian petroleum companies too have been granted permits in this disputed area. Really what is happening here is that both countries, because it is a disputed area, have been granting permits. However, as of yet, no drilling has taken place by either side.

GOVERNMENT POSITION

Mr. George Baker (Gander—Twillingate): Mr. Speaker, it does not matter if it is France or the United States, if it is fish, lumber or oil, the word is out: this Government is made up of a bunch of pushovers.

Some Hon. Members: Hear, hear!

Mr. Baker: Does the Deputy Prime Minister not realize that in this case France is taunting Canada? We announced 7,000 metric tonnes of fish for next year for France. Two weeks ago France announced it would catch 27,000 metric tonnes. As the Deputy Prime Minister has said, we say no to the drilling and France now says yes to the drilling in Canadian waters. Will the Government simply sit back and watch as the French fill their bellies with our fish and their tanks with our oil?

Some Hon. Members: Hear, hear!

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I simply remind the Hon. Member that in October of 1986 there was a similar kind of application made. Perhaps it was part and parcel of this same application. Canada protested at that time and drilling was not undertaken. Perhaps the proof is in the pudding.

Ms. Copps: The proof is in the drilling.

Mr. Mazankowski: The fact of the matter is that Canada did protest very vigorously and drilling did not take place.

• (1430)

CANADIAN SOVEREIGNTY

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I want to understand very clearly what the Government has done about this important situation. With respect to extraterritoriality Canadians will remember the Government has already yielded to the Americans on the softwood lumber issue. With respect to sovereignty it has yielded to the French on fishing off the coast of Newfoundland. Did the Deputy Prime Minister say that, notwithstanding earlier Canadian protests, the French have gone ahead and made the decision to drill in our waters?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): The Hon. Leader of the socialist Party is wrong on three counts.

Mr. Broadbent: It would be encouraging if the Government would not only claim it is right but actually do something for once in the interests of Canada. That is what we would like to see the Government do.

CANADIAN PROTEST

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the Minister says no, the Government did not protest before. I thought he said just a moment ago to someone in the Liberal Party that the Government sent a telegram last year protesting drilling in these waters.

Mr. Mazankowski: The drilling did not take place.

Mr. Broadbent: Presumably if that protest meant anything last year it should mean something this year, unless the Government has abandoned its position. The Minister has now said the Government sent another telegram. Can he tell us what was said, and, if the Government of France plans to ignore it and go ahead and drill in our waters what does the Government of Canada intend to do to stand up for Canadian interests?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the position of the Government of Canada is the same. It is a disputed area. The fact of the matter is that I have indicated a formal protest has been launched. Second, the Prime Minister of Canada and the Prime Minister of France met earlier this day and I can only presume this matter was discussed.

REQUEST THAT PRIME MINISTER BE CONTACTED AT VENICE SUMMIT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, while they met earlier this day they could have discussed any one of a half dozen matters that come up at a summit. The people of Canada would like to know for sure that they discussed this important question. Will the Minister check with the Prime Minister in Venice and report back to the House tomorrow not only about what took place in that conversation but with assurances that in this case, if not in softwood or fishing, the Canadian Government will make a decision in the interests of Canada for a change and not in the interests of France?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, if the Leader of the socialists had not been so busy preparing his questions he would have heard the answer I gave to the Right Hon. Leader of the Opposition. I indicated that the Prime Minister of Canada and the Prime Minister of France had met and I was awaiting a report. I would certainly report back to the House when I received it.

MINISTER'S POSITION

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, after the last seven questions, right about now Canadians are wondering if there is any sight more pitiful than the Deputy Prime Minister of Canada cowering, and expecting the people of Canada to cower with him, before the Treaty of Paris, a 224-year old treaty, one which was signed 104 years before Canada became a nation.

An Hon. Member: You are sick.

Mr. Speaker: The Chair has been very patient. The questions have been long, argumentative, and repetitive. In the interests of other Members who, I know, are waiting to ask questions, I would ask the Hon. Member to get to the point and put the question.

Mr. Tobin: Mr. Speaker, does the Deputy Prime Minister not realize that these are not colonial times? France is not an imperial power. Canada is not some colony of a far-away mother country. Will he today announce measures to ensure that no other nation other than Canada will issue permits for companies to explore and drill for oil in sovereign Canadian waters? Will he do that today?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, that is the reason for our efforts to get this matter put to arbitration, the action of the French Government in issuing a permit to drill for oil and gas in disputed waters. This is a dispute between Canada and France as to who has the jurisdiction over those waters, as to whose continental shelf they come within, whether it is France through St. Pierre and

Miquelon, or whether it is Canada. As a part of the effort to get that issue settled we are negotiating with France to send this matter to arbitration, which is the only way in which it can be settled peacefully and in accordance with international law. In the meantime our ambassador in Paris is making an official protest to the Government of France. If they follow the example of last year there will be no drilling under these permits. That is the position.

Our policy is firm and we can assure the House that it will continue to be firm, firmer than the position of the previous Government because it took no action to settle this issue in the 20 years it was in power.

Some Hon. Members: Hear, hear!

GOVERNMENT MEASURES

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, the President of France was so impressed with his private meeting with the Hon. Member for St. John's West that he promptly went home and had his Government issue two permits to drill off Newfoundland in sovereign Canadian waters. That is how impressed he was by that Minister who has shown all the backbone of a jellyfish.

I ask the Minister of fisheries, transport, Canada-France, offshore oil and gas, what measures is his Government going to take to ensure that no companies other than Canadian companies drill in sovereign Canadian waters? Have you got anything besides flippant words to offer the people of Canada and your fellow Newfoundlanders in this regard?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, if shouting and braggadocio were effective I would put the hon. gentleman out offshore from St. Pierre and Miquelon and blow the French to kingdom come!

Some Hon. Members: Hear, hear!

Mr. Crosbie: In the meantime a further meeting is set for Paris on June 24 and June 25 of this year to continue negotiations on fishery quotas. Other meetings are going to be held on the boundary.

The President of France was told of the firm and fixed position of the Government of Canada with reference to these questions off the East Coast of Newfoundland. He understands our position. Naturally they are trying to respond to the action we took in barring their vessels from Canadian ports, which action we are not going to change. That is action we took. The predecessor Liberal Government did nothing, but now they are in opposition they are like lions, tigers. They are like walruses.

Mr. Langdon: That is a hard act to follow, Mr. Speaker.

Mr. Epp (Thunder Bay—Nipigon): Why bother?

Mr. Shields: Good point. Sit down.

[*Translation*]

MINES AND MINING

CLOSURE OF MURDOCHVILLE MINE—GOVERNMENT POSITION

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, the management of Gaspé Mines announced yesterday it was closing the Murdochville Mine. More than 400 people will be laid off as a result of this decision, which will have a disastrous impact on the community. What does the Government intend to do about this?

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, first of all, the Government sympathizes with the people of Murdochville. Second, three weeks ago I had a meeting with my colleague, the Quebec Minister of Mines. The Minister, in accordance with his responsibility for Quebec's natural resources, was negotiating with Noranda. He asked the Canadian Government, as part of the Ottawa-Quebec agreement on mining, to sharing 50 per cent of the cost of reimbursing the loan, since negotiations were going along those lines. I was delighted to be able to confirm the Canadian Government's interest in these negotiations and also our decision to pay 50 per cent of the cost of interest payments.

I can assure you that as far as the Department of Energy, Mines and Resources is concerned, we have responded positively to Quebec's request.

[*English*]

MINISTER'S POSITION

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I have to ask the Minister if it is sufficient simply to offer one's good intentions, or is it not necessary to take leadership in an area like this and try to create a situation, through economic development and progress, that will give to that community a chance for the future? Surely it is time the Government started to take that leadership instead of sitting back and letting the private sector take the lead all the time.

• (1440)

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, leadership for the Government does not mean doing something it should not do. The first responsibility of the Government is to recognize that natural resources are first the responsibility of the provinces. With that in mind we have always agreed to work with the Quebec Government because it is its responsibility first.

That is why Minister Savoie has had negotiations with Société Noranda. When we were asked to participate in that we responded positively. I do not think that leadership of the country means that we should go against provincial rights.

HOUSE OF COMMONS

PRESENCE IN GALLERY OF PARLIAMENTARY DELEGATION FROM INDIA

Mr. Speaker: I wish to draw to the attention of Members the presence in our Gallery of a parliamentary delegation from India led by the Honourable Mr. B. Shankaranand, Minister of Water Resources.

Some Hon. Members: Hear, hear!

* * *

NATIONAL DEFENCE

ACQUISITION OF NUCLEAR-POWERED SUBMARINES

Hon. Douglas C. Frith (Sudbury): Mr. Speaker, it is difficult to believe that for two days following the release of the White Paper we have had neither the Minister of National Defence nor the Associate Minister of National Defence in the House to answer questions. Now we do not even have the Acting Minister of National Defence.

Mr. Speaker: The Chair has had to remind Members in the past that undue comment about the absence of any Member, any Leader of a Party, or any cabinet Minister is not looked upon favourably in this place. The reason for that is that Members, cabinet Ministers and Leaders of Parties have to be elsewhere a good deal of the time doing the jobs which they must do. I ask the Hon. Member to put his question.

Mr. Frith: Mr. Speaker, my question is for the Deputy Prime Minister. Yesterday the Acting Defence Minister said that without Canadian nuclear subs in the Arctic we are inviting potential adversaries. He said that with them there would be no implied invitation but any intrusion would be an act of provocation.

Does the Deputy Prime Minister agree with the Acting Defence Minister that the presence of an American sub in Canada's Arctic would constitute an act of provocation?

Mr. Bud Bradley (Parliamentary Secretary to Minister of National Defence): Mr. Speaker, I do not know whether to thank the Hon. Member for the question or not. Surely he is not seriously trying to imply that an ally of our country would create provocation in our waters. Most certainly any activity of allied vessels would be in consultation with the Minister of National Defence.

The Arctic Ocean is not Canadian waters, and I assure the Hon. Member that our submarines—

Some Hon. Members: Oh, oh!

Mr. Bradley: The Arctic Ocean is not Canadian waters. The Canadian waters which are in the Arctic Ocean are within our territorial waters. Submarines can go in the Arctic without being in Canadian waters.

POSSIBLE INSTRUCTIONS FOR SUBMARINE CREWS

Hon. Douglas C. Frith (Sudbury): Mr. Speaker, I will direct my supplementary question to the Parliamentary Secretary. I asked this question yesterday. If the sovereignty issue in Canada's Arctic is essentially a legal question, what instructions will be given to the crews of Canada's nuclear-powered submarines in the event that they run into submarines from other powers in what we consider to be Canadian waters and they consider to be international waters? What are we asking our submarines to do in that event?

Mr. Bud Bradley (Parliamentary Secretary to Minister of National Defence): Mr. Speaker, that question is certainly hypothetical. However, I am sure that if our submarines were in those waters and identified submarines of any other nation they would log the location, the time, and the character of the submarine, which information might be utilized in international courts in disputes over waters.

* * *

EXTERNAL AFFAIRS

FRENCH GOVERNMENT'S ISSUANCE OF LICENCES TO DRILL IN CANADIAN WATERS

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, my question is for the Deputy Prime Minister. First we saw the spectacle of our northern cod stocks being sold out to the French. Now there is oil drilling in Canadian waters. I do not think the Deputy Prime Minister and the Government understand the serious nature of what is happening.

Will the Deputy Prime Minister, at least to indicate how serious this is, recall Ambassador Bouchard from France for consultations on this matter?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, that is a repetition of an earlier question. I have stated the Government's position which has also been stated by the Acting Minister of Fisheries and Oceans. I have outlined the actions that are being taken and I will keep the House informed of the actions taken and results of the meeting which I am sure the Prime Minister of France and the Prime Minister of Canada have had.

REQUEST THAT PRIME MINISTER BE CONTACTED AT VENICE SUMMIT

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, I am glad the Deputy Prime Minister mentioned that. The Prime Minister is in Venice at the moment with the leader of France. We will excuse the Deputy Prime Minister from Question Period. He can go to his office, telephone to Venice, and tell

the Prime Minister of this country that Parliament and the people of Canada are extremely concerned about the actions announced by the French.

Will the Prime Minister enter discussions with the leadership of France while he is at the Venice conference? Later today the Deputy Prime Minister can report to the House on the context of that conversation.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, while I appreciate the Hon. Member's suggestion I am sure he understands that that is not necessary. The Prime Minister of Canada considers this to be a very important initiative. I do not think he needs any prompting from the Hon. Member or me to do what is in the best interests of Canada.

* * *

CANADIAN ARMED FORCES

ALLOWANCES PAID TO PERSONNEL IN EUROPE

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, while the Ministers are out selling their budget for National Defence, the growth of which has been reduced over 15 years, to the Canadian people, I will direct my question to the President of the Treasury Board to whom the buck was passed yesterday by the Acting Minister.

The Government continues to treat members of the Canadian Armed Forces shabbily. First it was an attack on retirees by taking away their unemployment insurance. Now it is attacking members of the Armed Forces in Europe by cutting their cost of living pay and their exchange rate pay.

In light of the protests from Canadian Forces in Europe will the Minister undertake to review this issue by sending Statistics Canada back to the drawing board to make a more accurate assessment of living costs and exchange rates in Canada? Never mind the system. The Government can do it if it has the will to do it and if it cares for Canadian Armed Forces personnel.

Hon. Robert de Cotret (President of the Treasury Board): Mr. Speaker, I would like to remind the Hon. Member that this Government is the first Government in many years to stand by our Armed Forces and ensure that they are well treated, well equipped, and able to do the job.

Some Hon. Members: Hear, hear!

Mr. de Cotret: Mr. Speaker, as the Hon. Member knows, an index has been developed to equate the standard of living on posts abroad to that in the national capital region. That index is revised periodically. It has been a longstanding practice and has been applied at this time as in other periods.

Mr. Hopkins: Mr. Speaker, the President of the Treasury Board has chosen to use the same old inaccurate rhetoric about defence spending. That story will be laid wide open. I hope he is ready for an education.

EXCHANGE RATES—GOVERNMENT POSITION

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, the Royal Canadian Dragoons and other units will be coming home from Germany this summer and the 8th Hussars and others will be replacing them. My question for the Minister is serious and I do not want an answer about your system. Will the Government correct this injustice with exchange rates and cost of living in Europe, or will he treat the people who are going there this summer in the same shabby manner as he was treating those who are coming home? Will the Minister withdraw his order of May 1 when he took 15 per cent of their pay package away from those personnel and give it back to them? That is the question, and a serious one.

• (1450)

Hon. Robert de Cotret (President of the Treasury Board): Mr. Speaker, we are treating our personnel abroad, whether they are in the Armed Forces or the foreign service, in an equitable and decent manner. If the Hon. Member really believes that the methodology of the survey is faulty, I will be happy to look into it and ensure that the system is working in an equitable way so that people are paid on an equitable basis, whether they be in Germany or anywhere else in the world.

* * *

TRADE

IMPORTATION OF MILK PRODUCTS

Mr. Ross Belsher (Fraser Valley East): Mr. Speaker, my question is directed to the Minister for International Trade.

In the area of multilateral trade last year the Government took decisive action to limit the importation of dry blends of products containing 50 per cent or more milk solids. Since there has been some evidence recently that some importers may be importing mixtures with slightly less than the 50 per cent limit of milk solids, what action has been or will be taken to stop this apparent disrespect of the intent of the import control list?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I can advise the Hon. Member that my Department is working very closely with the Department of National Revenue on this alleged skimmed milk scam. The allegations are that skimmed milk mixed with salt is being imported into the country as soup mix, in contravention of the Export and Import Permits Act.

I want to assure the Hon. Member that investigations are continuing. There has been a seizure of skimmed milk as a result of them. There has been increased vigilance at the ports of entry to ensure that no such contraventions occur.

ENERGY

END OF MORATORIUM ON OIL AND GAS DRILLING OFF QUEEN CHARLOTTE ISLANDS

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, my question is directed to the Minister of Energy, Mines and Resources. The Government's decision to lift the moratorium on offshore drilling in British Columbia shocked and surprised British Columbia Indians, fishermen, and environmentalists. The Government had not used the moratorium years to do the necessary oceanographical and biological studies to determine the long-term environmental risks. Now it is acting with haste and expediency.

Will the Minister assure the House that no drilling will take place until long-term studies have been done and the data analysed, and until public hearings have been held on how the drilling will proceed and who has jurisdiction?

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, I can assure my hon. colleague that people in British Columbia were very pleased with yesterday's announcement. Second, the announcement is intended to make it known that both Governments have accepted the recommendations of the task force on those matters. Third, we have committed ourselves to negotiate an accord with the provincial Government. That will answer some aspects of his question.

Mr. Manly: The Hon. Minister of Energy will soon see how pleased the people of British Columbia are with this deal, which is a sell-out of the environment.

IMPACT OF DRILLING ON FISHERY

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, will the Minister tell the House what studies have been done on the impact of any drilling on the fishery? What will be the impact on aboriginal rights, which extend out into the ocean shelf? What will be the real impact of this drilling?

[*Translation*]

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, I feel the situation is quite clear. Governments have agreed to set up a committee to consider environmental issues. Both Governments have accepted the vast majority, that is to say, almost all the recommendations, especially on environmental issues.

Thirdly, the Government has accepted to negotiate an agreement such as the one we signed with Newfoundland or Nova Scotia. Within the framework of these agreements, any kind of future development in whatever shape or form, will not take place without public hearings, as was the case with the Newfoundland and Nova Scotia projects.

[*English*]

CANADA POST CORPORATION

POSSIBILITY OF STRIKE

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, in the absence of the Minister responsible for Canada Post, my question is directed to the Deputy Prime Minister. After reducing postal service in many ways, the Government is preparing to shut down the postal service completely by forcing postal workers into a strike that they do not want and no Canadians want.

Will the Deputy Prime Minister ask his Minister responsible for Canada Post to stop acting like someone who is betting on a horse at the race-track? Yesterday the Minister said about a possible postal strike: "If I were to put odds on it I would say it does not look that good". We want the Government to get involved in settling that strike. Will it carry out these negotiations with the union at arm's length, watching as a witness, or will the Deputy Prime Minister order his Minister to get involved and settle this before it gets worse?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, as the Hon. Member knows, the conciliation report has just been brought down. I believe there is a clear indication by both sides that there is a desire to re-engage in negotiations. I am sure the Hon. Member would want that negotiating process to take place. We encourage it and we hope a strike can be avoided. We will certainly do everything in our power to assist in facilitating both parties to get back to the bargaining table. That is the way this issue can best be settled for all Canadians and the workers particularly.

[*Translation*]

QUERY WHEN GOVERNMENT WILL INTERVENE

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, the Deputy Prime Minister is saying that the Government is keeping an eye on the situation. That is all it is saying.

How can the Government allow the situation to deteriorate further and end up with a total breakdown in postal services? How can the Minister be satisfied with watching the game from the side, comfortably seated by the boards, without realizing that the time has come for him to get on the ice and get involved. We will end up with a strike and the Government will be responsible for it.

When will the Government finally decide to intervene in these negotiations which are a stand still?

[*English*]

Hon. Bill McKnight (Minister of Indian Affairs and Northern Development): Mr. Speaker, I am sure I do not have to explain to my hon. friend that the collective bargaining process in Canada is well entrenched and recognized by Canada Post, the Minister, the union involved, and the leadership of that union. The collective bargaining process in

Canada does not call for intervention by the Government at this time. On behalf of which side would the Hon. Member ask the Government to intervene?

* * *

[*Translation*]

ENERGY

SOLIGAZ PROJECT—GOVERNMENT POSITION

Mr. Robert Toupin (Terrebonne): Mr. Speaker, I have a question for the Hon. Minister of Energy, Mines and Resources.

The Quebec Minister of Energy stated recently that if the Sarnia—Montreal pipeline is not converted to natural gas liquids, the Soligaz $250 million project will be in jeopardy, and he asked the Minister to intervene at the National Energy Board.

My question is this: Did the Minister make the importance of that conversion to Montreal-East and workers in Montreal-East known to the National Energy Board? Did he intervene, and if not, why?

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, in the appropriate terms, yes.

INQUIRY HOW GOVERNMENT HAS INTERVENED

Mr. Robert Toupin (Terrebonne): I have a supplementary, Mr. Speaker.

"In the appropriate terms, yes". I would like to ask the Minister to tell us, since he stated last week he would not intervene with the National Energy Board, when he did intervene, how and in which direction? Can he give a specific answer to that question?

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, I used the phrase "in the appropriate terms", because clearly the Minister of Energy may not intervene in the Board's decision process. But he can make the Board aware of the importance of such decisions, to ensure in particular that the system works in a fair way. And it is in that sense, within my responsibilities and my powers, that I did so Mr. Speaker.

• (1500)

[*English*]

ENVIRONMENTAL AFFAIRS

ACID RAIN—TRANSBOUNDARY EMISSIONS

Mr. Alan Redway (York East): Mr. Speaker, my question is directed to the Minister of the Environment. As a result of the decision yesterday by the United States Supreme Court on the subject of acid rain, both the Ontario Government and the Canadian Coalition on Acid Rain have indicated they will be henceforth concentrating their efforts to control cross-border acid rain emissions on lobbying of the United States Congress.

Will the Minister advise the House if the Canadian Government is presently lobbying the United States Congress on the subject of acid rain emissions? And, specifically, what efforts are we making to persuade United States Congressmen and Senators to pass very tough and strict acid rain emission control standards?

Hon. Tom McMillan (Minister of the Environment): Mr. Speaker, the Hon. Member is referring to a U.S. Supreme Court decision in which the court, in effect, defeated the efforts of eight of the States in the northeastern tier to get a court-imposed solution to the acid rain problem. In a nutshell, the case was decided on a technicality surrounding a letter which had been written by a previous head of the U.S. Environmental Protection Agency.

In any event, from a Canadian point of view, we lost on procedural grounds, which indicates to us, as a Government, that we Canadians cannot count on the American courts to press our case in the United States. If we are to have a solution to the acid rain problem on a transboundary basis, we are going to have to find it on a Government-to-Government basis. That is why we are concentrating our efforts, in the first instance, on the U.S. administration.

I note with pleasure that on May 26 the U.S. President—

Some Hon. Members: Order.

Mr. McMillan: —reconfirmed the position he expressed on the floor of the House of Commons in favour of giving consideration to a bilateral accord. In tandem with that—

Some Hon. Members: Order.

Mr. McMillan: —we are using all legal and diplomatic instruments to press Congress—

Some Hon. Members: Order.

Mr. McMillan: —for a legislative approach to the acid rain issue.

SUPPLY AND SERVICES

PUBLICATION OF RESEARCH AND DEVELOPMENT STATISTICS

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I wonder if I should start by thanking the after-dinner speaker who just read.

My question is directed to the Minister of Supply and Services. It concerns the Government's attempt to hide facts once again. Every month the Minister publishes a leaflet which is entitled *Research and Development Bulletin*, and these documents usually contain the names of people receiving government contracts in R and D, and usually statistics by region concerning research and development. Can the Minister explain to this House why it is, starting this month, this publication will no longer carry statistics by region on research and development? Is the Government's record so shameful it is now trying to hide it?

[*Translation*]

Hon. Monique Vézina (Minister of Supply and Services): Mr. Speaker, I would like to reassure the Hon. Member that I have no intention of practicing censorship, I am not that kind of woman.

I suspended information on research and development statistics because they were confusing. But in my capacity as Minister in charge of Statistics Canada, data from Statistics Canada can always be used because they cover the overall picture of what is being done at the research and development level.

CANADIAN PEOPLE'S RIGHT TO KNOW TRUTH

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I have a supplementary for the Minister. She just stated statistics on overall research are available. Now, she knows full well her document gave them by region. Why does the Minister still insist the disclosure of information to the public is confusing? Is the truth so confusing? Is it not true Canadians have a right to know the facts and draw their own conclusions in that matter?

Hon. Monique Vézina (Minister of Supply and Services): As I said, Mr. Speaker, the statistics that were published by my Department were only sketchy, segmental data, and were misleading. This government wants to supply overall information in the most genuine way possible. This is why Statistics Canada will be able to supply you with all the data concerning research and development.

GOVERNMENT ORDERS

[*English*]

UNEMPLOYMENT INSURANCE BENEFIT ENTITLEMENT ADJUSTMENT (PENSION PAYMENTS) ACT

MEASURE TO ENACT

The House resumed consideration of the motion of Mr. Bouchard that Bill C-50, an Act respecting the treatment of pension payments in determining certain unemployment insurance benefit entitlements and to amend the Unemployment Insurance Act, 1971 be read the second time and referred to a legislative committee; and the amendment of Mr. Allmand (p. 6872).

The Acting Speaker (Mrs. Champagne): When the House rose at one o'clock p.m. the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly) had the floor.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Madam Speaker, when we broke for lunch, I had been asking what kind of worker the Government was discriminating against with the November 1984 regulations. What kind of person did the Government see as ripping off the unemployment insurance system? I read a letter from a worker who had been paying into unemployment insurance for 38 years and had never filed a claim, then found he had been disqualified. I would like to read another letter. My correspondent states, and I quote:

> I would like some information on U.I.C. claims with reference to military annuities. I was retired due to my age in 1979 after serving 25 years in the Canadian Forces (sea). My gross pension is $685.00 which is very difficult for my wife and I to live on.
>
> With the employment situation as it is in the Cowichan Valley it is next to impossible at my age to get a full-time job. I had part-time work until last month and due to cut-backs was laid off and am unable to draw U.I.C. benefits.
>
> As I have been paying into this long before January, 1986, I was wondering if I will be able to draw again.
>
> Thank you for looking into this matter for me.

The Acting Speaker (Mrs. Champagne): Order. I am sure all Hon. Members would like to extend the courtesy of being heard to their colleague. The Chair would certainly like to hear the Hon. Member as well.

Mr. Manly: Madam Speaker, even if my colleagues did not wish to extend the courtesy of listening to me, perhaps they could extend the courtesy to those workers who have been discriminated against with this kind of legislation. The working people of Canada deserve at least to have their case heard by this House rather than that it be drowned by this babble of conversation taking place at the present time.

We have to ask how Bill C-50 addresses the injustice perpetrated upon the working people. How does it address the discrimination which has resulted in these people paying into the unemployment insurance system all these years and when it comes to their turn to draw benefits, they find they are

disqualified by reason of the fact they are in receipt of a pension? What does Bill C-50 do? It goes one-third of the way toward justice. Over 50,000 people were affected by the regulations of November, 1984 which hit severance pay and pension income and counted those incomes as earned income for the purposes of unemployment insurance. Fifty thousand people were affected by those regulations. When we study this Bill we find that 33,000 people will still be discriminated against. Every year 33,000 people will find they are disqualified from receiving unemployment insurance because of the provisions of this Bill.

This Bill is illogical and unfair. To illustrate, if you can imagine, Madam Speaker, two people who retire from the Armed Forces at the same time after putting in approximately the same number of years. One of those people is able to get a short-term job. He works a certain number of weeks and then that job runs out and he is laid off. However, he is able to collect unemployment insurance because he has worked enough weeks to qualify. His pension income does not count against him for the purposes of drawing unemployment insurance.

The other person gets out of the Armed Forces at the same time as his buddy. He looks for work but is not able to find any. He is not able to find even temporary work, and he is not able to claim unemployment insurance. Instead, he is told that his pension income has to count as earned income and therefore he does not qualify. Where is the justice in that? Where is the logic?

• (1510)

I think we have to realize that pension income is a form of saved income from previous employment. It is unfair to treat it differently from other types of savings. It is unfair to treat pension income differently, when it comes to unemployment insurance, from the way we treat RRSPs or investments, for example.

The Conservative Government says that it does not want to use the unemployment insurance system to finance retirement. There can be a legitimate debate on that issue. Personally, I think that when we have such a high rate of unemployment among young people it might make sense to encourage early retirement. If having people go on unemployment insurance for a year will encourage early retirement and get people out of the labour force so that younger people can come up and get a job, then that makes sense to me. But the Conservatives say that they are opposed to that principle.

Even if we accept the argument of the Conservatives that it is wrong to use unemployment insurance as an inducement to early retirement, surely they do not need to use these types of Draconian measures, these types of unfair measures, to discourage people from taking it. They could use the job search provisions that are already in the Unemployment Insurance Act to ensure that anyone retiring and in receipt of a pension income would have to be going through regular job search before he or she could collect unemployment insurance. The provisions are already in place. Why do they go to these lengths to discriminate against older workers in the way that they are doing?

The November, 1984, changes were intended to cut the deficit. But why are we cutting the deficit on the backs of older workers, many of whom are retired service personnel, Public Service people and people from the private sector? Why are we trying to cut the deficit on their backs when the unemployment insurance fund will be running a $1.6 billion surplus in 1987-88? Why are we picking on older workers who are at their most vulnerable, people in the age bracket of 45 to 60 who still need to work in order to pay their mortgages and to finance their children's educations? Why are these people being singled out for this type of unfair attack? It is all of a piece with the Government's earlier attempt to put a cap on increases to the Old Age Security pension which it almost got away with if it had not been for a few hundred thousand seniors who cried foul two years ago. Studies have shown that only one worker in ten who is laid off at that critical age is going to be able to find work again. Thus only one worker in ten is really able to benefit from this type of situation.

In addition, this type of legislation discriminates very seriously against people in the poorer provinces. It discriminates against workers in areas of high unemployment, in the Maritimes, Newfoundland, British Columbia, and in certain parts of northern Quebec and Ontario. But it discriminates particularly against those in the Maritimes and British Columbia where a large number of retired service personnel live. This type of discrimination is unfair. It is bitterly resented by these people who have served their country.

This legislation admits that there was an error made in November of 1984. It admits that those regulations were wrong and poorly thought out. But it is a half-hearted admission. We are not taking the type of action that is needed to provide justice for these working people.

Therefore, along with my colleagues, I will be opposing this legislation. It is illogical. It is unfair. It is contradictory. I do not understand how the Government can introduce such legislation. I do not understand how government Members can stand up and speak in support of it. I do not understand how members of the Liberal Party can say that they will vote for it. I hope that the least we will get from the Liberal Party is a bit of a split and some of them will think about this and vote with us against it.

In short, this legislation is wrong. We oppose it completely.

Hon. J. Robert Howie (York—Sunbury): Mr. Speaker, I am very pleased to be able to join in the debate today on the proposed amendments to the Unemployment Insurance Act. These amendments deal with two areas: the treatment of unemployment insurance in relation to pension income, and the treatment of unemployment insurance in relation to severance pay.

Following changes to the Unemployment Insurance Act on January 5, 1986, a pension earned by an individual was treated

as income during the period received and was deducted accordingly from unemployment insurance benefits as per a formula set out in the regulations. These changes were rooted in the belief that unemployment insurance should not be used as a supplement to pension income earned by those individuals who have retired and who have chosen to withdraw completely from the labour market. This has never been the intent of the Unemployment Insurance Act, and this Government is still committed to that belief.

However, the Government recognizes that there are many individuals who have retired and who, by choice or by economic necessity, have decided to remain active members of the workforce. Upon assuming a second career these people continue to pay unemployment insurance premiums, as is their legal obligation. At some point in the future an individual may be forced to submit a claim for unemployment insurance based on insured earnings accumulated during his second career. It would be inequitable to then deduct pension earnings from these unemployment insurance benefits, the result of which would all but eliminate most claims.

The intent of Bill C-50 is to correct this inequity by allowing pensioners who requalify for unemployment insurance by working subsequent to their retirement to collect benefits without being penalized for collecting a pension as well. I feel that this is a good measure. This principle is one which Members of the House should support.

In addition, Bill C-50 will compensate any individual for lost unemployment insurance benefits based on a claim begun after January 5, 1986, providing that that claim resulted from post-retirement earnings. This is a good measure as well. I find it difficult to believe that any Member of the House could vote against it.

Bill C-50 creates two categories of claimants who will benefit from the proposed changes. The first category includes those referred to previously, that is, claimants who are capable of requalifying for unemployment insurance on the basis of post-retirement employment. Some 30,000 people per year are expected to fall within this category with a projected reduction of savings in the unemployment insurance account of approximately $230 million for the fiscal years 1985-86 through to 1987-88.

The second category consists of those claimants who are not capable of requalifying but who have applied for benefits before January 5, 1986. It appears that, prior to the introduction of the January 5, 1986 amendments, some people were misinformed as to what these amendments would imply. As a result, many people retired and applied for unemployment benefits based on the mistaken assumption that their pension would not affect their benefit claim.

The Minister has dealt with this problem clearly and concisely. Under Bill C-50 all pensioners who applied for UI benefits prior to January 5, 1986, will now be dealt with according to the regulations that were in place before the January 5, 1986 changes. Any benefits lost since that date will be refunded. This is a good measure, and I find it difficult to believe that any Member of the House could vote against it.

• (1520)

The second issue with which Bill C-50 concerns itself is the matter of severance pay. Following previous changes in the treatment of payments on separation, some confusion existed which resulted in inequitable treatment. In order to prevent this occurrence, clear up the existing confusion, and treat all claimants fairly, Bill C-50 extends the qualifying and benefit period up to a maximum of 104 weeks when the separation payment has prevented the payment of unemployment insurance benefits or has delayed the start of a claim. This change merely delays the receipt of unemployment insurance and does not result in any loss of benefits.

The Minister has stated that Bill C-50 proposes changes which demonstrate the commitment of the Government to ensuring fair and equitable treatment of all workers. I wish to echo this sentiment. I applaud the Government, and the Minister in particular, for these measures.

With this in mind, I would urge that the Government carefully monitor the unemployment insurance delivery system in the future with the goal of eliciting continuing improvements. When a person retires early, he or she may be retiring permanently or about to embark upon a new career. Such a person who gets a job answers the question clearly and without doubt and requalifies for benefits without pension deductions.

Jobs are not as plentiful in all parts of Canada. I suggest that the Government should consider a future improvement to put a person forced to take early retirement, who proves that he or she is actively seeking work, in the same category as one who has obtained a job in that the claimant could obtain benefits without pension deduction. I have in mind people like members of the Canadian Armed Forces and the Royal Canadian Mounted Police who fall into this category.

All in all I feel the changes covered in Bill C-50 represent a tremendous step forward, and I would urge that a future goal of the Minister be to consider additional changes along the lines I have suggested.

[*Translation*]

Mr. Malépart: Madam Speaker, I have a question for the Hon. Member who just spoke. Could the Hon. Member explain why his Government can ask for $186 billion to buy submarines. Why it can spend money on military equipment to kill people, to fight an otherwise unknown enemy, and why it cannot spend the millions of dollars that are right there in the Unemployment Insurance Fund, which belongs to Canadian workers, to ensure that older workers are treated fairly? I know the Hon. Member as a man who is sincere and dedicated to defending the rights of his constituents. Would the Hon. Member be willing to support the demands contained in the amendments the Opposition intends to present, which are the demands of the Pan-Canadian coalition, to ensure that all workers who took early retirement before January 5, 1986,

either voluntarily or involuntarily—the Hon. Member is aware of people in his riding who were unable to go to the unemployment insurance office. Suppose a person stopped working on December 31. The unemployment insurance office is closed on January 1. Because the person in question received separation payments, that person would not go to the unemployment insurance office until after January 10, and unfortunately, if the Government maintains its decision, there will be at least 2,500 people in Canada who will not be reimbursed. Will the Hon. Member, considering that he defends the rights of his constituents, support the amendments proposed by the Liberal Party?

[*English*]

Mr. Howie: Madam Speaker, I thank the Hon. Member for his question which was like a multiple choice question. It contained quite a few questions.

People who retired before January 5, 1986 are covered by the Bill and are henceforth entitled to benefit. Of course, everyone is always entitled to apply for benefit. The question is whether the pension income applied to the benefit would reduce it to zero or substantially reduce it.

I assume the Hon. Member means with his question that people who retired technically and filled in the forms after January 5, 1986 should not be subjected to the regulation.

The Bill deals with people who retired before January 5, 1986, and, substantially, pension will not be considered in computing their benefits in the future. The Bill also deals with people who retire after January 5, 1986 and subsequently obtain a job. In the future, after they obtain a job they too are, to put it colloquially, home free.

What about people who retire after January 5, 1986 and before they get a job? That is the area which is not covered in the Bill, and that is the area which I drew to the attention of the House in my speech.

I hope that answers the Hon. Member's question. He asked me whether I would support a Liberal amendment. I would have to see the amendment and make a decision, when I see it, as to whether it is in order. I know one was introduced earlier, but I have not had the opportunity to obtain the "blues" and read them yet. However, I will look at them, and when the time comes for the vote I guess the Hon. Member will know.

I want to thank him very much for his interest in older workers and in all Canadians. I thank him for the hard work he did on the Standing Committee on Labour, Employment and Immigration that brought in some excellent recommendations at which we should be looking in the future.

Mr. Henderson: Madam Speaker, I have a short question for the Hon. Member for York—Sunbury (Mr. Howie). I know he has many veterans and service people in his riding. I must say that I have always known him to be a conscientious and fair-minded worker.

However, I want to ask him about the post-January 5, 1986 amendment which the Bill really covers. Armed Forces people, those employed in the RCMP, and others have had premiums for UIC deducted from their pay cheques. Under the Bill they will no longer be able to collect UI benefits after having paid in for some 25 years to 30 years, unless they can go out and find another job and work from 10 weeks to 14 weeks depending upon the variable entrance requirements in the location in which they happen to retire.

Could the Hon. Member comment upon the fairness of that one aspect? It seems that when one pays into unemployment insurance or any insurance, it should be there when one needs it. I realize that there is a very slight distinction when someone retires. However, in most cases in the Armed Forces they are not retiring voluntarily; they are being forced out. I feel that they should be eligible for UIC benefits the same as any other employee in any other occupation.

It seems to me—and I want a brief comment from the Hon. Member—that it is very unfair for the Government to ask these people to pay premiums all their lives and, just because they cannot find alternative employment after retirement, to tell them that they are no longer eligible to draw UIC benefits. I think it is wrong, and I should like to have some comments from the Hon. Member. I know he will give me fair comments on it.

Mr. Howie: Madam Speaker, I thank the Hon. Member for his statement and for his question. They have been made with the clarity, experience, pungency, and sincerity we have come to expect of him.

I do not think there is any basic difference between the Hon. Member and myself in respect of this particular problem. The problem is that a person who retires early is not denied unemployment insurance.

Under the regulation, the pension income is considered as income and it is evaluated in the formula. It operates to reduce the amount of unemployment insurance a person receives. It is a relative type of thing.

However, in too many instances the weight of the pension can entirely wipe out the unemployment insurance, which substantially brings us to the same point the Hon. Member mentioned.

I see a difference between a person who retires early and exits from the workforce and a person who is forced to retire early, like many members of the Armed Forces and the Royal Canadian Mounted Police. I feel that the people in the latter category who are forced out early and who are actively seeking work—that is the other qualification—should be eligible to receive unemployment insurance benefits.

• (1530)

That is the point I made in my speech, and one which I asked the Department and the Government to take a look at regarding future change. One could make this change by

indicating that pension income will not be considered as income for UI purposes. One could do it by indicating that there is a rebuttable presumption. A person who retires is exiting from the workforce and, by evidence of the individual looking for work or with the amendment which the Minister is bringing in, obtains work. The amendments of the Minister go a long way in the direction that I would like to see us go. I laud him for that. I think it is great that the Minister has done more than anyone else in recent years in that regard. I feel there is room for further improvement, as I indicated in my speech. I hope, if the Hon. Member has a chance, he will cast an eye over it and offer me his constructive criticism, which I value very much.

Mr. Rodriguez: Madam Speaker, I, too, am well aware of the kind of person the Hon. Member for York—Sunbury (Mr. Howie) is. I sat on the Standing Committee on Employment and Immigration for many long hours. We sat side by side and discussed this matter at great length. The Member says the Minister goes a long way with his changes concerning pension income and unemployment insurance. The Hon. Member says that if a second job can be obtained and the person loses that second job, that person can qualify for benefits. He thinks this is a real move.

I know that the Hon. Member represents a riding, an area, very much like mine. It is completely dependent on resource extraction. Will he stand up and tell the House whether he thinks that a person in his community who takes early retirement and actively seeks a job can find that second job in a riding like his, like mine or in ridings throughout Atlantic Canada that are very similar to ours? If he thinks that person can get a job, I would then say, yes, the Minister has gone a long way toward making some worth-while changes. If, however, the chances of getting that second job are very remote, then this Bill is not serving his constituents, my constituents, or constituents in regions across this country like ours. Really, it is nothing.

Mr. Howie: Madam Speaker, I would like to thank the Hon. Member for his comments and indicate that I value his question because of the very high regard in which I hold him. The Member makes a good point with respect to people who have difficulty finding the first post-retirement job.

I had a meeting in my constituency with about 500 people. Many found jobs at the army base from which they had retired. They told me of the difficulties they had encountered because this pension UI regulation was haunting them with respect to the post-retirement job they got and all the other post-retirement jobs which they may get in the future. They made strong representations to have this section removed. I am very pleased that the Minister has removed it. I was most sincere when I paid him tribute for doing it.

The Member mentions the other problem of people looking for work. If the Member looks at my speech, I think he will find that I covered that point, at least it was my intention to do so. I brought it to the attention of the House in the strongest and most efficient fashion that I could. I thank the Member for giving me the opportunity to underline the fact that I did bring that matter forward.

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Madam Speaker, this is an issue in which I became involved very early in the debate, as early as November 8, 1984 when we first heard of the changes which the Government was making in the Unemployment Insurance Act and regulations. It was interesting to realize what tack the Government was taking in its approach. The Government obviously zeroed in on those on long term employment, such as people in the Canadian Armed Forces. Their benefits when coming out of the military into civilian life ended up meaning really nothing to them. They could not collect the full amount of unemployment insurance. I know of some of my constituents who got out of the Armed Forces and collected as little as $2 a week. Some of them got $16 a pay-cheque. The worst is that those changes were simply unfair.

Let us take a look at what went on in the longer process. *The Globe and Mail* zeroed in on these changes in December, 1984. It was an ongoing issue early in 1985. The first question I asked in the House was on March 26, 1985. I mentioned the loss of unemployment insurance benefits because of severance pay. That change was to become effective on January 1, 1985. Members of the Canadian Armed Forces, the Royal Canadian Mounted Police and others in positions where their type of occupation requires them to retire early get an annuity. You do not try at the time of retirement to describe the difference between an annuity and a pension because it is very difficult for anyone to understand. That issue also came up during the debate. Members of the Armed Forces or the RCMP who get out in their forties take a monthly pay with them.

The unfairness is not just the case that people did not qualify for full unemployment insurance once they got out of the service or whatever, but because they still paid premiums like everybody else. Their pension income or annuity, whatever you want to call it, was part of their pay package and agreement while working. But the Government is taking this away simply by changing regulations.

I remember many of us asking questions of the then Minister of Employment and Immigration, the Hon. Member for Kingston and The Islands (Miss MacDonald). Time and time again she would repeat the dates on which various announcements were made. The announcements meant nothing. If she was going to change them, she said would announce them some time. It had nothing to do with the rationale for having done so. After she finished naming all the dates a number of times, she got around to saying that everything would be referred to the Forget Commission. I asked the Minister of Finance (Mr. Wilson) about it one day. He told me that it was a very complex problem and that it would be referred to the Forget Commission. That was his way out. But it was the Government that made the issue complex by changing the regulations in the first place.

Along the way we had a press report and comments emanating from the then Deputy Prime Minister, the then Member for Yukon and also from the Secretary of State for External Affairs (Mr. Clark) who disagreed with their colleague in Cabinet, the then Minister of Employment and Immigration. She still did not listen to them. Yet she would rise in the House and say that if the Hon. Member had representations to make or had any useful comments, she would be glad to receive them. I did not think there was much sense in me speaking my mind if she would not listen to her own cabinet colleagues who were speaking to her about it.

• (1540)

I appreciate the problem faced by the Hon. Member for York—Sunbury (Mr. Howie). He spoke very well on this matter this afternoon. For those of us who represent large military communities, it really created a great problem. Although members of the military community choose the ridings in which they vote, those of us who have large military bases in our ridings have many more such constituents than other Members of the House of Commons.

At that time, the Government's regulations denied unemployment insurance benefits to those military personnel who were paying premiums the same as anyone else. They were met with a double whammy. Members of the RCMP and the Canadian Forces, unless they get into serious difficulty, continue to be fully employed and, as a result, never make any demands on the Unemployment Insurance Fund. However, when they get out, they cannot collect the full amount of unemployment insurance benefits because the benefits they earned while serving those years were used against them. Actually, their own pay packages were being used against their ability to collect unemployment insurance benefits.

The Government attempted to hide its decision at that time by passing it into law through an Order in Council. It changed the regulations and effectively bypassed the House of Commons. These changes were brought in in such a way that opposition Members were prevented from debating them in the House of Commons. We woke up one morning to find that the Government had made all these changes in Cabinet and that we were suddenly faced with new rules for collecting unemployment insurance benefits.

We tried to tell the Government that if it could change the regulations to deny people benefits after they had paid for them, then it had equal authority to change those regulations back so that those people would be treated fairly and could collect unemployment insurance benefits when required between jobs. However, the Government never accepted that. It simply turned everything over to the Forget Commission.

The Government expected the Forget Commission to be the answer to all of its problems. We also know that when the Forget Commission dealt with these issues relating to unemployment insurance, it too disagreed on them. There was much dissension within the commission while the matter was being studied. In fact, two members of the Forget Commission disagreed publicly with the changes the then Minister of Employment and Immigration had made. However, that did not faze her. She went on her merry way defending her defenceless position. Then the Government finally saw the light and decided to change those regulations much later on.

The regulation relating to members of the RCMP, the Armed Forces and others employed similarly has been changed but it is certainly not a very satisfactory solution. The Government has told those people that their pensions will continue to be used as income consideration when applying for unemployment insurance benefits. As a result, people coming out of the Armed Forces after January 5, 1986 will apply for unemployment insurance and will receive reduced rates because of the annuities for which they applied under their financial arrangements and pay packages throughout the years they worked. That is unjust.

Then there is a regulation that says that if those people get out of the Armed Forces, the RCMP or equivalent employment, and if they work the required number of weeks depending on in which region of Canada they live, they will be able to qualify without their pensions coming into play. The problem here is the fact that when many people get out of the Armed Forces, they have difficulties in civilian life. Many of them are trained soldiers. Some have held jobs that allow them to adjust easily into civilian life, but what happens to the people who are trained in fighting, warfare and handling equipment used in securing a country? These people may not have an expertise that would allow them to fit easily into civilian life. As a result, it takes them much longer to adjust from their old jobs to their new jobs. Surely during that period of time, that regulation should apply.

I would like to see this regulation changed to allow for people who are in that position. Some of these people even have to take training after they leave their old jobs in order to get new jobs. Surely that should be taken into consideration as an added argument in favour of changing that regulation.

On Wednesday, May 14, 1986, an article appeared in *The Globe and Mail* bearing the headline "Ottawa determined to fight in growing battle over UI pay". It reads in part as follows:

> The current 3,000 appeals will mushroom soon to about 30,000, said Ed Halayko, spokesman for the Canadian Armed Forces Pensioners Association.

I would like to pay tribute to Ed Halayko today and to the Canadian Armed Forces Pensioners Association and other associations for the way they carried on this battle. They truly realized what this meant to people with whom they could relate very well and with whom they had associated every day of their lives.

Service personnel will continue to retire and to face this problem between retiring and acquiring their first jobs. I must ask the Minister a serious question, and it is one I have not heard him answer. Why should members of the Canadian Armed Forces and the Royal Canadian Mounted Police be required to pay unemployment insurance premiums if they

cannot make use of them in a better way than that which this legislation provides? That is the injustice of the whole thing.

I would like to put on record a letter from a member of the Canadian Armed Forces. It reads as follows:

> I am presently a member of the Canadian Forces (CF) and have been for the past 26 years. My home town is Eston, Saskatchewan, and I am presently stationed at St. Louis, Missouri, U.S.A.

• (1550)

Here is a man who served for 26 years, who obviously never received a single UIC cheque during that period of time, yet paying premiums the same as any other Canadian, knowing full well when this came in that he could not collect the full amount at the end. I go on, Madam Speaker:

> Approximately 20 years ago, it was legislated by our Government that CF personnel would contribute to the UI Commission with the understanding that CF members would benefit from the investment if required. As you are well aware, Mr. McKnight, CF personnel must retire early in life, (in my case 50 years of age) and seek continued employment because the CF pension benefits are not sufficient to survive in the Canadian economic system.
>
> Being released from the CF at a relatively early age is a traumatic enough experience, however, to pay into an insurance system that will not benefit us while seeking new employment is ludicrous, not ethical, and against my human rights.

There is the precise message that the Government must get. There must be something done to make this system fair for members of the Canadian Armed Forces and the Royal Canadian Mounted Police and others. We hear in this House of Commons about moral conduct. I say to the Government, Madam Speaker, that it is immoral conduct to charge people for something that they do not get. It is legal robbery in a real sense. Going on with this letter:

> Generally, a member of the CF who retires with 20-25 years of service will not be eligible to draw any UIC benefits.
>
> My second concern is that when I retire, and obtain employment, I will still be required to contribute to a system in which I will derive no benefits should I become unemployed.

At that time he was referring to his pension that would still apply. We have learned since that that has been adjusted somewhat, but it is still not fair, Madam Speaker. That person is still going to be affected during the most challenging part of his life. That is between his major occupational career and the next job, starting his second career.

We know simply that this Government got into a mess that it never thought it would get into. It is trying to crawl back out of it by leaving old inequities remain and creating new ones. As everybody in this House knows, this Government chopped $100 million out of the Atomic Energy of Canada Limited budget and wanted a cut-back in employees. It gave them the golden handshake, you know, "get out, we'll pay you to leave your job." About 550 employees have left as of this time or will leave very shortly. These people are being shoved out on retirement at an early age, again having paid unemployment insurance premiums all their working careers with that Crown corporation, and are not able to collect, Madam Speaker.

So what happens? I'll tell you. As the Member of Parliament for Renfrew—Nipissing—Pembroke, which contains Canadian Forces Base Petawawa and Atomic Energy of Canada Limited Chalk River where people are being pushed out to on retirement, I got a real education in the unemployment insurance regulations and a real education on how unsympathetic this Government is to long-term employees.

This legislation is far from perfect. If it is not fixed up by this Government, I hope it will be fixed up by a Liberal Government after the next election, putting some human feeling, common sense and honesty back into the system, saying to people "if you are going to pay for something, we are going to produce it for you." If that is not done, then no Government in Canada should be charging unemployment insurance premiums.

In conclusion, Madam Speaker, the answers from the Hon. Member for Kingston and the Islands, the Finance Minister and the present Minister, those two in particular, were anything but satisfactory. The present Minister has done sort of a half job, a patch job of coming back and trying to save the face of the Government. But the face of the Government will not be saved until they put some integrity back into their own system.

Thank you, Madam Speaker.

The Acting Speaker (Mrs. Champagne): Questions or comments.

[*Translation*]

Mr. Malépart: Madam Speaker, the Hon. Member is to be commended on his remarks, and I think it is clear the Hon. Member is very familiar with the situation of Canada's military personnel, and with the adverse effects these people will suffer as a result of his Government's failure to act. I would like to ask the Hon. Member what he thinks about a situation where we have two citizens, each with a weekly income of $385. Since unemployment insurance benefits represent 60 per cent of someone's income, this means that they each would be entitled to $231 in unemployment insurance benefits. Unfortunately, this is where their problems start, and where we see the double standard applied to older workers. One worker gets $300 a month from a pension plan to which he and his employer each contributed half, while the other worker gets $360 from a Registered Retirement Savings Plan, an RRSP.

Now, the one who gets payments from an employee-employer pension plan is no longer entitled to unemployment insurance benefits. The other person, however, also a worker, who is getting the same amount from an RRSP, is entitled to full unemployment insurance benefits.

I wonder what the Hon. Member has to say about this Conservative Government's decision to create two classes of older workers, whether they happen to be military personnel or people working in the private sector, and about the fact that the Government makes no distinction between a person who leaves his job and the person who loses his job. I would appreciate some comments on this aspect of the question.

[*English*]

Mr. Hopkins: I thank the Hon. Member for that question because I realize that while I am talking, I am using the RCMP and the Canadian Armed Forces as an example. I used others along the way. I think the Hon. Member has really highlighted another lack, another injustice on the part of this Government. There is no question that the Hon. Member has hit the nail right on the head. The Government treats one class of people one way and another class of people a different way. The very fact that it brought in some of the regulations it did on the unemployment insurance legislation simply proves that it really does not have much sympathy for the individual who loses his or her job.

When it brought in changes to the regulations, the Government said it would be very complex. I said in my speech that it created the complex situation by the changes. What they tried to do during the election campaign and after was to put things in very simplistic terms. "We are going to do this and that is it" and "We have got the majority and we are going to shove it through and if you don't like it, that's tough." That is what they are telling Canadians. By using the simplistic approach they are attacking some and not others. In the words of the Minister of Finance to me, it is a complex situation. When you start changing regulations in a general sense, you are not differentiating between someone who retires and draws upon a Retirement Savings Pension Plan and a person who loses his or her job and needs unemployment insurance.

• (1600)

The Government is using the golden handshake to try to get people to quit their jobs and then uses this to justify not paying unemployment insurance in the same way as it used the pension plan as an excuse. Under the new regulations, the Government will allow them to receive benefits in spite of that. Under the old regulations, they would not have been affected, but that regulation has been changed for those who will receive a pension under an RRSP.

In summary, the Conservative Government thought in very simplistic terms about the future of the country when it got on its rambunctious political trail and said how it was going to change everything in the country and set things right. After only three years, parts of the country are in the worst mess they have ever been in simply because the Government thinks everything is simple. It is beginning to learn that everything is not simple. There are many areas which must be considered differently.

Mr. Allmand: Madam Speaker, in the Hon. Member's speech he made some very excellent points. He brought to the attention of the House some very sad stories about individuals in the Armed Forces who were hurt by the unemployment insurance cuts introduced by the Conservative Government, which sad stories will be continued by this legislation forever and a day unless the Government agrees to amend it.

The stories the Member told were bad enough. However, does he realize that under this legislation if two individuals were laid off from the same firm in December, 1985, one may have been fortunate enough to have made his application for unemployment insurance before January 5, 1986, but the other, perhaps because of illness, misinformation, the Christmas or New Years holidays, or whatever, may not have made his application until January 6. The first person will get fully reimbursed while the other will not.

That is because instead of correcting the mistake it has made the Government is perpetuating it by inserting a date which divides pensioners in the same situation into two classes. As I said, the Hon. Member's stories were bad, but was he aware of the ridiculous situation which I have described which will result from this legislation?

Mr. Hopkins: Madam Speaker, I am very much aware of that situation. It is as a result of the Government's approach of putting forward a very simplistic solution to a very complex problem. The Hon. Member mentioned the situation of two people laid off before Christmas, 1985, one of whom submitted an application before January 5, 1986, while the other one did not. I believe there could be other reasons for that as well. The Government did not have a campaign to advertise the new regulations which it brought in. It did not send Ministers across Canada to tell Canadians that unless they applied for UIC before January 5, 1986, they would get nothing upon retirement.

If the Government is going to make major changes in policy which affect the daily lives of everyone, surely it has an obligation to put on a public relations program and tell people about it. It is not only when the Government thinks it has something worth-while to tell that it should make public announcements. If it is going to bring in bad news, it had better tell people of that too instead of making their lives worse by having them find out after the fact, when it is too late. I thank the Hon. Member for his question.

• (1610)

[*Translation*]

The Acting Speaker (Mrs. Champagne): Resuming debate. The Hon. Member for Kamouraska—Rivière-du-Loup (Mr. Plourde).

Mr. André Plourde (Kamouraska—Rivière-du-Loup): Thank you for recognizing me, Madam Speaker. After two and a half months since Bill C-50 was tabled in the House for first reading, I am very pleased that we are on second reading, and possibly third reading today so that at long last the 1985 early retirees will be able to benefit and get their cheques at the earliest opportunity.

Madam Speaker, my colleagues in the House will remember that a few weeks ago the Minister of Employment and Immigration (Mr. Bouchard) announced his intention to change the regulations on pension income so that all workers would be given fair and equitable treatment.

Under these regulations which came into force on January 5, 1986, any pension income derived from employment was considered to be earnings. In other words, the Government made it crystal clear that people who were going into retirement should not view unemployment insurance as an additional source of income.

The provisions of Bill C-50 with which I will deal today do not change anything to the Government position, and I want to make this clear from the outset.

The Government agrees that there is a basic difference between a person who retires for good and another who quit his job to begin a new career. Since people in the latter group, men and women seeking new challenges, continue to be part of the active population, we believe they should be entitled to full unemployment insurance benefits regardless of the pension income they might be drawing.

Just so there will be no misunderstanding, Madam Speaker, I want to illustrate the consequences the new provisions of the Bill will have for certain retirees. In the case of a worker who retired in February last year and who applied for UI benefits pursuant to the January 5, 1986 regulations, his unemployment benefits would be reduced by an amount equal to his pension income. So far, no change.

But let us suppose this man found a new job in May, 1986, for example, and was laid off a few months later, under the previous regulations his UI benefits would have continued to be reduced to the extent of his pension income.

Madam Speaker, this is where we intervene through the provisions of Bill C-50 tabled on April 1. As a result, the worker whose unemployment insurance benefits would have been reduced because of his pension income will be entitled to a refund of the total amount withheld until then if his benefit period is based on ulterior employment.

The effect of this amendment is to make the changes in the regulations on pensions, which have been in effect since April 5, 1987, apply retroactively to January 5, 1986.

Madam Speaker, this legislation also affects those who applied for unemployment insurance benefits before January 5, 1986, and who were already receiving benefits by that date. When the regulations on pensions came into effect on January 5, 1986, retirees who were receiving pension income either lost their entitlement to unemployment insurance benefits or received reduced payments, so that the Government had to take action to ensure these people were treated fairly.

Madam Speaker, the Government acted as follows: The eligibility of these persons will from now on be determined according to the old rules. Let me explain. A retired worker whose unemployment insurance benefits were interrupted or reduced because of his pension income and who applied for benefits before January 5, 1986, will be reimbursed for the equivalent of the amounts previously withheld from his benefits. That is clear.

Furthermore, Bill C-50 contains another important change since March, 1985. A person who received severance payments upon termination of employment found that this delayed the beginning of his benefit period or reduced the number of weeks of insurable employment for his qualifying period.

Madam Speaker, according to the amendment proposed by the Government, separation payments will no longer reduce the number of weeks of insurable employment or the duration of the benefit period. We still abide by the principle that no one should be receiving severance payments and unemployment insurance benefits at the same time. I think that should be understood, Madam Speaker. However, in some cases such payments were spread over many weeks. In extreme cases, the simple fact of receiving separation payments spread over a long period could make a person ineligible for unemployment insurance benefits.

Under the new provisions, both the qualifying and the benefit periods of the claimants will be extended by the number of weeks corresponding to the moneys paid at the time of employment termination. Thus, most people in such a situation will not loose the protection of the Unemployment Insurance Plan at the time when they most need it. The new provisions will be deemed to have come into effect on April 5, 1987.

If I may, Madam Speaker, I would like to outline the three major changes proposed in Bill C-50 introduced in the House of Commons by the Minister of Employment and Immigration (Mr. Bouchard).

Since April 5, 1987, workers who rejoined the labour market after retirement have the same rights to unemployment insurance as any other Canadian worker, whatever their pension income. I repeat that pension income will in no way reduce the amount of the benefits to which retirees who have rejoined the workforce would be entitled. The Government proposes to have this amendment come into effect retroactively. People in this situation can ask for reimbursement of the amounts kept back during an unemployment insurance benefit period which began after January 5, 1986.

The second change concerns retirees who receive a pension income and who had claimed unemployment insurance benefits before January 5, 1986.

When the amendments proposed by the Government have been approved, the former rules will retroactively apply to the entitlement of such claimants. The sums deducted from their unemployment insurance benefits because of their pension income will be reimbursed by the Commission.

Under the third amendment proposed in Bill C-50, workers whose benefit period would be reduced or eliminated because their severance pay is spread out over many weeks will maintain full entitlement. The qualifying and benefit periods will be extended by the aggregate of weeks represented by the severance pay.

Madam Speaker, by specifying the terms of payment and adjusting certain provisions of the Act to current economic conditions, the Conservative Government is showing flexibility, quickness of action and an open mind. Like my colleagues, I am firmly convinced that our unemployment insurance legislation now meets the expectations and needs of Canadians as well as it possibly can.

I was listening to the questions which my Liberal colleagues asked each other earlier. When someone is not satisfied with a decision of the Unemployment Insurance Commission, he can appeal to the Unemployment Insurance Arbitration Board. This is his right. If the decision of the Arbitration Board is not in his favour, he can also appeal to the Federal Court.

In the case of the Unemployment Insurance Commission, which comes under the jurisdiction of the Minister of Employment and Immigration, anyone who feels his rights have been infringed, whether by Bill C-50 or by anything else, is entitled to an appeal at these two levels.

Mr. Tardif (Richmond—Wolfe): Judging from his last remarks, Madam Speaker, I can't imagine that my hon. colleague has had much experience with the Arbitration Board. First of all, the Arbitration Board intervenes in a case only to appreciate the points of fact and the points of law. I understand that the Arbitration Board does not have the legal capacity to change the terms of reference within which it must operate, on the one hand. On the other hand, the Federal Court can intervene only in matters of law and does not have the jurisdiction to change the interpretation of the facts arrived at by the Arbitration Board.

Having said that, I should like to direct to my hon. friend a question which, under the circumstances, appears to me to be outright indecent. The question is this: Let us imagine two individuals, Madam Speaker, one having contributed to a private pension fund, and the other to a fund jointly contributed to by himself and his employer. For what reason, if we are to apply the Act strictly and faithfully, are there two different status with respect to unemployment insurance benefits? When the time comes for him to retire, the individual who contributed to a pension fund, better known as a RRSP, is in no way penalized, while the other individual who lacked the financial capability to invest in a pension fund and who is at the mercy of his employer administered pension fund, is penalized because his benefits are taken into account. How can we explain, justify and reconcile these two situations which are quite clear-cut and obviously discriminatory in the legislation before us?

Mr. Plourde: First of all, Madam Speaker, I did not mean to challenge the Unemployment Insurance Act, but rather his interpretation of it.

In reply to his second question, I should like to tell my hon. friend that for every negative side, there is a positive side. We could talk all day long about the negative side, but I have heard no one talk about the positive side, which is that not all early retirees are not entitled to unemployment insurance benefits... There are early retirees who receive a minimal pension income and who therefore are entitled to practically the full payment of their unemployment insurance benefits. Just as there is also a provision in the unemployment insurance legislation which still makes it possible for someone reporting an income to draw 25 per cent of his unemployment insurance benefits... Therefore, we are not talking here about all early retirees, but about some people in Canada who feel wronged, but the majority of them who are not getting even a minimal pension income are entitled to receive full unemployment insurance benefits.

• (1620)

Mr. Blackburn (Jonquière): Madam Speaker, I have a comment following the Hon. Member's contribution. I would also like to emphasize to the House that the Hon. Member for Kamouraska—Rivière-du-Loup (Mr. Plourde) was one of the three MPs in the Conservative Party who fought the good fight for our early retirees, which resulted in the legislation now before us, Bill C-50, so that for people who indeed took early retirement before January 5, 1986, we could straighten out the situation caused by information that was hazy at that time, which hurt our early retirees. I want to commend him in this House because he was one of those, together with the Hon. Member for Champlain (Mr. Champagne) and myself, who worked on that so that we could now have this Bill. Thanks to his work and that of others, we are now ensuring that all our early retirees, that is the 55,000 early retirees, will benefit from the $295 million that will be paid because indeed of Bill C-50.

Ms. Copps: Madam Speaker, can the Hon. Member explain the difference between two guys in my constituency of course who retire from Firestone Company, two guys who retire the same day, one who applied before January 5 and the other who applied on January 10. Why should one get benefits but not the other?

Mr. Plourde: Madam Speaker, I think I answered that question earlier for an Hon. Member from the Liberal Party. This is where indeed the UI Arbitration Board gets into play, on the perception and wrong interpretation of someone who, because of the Holiday season, was pre-retired at the end of December and who comes to the UI office on January 5, 6 or 7, 1986, and at that point, there is an interpretation, and I feel, Madam Speaker, the only solution for those people, and I am ready to support them, is to report to the Unemployment Insurance Arbitration Board.

Speaking of legislation this House is called upon to pass, you know, Madam Speaker, I have not once in my political life seen a Bill that made it unanimously in this House. Look for instance at the Old Age Security pensions. They are paid to people when they reach age 65. Why not give them to those 64 and over? We have heard that kind of debate before. We heard that kind of suggestions from the Opposition, when this Conservative Government gave a pension to widows and widowers aged 60 to 64, and then they asked: Why not give it

to unmarried people? Well, Madam Speaker, no legislation is perfect. There is always room for improvement.

Mr. Malépart: Madam Speaker, I have just heard the Hon. Member for Jonquière (Mr. Blackburn). We have learned that there was only three Tory members who wanted to promote the cause of the preretirees according to what the Hon. Member for Jonquière has just said. However the Hon. Member has mentioned that pensioners who have gone into early retirement or have lost their job before January 5, 1986 and did not claim any unemployment insurance benefit should apply to the arbitration board. However, I put the following question to the Hon. Member: What is he doing here? Is he not a member responsible for drawing up clear and specific laws or is he going to ask the judge of the arbitration board to draw up some legislation while he goes away? We have here a fine opportunity to draw up some clear and specific legislation. Why does the Hon. Member insist on having his constituents, the older workers, going to appeal to obtain a decision? why does the Hon. Member want to make things harder for his constituents? Why does he not rise and say to the Minister and then to the Prime Minister: "Listen, what you are doing is unfair." You are going to put in the Bill that every person who has stopped—and later we will have an amendment. I look forward to seeing the courage of the Hon. Member for Jonquière, when he will be asking that anyone who stopped working before January 5, 1986 and can provide it be entitled to unemployment insurance benefits, like others. He knows that very often people in his riding went to the local employment centre, or even to his constituency office, to be told that under the Unemployment Insurance Act they were not entitled to benefits immediately. They had to wait because of their severance pay.

What is the Hon. Member doing here if he does not want to pass clear and precise legislation?

Mr. Plourde: Madam Speaker, I am glad that the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) asked me that question, because I represent the riding of Kamouraska—Rivière-du-Loup. He said only three Members of the Conservative Party rose to support Bill C-50. That is not exactly true, Madam Speaker. Three Members decided to join forces and to meet with the Department of Employment and Immigration and our Minister to let them know that we felt that all early retirees of 1985 had been discriminated against.

Madam Speaker, I did not back out of a meeting called by a senior citizens association in my riding of Kamouraska—Rivière-du-Loup. It had been advertised on the radio, on TV and in the papers. The Hon. Member for Montreal—Sainte-Marie was supposed to be there, and also some representative from the NDP. I attended that meeting to tell people the truth, but I was the only one. They did not dare to come and confront me, Madam Speaker. Nevertheless, I defended the early retirees of Kamouraska—Rivière-du-Loup, along with all early retirees in Quebec and Canada, and that is also the purpose of the legislation under study today, Bill C-50. If it had not been for the Hon. Member for Montreal—Sainte-Marie, Madam Speaker, who has been stalling on this matter for two and a half months, the early retirees of 1985 would have had their cheques a long time ago.

[*English*]

Mr. Nelson A. Riis (Kamloops—Shuswap): Madam Speaker, I am pleased to have an opportunity to participate in the debate today. We have been waiting a long time to carry out this debate. As Members of Parliament will be well aware, the legislation was first introduced on April 1, April Fool's Day. We all realize that the Minister is a jovial and funny fellow. He likes to tell stories and jokes. We thought he was pulling an April Fool's joke on the people of Canada. When he introduced Bill C-50, he said that some Canadians who had retired would receive the unemployment insurance benefits they had paid for. However, if one was going to apply after January 5, 1986, one would no longer be able to collect the unemployment insurance benefits for which they had paid for such a long time.

The people of Canada thought here is a funny Minister, this was a good April Fool's joke, only to find out it was not an April Fool's joke. The Minister was serious. The Government had decided that if an individual decided to retire earlier or was a member of the RCMP or the Canadian Armed Forces and, of course, was required to retire earlier than at age 60 or age 65, or if an individual was laid off because the plant or mine had closed and some severance pay was received, those individuals could not receive unemployment insurance benefits.

The people of Canada quite frankly could not believe the Government would do this. I remember delegation after delegation coming to my constituency office in Kamloops—Shuswap and delegations and rallies on Parliament Hill of people saying: "We cannot believe that the Government would introduce legislation that would be so unjust so as to treat some people one way and to treat other people in a totally different way". Some people who had paid into the unemployment insurance fund for their entire lives would not be able to collect unemployment insurance when they lost their jobs.

• (1630)

I think all of us can appreciate the frustration that these people must have experienced. It is as if we had paid car insurance amounting to hundreds of dollars every year in the event that when we are unfortunate enough to have an accident we make a claim and insurance will be paid to compensate for any loss. Similarly, in comparing the unemployment insurance situation to the car insurance situation, if one gets into a car accident then one goes to one's friendly insurance broker and says: "I am submitting my claim for this accident. I have been paying insurance to your company now many years". If the broker were to say: "We are no longer going to pay you. We have changed our policy, changed our mind. You seem to be someone who has an extra car, and you seem to have a good job. We won't pay you. Come back in a few months after you have exhausted all your funds trying to

pay for the damage to your car and we will see what we can do for you", we would laugh. We would simply throw our hands up in despair that the world had gone mad.

Such is the case with the Minister of Employment (Mr. Bouchard). He brings forward Bill C-50 which basically says that if one has retired from the Armed Forces, or from the RCMP, or if one has decided to retire early from one's firm to allow a younger employee an opportunity to come into one's line of work, then one would be penalized because one would not be able to collect unemployment insurance because one would be collecting a modest pension or severance pay. Until one has exhausted that amount of severance pay, or while one is collecting a modest military pension let us say, one's unemployment insurance would be deducted to reflect that. In other words, it would be considered as earned income.

I ask Hon. Members if they can imagine anything so peculiar. Here is an individual, let us say in the Armed Forces, who has been paying unemployment insurance for perhaps 20 years, paying unemployment insurance every week for 20 years. This person then retires, as people in our Armed Forces do after a certain length of time, with a modest pension. It is not enough money to live on.

Here are people from our Armed Forces who must go out to seek other employment, develop other careers, perhaps take advantage of some of the skills or expertise they have learned in the Armed Forces and then apply that to the civilian world. We all know how difficult that is, particularly if one lives in certain parts of Canada and finds oneself retired on a modest military pension and must go out to seek employment. That might take some time. In Kamloops we have just closed down a major military installation. It is very difficult for people in an area in which the unemployment rate is perhaps 15 per cent or 20 per cent to find a job right away. It might take a few months, if one is lucky. Well, in cases such as that, these people would not receive their full entitlement of unemployment insurance benefits because they would be receiving a modest pension. The Government has decided that if one is receiving a pension then one will have one's unemployment insurance deducted to reflect that amount of money since it is considered to be other earned income.

That is grossly unfair. People have been paying into this unemployment insurance for many, many years, with the assumption that when they did retire they would have an opportunity to have a few months, perhaps the better part of a year, to seek other employment. As I have said, in some parts of Canada that is a real challenge.

One must ask oneself: Why would the Government bring in such peculiar legislation? Why would the Government decide to penalize those people who are receiving alternative funds from pension funds, for example, or let us say from severance pay? Why would the Government do this? I suppose one could say the following. There must be a problem with the unemployment insurance fund. There must be a deficit situation.

Such is not the case. Certainly during the depths of the recession there were years when there was a deficit in the unemployment insurance fund. But I ask Hon. Members to consider these figures. In 1985-86 there was a surplus in the unemployment insurance fund of $174 million. In other words, of all the money taken in by UI, and in consideration of the money going out to help those who found themselves unemployed, there was a surplus of $174 million. That is a great deal of money.

In 1986-87 the figure increased to $720 million in surplus funds. For the present year, 1987-88, the projected figure is a surplus of $1.7 billion. That is an incredible amount of money. There is no need to become niggardly and to penalize tens of thousands of people who are already a part of a system today, let alone those who will be part of the system in the future, who have a modest income from a pension into which they paid for so many years and who now find themselves to be ineligible to collect unemployment insurance benefits.

I wish to make one thing clear at the outset. Bill C-50 will bring help to a number of people who were caught as a result of the Government changing the rules of the game half-way through it. About one-third of the 50,000 people affected will receive justice as a result of Bill C-50. But the question remains: What about all the others? What about the other two-thirds of the 50,000 people affected by this change of legislation, let alone all those from now on and into the future who will be affected by it?

As a Party we say that this is a very unjust Bill. It is unfair. It is discriminatory. It is undemocratic. We cannot support a Bill that can be described in those terms. We recognize that it will bring justice to a handful of people across the country, a few thousand people who were caught when the Government changed the rules half-way through the game.

The only thing we can ask is why on earth did the Government do this? Why on earth did the Government decide to discriminate so much against those in the Armed Forces, in particular, and those in the RCMP, and those on private or public pensions to which they have contributed for so many years?

Not everyone is caught in this situation, as we well know. For example, if an employee of a company or a professional decided to invest money, not in a company pension plan or a government pension plan but instead into stocks or bonds, or into property in Hawaii, Jamaica or wherever, and then collected revenues on that for retirement purposes, then one is not excluded. In others words, if that is how one obtains one's pension funds, then that is okay. One can collect that money and collect unemployment insurance as well. However, if a man or woman who served in the RCMP for so many years, served Canada in that respect, and contributed to the government pension plan, then that person cannot obtain full entitlement to unemployment insurance benefits once he or she retires and is seeking alternate forms of employment.

The whole thing is illogical. To me it reflects the reality of a Government that is in a state of total confusion. This is a Government that really has no idea what kind of a society it is attempting to support. This legislation supports those who obtained their retirement income from investment portfolios. It discriminates against those who contributed to company pension plans or government pension plans, as those people in the Armed Forces and the RCMP would obviously be doing.

In a sense this legislation places Canadians into two classes. There are those who contribute to their retirement years in one way versus those who provide for their retirement years in another way.

I wish to indicate another concern which I have. The Government received countless petitions with respect to this matter. I remember my colleague, the Hon. Member for Nickel Belt (Mr. Rodriguez), who day after day with our colleagues in the New Democratic Party presented petitions to the House bearing thousands and thousands of names.

• (1640)

In fact, I remember a stack of petitions presented one day which included 19,000 names of Canadians who were registering opposition to this discriminatory, illogical initiative by the Government. Earlier I mentioned the large rallies on Parliament Hill of retirees who were opposing the imposition of this legislation. They felt that they had contributed to unemployment insurance and pensions all their lives, only to have the Government change the rules at the eleventh hour and keep from them what they believed to be rightfully theirs.

I should like to refer to the Canada Employment and Immigration Advisory Council which tabled a report indicating the following recommendation:

> That the Government not proceed with the announced changes in the unemployment insurance regulations scheduled to take place January 1, 1986,—

In other words, the actual advisory group to the Minister indicated that the Government should not proceed.

The House will recall the famous Forget Commission. A member of that commission, Mr. Roy Bennett, a former executive with Ford Motor Company, spoke out in February, 1986. He was reported in *The Winnipeg Free Press* as follows:

> In hindsight, I think it would have been better had the Government not made those changes—

Those were the comments of a member of the Forget Commission. He indicated that the Government initiative in this case was not particularly good.

I should also like to refer to letters from the Secretary of State for External Affairs (Mr. Clark) and the then Minister of National Defence, the former Hon. Member for Yukon, Mr. Nielsen. In his letter, Mr. Nielsen said:

> After considering the options available, I have now concluded that the only reasonable and fair approach is to seek an exemption for the Canadian Forces from those provisions beginning 1 January, 1986 that will require pension income to be treated as earnings for purposes of determining unemployment insurance benefits.

The Secretary of State for External Affairs went on to say in his letter:

> As you are aware, because of the unique requirements of military service, members of the Canadian Forces are required to retire at a much earlier age than people in other walks of life.

He made the point that members of the Canadian Armed Forces ought to be excluded from this discriminatory, unjust, and illogical legislation.

The most interesting letter we received was from the Progressive Conservative Women's Association in Oromocto-Burton-Geary which passed a resolution calling upon the Minister of Employment and Immigration to withdraw the inequitable provision in the Unemployment Insurance Act. Even key players in the Progressive Conservative Party do not agree with this initiative of the Conservative Government.

One could identify individual Members of Parliament in all political Parties who have spoken against the legislation and have tried to point out to the Government that it was not an appropriate initiative.

As we all know now, it was an initiative announced by the Minister of Finance (Mr. Wilson) on November 8, 1984 with no consultation whatsoever. We have been trying for nearly three years to determine from whom the Minister of Finance got the idea. To whom did he talk? Members of his own caucus, people in his own Party, people from all regions of Canada, and people from a variety of walks of life have unanimously opposed the legislation. One must ask with whom the Minister of Finance discussed the matter before he made the announcement on November 8, 1984 when he suggested that the Government should change the unemployment insurance program so that pensions and severance pay would be considered earned income.

I remind the Minister that for more than four decades the country has not considered pension and severance pay income as earned income, and the system has worked well. People have planned their lives with this in mind. People have planned for their retirement years with this in mind. For the Government to change the regulations—and I emphasize that point—is really a disservice to the people of Canada.

I must say that the Minister of Finance did not have the courage to introduce legislation to make these changes. He knew that if he were to introduce legislation at first reading, second reading, committee stage, report stage, and third reading, the people of Canada, through their elected representatives in the House of Commons, would have stopped that discriminatory, punitive legislation.

The Government chose the sneaky, underhanded, back-door, end run approach. It decided not to introduce legislation nor to propose statutory changes. It decided to simply rewrite the regulations in the Unemployment Insurance Act. This is back-door legislation; this is under the table, back room, backhanded, sneaky legislation.

It indicates to me a Minister of Finance who does not have the courage of his convictions, or knows that his caucus would

not stand behind him, to introduce it as a Bill. Therefore, the regulations were changed behind closed doors. Unfortunately I suppose members of the Minister's Party now feel an obligation to find some way to support the legislation, as we have seen in today's debate. In a sense I feel sorry for a number of members of the government Party who must think of something positive to say about this initiative.

I want to say very clearly that as a caucus the New Democrats will not support the legislation today. We will oppose it on principle. We believe that we cannot support a Bill which treats people in an unfair and unjust way today and forever into the future.

We appreciate the Government's initiative will help a handful of people who were caught in the process prior to January 5, 1986. However, those who applied after that date are caught up in this very discriminatory Act.

I do not know how the Liberals will vote. I suppose, as some of their spokespersons have indicated, they will support the legislation. I do not understand why anyone would support it because of its very unjust nature.

I want to close by suggesting that another problem with the legislation is the fact that many people, who paid into the unemployment insurance fund and had their contributions matched by their employers, have waited for months and months for the Government to make up its mind, to make a decision on whether or not they would be eligible. As Bill C-50 indicates, a handful of Canadians will be eligible. What about the interest on that money? Tens of millions of dollars have been sitting in an account waiting for the Government's decision for months and months on end. However, there has been no commitment on the part of the Government to provide interest on those funds; these people have been unable to use that money. Again I remind the Minister of Finance particularly that when any Canadian owes the Government of Canada some money, interest payments are at the top of the list. The Government ought to do the same in terms of treating these people fairly.

In conclusion, I simply want to say that it is unfortunate legislation. Although we oppose it, we recognize that it will be helpful to a handful of Canadians.

Mr. Rodriguez: Madam Speaker, I have a question for the Hon. Member for Kamloops—Shuswap (Mr. Riis). In the House earlier today we heard the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) say that he was supporting the Bill, a Bill which will entrench into law a very unfair provision.

I want to ask the Hon. Member for Kamloops-Shuswap, who is experienced in the House, how any Member of Parliament who has properly read the Bill, apart from government Members, can actually support such an iniquitous Bill?

As the Hon. Member pointed out, the Bill will affect those who were disentitled as of November, 1984 and into the future. How can any self-respecting Member vote for a Bill which will entrench an unjust law? How can one do it? How can that be squared with one's constituents, with the people out there, and with one's conscience?

Mr. Riis: Madam Speaker, I thank the Hon. Member for Nickel Belt for his question.

As I indicated in my speech, the Minister of Finance used a back-door approach to change the regulations and to impose these new changes to the Unemployment Insurance Act. I am sure members on the government side were as surprised as any of us when they awoke on April Fool's Day and found out that the Government was proceeding with this initiative. As I said, I appreciate the fact that some members feel an obligation to speak in favour of the Bill, but they do it in a rather creative way.

• (1650)

To respond to my friend from Nickel Belt, I can only assume that the Hon. Member for Montreal—Saint-Marie (Mr. Malépart), as a Member reflecting his views and having to go back to his constituents to explain his vote, must have made a mistake. I cannot believe that the Liberal Party as a caucus would support this legislation.

At the moment, Madam Speaker, I will give the Liberals the benefit of the doubt and assume that the Member perhaps got his positions mixed up and had not consulted adequately or appropriately with the critic who spoke very strongly against the legislation which was introduced and will be voted on today. I assume the Liberal caucus will be voting against this legislation and that the Member from Montreal—Saint-Marie made a mistake when he said that his Party would be in support of it.

[*Translation*]

Mr. Jean-Pierre Blackburn (Jonquière): Madam Speaker, today is a great day for our early retirees. After 17 months, their situation is about to be corrected at last. All who opted for early retirement before January 5, 1986, will finally be able to draw the unemployment insurance benefits to which they were entitled.

Madam Speaker, at this point, I would like to thank the Hon. Member for Roberval and Minister of Employment and Immigration (Mr. Bouchard) for agreeing with the position taken by his Conservative colleagues who defended the cause of early retirees across Canada, and especially in Quebec, where there were quite a few in this group. The Hon. Member for Kamouraska—Rivière-du-Loup (Mr. Plourde), the Hon. Member for Champlain (Mr. Champagne) and myself have, on several occasions, pointed out to the Minister the shortcomings of regulations that were adopted by this Government and which led unsuspecting people, to retire. They even received encouragement from their unions and some of our officials who said that if they took early retirement before January 5, 1986, they would be entitled to unemployment insurance benefits.

Madam Speaker, as a result, these people opted for early retirement, in the firm belief that if they did so before January 5, 1986, they would be entitled to full unemployment insurance benefits. In fact, what happened was that the pension income of these people was considered as earnings, and as of January 5, 1986, their benefits were reduced.

There had been some confusion in this respect, and at the time, these people were, I would say, unfairly penalized as a result of that confusion. And that is the position we took in explaining the matter to the Minister of Employment and Immigration and his predecessor, who had asked the Forget Commission to make recommendations in this respect.

Today, the provisions of Bill C-50 will correct this situation, and finally, early retirees who applied for unemployment insurance benefits before January 5, 1986, will have their entitlement fully recognized, and will be able to receive unemployment insurance benefits.

Madam Speaker, why did our Government have to consider pension income as income for the purposes of unemployment insurance? As you know, people used to retire at 65. So on that basis people were entitled to only three weeks of UI benefits. Gradually the mentality of Canadians has evolved and nowadays people retire much earlier. People began retiring at 64, then 63, and now we see some who retire at 60, 57, and so on. This is how Canadians came to believe they were entitled to one year's unemployment benefits on retirement. And of course we hear people say: I paid unemployment insurance premiums for 20, 25, 30, 35 years; it seems to me I should be eligible for UI benefits.

If we look at it this way, Madam Speaker, it does make sense that from a merit standpoint someone who has paid premiums should indeed be eligible.

But merit alone cannot be a consideration because the unemployment insurance principle is that people are entitled to benefits in cases of lost employment or if they are unfortunate enough to be unable to earn an income. This is where the Unemployment Insurance Act comes into operation so that people will have a source of income for a while, that is 60 per cent of their previous income over a certain number of weeks up to a maximum of 50.

The same principle prevails, Madam Speaker, except that the Government believes that unemployment insurance should not be considered to be a retirement income. So what we are doing is that in the case of someone who retires early, the unemployment benefits are reduced by an amount equal to what he gets at retirement, that is his pension income.

Madam Speaker, no one is being left out in the cold; no one is being left without a cent. Those who have no pension income and who are entitled to unemployment insurance benefits will still be able to claim unemployment insurance. However, those who have a pension income of more than $297 will have their unemployment insurance benefits reduced proportionately, which means that they might not receive any benefits. Once more, our retirees are being protected as far as unemployment insurance is concerned.

Madam Speaker, the Forget Report recommended that the Government postpone this decision for two years.

I would like to remind my colleagues opposite that if our Government has done as recommended and simply postponed the debate for two years, some people would still have found themselves in the same situation when the legislation came into effect.

After the economic statement made by the Minister of Finance (Mr. Wilson) on November 8, 1984, everyone knew that the new regulations would come into force on January 5, 1986.

As I said at the very beginning of my speech, Madam Speaker, today is a great day for early retirees as those who retired before January 5, 1986, will receive the amounts to which they were entitled.

In addition, Bill C-50 now under consideration corrects another anomaly in the case of people who retire from our Armed Forces and the Royal Canadian Mounted Police and later rejoin the labour market. Previously, their pension income had been considered as income when they claimed unemployment insurance. Bill C-50 now tells these people: If you rejoin the labour market and are eligible for unemployment insurance, your pension income will no longer be considered as income.

I believe that our Government is clarifying an important point which will solve the problems faced by these people who could not count on the protection of the Unemployment Insurance Plan after rejoining the labour force.

These are therefore the two major points of the Bill, and I would also like to remind opposition Members that in the case of people who may for instance have retired early before January 5, 1986, and may not have had the time to apply for unemployment insurance benefits, of course our Government has to draw the line somewhere. Whenever there is a legislation, the line has to be drawn somewhere. But those people are still free to present their cases to the unemployment insurance commissioners who will consider them on a case by case basis to determine whether those people are indeed eligible for unemployment insurance benefits.

Finally, Madam Speaker, I would also like to underscore the patience of our early retirees, for I have met with many of them in my region, in the Saguenay—Lac Saint-Jean area, many ARSAC people and early retired pensioners, including someone from the Jonquière constituency, Mr. Rosaire Bouchard who, on a number of occasions, contacted me to enquire as to when Bill C-50 would be introduced in the House. On each of those occasions, I insisted that we needed the co-operation of the Official Opposition to be able to introduce that legislation and make it possible for our early retirees, the 55,000 early retirees, to take advantage of the $295 million which will be made available to them.

I therefore want to acknowledge their patience and I regret that it took another two months before we could pass this legislation because of the unwillingness of the Opposition to co-operate.

Mr. Rossi: That is not true!

Mr. Blackburn (Jonquière): I am also urging opposition Members opposite, especially Members of the New Democratic Party, Members of that opposition Party, to support our Government on this Bill. I believe it is clear enough that in the case of an early retiree who was being treated unfairly before January 5, 1986, the situation is now being clarified, so that those people will at last be able to get their unemployment insurance benefits, and I believe this is a good legislation for those people and the Opposition should be supporting the Government. It is fairly obvious that we are doing the right thing for our early retirees. We are filling an earlier gap, and this is a great day for those people, for all our early retirement pensioners.

So, Madam Speaker, this is the view I wanted to express on Bill C-50, and as a Member for Jonquière, I am greatly pleased to support this Government and also to thank my colleagues, not only the three Hon. Members who more especially worked on behalf of our early retirees, but also all Hon. Members from the Conservative Party who appreciated the principle in this Bill and helped us win over our colleagues and who today make it possible for all our early retirees to get the benefits they were entitled to.

• (1700)

[*English*]

Mr. Allmand: Madam Speaker, if I understood the Hon. Member correctly, he tried to justify the provisions in this Bill which would deal with the situation of a member of the Armed Forces or the RCMP paying unemployment insurance premiums for years and years yet when forced to take early retirement, and I say forced, not being eligible for any benefits. The Hon. Member said that that is true, those people would pay for years and years and would not be eligible for any benefits. But he said that they could get second jobs and if they qualify under those second jobs and are laid off, then they will receive UI benefits. He says that that is the justification.

If the Hon. Member is to give these people benefits only after they are laid off from their second jobs, why does he make them pay premiums while employed in their first jobs? Why should they pay premiums on the first jobs when they will not receive any benefits from the first jobs? If they will be forced to take second jobs to receive benefits, then they should only pay premiums on the second jobs.

Members of the Conservative Party must think the Canadian public is foolish if they would accept that justification. There is no justification whatsoever for that rule. The Bill should provide that people who are forcibly laid off through early retirement should not have to pay premiums because they cannot claim benefits after those jobs. If they have to work again, of course they will have to pay premiums and that in itself would give them the right to benefits.

The whole thing is filled with illogic from beginning to end. The principles that are applied to the second job are not applied to the first job. A pension is not acceptable after the first job but it is all right after the second job.

In the Standing Committee on Labour, Employment and Immigration—

Mr. Gormley: Is this insurance or pension? You don't know what you're talking about.

Mr. Allmand: I know what I'm talking about. Come in here and talk about it and we will ask you questions. You don't know what the hell you're talking about.

Mr. Rossi: Gormley, go to your seat and speak up.

Mr. Allmand: He has not got the courage to come into the House to speak.

I have respect for the Hon. Member who just spoke. I worked with him in committee. The other Hon. Member never came near the committee.

How can the Hon. Member justify making members of the Armed Forces who must retire early pay premiums when they cannot collect a cent in unemployment insurance benefits when they are laid off?

[*Translation*]

Mr. Blackburn (Jonquière): Madam Speaker, I would like to respond to the question put by the Hon. Member. First, a retiree's pension income will be treated as income for Unemployment Insurance purposes. If the individual is not entitled to Unemployment Insurance, this means he or she has at least $297 a week from the start. This is what it all means, because if your pension income is lower than that, you are still entitled to your Unemployeement Insurance benefits, depending on your earned income.

Second, Madam Speaker, this Government . . . and we clearly established that Unemployment Insurance benefits are not to be treated as pension income. We took that premise and we stand firm on that. Through Bill C-50, we just corrected the gaps because we wanted to ensure that someone, a member of the Forces for instance who took early retirement, who had pension income, if that individual returned to the labour market and later on lost his or her job, he or she could at least be entitled to Unemployment Insurance benefits. But pension income is taken into account for UI purposes, and again as such Unemployment Insurance benefits are not to be viewed as retirement income.

[*English*]

Mr. Rodriguez: Madam Speaker, I found the speech of the Hon. Member for Jonquière (Mr. Blackburn) to be most disturbing. I could not see the logic of it. The Hon. Member said that this was a great day for those who retired early

before January 5, 1986. Might I remind the Hon. Member that it was his Government that announced the decision in November of 1984, not the Opposition.

It was this Minister of Finance (Mr. Wilson) who did not consult the workers, who did not consult the representatives, who did not consult the UI Commission, who did not consult the Canada Employment and Immigration Advisory Council and who consulted no one. He did not even consult his own fellow Tories and treated them like they were nobodies. They weren't even 50 yards off the Hill, they were nobodies right there in their own seats.

Mr. Orlikow: They still are.

Mr. Rodriguez: And they still are because there they are like sheep supporting a Bill that is so flawed in principle and in application.

Having done that, the reaction came from across the country. What did the Government do? The former Minister of Employment and Immigration turned the matter over to Claude Forget who was to study it. He studied it and made recommendations to the Government. The Government tipsied, turvied, twisted and turned and now, three years later, it brings a Bill before the House.

How can the Hon. Member face his constituents in Jonquière having taken away by regulation the unemployment insurance benefits of those who took early retirement in order to save the jobs of younger workers? Now he is saying what a great thing the Government is doing when it is giving back those who retired prior to January 5, 1986 the benefits while at the same time continuing the injustice by saying to those workers in regions like his and mine that they have to get a second, non-existent job to receive unemployment insurance benefits if laid off. How inconsistent can he be?

That is the same trash we heard in the Standing Committee when we discussed this issue and that is why the Hon. Member's colleagues voted against him. In fact, 90 recommendations were carried by a majority and the Hon. Member was the only one who voted against giving justice to early retirees. All the rest of his colleagues including the Hon. Member for La Prairie (Mr. Jourdenais), the Hon. Member for Willowdale (Mr. Oostrom)—

Ms. Copps: Where are they today?

Mr. Rodriguez: I don't know where they are. I haven't lifted something lately and looked but they might be there. They are not in the House. The fact—

The Acting Speaker (Mrs. Champagne): Order. As there is only one minute left in the question and comment period, I think the Hon. Member would agree that the Hon. Member for Jonquière (Mr. Blackburn) should speak.

I point out to all Hon. Members that it would be better to refrain from mentioning the presence or absence of other Hon. Members in the House.

[*Translation*]

Mr. Rossi: They do so all the time, Madam Speaker!

Mr. Blackburn (Jonquière): Madam Speaker, if the Hon. Member—

Mr. Rossi: They have the right to do so; we do not.

Mr. Champagne (Champlain): It is just like you; stop doing so!

Mr. Rossi: Two years from now, we will see . . .

The Acting Speaker (Mrs. Champagne): Order, please! One minute. The Hon. Member for Jonquière (Mr. Blackburn) has the floor.

Mr. Blackburn (Jonquière): Madam Speaker, I should like to remind the Hon. Member for Nickel Belt (Mr. Rodriguez) that if he were among those who have been waiting for 17 months to receive the unemployment insurance benefits to which they are entitled, he would feel too that this is a great day when legislation is finally passed by the Government.

Also, concerning the motion which was moved before our Standing Committee, Madam Speaker, I am the only Member who refused to vote in favour of one of its 90 recommendations, the one dealing with pensions, because other Members wanted our Government to take a step backwards and make sure that pension income would no longer considered as income for unemployment insurance purposes. Madam Speaker, if I refused it is because I did not want our early retirees to develop wrong expectations, knowing full well that our Government had no intention to go backwards; there was no reason for me to pretend and create false expectations. We should show more honesty towards those we are representing in the House of Commons.

Mr. Malépart: The truth!

Mr. Rossi: You are the ones who cut the unemployment insurance benefits.

• (1710)

[*English*]

The Acting Speaker (Mrs. Champagne): Resuming debate.

Ms. Sheila Copps (Hamilton East): Madam Speaker, I cannot believe the logic of the Government. It kicks workers in the teeth by bringing in legislation which is completely unfair. The Liberals fight it. Workers fight it. Members of the Canadian Armed Forces Pensioners Association fight it. We force the Government to back off. Now members of the Government come forward and say we should pass this legislation because at least it exempts those who were affected prior to January 5, 1986. What about those who are going to retire in 1987?

I was up in my office and got a telephone call from someone who has worked 29 years at Firestone in Hamilton. He is very

fearful that in the next two days there is going to be an announcement which could lead to either closure or sale of the plant. The future of the plant is up in the air. This worker wants to know, if that happens, whether he will be entitled to collect unemployment insurance while he is looking for another job. The Government is asking us to support a Bill which would say to this worker that 29 years mean nothing. "You paid into the fund for 29 years but you cannot have a penny. If you get another job you will have to continue paying unemployment insurance even though you cannot collect."

I am not surprised that the Hon. Member for Jonquière (Mr. Blackburn) fled—

The Acting Speaker (Mrs. Champagne): Only a minute ago the House was reminded not to refer to the presence or absence of other Hon. Members. I would appreciate the Hon. Member for Hamilton East (Ms. Copps) observing that recommendation.

Ms. Copps: Madam Speaker, I am not surprised that the few Conservative Members here are hanging their heads in shame.

Mr. Jelinek: How many Grits are there? Four.

Ms. Copps: They do not want to get up and speak on this legislation because it is awfully embarrassing and they do not want to be put in the position of going back to their riding and saying that they supported legislation which could mean 1,000 workers in Hamilton will have their unemployment insurance benefits put in jeopardy.

I would like to speak to another amendment which has not been dealt with in great detail. It relates to severance pay. When the Government first introduced this legislation, not only did it hit between the eyes workers who were being forced into early retirement, such as Canadian Armed Forces personnel. It also said to those workers who received severance pay that they cannot collect unemployment insurance until they exhaust all of their severance benefits. Most people will know that when you have been working on a job, perhaps with a small pension plan or perhaps no security at all, and you are in the process of trying to find new employment, retrain or get reoriented, you need that severance pay to make the necessary changes in your life. Yet the Government cut that off as a result of the 1984 budget statement.

However, the Liberal Government in Ontario believes workers had the right to keep their severance pay. That Liberal Government recognized that severance pay is an emergency fund which you need over and above the money needed simply to survive. That Government introduced legislation which meant that workers in Ontario, under certain specific circumstances, could continue to collect severance pay and at the end of that time they could apply for full unemployment insurance benefits. Clause 9 of this Bill before us cuts the heart out of that Ontario legislation. It cuts the heart out of legislation which says to workers when you are laid off after 20, 25 or 30 years, through no fault of your own and you are not in a position financially to retire, we are going to give you this severance package to help you reorient yourself, relocate and get a bit of a leg up on what is probably the most crucial period in your life.

I am not surprised the Government is bringing forward legislation that snatches that assistance from the mouths of workers' families. I am not surprised because since 1984 it has consistently promised itself to be very long on promises and short on action for older workers. I will refer to the promise made by the Minister of Finance (Mr. Wilson) when he pulled the LAB program out from under the feet of Canadian workers. The former Liberal Government introduced the Labour Adjustment Benefits Program. If you were in a so-called sunset sector, where jobs were decreasing rather than increasing, and you had worked for a long time and your age plus years of service totalled 80, essentially you could go on an early retirement program and receive continuing benefits. The Conservative Government cancelled that program last year. It promised to replace that program with another. It even had a nice name for the program, POWA. The Government said it was going to reach out to older workers. Yet here we are in 1987, we have not heard a peep from the Minister of Labour (Mr. Cadieux) or the Minister of Finance, and older workers are not only not receiving the unemployment insurance benefits that should be their due, neither are they getting LAB benefits and there is no replacement program.

The Government claims it does not have enough money. The Government claims it is going bankrupt. They may be morally, but not financially. Imagine my shock and surprise when I walked into the House today and I see a so-called newspaper called—

[*Translation*]

Journal Action fédérale du Canada with a picture, not one picture, Madam Speaker, but 50 pictures of the Member for Hochelaga—Maisonneuve (Mr. Desrosiers) spread over eight pages. Fifty pictures of the Member for Hochelaga—Maisonneuve over eight pages. And, Madam Speaker . . . He says there was no expense. I hope he is right because page 8 features a picture of the Prime Minister (Mr. Mulroney) and his remarks to the management and staff of the *Journal Action fédérale du Canada* and it is entitled Prime Minister of Canada. It is not entitled " Leader of the Conservative Party" but "Prime Minister of Canada". So he claims to be speaking for the Canadian people by lending his support to a newspaper, which is a clear betrayal of the principle that journalists should at least give the impression of being unbiased.

A word from the Prime Minister, "To management",—I assume this means the Hon. Member for Hochelaga—Maisonneuve—"To the management and personnel of *Action fédérale du Canada*, my best wishes for a successful their new magazine. I am sure this monthly publication will provide a fresh look at what is happening in the region."

What annoys me is not just the 50 photographs of the Hon. Member for Hochelaga—Maisonneuve, but the fact that the Hon. Member is posing with a bikini-clad female—

An Hon. Member: Shame!

Ms. Copps: —and he thinks that is journalism! He would have us associate the Prime Minister and a bikini-clad female with the Hon. Member for Hochelaga—Maisonneuve. I find that extremely annoying.

Madam Speaker, I think the Hon. Member for Hochelaga—Maisonneuve would be better off voting for legislation that will give more money to our workers.

The Acting Speaker (Mrs. Champagne): I am sure the Hon. Member for Hamilton East (Ms. Copps) knows perfectly well she is not supposed to show documents of this kind in the House. I am glad she finally reverted to the subject before the House today, and I would be grateful if she would continue in that vein.

Ms. Copps: Madam Speaker, I apologize. I was commenting on the Conservative Party's wasteful spending, because I wonder whether Canada's workers will continue to support a party that has no compunction about cutting off the very lifeline of our workers, because if you cut off unemployment insurance, you cut off everthing they've got. But this Party can always find money to invest in asinine publications that would rather print pictures of bikini-clad females than articles on Canadian politics.

Madam Speaker, this is why I asked the Conservative Members whether that was the policy. Because I think that workers are fed up, they have had it up to here listening to the Government telling us there is not enough money for workers, yet they did find money for the banks, money to change military uniforms, money for all kinds of things, to pay $1 billion to the banks, just like that, it was able to find $1 billion in less than 48 hours. But when it comes to helping workers the government simply cannot find a cent.

Mr. Malépart: And the submarines—

Ms. Copps: They say: We are broke after 1986, after January 5 there is nothing left. We no longer have any money for older workers—

Mr. Malépart: And repairs to Ministers' offices!

Ms. Copps: —and they are asking us to support them and help them betray the workers. I do not want any part of this betrayal!

Madam Speaker, to a certain extent I should like . . . I am pleased that the New Democratic Party should already have raised this issue in the House because I, for one, would like to tell the House how I see the hypocrisy of the New Democratic Party in my own riding of Hamilton East.

As it happens, Madam Speaker, I am talking about older Steel Company workers who are anxious to be retrained because they have been laid off. So instead of trying to find solutions through legislative measures or employment strategy the New Democratic Party would rather play petty politics and directly influence the steel workers' union, call a press conference to denounce the Government without even inviting a single Member of the Liberal Party.

• (1720)

[*English*]

I would like to address the question of the NDP. We have heard a lot about the NDP in relation to this Bill. I dare say that if it had not been for the Canadian Armed Forces Pensioners Association, the Alliance coalition Québec, and the Liberal caucus, the NDP would have laid down and died, this Bill would have gone through, and they would not have got their money.

I find the hypocrisy of the NDP unbelievable. In my riding steel workers are being laid off. Instead of trying to mobilize Members of Parliament who have a voice in Parliament, the NDP had a sneaky little press conference with their so-called candidate on Hamilton Mountain who does not even have a voice in Parliament. They are prepared to jeopardize the jobs and retraining of steel workers for their own petty, political ends.

I am not the only person who has said this. In fact, the person who ran the program for two years for the steel workers is so disgusted with the NDP's abuse of its parliamentary privilege and the privileges of Members of the Legislature in excluding all other political Parties from discussions on the Canadian Jobs Strategy that he is pulling out of the program. He is sick of the NDP and its hypocrisy.

Mr. Rodriguez: Madam Speaker, I rise on a point of order. The Hon. Member for Hamilton East (Ms. Copps) is getting carried away with her rhetoric. She congratulated the candidate for Hamilton Mountain. The NDP has worked closely with the Canadian Labour Congress in planning a program to fight this Bill. I wish she would tell the story straight rather than applying her own politics to it.

The Acting Speaker (Mrs. Champagne): The Chair is sure that the Hon. Member for Nickel Belt (Mr. Rodriguez) understands very well what it is to get carried away in debate.

Mr. Rodriguez: Me?

The Acting Speaker (Mrs. Champagne): However, that is not a point of order.

Ms. Copps: Thank you, Madam Speaker. I raised this issue because I think it is well and good for all of us in Parliament to take credit, although I am sure the Government does not want to take credit for this Bill as it is positively embarrassing. However, we in the Opposition believe that we had a small

part to play in getting the Government to back off on this specific issue.

People like Ed Halayko pulled veterans from coast to coast together. For the first time in the history of this country he mobilized a demonstration of Armed Forces veterans here on Parliament Hill. He will say that the Armed Forces did the job by pulling the people together and causing the Government to reverse its position. We saw the same kind of mobilization from the Alliance coalition Québec when people came to the Hill to express their point of view. I believe that is the joy of democracy.

I raise the issue of the NDP because they do not mind hitting out. I heard the Member for Nickel Belt (Mr. Rodriguez) blasting the Liberal Party in a question about a half hour ago. They can dish it out but they find it really hard to take. I believe that in this situation in Hamilton where they have tried to use partisan political means to pursue victory for their candidate they have bitten off a little more than they can chew. When you deny a Member of Parliament the right to fight for her constituents on something like the Canadian Jobs Strategy, you are showing your Party to be one of hypocrisy. I believe that that is what the voters of Hamilton Mountain will decide.

Mr. Rodriguez: You're crying again.

Ms. Copps: The Member says that I am a cry baby. I am not a cry baby. I tell the truth and the people in my riding know that. They will not be very happy with the NDP which tried to circumvent the process to improve the Canadian Jobs Strategy steelworkers program.

Mr. Rodriguez: Madam Speaker, I rise on a point of order. I do not mind the Hon. Member for Hamilton East repeating what I said, but she should repeat exactly what I said. I did not call her a cry baby. I said she was crying again. She cried when they reported that she was plotting against her Leader and she is crying again right here in the House.

Ms. Copps: That's a sexist comment and I resent it.

The Acting Speaker (Mrs. Champagne): Order, order.

Ms. Copps: The NDP thinks women cry. I don't cry and even the Member for Nickel Belt doesn't make me cry.

The Acting Speaker (Mrs. Champagne): Order.

Ms. Copps: Give me a break. Sexist.

The Acting Speaker (Mrs. Champagne): Order, order.

Ms. Copps: Do I look like I'm crying?

Mr. Rodriguez: I read it right here in *The Toronto Star*, in your paper.

The Acting Speaker (Mrs. Champagne): Order, order! I am sure Members want to debate the Bill which is now before the House. I ask all Hon. Members to keep their comments relative to the Bill now before us. There are enough things for Hon. Members to say without getting into conversations which can only make this House unruly. I know that is not what Hon. Members want the public to see. The Hon. Member for—

• (1730)

Ms. Copps: Montreal—Sainte-Marie.

The Acting Speaker (Mrs. Champagne): I can assure the Hon. Member for Hamilton East (Ms. Copps) that I know the name of the riding of the Hon. Member sitting next to her.

[*Translation*]

Order! I hope that the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) does have a point of order.

Mr. Malépart: Madam Speaker, you may decide upon it when I am finished speaking, not before.

Madam Speaker, on the same point of order as the Hon. Member for Nickel Belt (Mr. Rodriguez). In my opinion, he has insulted the Hon. Member for Hamilton East (Ms. Copps) since the Hon. Member for Nickel Belt has no way of knowing, cannot pass judgement on what has been said, on what has been repeated by my colleague from Hamilton East, on whether or not this is what the Hon. Member for Nickel Belt has said, since he—

The Acting Speaker (Mrs. Champagne): Order. I believe that these are matters which can best be checked by all concerned when the blues are out. The Hon. Member for Hamilton East (Ms. Copps) has two minutes to conclude.

Ms. Copps: Madam Speaker, I am glad that the Hon. Member for Nickel Belt has come up with this item in the newspaper since it demonstrates that he is just as sexist as the newspaper in saying that I indulge in crying. Frankly, Madam Speaker, you have seen me in this House on several occasions. Do I give the impression of being a woman who cries constantly? I do not think so and I can appreciate that the NDP feels hurt to have been told the truth about the riding of Hamilton, about what happened during the election; that was painful. It is easy for them to insult the Government and the liberal party. They think they always do better. But the NDP is not ready to accept the truth when its own members are guilty of breaching political ethics.

[*English*]

This Bill is treason to working people. It is an attempt to cut the ability of those people who have rightfully paid unemployment insurance all their lives to collect that unemployment insurance. It is an attempt to cut off the possibility for people of Ontario to collect severance benefits.

I believe this Bill should be stopped. We have fought long and hard for the inclusion of 34,000 workers who would have been covered when the legislation was amended. However, at the same time I do not expect the Government can ask us to

support this legislation which will lead to chaos for older workers, who are already the hardest hit.

Perhaps when the Government follows up on its promise to bring in a program for older workers and brings in a real program for early retirement we can then begin to talk turkey. At the moment, however, it is quite clear that it wants us to support bad legislation.

[*Translation*]

The Acting Speaker (Mrs. Champagne): Order! I must inform the Hon. Member that her time is up.

[*English*]

Mr. Orlikow: Madam Speaker, I want to direct a question to the Hon. Member. The original proposal to destroy the ability of people who have paid into the unemployment insurance system through weekly payments for years was opposed from the day the Government brought it forward.

The Government did not introduce this legislation because something was wrong with the unemployment insurance system but because the Minister of Finance (Mr. Wilson) was determined to reduce the deficit. This Bill was opposed by all opposition Members of Parliament.

The Member is correct that the strongest opposition, and I am sure the most important opposition in terms of convincing back-bench Conservative Members that this Bill was terribly wrong, came from the retired Armed Forces personnel who are so adversely affected, and by other pensioners.

However, I could not believe what I was hearing when she accused the New Democratic Party of being able to manipulate the unions in Hamilton so that they could not carry on the battle as they should. I would understand it if it was said by Conservative Members of Parliament from a rural area or a wealthy part of Vancouver or Toronto, who have no understanding of the labour movement and how trade unions operate. I know they are ignorant about workers and the unions to which workers belong, but the Hon. Member for Hamilton East (Ms. Copps) comes from a city which probably has the highest percentage of organized union workers in this country, and one of the strongest locals of any union in the steelworkers' local in Hamilton.

When the Hon. Member for Hamilton East suggests that the NDP in Hamilton was able to manipulate the union for its crass political purposes and was able to have the union not do the job it should to protect their unemployed members, she is not denigrating the NDP, but attacking and denigrating the union.

The officers and full-time representatives of the steelworkers' union should be turfed out if they were guilty of that kind of charge which the Hon. Member from Hamilton has made against them. If there is anyone who is using this place for crass partisan political purposes, it is the Member for Hamilton East. She ought to know a hell of a lot better than to spout the kind of nonsense she did.

Ms. Copps: Madam Speaker, as usual, the New Democratic Party make many comments with little information. If the Member knew anything about the situation I am referring to in Hamilton he would know that the charge was not levelled by the Member for Hamilton East but levelled by the director of the program who had worked in developing it for unemployed steelworkers. He is a member of the steelworkers' union himself and was so disgusted with the NDP that he pulled out of the program.

The charge was not levelled by the Member for Hamilton East, it was levelled by the man responsible for the program who, himself, wanted to invite all Members of Parliament, including Liberals and Conservatives—there are no NDP Members of Parliament in the Hamilton area—to say that the federal Government is cutting back on programs and we should work together to get a fair share for Hamilton. That is what he wanted to do because he believed in the program and in the workers.

Instead, he was overruled by members in the New Democratic Party who decided to hell with the workers. They decided it was more important to push the NDP candidate in Hamilton than to give the workers of Hamilton a voice in Parliament by involving every Member of Parliament. When you make that kind of charge, you make it toward the steelworkers.

The Acting Speaker (Mrs. Champagne): Try as it might, the Chair has a very difficult time relating the last comments to the Bill being studied.

[*Translation*]

Mr. Malépart: Madam Speaker, I would like to congratulate my colleague for Hamilton East (Ms. Copps) for her courage and frankness. However, I cannot do the same for the Hon. Member for Nickel Belt (Mr. Rodriguez) and a few others. I would like to know what my colleague for Hamilton East thinks of the comments made by the Members for Jonquière (Mr. Blackburn) and Kamouraska (Mr. Plourde). In other words, is it not a fact that the Conservative Government cut off the unemployment insurance benefits of older workers? Is it not a fact that the Conservative Government deindexed or tried to deindex Old Age Security pensions?

My colleague is well aware that the Conservative Government wanted to put a tax on medication for those who suffer from cardiovascular diseases, diabetes or respiratory illness. This is my own impression, and the members of the Quebec Coalition for the defence of pensioners and early retirees in Quebec are here now. These people had a good reason for organizing at least seven demonstrations and forming action committees to put pressure on Conservative Members. I would like to hear the comments of my colleague. These people have fought for 17 months. As for the Hon. Member, she said earlier that she would oppose the Bill in its present form.

I myself said at the beginning of my speech that I would agree to vote for this Bill on the condition that the Government would accept our amendments. If the Government accepts the

amendments moved by the Liberals, that is by my colleague for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand) or by myself to avoid any discrimination in this Bill, will the Hon. Member also vote for it?

Ms. Copps: In such a case, Madam Speaker, we shall certainly vote for this Bill because it will then be acceptable. However, without these amendments which deal with unemployment insurance and severance benefits—

Mr. Malépart: Severance pay.

Ms. Copps: Without these amendments, we could not support the Bill as it is discriminatory, and I know that the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) fights discrimination in the case of senior citizens, whether we are speaking about the cost of drugs or pensions. This Bill includes discriminatory provisions which will be removed if our amendments are adopted, but without these amendments, it is unacceptable.

Mr. Blackburn (Jonquière): Madam Speaker, I was listening to the comments made by the Hon. Member for Hamilton East (Ms. Copps), and I would like to tell her that if Hon. Members on her side of the House vote against the legislation, our early retirees will realize that all the noise made by some of you was only scam and petty politics, because we now have a legislation that early retirees have been expecting for 17 months so they could get the Unemployment Insurance benefits they were entitled to, because there was fuzziness. Now we are correcting that gap, and I hope you will rise and support the Government on behalf of our early retirees, who are counting on that.

Ms. Copps: The Hon. Member for Jonquière (Mr. Blackburn) must think early retirees are goddam stupid if he thinks he is . . .

The Acting Speaker (Mrs. Champagne): I am sure the Hon. Member will want to apologize and polish her language.

Ms. Copps: Yes, Madam Speaker, I do not want to profer ugly words. So I say, if the Hon. Member thinks early retirees are so ignorant they are not aware that this Government introduced those 17 months of waiting, we in the Liberal Party were ready, even in November, to get the Bill through. We were ready in April last to pass the legislation dealing with early retirees prior to 1986. We were even ready two months ago to have the Bill pass. The Government used us as hostage by claiming—

Mr. Malépart: Senior citizens are hostages.

Ms. Copps: —they will be paying those monies. In fact, we did the fight for retirees, and we will go on fighting for those who will be retiring after January 5, 1986.

So I do not think early retirees can blame us if the Government introduced a Bill that is discriminatory.

• (1740)

[*English*]

Hon. Allan B. McKinnon (Victoria): Madam Speaker, if there is anyone in the House who has not been deafened within the last half hour, I would like to address a few remarks to them. The reason I rise is because I have an affinity for retired servicemen. As many Hon. Members will know, I served for 26 years in the Armed Forces and have some understanding of its pension system, more often referred to by servicemen as their superannuation.

When the new Minister was appointed a year and a half ago, I felt rather sorry for him. The Forget Commission had been formed and the only analogy I can think of for the job he had to do in trying to sort out the unemployment insurance system was rather similar to saying to him: "Go out to the kitchen. There is a stew boiling on the stove. Separate all the condiments in it without taking it off the stove". It was just an impossible task. The Minister understood that and is going about it one stage at a time.

I think I can speak for quite a few of the servicemen who say that this Bill is a considerable step forward to where they want to be. It will give them an opportunity which very few people have. After they qualify for unemployment insurance benefits, which is after 20 weeks, work at their second job, they can then get unemployment insurance at the full rate despite the fact their pension will be coming in at the same time.

Referring to pensions as earnings for unemployment insurance purposes is what this Bill is all about, whether or not we should consider pensions as earnings which, at present, we do. What has bothered me about this Bill is the anomaly in the logic which accepts that before the member retires, he must pay into unemployment insurance which is supposed to insure his employment. When he reaches retirement age, he must leave. He then retires and starts drawing his pension and suddenly he is not insured for unemployment insurance despite the fact he may spend the rest of his life unemployed and despite the fact, as I think everyone has pointed out, that during his entire service he would not have missed a single payment, or a single week's work, either. So it really is an exercise in futility. However, if an individual gets a job and holds it for 20 weeks, suddenly pension is no longer income. It seems to me that if it is logical to consider pension to be income in one period of one's life, then pension is income. Had the Government gone for that, I could understand the logic. Had the Government gone the other way and said it is not income at both times, I could understand that. However, to say it is income during the period that one is unemployed and as soon as one starts working again, it is not, is a bit hard for me to grasp.

I placed a question on the Order Paper in March. I do not know how many Members noticed. It was answered on May 4. My question was, and I quote:

> In each of the years 1985 and 1986, did Canadian Armed Forces personnel contribute to unemployment insurance and, if so,(a) what was the total

amount collected from them (b) did the Government match these contributions (c) what amount was paid out of the U.I.C. fund to unemployed ex-service personnel?

The answer to the first question by the Minister for Employment and Immigration (Mr. Bouchard) was, yes, Canadian Armed Forces personnel did pay into UIC. He was a bit short of figures in 1986, having the "pay out" for 1986 but not the "pay in". In 1985 the servicemen themselves paid in $45,700,712. The Government contributed $56,988,788. I have never been able to understand in all the many years I have looked at these figures for civil servants, and this Bill applies to all civil servants, only to a slightly lesser degree because civil servants have an older retirement age than the Armed Forces. I could never understand why the Government did not contribute exactly the same amount every year, but there is some technical reason. However, the fact is that the Government did not contribute anything in 1985. My question was: "What amount was paid out of the UIC fund to unemployed ex-service personnel?" The answer was $39,992,164 which is less than what the servicemen themselves put in. I think all of us in the House of Commons of Canada are smart enough about the way things are done to know that there is no fund sitting in a safety deposit box into which the Government put $56 million in 1985 because that would have matched the servicemen's input. There are careful records kept with respect to that fund, but it is not in existence. No bank holds it in bonds, nor is there anything that has been put aside to provide a fund which generates funds. Consequently, there are several theoretical billions of dollars in this theoretical fund.

• (1750)

The fact is that in 1985, in reality, the Government did not put anything into the fund. The serviceman and woman knows that he or she has put something into the fund because they can see it missing from their pay cheque every month. They put in $45.7 million.

If we look at 1986 we find out that this aberration, let us say, of the Order in Council, has been, to a large degree, fixed by this Bill. The payment out dropped from $39.9 million in 1985 to $28.1 million in 1986. The Government, instead of making only some $6 million from the servicemen themselves, made some $17 million. That is to what I object. I have asked the Minister to take that up and to reassess the entire unemployment situation. It badly needs it.

There are a great many people who are paying into the fund and a totally different set of people who are taking money out of it. It does not seem to me that that is the way that most insurance policies work. I think that the Minister has done the best that he could with this Bill. It meets the requirement that they be allowed to withdraw unemployment insurance if they are going into the civilian workforce. It will enable them to draw it at a better rate than other people who have similar incomes to what retired servicemen have.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on the amendment of Mr. Allmand. Is it the pleasure of the House to adopt the said motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Call in the Members.

• (1800)

The House divided on the amendment (Mr. Allmand) which was negatived on the following division:

(*Division No. 136*)

YEAS

Members

Allmand	Gray (Windsor West)	Nicholson (Trinity)
Althouse	Grondin	Nunziata
Axworthy	Guilbault (Saint-Jacques)	Nystrom
Baker	Heap	Orlikow
Benjamin	Hopkins	Ouellet
Berger	Jewett	Parry
Blaikie	Johnston (Saint-Henri—Westmount)	Penner
Boudria	Kaplan	Pépin
Caccia	Keeper	Prud'homme
Copps	Killens	Riis
de Corneille	Langdon	Robichaud
de Jong	Lapierre	Robinson
Dingwall	MacLellan	Rodriguez
Epp (Thunder Bay—Nipigon)	Malépart	Rossi
Foster	Manly	Tardif (Richmond—Wolfe)
Frith	Marchi	Turner (Vancouver Quadra)
Gagliano	McCurdy	Young —53
Garneau		
Gauthier		

NAYS

Members

Belsher	Blouin	Caldwell
Blackburn (Jonquière)	Bouchard	Cardiff
Blais	Bradley	Carney
Blenkarn	Brightwell	Champagne (Champlain)
	Brisco	

Clark (Brandon—Souris)
Clifford
Cochrane
Collins
Comeau
Cooper
Corbett
Crosbie (St. John's West)
Darling
Daubney
Della Noce
Desjardins
Desrosiers
Domm
Dorin
Duguay
Edwards
Ellis
Epp (Provencher)
Fennell
Ferland
Fraleigh
Fretz
Friesen
Gagnon
Gass
Gérin
Girard
Gormley
Gottselig
Grisé
Hamelin
Hamilton
Hardey
Hicks
Howie
Jacques
James
Jelinek
Joncas
King
Landry
Lanthier
Lawrence
Layton
Leblanc
Lewis
Lopez
Mailly
Marin
Martin
Mazankowski
McCain
McCrossan
McDermid
McInnes
McKenzie
McKnight
McMillan
Merrithew
Minaker
Mitges
Nicholson (Niagara Falls)
Nickerson
Oberle
Peterson
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Ricard
Scott (Hamilton—Wentworth)
Scowen
Shields
Siddon
Sparrow
Stackhouse
Stevens
Tremblay (Lotbinière)
Tupper
Vankoughnet
Vézina
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Warner
Wilson (Swift Current—Maple Creek)
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Wise
Witer—103

• (1830)

The Acting Speaker (Mrs. Champagne): I declare the amendment lost. We will now resume debate on the main motion.

Mr. John R. Rodriguez (Nickel Belt): Madam Speaker, I want to say on behalf of the members of my caucus that we are opposed to this Bill because it is flawed in principle, it discriminates, it is illogical, unfair, and undemocratic.

Mr. Blaikie: And we don't like it either.

Mr. Rodriguez: Madam Speaker, I would like you and all Members of this House to know that this Party is prepared to deal with the Bill by ten o'clock this evening, deferring any third reading vote until tomorrow.

Mr. Gauthier: That is the agreement anyway.

Mr. Rodriguez: That is the agreement, and I trust government Members are not going to betray the trust of all those Canadians out there who are expecting this Bill to be passed. We have some very good amendments for Committee of the Whole. I think they deserve to be debated. If the Government thinks it is going to double-cross the Opposition by going back on its agreement, it is not double-crossing us, it is double-crossing the 50,000 early retirees who expect their concerns to be dealt with fairly in this House.

Some Hon. Members: Hear, hear!

Mr. Rodriguez: Therefore, I move:

That the motion be amended by deleting all the words after the word "That" and substituting the following therefor:

"this House declines to give second reading to a Bill which contradicts the principle that pension income is earned income and that pension is considered earnings for unemployment insurance purposes and creates discrimination in an essential service.

• (1840)

The Acting Speaker (Mrs. Champagne): The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Riis: Madam Speaker, I rise on a point of order. There was an understanding among all three Parties that we would deal with this Bill in total today. That included completing second reading stage, arranging for Committee of the Whole, which physical arrangements the Clerks have already made, and completing the third reading stage, all within the extended day to be concluded by ten o'clock. We agreed to defer the vote on third reading so that Members would not necessarily have to stay until ten o'clock.

We now understand that the Government has decided not to live up to that agreement, that we will not deal with report stage today. The Parliamentary Secretary to the Government House Leader (Mr. Lewis) has informed me that the Government plans to continue debate at second reading until ten o'clock. That is not what we understood would happen today. We understood that we would complete all stages, not only second reading stage never reaching Committee of the Whole or third reading.

Mr. Lewis: Madam Speaker, the agreement which was struck with all three Parties is very clear and is on the record. The Government has many speakers who wish to speak either at second reading or to the amendment which has been moved by the NDP. We are prepared to allow every person who wants to speak to do so. In fact, one of our Members was rising to speak. Our Party will debate this legislation at second reading using the full time available for debate and questions and comments. If a recorded division is required on second reading stage at ten o'clock we are perfectly prepared to be here to vote.

Mr. Riis: Madam Speaker, I want to appeal to the Deputy Prime Minister and Government House Leader. When the three House Leaders reach an understanding to facilitate the passage of legislation through all three stages, we believe that it should be lived up to. The understanding was that all three stages would be dealt with, which includes Committee of the Whole.

After agreeing in good faith to accommodate the Government's request to complete this Bill today, we learn that the Government has decided not to live up to that agreement but rather to sabotage the House's ability to reach report stage, Committee of the Whole stage, and third reading. The Government has the right to do that. It has the unilateral right

to determine the business for tonight. However, the Government should not ask us to come to agreements to facilitate government business ever again.

The Acting Speaker (Mrs. Champagne): The Chair is in some difficulty in that this is a question of negotiations among the Parties. The Chair will recognize Members who wish to speak on the Bill. The Chair is in the hands of the House in this matter.

Mr. Allmand: Madam Speaker, when we agreed to this special order it was quite clear that we were agreeing to a proposal which included Committee of the Whole at which stage we could move amendments. If the Government intends to speak on second reading until ten o'clock when all questions are to be put so that we cannot have committee hearings in Committee of the Whole, that is contrary to the spirit of the agreement. I ask that the Deputy House Leader or the House Leader clarify that. We want to ensure that we have a reasonable amount of time in Committee of the Whole, which is what we thought we were agreeing to.

Mr. Lewis: Madam Speaker, we have Members who wish to speak on this. I am sure it is no surprise to the House that we have several regional caucus meetings this evening. I suggest that we continue debate while I sit down with my colleagues in the two opposition Parties to see if we can determine a time at which it might be convenient for the House to go into Committee of the Whole. We can deal with any matters at that time.

[*Translation*]

Mr. Malépart: Madam Speaker, I would like the Parliamentary Secretary to the House Leader to recall exactly the comments made by the Minister of Employment and Immigration (Mr. Bouchard), which are recorded in the official *Hansard*, the *Debates*. The Minister and everyone absolutely wanted that the Bill get through in one day, with possibility of amendments. I hope the Parliamentary Secretary will remember . . . Because that is a commitment from the Minister, there are people from the Coalition who are here and I hope this will go through all stages and we will be allowed to bring in amendments.

[*English*]

The Acting Speaker (Mrs. Champagne): I think the question is settled for the moment. There will be negotiations among the Parties.

[*Translation*]

Mr. Louis Plamondon (Richelieu): Madam Speaker, I am glad to see representatives of our early retirees in our Gallery. They will be able to see for themselves the kind of procedural nit-picking opposition Members have been inflicting on us since last April, before we can finally make these payments.

The Government is hardly responsible for the fact that the debate and subsequent payments have not taken place sooner. We would love to adjourn this House immediately and order those cheques to be paid forthwith. However, for the sake of procedural arguments or because of a need to make a kind of circus out of the worthy cause of early retirees, the Opposition, and I am referring to both parties, insisted on using all kinds of rules and regulations and procedural nit-picking to draw out the debate and try and enhance their political credibility.

Earlier, I met the leaders of the *Association des préretraités* in the lobby. They are starting to see the light and were wondering how useful what was being done today, and what has been done for a number of months by the Official Opposition and the New Democratic Party, would be in getting payments to our early retirees who now will not be paid until next month, the eventual result of today's debate that was agreed to after endless pressure from Quebec Conservative Members.

I may remind the Hon. Member who moved an amendment just to draw out debate, an amendment by the New Democratic Party, that he doesn't seem to understand what the debate is all about or what the legislation is all about, and perhaps I could summarize the fundamentals so that he will have a better idea of what we are talking about.

The amendments to the provisions on pension income reflect this Government's conviction that retirees should not consider unemployment insurance as a supplementary source of income. I think that is understood.

However, the Government recognizes the fact that a distinction must be made between those who retire permanently and those who retire in order to start a new career. I think that is also understood.

The changes announced by the Government make that distinction and ensure that people who retire and start a new career are treated justly and fairly, considering they continue to be part of the labour force.

When the Government learned on December 5, last year, that some people maintained they had not been thoroughly informed about the significance of the provisions on pension income which were to be implemented on January 5, 1986, we immediately proposed, at the request of the Conservative Members from Quebec, that the Government arrange to review the cases of those who stated that their decision to retire had been based on inaccurate information received from federal Government sources. A departmental investigation was carried out when we learned that some employees had misinformed the public. The Hon. Minister immediately asked for an investigation and set up administrative procedures. Because of the slowness of the administrative process, we found that application of these procedures could become very complex.

Once more, the Government took matters in hand to avoid complications, such as a possible difference in application of the rules from region to region, and made some changes to the regulations on pensions which had come into effect on January 5, 1986. Bill C-50 defines a simple rule, and I am surprised that the Hon. Members opposite cannot understand it. This simple and clear rule ensures fair treatment for all claimants during the transition period.

The rule is quite simple. All those who claimed unemployment insurance benefits before January 5, 1986, when the previous rules still applied, will have their elegibility determined according to the rules then in effect. In addition, all those who made their claim on or after January 5, 1986, will have their claims processed according to the new provisions. It seems to me quite clear that this meets exactly the expectations of the preretirees. This Bill was introduced in April, and if the Opposition had seized the opportunity to support the Government, these people would already have received their cheques. But no, they saw fit to play politics, play cat and mouse by resorting to procedural wranglings in committee, never failing to raise all kinds of objections or move amendments, so much so that after many months we are still fighting to get a green light to issue these cheques for which early retirees have been waiting for so long.

Hon. Members will recall that on December 5 our Government announced it was going to amend the legislation with respect to pension income. That was on December 5, 1986. While respecting the principle that retired people should not consider unemployment insurance as an additional source of income, the announcement made it clear that people who take another job after retiring and who stay on that job long enough to be entitled to UI benefits should not have such benefits reduced by an amount equal to their pension income. Again this was a request on the part of early retirees.

Through this legislation the Government will amend the pension income regulations as of April 5, 1987. In addition the Bill will make these regulations retroactive to January 5, 1986.

Again, that is exactly what our early retirees have been asking for and which they could get through some good will and gesture on the part of the Official Opposition.

These amendments will make it possible for workers, who have started a new career during which they have contributed to the unemployment insurance fund and who then find themselves without a job, to become fully entitled to unemployment insurance benefits calculated on their employment income following their retirement, whatever their previous pension income may have been. This is exactly one of the claims which is now being met by the Government.

This legislation deals also with a matter of equity, which has to do with the treatment of the amounts paid upon separation. Hon. Members will remember that on March 31, 1985, amendments were made to the treatment of amounts paid upon separation for unemployment insurance purposes.

Since the coming into force of these amendments, a number of management-union agreements have tried to take advantage of what can only be described as loopholes in the current wording of the unemployment insurance regulations. The purpose of these "arangements" was to betray the intent of the legislation.

Through this legislation, the Government is amending the regulations by eliminating this loophole and preventing some people for getting double compensation, I mean receiving both a separation payment and unemployment insurance benefits. These amendments came into effect on April 5, 1987. Exactly as in the case of someone who is applying for unemployment insurance benefits, it must be ascertained that he has no other sources of income, since the unemployment insurance scheme is directly related to the work he was carrying out and which represented his one and only source of income.

The proposed Bill will also make it possible to extend both the qualifying and benefit periods when the distribution of the amounts paid upon separation presented the payment of benefits or delayed the beginning of the unemployment insurance benefit period. For instance, if separation payments extend by seven weeks the beginning of a benefit period, the qualifying period will be extended by seven weeks.

In conclusion, since several Canadian men and women will be affected by the various sections in this legislation, we ask our hon. colleagues to give it their undivided attention and move amendments is an effort to delay its passing and to make political gains at the expense of poor retirees who want nothing more than receiving their cheques. Those people need their cheques and, for the past three months, the opposition has certainly thwarted the efforts made by the Government to issue them.

My philosophy teacher always told me when I did not understand or grasp the meaning of an excerpt dealing with philosophy—

• (1850)

[*English*]

Mr. Allmand: It was not even called for second reading, liar.

Some Hon. Members: Oh, oh!

The Acting Speaker (Mrs. Champagne): Order. The Chair would like to hear what the Hon. Member who has the floor is saying. Let me try to remind all Members that most of the time screams or comments being called across the floor are recorded in *Hansard* and perhaps Hon. Members would like to think twice before making some comments that they would regretfully see in *Hansard* the next day.

[*Translation*]

The Hon. Member for Richelieu (Mr. Plamondon).

Mr. Plamondon: Madam Speaker, I am concluding. I was quoting my philosphy teacher who said teasingly when we did not understand a text which was rather clear: What is well understood can be clearly stated and the words to say it so easily come. He used to add: "Of course, pigs cannot appreciate pearls." He was just joking. I suggest then that maybe we should try and understand and vote quickly—

Mr. Nystrom: It was professor John Crosbie!

Mr. Plamondon: In conclusion, madam Speaker, I stress again the necessity to pass quickly that bill in order to satisfy

those people who are eagerly waiting for the amount which is really due to them.

Mr. Robinson: Madam Speaker, I would ask the Hon. Member for Richelieu (Mr. Plamondon) to explain to the House how it is that he can infer that we, the Opposition, are delaying this Bill, given the fact that we have agreed that it will pass through all stages, that is second reading, committee of the whole and third reading, in a single day. I therefore ask the Hon. Member to clarify his point, to explain how he can insinuate that we are delaying this Bill when we have already agreed to the proposal by the Government to adopt this Bill in a single day. It is simply unbelievable that he should make such an inference!

Madam Speaker, I also have a second question for the Hon. Member. It is the following. How can the Hon. Member—for whom I have the greatest respect—explain to the House that he is in favour of a Bill which denies members of the Canadian Armed Forces and members of the RCMP the possibility of collecting unemployment insurance even when they have contributed for many years? How can he explain that he is in favour of such a Bill?

Mr. Plamondon: Madam Speaker, I am going first to say that I have also a lot of respect for the Hon. Member. Now, when he asks me to explain to him why his Party can be accused of delaying things, when it passes a Bill in one day, I would like to remind him that for the last three months, we have asked that this Bill be put on the Order Paper, so that we could pass it in one day. Regrettably, we could not make ourselves heard by both opposition Parties. We have been ready for a long time to pay and this . . . An example: if you were ready to resolve the matter, why, today, when the text is clear and precise, are you still proposing amendments? Your Party just proposed another one. This only delays the debate, when everybody knows that at the end, it will be this text, as tabled by the Government, which satisfies entirely those who want the necessary money that has been taken from them, that will be adopted.

One never talked about any other person than our early retirees, who signed petitions, who met with Government and Opposition MPs and who want exactly this bill which will allow them to receive their cheques. Any procedure or amendment only results in delaying the end of the debate and obviously, the issuing of the cheques. Obviously, if you stop speaking and the Opposition does the same, the debate will stop and the cheques will be sent out. If not that, what do you call delaying things?

Mr. Nystrom: It is not true.

• (1900)

[*English*]

Mr. Allmand: Madam Speaker, I rise on a point of order. I am the official critic for unemployment insurance for my Party and I want to tell this House and the Hon. Member that no one approached me—

Some Hon. Members: That is not a point of order.

Mr. Allmand: —no one approached me to limit the debate to one day until about eight days ago. This Bill was tabled in the House on April 1 and the Government did not do one thing about it until about eight days ago. Then it offered us not a day, but a Wednesday afternoon, a short day. I said I would be willing to accept the very next day, if they gave us a full day with extended hours, and it took them almost eight days to respond. So cut that out. Tell the truth.

The Acting Speaker (Mrs. Champagne): Order.

Mr. Allmand: You do not know the meaning of truth over there.

The Acting Speaker (Mrs. Champagne): Order. The Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand) knows very well that this is not a point of order. The Hon. Member for Kamloops—Shuswap (Mr. Riis) first to signal he had a point of order. I will then recognize the Hon. Member for Gatineau (Mrs. Mailly). The Hon. Member for Kamloops—Shuswap.

Mr. Riis: Actually, Madam Speaker, it was not a point of order, but a question to the Hon. Member. That is why I was standing. My question is—

The Acting Speaker (Mrs. Champagne): I had understood the Hon. Member was rising on a point of order. The Hon. Member for Gatineau on a point of order.

[*Translation*]

Mrs. Mailly: That is precisely the point of order I wanted to raise, Madam Speaker. We were back to the questions to the Hon. Member, and I wanted to ask him one question, but the Hon. Member for Kamloops—Shuswap (Mr. Riis)—I find it difficult to pronounce—had indicated he wanted to rise on a point of order. So, I would simply like to give him a hand. But if he does not have any point of order, other MPs and myself wanted to ask questions, Madam Speaker, and I have been rising for a long time.

[*English*]

Mr. Corbett: Madam Speaker, I have been patiently waiting for a ruling or an interjection by yourself on an interjection made by the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand) when my hon. colleague the Hon. Member for Richelieu (Mr. Plamondon) was making a speech, which prompted you, Madam Speaker, to rise and call the House to order, to which the Hon. Member for Notre-Dame-de-Grâce—Lachine East quite distinctly, and I am sure it will appear in the blues, referred to our hon. colleague as a liar.

I have been patiently waiting for the Hon. Member to be called to order and to withdraw those remarks or be dealt with accordingly because, certainly the Hon. Member for Notre-

Dame-de-Grâce—Lachine East knows very well that that is unparliamentary and unacceptable. I personally take it as an affront as a Member of this House of Commons that such language would be tolerated by the Chair. I expect you, Madam Speaker, to deal with it accordingly.

The Acting Speaker (Mrs. Champagne): There was at one time—and I hope we will not have to listen to this very often this evening—many people talking rather loudly together. I warned everyone not to say anything they might regret the next day. If the Hon. Member for Notre-Dame-de-Grâce—Lachine East has some apologies to make, I am sure he will make them. As far as I am concerned, and I will check the blues tomorrow, I cannot be certain at this time.

If the Hon. member feels he should apologize, I am sure he will do so.

Mr. Allmand: Madam Speaker, I know the rules do not allow me to call the Hon. Member a liar, and I did call him a liar, so I will withdraw that remark. Unfortunately, I cannot think of any other words which will express the same opinion.

[*Translation*]

The Acting Speaker (Mrs. Champagne): It is not an unequivocal withdrawal, but I think that at this late hour, tonight, we shall accept it.

The question and comment period is now over. On the debate, the Hon. Member for Thunder Bay—Nipigon (Mr. Epp).

[*English*]

Mr. Ernie Epp (Thunder Bay—Nipigon): Madam Speaker, I appreciate the opportunity to join in the debate on this April Fool's Day joke which the Government has played on the workers of Canada who are anticipating retirement and wondering how they are going to handle their affairs. I appreciate the opportunity to say something immediately after the unseemly display which has occurred in the House, precipitated by an Hon. Member suggesting that the Opposition was holding up action on this Bill. Here we have a mess created by the Government in the fall of 1984. It has taken the Government months, years, one could say to recognize it as the mess it is even when the Ministers of the Cabinet pointed out the mistake which had been made.

Members on the front bench of the Government caucus are prepared today to indicate how unsatisfactory this Bill is even now. We then have a Member of the Government, a new member admittedly, since the 1984 Parliament, suggesting that somehow or other the Opposition has been holding this up. I can appreciate why a Member would be tempted to say that is a lie because it is not true. What we have to recognize here is a mess that the Government created and which it is refusing even now, belatedly in this April Fool's Day joke Bill that it served up, to do justice to Canadian workers.

• (1910)

What did we have? We had a new Government, swollen with numbers, arrogant in office, convinced it could do anything, dedicated to one end alone, convinced that only by means of reducing government expenditures could it return the country to prosperity and, regardless of any sense of honour, any kind of promises given in the election campaign, determined to do anything to reduce the outflow of government expenditures in various areas.

The Minister of Finance (Mr. Wilson) in preparation of his statement for presentation within days after the House convened in November of 1984, came up with a bright idea to change fundamental rules in the unemployment insurance system. It is a system which, at that point, was almost half a century old. It had been won by years and years of labour in the 1930s, in years of depression, by workers who were out of work and who wanted it, insisting that unemployment was not their fault, that governments had to recognize some responsibility. There were people in province after province who insisted that an unemployment insurance system was necessary on a national basis in order to provide for the unemployed. Finally, by constitutional amendment no less, the Canadian people resolved to do just that.

In 1940 unemployment insurance was added to the list of federal responsibilities. Fundamental rules were established for it. It was a system of insurance which was maintained by employees and employers. Government came into it when necessary to keep up the amount of funds needed to maintain the scheme. But it was a system of insurance.

In recognition of the plight that workers faced when they retired, there was a system of benefits laid out. In the 1970s that system of benefits was improved and enhanced at a time when unemployment rates ran very high and such a scheme was necessary.

What did the Minister of Finance decide to do in November of 1984 but to change the fundamental rules, to say that there are some lucky people out there who, when they cease to be employed, have money. In some cases they may become eligible for benefits. They may be eligible for severance payments. They may even have holiday pay. The Minister said: "Let us count all of that as income. It is marvellous. We can postpone the day when the unemployment insurance fund will need to advance anything toward them, when they will have any kind of eligibility for benefits. In the process we are going to reduce the outflow from the unemployment insurance fund and the deficit will be reduced somewhat".

No regard was given to good faith. No regard was given to the situation of workers who had earned these benefits over months and years of service. They were simply struck away. The philosophy of the Government was to break faith and save money.

What we have had is a system in which as many as 55,000 Canadians have been retiring just on that one aspect alone. Thanks to these changes the Government has been able to save

$250 million on an annual basis. Sure, it has been a nice saving. Yet no regard was given to the fact that the Government has resources that people put out of work do not have.

No regard was given to the fact that persons who had planned for years found themselves faced with retirement, involuntarily in many cases. After all, it was the military personnel in the Canadian Armed Forces, and others in the RCMP, particularly in the lower ranks, who were forced into retirement. This was not a voluntary decision they made. They were forced into retirement.

The Minister of Finance, having regard and responsibility for the finances of the country, and having the resources of his Department and of the Bank of Canada, as well as the Canadian people behind him, turned to these people who were forced by the regulations of the Armed Forces and RCMP into retirement and said: "You are not going to have any entitlement for unemployment insurance because your pension is too high". Or he said: "You may have a little bit of entitlement. We are going to take your pension benefits first and calculate them. If that is less than you are entitled to under the new regulations, we will top it up a little bit".

To say that to people who still might be in their forties or early fifties, people with responsibility for families, with children in college and university making large demands on their families, people who served the country well for decades was one of those fundamental acts of bad faith that has been characterized by Government time after time. It went on to characterize it over the next months. It aroused the anger of the Canadian people. It has provided the basic reason that has driven this Government down toward 25 per cent and less in the public opinion polls. That kind of lack of faith was not to be tolerated by the Canadian people.

What do the Canadian people do now but wait quietly for the day when they will have the chance to turf this Government out and throw it as far as they possibly can. That was the situation created by the Minister of Finance in the fall of 1984. It was obvious that it was a bad piece of work. It became obvious very quickly as the Minister of Employment attempted to work with the regulations and had to change deadlines. These were deadlines that were in effect for the end of the year, and then pushed back for later in 1985. Then further changes pushed them back until 1986. It was obvious that a fundamental mistake had been made.

In fact, ultimately, when the royal commission which was looking at the entire unemployment system declared in its report that a mistake had been made, there could be no doubt that the Government had taken the wrong course of action in the fall of 1984 in terms of this particular action for retirees. It was the minority report on unemployment insurance written by Frances Soboda and Jack Munro which drove the point home in paragraphs that considered not just retirement but severance payments and vacation benefits as well.

I wish to read some of this into the record since it makes the point so well.

> Pensions, severance pay and vacation pay have one thing in common. They were all earned *prior to* separation from employment.
>
> Pension income is a payment from a fund that was generated for an employee while he or she was employed. Vacation pay is an entitlement that is earned while employed and banked either in a "time off with pay" bank or in some cases in a vacation pay trust fund. Severance is a compensation to long-service employees for their lost employment rights. It is earned while employed and paid out on termination to finance the special adjustment problems that older workers face. It is an asset, not income. These earned benefits are caught in the regulation's net because they happen to be paid out on termination of employment . . . It is illogical to treat them as if they were.
>
> It is also extremely unfair. Many working people have taken early retirement from jobs in heavy industry, in particular, on the assumption that they could be able to supplement their pension income with lower-paying jobs after retirement, and that they would be eligible for UI when they were unemployed.
>
> Thousands of others in the armed forces and police are required to retire many years before normal retirement dates. These "retirees" are expected to find other employment after "retirement." Counting their pensions as income makes them effectively ineligible for UI.
>
> It is the only form of income not related to current earnings which is allocated against UI benefits. Investment income or income from RRSP's which is indirectly related to employment, prior to termination, is not allocated against UI benefits.
>
> It is inequitable to count pension income against benefits, for example, but not RRSP income. It is inequitable to count severance benefits against UI benefits but not the proceeds of RRSP withdrawals or other forms of pre-termination savings.

There, in one of the distinctions which the regulations drew, we see the kind of unfairness that the Government was prepared to create. Those who were not able to deposit to a regular pension fund, those who had to use RRSPs, or those who built up investments through other means and who might well not be compelled into retirement, those people would have escaped the net anyway. Others, those thousands of Canadians who were grateful for pension plans, worked through their unions and by other means to build them up, built up a benefit, built up an entitlement for their retirement.

• (1920)

In cases where they were in the forces or with the police, very careful planning was required. I know about some of this from members of my own family. They made calculations on how they might use pension benefits, together with other sources of income, to find work and to continue in a productive role in society after they had retired from the forces.

All this was done away with by a sentence or two in the statement of the Minister of Finance in November, 1984. For years the Government has allowed the situation to prevail. It has allowed this abomination on Canadian workers to continue. Finally, we had the Bill on April 1, and the Government waited through April, through May, and more than a week into June to bring it forward for second reading.

We have an understanding that it will be debated at second reading and considered in Committee of the Whole, that we will have an opportunity to put forward amendments in an attempt to improve it. God knows that the Bill needs improvement. It should not be passed in its present form. I am sure the critics in our caucus and those in the Official Opposition want

to try to improve the Bill so that there will be a re-establishment of the regulations we should actually have.

What are we faced with? We are faced with Conservative Members who have something half good enough for them to want to make speeches about it. They want to spend all evening talking about it instead of giving us an opportunity to try to improve it in Committee of the Whole.

They are prepared to accept something which will save 22,000 workers on an annual basis but will leave another 33,000 workers unprotected. If they are prepared to make big speeches about it and fill the evening praising the Government for half-hearted measures a third of the way along the road, I suppose that is the situation in which they find themselves in government these days.

We all know that organizations of retirees across the country are not content with this Bill. As soon as the Bill was tabled they made clear that it was inadequate and insufficient to allow persons who were fortunate enough to find a second job to establish unemployment insurance eligibility by those means.

It is a classic piece of unfairness. Those who have connections, those with skills, and those who live in parts of the country where jobs can be more readily found are the people who are favoured. They might conceivably be able to obtain a contract for enough months to establish eligibility. However, those who live in Atlantic Canada, those at lower ranks in the forces who are unable to obtain contracts, and those without jobs wherever they are, remain out of luck. This is from a Government which claims to have the most needy always in mind when dealing with social policy.

It is an instance of Conservative unfairness and readiness to stick it to the unfortunate while pretending that the Bill which has been put forward is some great improvement to the unemployment insurance system. They have hardly begun to walk the road back to justice for the workers of Canada, for those who are forced into early retirement.

I see no reason for us not to get into Committee of the Whole as quickly as we can to put before the Minister amendments which would make the Bill what it should be, if we are to have a genuine return to the regulations that prevailed on November 7, 1984 and a return to the kind of justice the people of Canada want. Let us get to that point this evening and forget about speeches in support of something that does not deserve praise.

Mrs. Mailly: Madam Speaker, what would the Hon. Member for Thunder Bay—Nipigon (Mr. Epp) have had us do in the fall of 1984 when we faced a very serious crisis? We had 1.5 million people unemployed and an unemployment fund which was empty. It was in deficit by at least $1 billion. This is what triggered the effort to try to resolve the problem.

The Hon. Member has seen what the Forget Commission recommended as a way of dealing with the problem. They were Draconian measures which would have either delayed the payment of unemployment insurance or would have narrowed the number of weeks when people could have drawn unemployment insurance. They were unacceptable alternatives.

The Minister of Finance (Mr. Wilson) and the Minister of Employment and Immigration (Mr. Bouchard) looked at how we could put the unemployment fund on a basis where it could meet the needs of the unemployed and how we could create jobs to reduce the unemployment figures.

That is exactly what we have done. Granted, the unemployment fund can no longer be used as a retirement plan, but it was never meant to be a retirement plan. We did the best we could with a very unfortunate situation. The previous administration knew about the problem in 1982-83 and did absolutely nothing. We came along and had to do something about it. We felt that the most just thing to do was not to take away unemployment from people who were truly unemployed, not to make them wait longer, not to give them less money, and not to give them benefits for a shorter period of time. We looked at how the plan was being used in ways for which it was not meant when it was instituted.

The Hon. Member gave an historical rendition of what the plan meant, but he omitted a very recent piece of history. The fund was empty. What would the Hon. Member have us do? Would he have us shorten the period, give less money, or ask for more money from workers to put into the fund?

Now that we have this situation, would he have us not give a chance to members of the Armed Forces who usually take an early retirement, not because they have to but because they have decided that they can retire at 45 years of age? Would he have us not give them a chance to reapply for unemployment insurance? Would he not give a chance to public servants who want a second job after they have retired? Would he not give them a chance to have unemployment insurance? What is it that he would like us to do?

Mr. Epp (Thunder Bay—Nipigon): Madam Speaker, those last sentences were just silly rhetoric. I have said that I want all this done and so much more, so let us not have all this talk about what I would want and so forth.

In 1984, the unemployment insurance fund was in deficit. What else would one expect when almost 1.5 million Canadians were out of work? What else could one expect? One expects the Minister of Finance to use the resources of the people of Canada through his Department and the Bank of Canada to finance the unemployment insurance fund until we are into a better employment situation and a lower deficit situation. That is what we want.

However, the point is that we are not faced with the situation in 1984. This year the unemployment insurance fund is expected to be $1.6 billion in the black. At the same time the Government refuses to extend justice to all retirees as it should. With money in the bank, it is refusing to re-establish the benefits for all workers to whom it should be extending it.

Surely that is the fundamental contradiction in my hon. colleague's question. What is the point of railing on about being dissatisfied with what we have here when there are resources to extend full unemployment insurance benefits to people who are driven into retirement?

They do not want to use the UI fund as a retirement fund but as a transition to other employment. Why not allow them the full benefit of that rather than force them to finance their own job hunt until they are lucky enough, if they are, to find a job and then to begin building up benefits? That is the contradiction at the heart of the Bill, and there is no point to laying rhetoric on it. The Bill simply failed.

Mr. Allmand: Madam Speaker, no wonder the Conservative Party is so low in the polls. The Hon. Member who just put a question indicates that she is not familiar with either the Forget report or with the Unemployment Insurance Act. Would the Hon. Member please read Recommendation 26 to the Hon. Member for Gatineau (Mrs. Mailly). She said that Forget's recommendation was Draconian. Recommendation 26 reads:

> The current treatment of pension income should be rescinded with an effective date of January 5, 1986. The new policy should be announced and an implementation date of January 1, 1989—

Which means that Forget wanted the entire thing withdrawn as of January 5, 1986. I guess the Member for Gatineau has never read the report. Will the Hon. Member please instruct her on that. I would also ask the Hon. Member to please instruct her on the Unemployment Insurance Act. The Government wanted to correct the situation where people use the Unemployment Insurance Act as a retirement fund. Please let the Member for Gatineau know that in the Unemployment Insurance Act there is provision that you must always be ready and available for work. If you are not ready and available for work, you are not eligible for unemployment insurance. If you have a pension and if you are still ready and available for work, you should be eligible for unemployment insurance. The control mechanism against people using unemployment insurance for retirement is that they must indicate whether they are really going to retire or be ready and available for work. If they are not ready and available for work, no one is suggesting that they should get unemployment insurance. Will you please instruct the Member about the Act?

• (1930)

Mr. Epp (Thunder Bay—Nipigon): Madam Speaker, I appreciate this further opportunity from the Liberal critic to say something about the Act and the point of the legislation. To do all of this in the presence of the Minister of Employment and Immigration (Mr. Bouchard) is a bit of a privilege. It is good to have him here this evening in this part of the debate, and I trust he is listening carefully. The opportunity to obtain unemployment insurance benefits while one is still under 65 is because it serves as bridging from the employment one has had to the employment one expects to find. That is as true for someone who has been forced into retirement from the Armed Forces or the police as it is for anyone else who has been forced into retirement.

The resources of the country are there. These days the resources of the unemployment insurance fund, again as a result of the increase in premiums which the Government has carried through, is in good financial shape to handle this. At $1.6 billion in the black, there would not be any difficulty in taking that final step and providing the 33,000 retirees—which the present provisions will not protect—with the opportunity to obtain benefits as they pursue work.

As my friend has pointed out, and as I might underscore from the reports, including the unemployment insurance minority report Ms. Soboda and Mr. Munro, from which I read there was a recommendation about a difficulty that might arise in this area of allowing persons on pension income to receive unemployment insurance benefits without regard to the pension benefits they were receiving. After all, this was the kind of planning people had done previously in preparing themselves for retirement. The response put forward was to ensure that people were generally in the job market looking for work. That recommendation is the one which the Minister has refused to take. Clearly the Minister of Finance and the bunch over in the Ministry of Finance who want to keep taking money out of the pockets of the Canadian people every chance they get by taxation, higher premiums—

Mrs. Mailly: What nonsense.

Mr. Epp (Thunder Bay—Nipigon): —by declining to pay off benefits, these same people have seen to it that the Minister who probably wants to do right by retirees has been prevented from doing so. There very simply is the problem with his Bill which is why we are so critical of it and why we resent the government Member trying to whip up something good for this Bill which it does not deserve.

[*Translation*]

Mr. Alain Tardif (Richmond—Wolfe): Madam Speaker, I welcome this opportunity to add my comments to those of previous speakers and give you my impressions of this Bill.

However, I must say, first of all, that after listening very carefully to what was said by the Hon. Members for Jonquière (Mr. Blackburn) and Richelieu (Mr. Plamondon), that I have seldom heard so much political rhetoric in just two speeches.

Madam Speaker, since the Hon. Member for Richelieu finished his speech saying that he had met a philosopher who said that if you didn't understand the situation . . . I'm afraid I don't have the exact words, but perhaps the following saying will do. Speech is silver and silence is golden, if you don't want to make a fool of yourself. I think that what was said by the Hon. Members for Richelieu and Jonquière was a clear indication that they don't know what they're talking about, and that the whole point of their speeches was basically to use an issue that is of fundamental importance to so many thousands of people as an excuse for political rhetoric. To consider the facts in chronological order, we have to go back to

November 1984, when the Government published a policy document under the title: A New Direction for Canada. This document was supposed to provide a plan and a timeframe for what was supposed to happen when, and to whom. So we get to the magic date and this particular group of Canadians is told that from now on they are no longer entitled to full unemployment insurance benefits, since any benefits they receive from their employer will be deducted.

• (1940)

This was in 1985, Madam Speaker. Today, in 1987, we are finally going to be given a chance to deal with a situation that has been dragging on for too long, and which in many cases has become a very serious problem.

Madam Speaker, as a result of endless protests, hundreds of petitions and numerous visits to Ottawa where people tried to get something done about this disgraceful case of discrimination, the Government finally showed its true colours last April. In April, it announced what it intended to do about the situation, after giving us all kinds of tentative solutions, none of which made much sense. In April the Government made its intentions clear when it tabled this Bill.

Quite recently, hardly 10-odd days ago, we were told: Listen, you in the Opposition, here is what we intend to do. So what is the reaction? We responded: In the interest of all these tens of thousands of people, as far as we are concerned we would have liked to have several days to debate this important question and the many injustices it raises; but in the interest of the tens of thousands of Canadian men and women who are frustrated and are waiting for fabulous amounts, we are prepared to co-operate to dispose of this matter in one single day. This was about ten days ago, Madam Speaker.

On the other hand, keeping in mind what I have just said, the first Government proposition to the Opposition on such a major issue was to hold the debate on this Bill on a Wednesday. And, as it happens, Wednesday is the shortest day of the week. And then they will claim, as did the Hon. Member for Jonquière, that this is a great day for retired people.

It is a great day for retired people. First retired people can rejoice, second Government Members take credit for this decision which is woefully incomplete in many respects. They take credit for being responsible for this great day. However, if we had to define demagogy, I suggest this would be a good example.

The Hon. Member for Richelieu said that if the Government has been unable to deliver the goods until today the blame rests squarely on the Opposition. We were quite ready and we reacted immediately, as he said himself; we reacted immediately. This is June 1987, yet the problem dates all the way back to January 1985. So I would suggest that in either case Canadian men and women can see through such puffery, they will decide for themselves who is really guilty, who is really responsible for what, in my judgment, is indeed a black mark against this Government.

Madam Speaker, in my constituency and my own region, there are certainly about 400 or 450 Canadians who are directly affected by this Bill. These people have been waiting for months, more than a year, for the Government to give them what they were fully entitled to receive. These 400 people, at an important time of their life, made a decision based on what they were expecting to get, after examining the situation objectively and taking into account a very important factor for the economic well-being of their communities, as they saw that they could leave the labour market so that more young people could keep their jobs and support their families. For these 400 people, full unemployment insurance benefits were essential and even vital.

Suddenly, they found that they had to make due with benefits which had been reduced, in many cases, to nil. Most of these people had contributed to the unemployment insurance plan for 20, 25 or 30 years and they were suddenly being told: You are no longer entitled to these benefits, or if so, only marginally.

It is only after being subjected to petitions, pressures and aggressive demands that the Government reversed its stand two, three or even four times, to give us finally what we now have before the House, namely Bill C-50.

Madam Speaker, I believe that all those who have been waiting for redress since their benefits were cut off are in the best position to understand who is responsible for this completely unacceptable situation.

We in the Opposition were and still are willing to co-operate. We shall co-operate as concerns the Bill which was called earlier today, and when the House adjourns this evening, the matter will be definitely settled and the people involved will be able to receive their cheques within a few weeks, at least I hope so. Among other things, this will be an opportunity for the Government to show it was serious when it spoke today about understanding and about generosity for these people who have been waiting for over a year because of these reductions.

In many respects, Madam Speaker, it would have been interesting to devote more than one day to this issue. We understand the extreme urgency of disposing of this Bill, so that the cheques can start going out as soon as possible. But having said that, I would be remiss if I did not indicate to you and to those concerned with this issue that it would have been important and even most relevant to keep on discussing this important and a number of its ramifications. I am referring here to the issue which I would described as discriminatory, most unfair and outright unreasonable. I had an opportunity before to demonstrate this point.

Let us imagine two Canadians, one working in the footwear industry, and the other in the manufacturing sector. Most everybody will recognize that in the footwear industry, salaries are somewhat average, not to say small in most cases. Clearly, Madam Speaker, an individual earning a modest salary does not have $1,000, $1,500 or $2,000 at the end of the year to

invest in an RRSP. He is at the mercy, in a slavish sort of way, of the pension fund which his employer has established for his employees. Contributions are always based on the salary earned, the generosity of the company's financial statements, so that pension funds which are made available to employees are generally quite modest. I am referring to the first individual to which my example applies.

The other one, who worked in a factory and had been fortunate enough to contribute to a pension plan, seeing what is happening here tonight, will not try to negociate his participation in a private pension plan but will prefer and rightly so, to take the money he was prepared to invest in that plan and put it in what is called a RRSP. When they reach 55 years of age, both men will retire and to ensure their subsistance, they will depend exclusively on the pension paid by from their employers, which consist of contributions taken from their pay cheques during 25 years.

No need to say that that pension doesn't represent much and is hardly enough to live decently. After a whole life spent on a low paying job, all the worker can count on for his retirement is a limited income. In a context of social justice, he could also reasonably expect one year of unemployment insurance benefits. But it will not be the case under this Bill because this man will be told: "That's it, you earn $300 a month, we deduct it from your benefits and we give you the difference." In his case he will live way under the poverty threshold while the other man could earn a more reasonable income and invest $1,000, $1,500 or $2,000 in a RRSP every year for about 30 years. That same worker who from the start, could look to a rosy future, will go to the unemployment insurance office to withdraw the full amount of his contributions; as I said, these will be higher than the contributions of his fellow worker who working in the footwear industry was paid smaller wages and we know that UI contributions are based on the salary earned. We have here a perfectly clear example, Madam Speaker, of totally unjustified and injustifiable situation, an absolutely discriminatory situation which would have warranted explanations and answers.

There is another situation which seems to be unbelievably unfair, and which is documented in dozens of files in my riding office. When plans were made by asbestos mines to lay-off workers, and hundreds of people were concerned, they had obviously been scheduled over six to 10 months. Those in managing positions with the company knew very well that they would be laid-off as of a certain date, while their colleagues were laid-off at a much faster rate and more expeditiously. From this group of employees who knew officially that they would be laid-off on a permanent and definite basis, a few left before the week of january the 1st; they had known for one to three months beforehand that they would be permanently and definitely laid-off. But in fact they were laid off in the first week of January. Everybody knows there is a two-week waiting period. Everybody knows that these about to be laid off, do not exhaust their holidays but keep them in order that immediately after being laid off they can count on a full salary which is equivalent to paid holidays. Consequently, logically and mathematically, these people could not go to the UI office and file their claim for benefit. What happened? The legislation says, and very clearly contrary to many speeches we heard so far, at Section 4, paragraph (*a*): The Commission shall consider the entitlement to benefit of any claimant who made an initial claim for benefit before January 5, 1986.

For many, this legislation and its consequences represent a considerable improvement because it means several month qualifying periods, but for many whose situation I just described, there is no remedy to their problem, yet they are affected by the same situation of economic disaster in some area. Since they could not, because of a combination of circumstances, file their claim before January 5, the Government says: No, a line must be drawn, and they use as an example the fact that at age 65 one is entitled to old age security pension, but not at age 64, 11 months and 20 days. I accept that first example but I sincerely submit that in such a specific case, the individual who knew before January 5, 1985 that he or she would be laid off on a given date should be considered as all others who had the privilege, because it becomes a privilege, of filing an application before January 5. There is also the great injustice toward those who will be contributing thousands of dollars in unemployment insurance and who at the proper time will apply to obtain benefits but will be told: "Well, listen, you belong to a special group. You are not entitled to benefits unless you do this or that." Once again, Madam Speaker, it is an injustice, a discrimination and we would have liked to redress those grievances under a reasonable legislation which would have been fair and equal for all. We are told, and it was mentioned in a question, that for financial reasons, choices and restrictions had to be made as a result of the debt. On the other hand, billions are going to be spent to modernize defence while those individuals are entitled to expect minimum living wages. Such minimum living wages could be granted to them under a legislation which could be more reasonable and fairer.

• (1950)

Mrs. Mailly: Madam Speaker, when I heard the Hon. Member denigrate the contribution made by the Hon. Member for Richelieu (Mr. Plamondon), I thought he was being carried away and let it go by. But after hearing his speech, I realize it was ignorance of the facts that led him to make that comment on the speech made by the Hon. Member for Richelieu. First, concerning the individuals he is referring to, who had vacation leave and perhaps sick leave credits, it is agreed that those individuals can put their claim to the Unemployment Insurance Board's tribunal. As always, this is the law. It is there. That is the first thing.

Second, people who have no pension income are entitled to UI benefits as always. The aim of the bill is to say that pension income, income from sick leave, vacation leave and so forth is to be deducted for UI purposes. In other terms, people with $15,000 income and less are still eligible to unemployment insurance. And even above that the deduction is pro rated on

pension income. This is to point out that unemployment insurance income is unemployment insurance and not pension insurance, as I said.

Further, the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand), a colleague of the Hon. Member who just spoke, earlier said I was ignorant of unemployment insurance rules and this was why I suggested the Forget report's recommendations were drastic but there were others. As far as I am concerned, I was referring to proposals: how to save in the first place.

Second, if he says, as he read the Regulations to us, that people had to be available for work as a condition to being eligible to UI benefits, how does he explain that an early retiree who indicated he was not available for work would be entitled to benefits?

Clearly, this contradicts the purpose of Unemployment Insurance. I would therefore ask the Hon. Member to tell me, first: Should he recognize that even today a lot of people have no pension fund, and are therefore entitled to Unemployment Insurance benefits, and it is unfortunate they have no pension fund because they find themselves penniless when they have none.

Second, the small-income people he was referring to are still eligible to UI benefits and the legislation in no way affects them.

Mr. Tardif (Richmond—Wolfe): Thank you, Madam Speaker, specially for allowing me to reply on this aspect of the arbitration board. I wish to tell my colleague that in the past two years, I personally submitted no fewer than 150 cases to the arbitration board. For your information, that board is composed of three people who assess the case brought them, after having seriously considered the analysis made by the Commission.

I agree with you that, in some cases, the arbitration board might prove somebody right, but for your information, I repeat that clause 4(1) refers to any claimant:

—who made an initial claim for benefit before January 5, 1986.

My experience before the arbitration board allows me to say that following a submission made before it, where there is evidence the claim was filed on January 15, the rejection would soon follow, and to refer to my colleague's comments, it will always be possible to appeal to the Federal Court. For the information of my colleague, however, to do so means a two and a half year delay in many cases, when that level can be reached since, first, the Federal Court will not negotiate, question or revise the facts. I will reply secondly by asking a question: Imagine two people, one with a private pension plan, the other without. Both earn $20,000. Why does one receive full unemployment insurance benefits while the other does not get one damn cent? What do you tell those two people who paid the same contributions, who possibly worked in the same sector, for different employers, one contributing to a private pension fund while the other does not. Let us suppose there are layoffs and both have the same seniority, the same wages, the same responsibility, even life expectancy. One is told: "You are entitled to full unemployment insurance benefits." The other: "You will not get a damn cent." What explanation do you give to that Canadian man or woman?

The Acting Speaker (Mrs. Champagne): Any other questions or comments? Debate. The Hon. Member for Champlain (Mr. Champagne).

Mr. Michel Champagne (Parliamentary Secretary to the Minister of Agriculture): Madam Speaker, thank you very much for allowing me to say a few words on this most important Bill, for it is a Bill that I do consider as most important indeed. It is very important, Madam Speaker, because in the following days and weeks, we will at last be in a position to provide payments for those people who had applied for unemployment insurance benefits and were retiring early before January 5, 1986, and we shall be glad that the matter is finally resolved after waiting so long, after the Opposition dragged its feet so long without possibly realizing the impact that such a delay in the legislation could have on thousands of taxpayers. But ultimately, Madam Speaker, I am pleased to see that today at last, we can have this debate on, and pass Bill C-50.

As you know, Madam Speaker, my colleague from Richmond—Wolfe started earlier by quoting a famous author whose name he did not mention, but who said more or less: Better shut up and look dumb than speak and prove that you are. Not to be outdone by him, let me tell him the motto of the Liberals, as Rivarol would say: "Doing nothing is an art. Not overdoing it is wisdom". And that is what the Liberals have done over the years.

I fail to understand, in all honesty, because eventually the matter is going to be resolved, and we have agreed, in the three Parties, that people will be entitled to unemployment insurance if they presented a claim. I therefore fail to understand, Madam Speaker, why some Members, at least Members of the Official Opposition, said earlier today in this House: "Madam Speaker, it is a shame to see an irresponsible Government cause such irretrievable harm to the community of early retirement pensioners of Canada".

That shows one thing, it shows that opposition Members have short memories. Very very short memories. I want to remind them, Madam Speaker, that salaries and pensions were frozen at 5 per cent and 6 per cent while we had an inflation rate of 11 per cent, 12 per cent, 15 per cent. Madam Speaker, when the Liberals at the time took that action, when they did that to the Canadian people, I never saw, and I have read the proceedings, I took the trouble to read the proceedings of the House at the time, I have never seen any Liberal Member or Minister stand up and tell the former Primer Minister, Mr. Trudeau: "Look, what you are doing is not fair. You are hurting Canadian people. You are doing away with the basic rights of early retirees. You are removing fundamental rights from workers, mothers, and the economy".

No, Madam Speaker, all the Liberal Members, the 74 blockheads, as they would often be called by Mr. Parizeau, the former Pequiste Minister from Quebec, sat quietly in their chairs and said: "Our Prime Minister is right. We are not going to do anything. We are not going to say a word because he will get us off the track". You see, Madam Speaker, that is what the Opposition was like when they were in power.

I listened this morning as my colleague from Montreal—Sainte-Marie made this outrageous statement to the House: "Madam Speaker, the Gulf refinery in Montreal was closed by the Conservatives. As the Member for Montreal—Sainte-Marie (Mr. Malépart), I set up that survival committee. I save the jobs at the Gulf refinery". Madam Speaker, I took the trouble of looking into the *Debates*. I repeat, under the previous Liberal Government, three refineries closed down. Not one, but three in Montreal East. Three refineries and not one Liberal Member of the time stood up and said: We are going to set up a survival committee. No Liberal Member, no Minister, Madam Speaker, rose to tell his or her Prime Minister, Minister of Energy, Mines and Resources or Minister of Employment and Immigration: "What are you doing for our workers?" None, Madam Speaker!

Today, in this House, in the country, some are talking about social justice and equity . . . We realize, Madam Speaker, how gifted the Liberals are in the art of deceit, how inconsistent they are in their actions to defend the interests of the Canadian people.

We must accept one thing. When we assumed power in 1984, we had some constraints, administrative constraints, a huge deficit due to a large degree to a careless administration, a deficit, Madam Speaker, which will mortgage for years to come future generations, my children, your children and their children.

Their mind was set on the short term, and on their own re-election instead of, the middle and the long term and the better interests of the Canadian people.

We will probably not have to remind them that they were the ones who allowed those at the top of the salary scale not to pay any tax. We will remind them the tax loopholes they left in the area of research, which left gaps of several billion dollars in the Canadian economy. And who was bearing the burden, Madam Speaker? The Canadian workers, the workers from Quebec, all those who paid taxes to a Government who was supposed to be responsible but who almost drove Canada bankrupt, put Canada in such a financial state that industrialized countries in general did not trust it anymore; they put the people of Canada in such a situation that it did not trust them, and we saw what happened in 1984, because of the commitments they did not keep, because of the promises they had made for several elections but they never fulfilled.

We will all remember the previous election, we will remember that in 1981, the former Liberal Hon. Member for my constituency, I don't remember his name very well, said the following in a pamphlet: If we, in the Liberal Party, are re-elected, we will increase the pension for widowers and widows who are between 60 and 64 years old. Madam Speaker, only a Progressive Conservative Government could put such a policy in place.

Due to sound management by our Minister of Finance (Mr. Wilson), by the Prime Minister (Mr. Mulroney) and by the Cabinet, we have achieved a $10 billion reduction in our deficit. Those $10 billion at a 10 percent interest rate mean savings of $1 billion in each and every coming year. That is $1 billion to be redistributed between social programs, to be shared by families most in need, that is $1 billion representing new opportunities for our upcoming youth, for future generations, and opportunities to live a good life and, most of all, to get some time during their life monies which they are entitled too.

Social justice calls for a long term and not a short term perspective. Social policy and social justice, Madam Speaker, must be considered in a global approach, in the context of decisions to be made for the middle and the long term. In other words, difficult decisions had to be made, but no outstanding politician in Canada or in the provinces even made his mark without some unpleasant courageous actions on the short term, decisions which time has proven to be the most judicious of all.

That is what our Minister of Employment and Immigration (Mr. Bouchard) has done. That is precisely the decision he has made.

We have seen that on January 5, 1986, people who had made applications before that date . . . There had been a communication problem and in my opinion, the message had not been clear enough. The Minister said: "It is true. We are going to solve the problem." And we have done it. We are solving it today because we are discussing the matter.

Ninety-five percent of all those cases will be settled, people will have no more problems, they will be able to receive their unemployment insurance benefits. Some Opposition Members are saying: "We have convinced the Government to change its mind." But, Madam Speaker, only fools are never wrong. As regards our Minister of Employment and Immigration and our Prime Minister, they know how to recognize what is right, they know how to recognize what is called social justice, they know how to recognize fairness and it is for that fundamental reason that our Minister of Employment and Immigration tabled before this House a bill to pay, to refund early retirees. That is the main reason for Bill C-50.

I heard some colleagues in the New Democratic Party, particularly the Hon. Member for Burnaby (Mr. Robinson) who said earlier: "We must take care of the members of our Forces." But, Madam Speaker, members on the other side are the first ones to be willing to stop our contribution to NATO. They are the first ones to be prepared to withdraw the Canadian Army and put it God knows where.

But for them, there is no problem, money is no problem, we can always print more. It is nothing to worry about. They do not know what economy means, that is why they are in the Opposition and will stay. However, what is sure is that when we look at the whole debate on Bill C-50, we must recognize that all Members who have taken part in this debate, in particular those of the Conservative caucus, who made representations, who heard in each of their respective ridings the chairman and people from ARSAC, FADOQ, or from senior citizens' federations, explain to the workers' unions, to our Members of Parliament what they have been through in technical terms, because the problem is not one of substance but of technical nature and of bad communications—

We told them they were right, we went to see our caucus, we discussed the whole matter and the Minister understood our point. If we are debating Bill C-50 today in this House we certainly do not owe it to the Opposition, to the Liberals and even less to the New Democrats. Quite the opposite, Madam Speaker. Some of my colleague, like the Hon. Member for Richelieu (Mr. Plamondon), said earlier that Liberals and New Democrats have been delaying the study of this Bill. I saw the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand) rise and use an unparliamentary word, which I shall not repeat, saying that they had always been willing to participate. It was a half-truth, Madam Speaker, because if you think of the debates we had in the last few weeks, you will realize that the Liberals and New Democrats have kept delaying the study of some bills to prevent this one from being debated. Liberals and New Democrats have been filibustering to prevent the Government from paying benefits to the early retirees affected by this legislation.

Madam Speaker, a while ago I was listening to my colleague from Richmond—Wolfe who was telling us about the difference between people with pension funds and those with RRSPs. He mentioned the case of a person earning $20,000 a year who has a pension fund and another one also making $20,000 who contributes to an RRSP. Let me remind him that to get an RRSP that will give him the same benefits as a pension fund he must pay much higher contributions than someone with a pension fund, to which the employer contributes 50 per cent or even 100 per cent.

Madam Speaker, these people will eventually be entitled to unemployment insurance benefits and I cannot understand why my colleague for Richmond—Wolfe and the Opposition are doing all kinds of calculations to demonstrate that those who contributed to RRSPs will be able to get both an annuity and unemployment insurance benefits while those with a pension fund will not be eligible to UI. Madam Speaker, if two people retire from the same company, CIP for instance, and get a pension and if one of was also contributing to an RRSP, none of them will get unemployment insurance because they both have the same pension fund. That is of an absolute logic that the Opposition is unable to understand and that is why, Madam Speaker, we have known such a huge deficit during the 20 lean years of the Liberal government. They did not know how to count. The only thing they knew was to try and play politics in a demagogic way, as was so cleverly demonstrated by the Hon. Member for Richmond—Wolfe (Mr. Tardif).

You know, Madam Speaker, my colleague for Nickel Belt says a lot of things perhaps he should not say. Maybe he should listen, maybe he should learn from our Government how responsibilities must be taken on.

• (2000)

You know, Madam Speaker, it is easy to criticize for one who sits on the other side, for one who does not know what it is to take a decision that is appropriate for tomorrow's economical growth, for the future generations, for social justice and equity, that is easy for one who has never been able, who has never had the chance to take such a decision, and who will never have a chance to do it because he is leaning towards the New Democratic Party. Those are the people, Madam Speaker, who prefer to criticize and be irresponsible rather than sit around a table or come to the House and say: Yes, the Minister of Employment and Immigration has recognized that workers who took an early retirement lacked technical information. They will be refunded, you will obtain our support, we will stop from making difficulties about the various bills so that finally, this responsible Government can grant to those who take an early retirement their basic rights which are being upheld. And we will continue to fight for them despite the systematic opposition by Liberals and New Democrats and we will do them justice and tell them: Yes, you are entitled to that, you paid for it. Yes, you are entitled to that in legal or technical terms because you paid your contributions, but we would also tell them: "Unemployment insurance is not a pension fund, but it is meant for the unemployed and the needy."

I sometimes receive at my office an individual who gets $150 per week and is caught because he or she has a side line and has to refund. It is unfair that person has a family with two, three or four children. The unemployment insurance policy is unfair when someone can collect benefits of $1,200, $1,500, $2,000 without being cut while an unemployed family man with two children to look after and who earns $150 per week is penalized because he has enough courage to have a side line and he is told: "No, you will be penalized." Madam Speaker, that is an inequity that must be changed, and the Minister of Employment and Immigration is addressing it. This Government is addressing it in a responsible way. And I do not see why an opposition that is being destroyed by internecine divisions, an opposition that is destroyed at the level of its ideology cannot accept it, cannot co-operate in building a strong Canada, a Canada that will respect every region and every social class, that will put everything back in its rightful place, that will ensure that this country is the greater for it.

Since a number of my colleagues want to take part in this debate, I will give others an opportunity to do so. In conclusion, although it will be difficult for you to do so, I would ask the opposition to find the will to co-operate for once, to give back to people who earned it what is rightfully theirs, and to

co-operate in a forthright, honest and non-partisan way, as the Hon. Member for Richmond suggested. This will show Canadians how much the House of Commons and the Canadian Government work for the common good rather than electoral interests, as the opposition is so adept at doing.

• (2010)

[*English*]

Mr. Rodriguez: Madam Speaker, we heard the non-demogogue. We have heard a calm speech by the Hon. Member who just spoke.

Mr. Gormley: Just like yours, John.

Mr. Rodriguez: I want the Hon. Member to give me some specific advice in responding to this person, a Mr. Dominic Cosintino from John Street North in Hamilton, who wrote:

> In my case (and probably many others as well) I retired early at age 57, not by choice, but because my plant (Stelco Inc., Canada Works, Hamilton) closed its doors. Some employees were allowed to retire previous to final closure, as operations were moved to other plants in Quebec and Ontario.
>
> To enable junior employers to transfer to other Stelco Plants, older employees were asked to delay their departure so operations could be wound down in an orderly fashion and to maintain customer compliance.
>
> Since I was employed as a truck loader in the Shipping Department I was asked to delay my departure until complete closure came about. This occurred March 31, 1986, at which time I retired. By having acceded to Stelco's request I find myself disqualified from the proposed forgiveness by not retiring before January 5, 1986.
>
> May I reiterate that I did not choose either my retirement or the date of it. I retired only because of plant closure.
>
> Thank you for any efforts on my (our) behalf.

• (2020)

The Hon. Member talks about social justice. I want to know what answer he and his Tory Party have for the Cosintinos of this country.

[*Translation*]

Mr. Champagne (Champlain): You know, Madam Speaker, the first thing that is prompted by the Hon. Member's question, and the first thing I might suggest would be to tell him he should resign if he is unable to solve those cases. This is the proof the New Democratic Member should quite simply go home and vacate his seat to a competent Conservative who certainly would defend his constituents before the minister in charge, before this House and before a Parliament and an honest caucus which, quite evidently despite the shortcomings of both opposition parties, is successfully protecting the interests of Canadians.

Madam Speaker, there is something in the Hon. Member's statements that makes me wonder, and if he wants to listen, perhaps he will stop putting that kind of question. You know, one thing comes to my mind. I may not be his age. My daughter certainly is not, since she is two years old. But we have a country to build. We must be responsible to all Canadians, both workers and non-workers. We have to be responsible for current policies, future policies, policies that will ensure that each and every Canadian, quite apart from the New democrat ideology, the Liberal ideology, the ruling Party ideology, we will have to put in place policies that will meet the needs of the people, not on the short-term, electoral level, as the opposition has always done, not on chameleon positions as the New Democratic Party always did, because, Madam Speaker, when they feel like it they vote along with the Liberals, and when they feel like it they vote along with the Conservatives. They are trying to spare each side, but they are sparing nothing. The only thing they are sparing is the seat of their pants, because they remind stuck to their seats for fear of losing them.

But, Madam Speaker, when one is part of a responsible government, led by a Prime Minister who is committed first and foremost to justice and fairness, who believes that each and every Canadian has an equal, basic right, then, as our Minister of Employment and Immigration did, one tables a Bill C-50. As responsible Members, we support him 100 per cent in his efforts. And all we hope for is for the opposition, who understands nothing, to at least follow the example of a Government that has the common interest to heart.

Mr. Tardif (Richmond—Wolfe): Madam Speaker, no wonder they rank so low in the opinion polls in Quebec. Considering the kind of answers... Two simple questions. Two very simple questions: If you were so concerned about the problems of thousands of retirees, why is Bill C-50 dated April 1, when the problem goes back to January, 1986? Second question: If the Liberal Government's policies were so debatable, why, after spending $9 million on the Forget Commission, after listening carefully to Charlies Brown's 59 sheep who came up with 90 recommendations, why isn't there a single damned recommendation in the Bill? Why?

The Acting Speaker (Mrs. Champagne): Order. I would like to draw the attention... Order, please! I would like to draw the attention of the Hon. Member for Richmond—Wolfe (Mr. Tardif) to the kind of language used in this House. I made the same remark to one of his colleagues earlier this evening, and perhaps he could be more careful.

The Hon. Member for Champlain (Mr. Champagne).

Mr. Champagne (Champlain): Please sit down, sir. Madam Speaker, the Hon. Member asked two very specific questions. First, why Bill C-50 was tabled on April 1 and why it took us until June to get to the second and third reading stage? My answer, since he either did not understand what I was saying or wasn't listening, is that the Opposition did everything that was humanly possible—and it certainly did a good job—to hold up the various Bills that were on the table and thus prevent the Minister of Employment and Immigration from introducing Bill C-50.

As for the second part of his question, when the Hon. Member refers to polls and the Prime Minister, I may remind him that the Leader of the Opposition (Mr. Turner) is certainly not in a very good position to finish his current mandate.

The Acting Speaker (Mrs. Champagne): Order. The Chair realizes that it is getting late. However, I think it would be much easier to proceed if all Members tried to maintain order in the House, and I am referring to both sides of the House, front benches as well as back benches.

The Hon. Member for Champlain (Mr. Champagne) may finish his comments.

Mr. Champagne (Champlain): Madam Speaker, whatever the Hon. Member for Nickel Belt (Mr. Rodriguez) may have to say about it, I shall continue to defend the interests of a responsible Government. I shall continue to defend the interests of those who come to my office and tell me they have problems. We shall defend those interests. I shall continue to make representations to my responsible Ministers, and, Madam Speaker, in concluding, I shall continue to urge the Official Opposition and the New Democrats to help us get this important Bill through the House so that we can make those payments to the people entitled to receive them.

[*English*]

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on the amendment of Mr. Rodriguez. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne: All those in favour of the motion please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne: All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The House divided on the motion, which was negatived on the following division:

(*Division No. 137*)

YEAS

Members

Allmand
Althouse
Baker
Benjamin
Berger
Blaikie
Boudria
Caccia
Cassidy
Copps
de Corneille
Dingwall
Epp
(Thunder Bay—Nipigon)
Foster
Frith
Gagliano
Garneau
Gauthier
Gray
(Windsor West)
Grondin
Guilbault
(Saint-Jacques)
Heap
Hopkins
Jewett
Johnston
(Saint-Henri—Westmount)
Kaplan
Killens
Lapierre
MacLellan
Malépart
Manly
Marchi
McCurdy
Nicholson
(Trinity)
Nunziata
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rodriguez
Rossi
Tardif
(Richmond—Wolfe)
Turner
(Vancouver Quadra)
Young —49

NAYS

Members

Belsher
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bradley
Brightwell
Brisco
Caldwell
Cardiff
Clark
(Brandon—Souris)
Clifford
Cochrane
Collins
Comeau
Cooper
Corbett
Darling
Della Noce
Desjardins
Desrosiers
Domm
Dorin
Edwards
Ellis
Epp
(Provencher)
Fennell
Ferland
Fretz
Friesen
Gagnon
Gass
Gérin
Gormley
Gottselig
Grisé
Hamelin
Hamilton
Hicks
Holtmann
Howie
Jacques
James
Johnson
(Bonavista—Trinity—Conception)
Joncas
King
Landry
Lanthier
Lawrence
Layton
Leblanc
Lewis
Lopez
Mailly
Marin
Martin
Mazankowski
McCain
McCrossan
McKenzie
McKnight
McMillan
Minaker
Mitges
Nicholson
(Niagara Falls)
Nickerson
Peterson
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
Scott
(Hamilton—Wentworth)
Scowen
Sparrow
Stackhouse
Stevens
Vankoughnet
Vézina
Warner
Wilson
(Swift Current—Maple Creek)
Winegard
Witer—88

• (2100)

Mr. Speaker: I declare the amendment lost.

Is the House ready for the next question?

Some Hon. Members: Question.

Mr. Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Speaker: All those in favour please say yea.

Some Hon. Members: Yea.

Mr. Speaker: All those opposed please say nay.

Some Hon. Members: Nay.

Mr. Speaker: In my opinion the yeas have it.

And more than five Members having risen:

Mr. Speaker: Shall I dispense with the ringing of the bells?

Some Hon. Members: Agreed.

Mr. Riis: Mr. Speaker, I believe that if you would seek the guidance of the House, you would find a disposition to agree to reverse the last vote on this particular vote rather than calling on individual Members.

Mr. Speaker: Is that agreed?

Some Hon. Members: Agreed.

The House divided on the motion which was agreed to on the following division:

(*Division No. 138*)

YEAS

Members

Belsher
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bradley
Brightwell
Brisco
Caldwell
Cardiff
Clark (Brandon—Souris)
Clifford
Cochrane
Collins
Comeau
Cooper
Corbett
Darling
Della Noce
Desjardins
Desrosiers
Domm
Dorin
Edwards
Ellis
Epp (Provencher)
Fennell
Ferland
Fretz
Friesen
Gagnon
Gass
Gérin
Gormley
Gottselig
Grisé
Hamelin
Hamilton
Hicks
Holtmann
Howie
Jacques
James
Johnson (Bonavista—Trinity—Conception)
Joncas
King
Landry
Lanthier
Lawrence
Layton
Leblanc
Lewis
Lopez
Mailly
Marin
Martin
Mazankowski
McCain
McCrossan
McKenzie
McKnight
McMillan
Minaker
Mitges
Nicholson (Niagara Falls)
Nickerson
Peterson
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
Scott (Hamilton—Wentworth)
Scowen
Sparrow
Stackhouse
Stevens
Vankoughnet
Vézina
Warner
Wilson (Swift Current—Maple Creek)
Winegard
Witer—88

NAYS

Members

Allmand
Althouse
Baker
Benjamin
Berger
Blaikie
Boudria
Caccia
Cassidy
Copps
de Corneille
Dingwall
Epp (Thunder Bay—Nipigon)
Foster
Frith
Gagliano
Garneau
Gauthier
Gray (Windsor West)
Grondin
Guilbault (Saint-Jacques)
Heap
Hopkins
Jewett
Johnston (Saint-Henri—Westmount)
Kaplan
Killens
Lapierre
MacLellan
Malépart
Manly
Marchi
McCurdy
Nicholson (Trinity)
Nunziata
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rodriguez
Rossi
Tardif (Richmond—Wolfe)
Turner (Vancouver Quadra)
Young —49

• (2110)

Mr. Speaker: I declare the motion carried.

Pursuant to order made Monday, June 8, 1987, the Bill stands referred to Committee of the Whole.

Bill read the second time and the House went into committee thereon, Mrs. Champagne in the chair.

The Assistant Deputy Chairman: Order. House in Committee of the Whole on Bill C-50, an Act to amend the Unemployment Insurance Act, 1971.

Shall Clause 2 carry?

On Clause 2—

Mr. Rodriguez: Madam Chairman, in this Bill the Government is partly reversing itself to allow persons who applied for unemployment insurance benefits, and who were early retirees or retirees prior to January 5, 1986, to get their unemployment insurance. If the Government were to go all the way and pay all of those retirees beyond January 5, 1986, even though they may not have obtained a second job, how much does he and his department estimate the cost to be of the plan?

[*Translation*]

Mr. Bouchard: Madam Chairman, if I understood correctly the question put by the Hon. Member for Nickel Belt (Mr. Rodriguez), I think that what the Hon. Member is really asking me to do is, in some way, to abrogate the Bill and arrange to pay all the people who were already receiving payments from pension plans and who would be claiming unemployment insurance benefits.

I think the position has its merits. However, the Government has calculated that the costs connected with this Bill for 1985-86, and if I were to act along the lines you are suggesting—in

any case, the Hon. Member knows perfectly well that the Bill represents a cost of $295 million.

If we repealed all the new rules as requested by the Hon. Member, it would mean additional costs of $95 million for 1985-86, $305 million for 1986-87 and $280 million for 1987-88.

In my opinion, these would be excessive costs and I do not think that we could face such an increase.

In other words, under this Bill, we are already bearing additional costs of $295 million, and as I have just pointed out, if we did as my colleague asks, it would mean $685 million more, which the Government is not in a position to pay.

[*English*]

Mr. Rodriguez: Madam Chairman, in his announcement in November, 1984, the Minister of Finance denied unemployment insurance benefits in part or in whole to all those retirees who attempted to obtain unemployment insurance. Here we are in 1987 and the Minister is bringing forward a Bill in which the Government is saying all right, we made a mistake. Does the Minister intend to pay interest on the unemployment insurance benefits to those who were entitled to receive them but did not prior to January 5, 1986?

[*Translation*]

Mr. Bouchard: Madam Chairman, it is not a question of admitting that there was a mistake or not. The principles have not changed at all. In November 1984, the Minister of Finance (Mr. Wilson) announced that those who received income from pensions, which is considered income from employment, could not at the same time receive unemployment insurance benefits, which are also considered income from employment.

In other words, the established principle has remained the same. However, for reasons of understanding and as it seemed that, for all kinds of reasons, some people might sincerely and honestly not have understood our message before January 5, 1986, we decided to make this measure retroactive to January 5, 1986 and consider that these people had made in good faith a claim which should be honoured.

I would like to correct something which my colleague said. The principle has not changed in the last two years. You can say if you like that you have succeeded in making the Government change its mind. This is not important for us. What is important is to have been fair for the preretirees who honestly believed that the Government should respect its policy and to have decided not to apply to the letter a provision which these people might have misunderstood. This is what we recognize.

I repeat that we are continuing to apply the very same principles as before, and I would like the Hon. Member to remember it during the rest of this debate. The Government does not admit that anyone should receive benefits from two sources of employment income, in other words pension funds and the Unemployment Insurance Fund.

• (2120)

[*English*]

Mr. Rodriguez: This is rather confusing. The Minister said that the Government enunciated the principle in 1984, the principle being that pension income is income for unemployment insurance purposes. If the principle has not changed, why is he now saying that if a retiree gets a second job and gets laid off he can continue to draw the pension and full UI benefits? It seems to me that the principle is flawed and illogical. After all, the person will still get pension income but because he or she was able to latch on to a job they can collect full UI benefits as well as the pension income.

To me that establishes two classes of retirees, the first being made up of those fortunate to obtain another job after having lost their job. We know from statistics that an older worker has one chance in ten of getting another job. Rather than establishing a principle the Government has further layered the UI and created a class structure at that level in the unemployment insurance program. Surely the principle lacks coherence and logic.

Mr. Bouchard: Madam Chairman, my friend does not understand that in the world in which we live today it is not unusual to start another career. You usually receive a pension after your first career. Someone who takes mandatory retirement at the age of 50 can have another career for 20 years. The principle that those who receive pensions cannot collect unemployment insurance applies to the first part of their lives. If you start a second job and work for four, five, or six years and then lose your job you can collect UI benefits which apply to that part of your life.

That is something which the Member and I will have to consider because in the new world of work many Canadians will face the reality of having a second career. I want to emphasize that the principle is the same. Pensions and unemployment insurance cannot be received together. However, when you start another career—

Mr. Rodriguez: That is illogical.

Mr. Bouchard: It may be illogical for the Hon. Member but it is logical for Canadians and it is Canadians whom we serve, not him.

Mr. Rodriguez: Madam Chairman, nothing the Minister said has convinced me that the principles are maintained or are logical. Therefore, I would like to move the following amendment:

That Bill C-50 be amended in Clause 2(1) by striking out lines 11, 12, 13 and 15 and renumbering the remaining line 14 as line 11.

I have sent you a copy, Madam Chairman.

Mr. Orlikow: Madam Chairman, I want to support that amendment. I was happy to hear the Minister say that the principle enunciated by the Minister of Finance (Mr. Wilson) in November, 1984, has not been changed and that the

Government stands by that principle. If there is one group of Canadians who will know what that means and who will resent what the Government has done, it is members of the Armed Forces. We have heard Members on the government side say how proud and supportive they are of the Armed Forces. However, let us look at what this Bill does to members of the Armed Forces.

A man or woman joins the Armed Forces at the age of 18 or 20. As a member of the Armed Forces, unemployment insurance premiums are deducted from their pay. After 20 years that member of the Armed Forces retires, not because he or she wants to but because the regulation require them to do so. Therefore, at age 40 to 45 those people are forced out of the Armed Forces and immediately begin to draw their pensions. They do not have any choice but are required to do so.

That pension is too small to live on. Their home may have been in Winnipeg or Vancouver but they served a number of years in Halifax; Saint John, New Brunswick; or Ottawa and they want to move home. They have to relocate, buy a home, and find a job. It takes them some time to find a job. They are drawing a very small pension and, after having paid unemployment insurance premiums for 20 years, they should be able to get unemployment insurance benefits. They can get their benefits, but only after the deduction is made for their pension.

I received a letter from a Winnipeg resident who lives in the constituency of the Member for Winnipeg—Assiniboine to whom he wrote first. The Member did not have the courtesy or decency to reply to the letter, perhaps because he did not care or perhaps because he did not know what to say. I will put this letter on the record and perhaps the Minister will give me a reply which I can send on to this person.

He says:

> You are no doubt aware of the government action in altering the unemployment insurance (UI) program pertaining to severance pay and pension income.
>
> I am a member of the Canadian Armed Forces and will be retiring from the forces on 17 Aug 85 after serving 33 years.
>
> While the prospect of entering the civilian job market and establishing a second career does not greatly worry me, there are of course some personal concerns about the availability of suitable employment.
>
> I have been contributing to UI since Armed Forces personnel were included. I currently contribute 46.84 each month to the scheme from which I can now claim no benefit. Under the government changes to the plan Armed Forces personnel have become victims of what may be called an insurance scam. We contribute premiums with no opportunity to benefit.
>
> I was informed of the impending legislation at CFB Winnipeg in January '85 when making inquiries regarding my retirement benefits.
>
> I wrote to my MP, Mr. Dan McKenzie, Winnipeg—Assiniboine, stating my view that the changes to the UI plan were unfair in that we were paying for nothing.
>
> I likened the situation to a family owning two cars. One car becomes damaged in an accident and the insurance company refused payment because the family has another car to drive.
>
> I have paid into the UI, as Unemployment Insurance, not an income replacement scheme. I may soon be unemployed. Certainly I will have some income but it will be considerably less than I had anticipated should I be unable to secure employment.
>
> Members of the forces have obviously had the foresight to maintain employment on a career basis with the aim of an annuity to assist in later life. We have served under conditions of service which do not apply to most civilian careers.
>
> Frequent transfers, uprooting families from jobs and schools, rented and often sub-standard housing, hazardous work conditions and other vagaries of the profession.
>
> At an age where a majority of civilian career workers are reaching an income and seniority peak, armed forces members are released from the service to attempt to establish a second career, normally at ages between 47 and 55.
>
> Many members on release are in a transition period for some time. They move to a new location, they buy their first home, they are "Putting Down Roots" for the first time. Finding employment under these conditions is difficult. Not all military trades and professions are immediately transferable to civilian occupations. Unemployment Insurance always provided a "cushion" during that transition period.

• (2130)

Let me stop there for a moment. This member of the Forces obviously did not get a reply from his Member of Parliament, the Member for Winnipeg—Assiniboine (Mr. McKenzie). Let me continue:

> In a letter signed by Michael H. Wilson, Minister of Finance, I am informed that:
>
> "The justification for the change in the treatment of pension income relates to the primary principle behind UI, which is to provide income protection to people who are without a job and without earnings. Someone receiving money from a previous employer in the form of a pension or separation pay cannot be said to be meeting these requirements. The change eliminates double payments and reinforces the objective of UI as an income replacement scheme".
>
> Mr. Wilson's reference to "double payments" is nonsense. The Government is eliminating their "one payment" because I had the foresight to work at a career which provided some pension security. If it is the Government's intention to eliminate a percentage of the working population of Canada from UI benefits, it should also eliminate those same workers from paying premiums.
>
> As you may detect in this letter, my reaction is one of anger. I feel cheated of even the possibility of drawing any benefit from unemployment insurance should I be unable to secure employment. As selfish as this view may appear, it is a view shared by a great many fellow service members.

He concludes his letter as follows:

> It is a situation which makes me regret my 1984 vote for the Conservative party.

I would like the Minister to tell me what answer I can give to satisfy this member of the Armed Forces and many others who feel exactly as he does.

[*Translation*]

Mr. Bouchard: Madam Chairman, I listened carefully to the letter of the former member of the Armed Forces read by my colleague from Winnipeg North. Since the Government will be allocating $300 million to the Unemployment Insurance Fund for the benefit of all Canadians, including members of the Armed Forces, I believe that if such a Canadian has questions to ask, we have answers to give him.

My answer will be much shorter as it is simply a question of logic. The Hon. Member recommends that we eliminate Section 2 (b) of the definition, which states:

[*English*]

"Arising out of service in the Canadian Forces or in any police force".

[*Translation*]

This would mean that, as there would be a contradiction between the amendments and the Bill itself, we would be unable to pay all the former members of the Canadian Armed Forces who have requalified for benefits in the last 18 months. Millions of dollars in benefits could not be paid, especially as there is a relatively high rate of re-employment among members of the Armed Forces.

However, I can accept some of the comments made by the Hon. Member. This is a universal system to which all Canadians contribute, but naturally they are not all expected to collect from it. In the present situation, the Government is addressing the question of equity, and gives to members of the Armed Forces, police forces, the RCMP and others who will requalify the possibility of collecting unemployment insurance benefits when they lose their second job.

The Assistant Deputy Chairman: The Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) on the amendment.

Mr. Malépart: Madam Chairman, I think the amendment proposed by the Hon. Member for Nickel Belt (Mr. Rodriguez) is really worthwhile, since it tends to completely eliminate discrimination against older workers. Contrary to what the Minister says, his principles are quite flexible. He says first of all that a person who has pension income should not receive unemployment benefits. However, this principle no longer applies once that person gets a second job. After this second job, the first principle is forgotten. Mister Minister, the Government will have to make up its mind. It is no use juggling with concepts to make people believe—

We already know, Mr. Minister, that people in the Armed Forces, that people in the RCMP, we already know, as the Hon. Member for Jonquière has said, that people who lose their jobs because of a plant shutdown, those people have worked for 25 or 30 years, they have paid unemployment insurance contributions, so now the Minister and the Conservative Government want us to tell all those people in Murdochville and others working for companies closing down: Ladies and gentlemen, you older workers, it has been decided that you are not eligible for unemployment insurance benefits.

The principle the Minister is explaining to us reminds me of someone who owns an apartment building and takes out a fire insurance policy. All of a sudden there are too many fires in a given neighbourhood, so the insurance company makes a decision and tells the people: You will not be covered for the first fire, but continue to pay your premiums and should fire break out a second time, then we will pay you.

Mr. Minister, your are off base. You are way off base with respect to the thousands of older workers. The Minister would have us believe this will cost between $550 million and $600 million, yet the same Government spent $3 billion to reimburse people who had savings of $60,000 in western banks, people who knew the rules. But now the Minister is saying: No, the Government cannot spare any money. First, the Minister is openly misleading the people. This is not Government money, it is the money of the employers and the money of the employees. Second, the UI fund does not belong to the Government, it is the money of workers. The workers and their employers decided to set up a fund to protect themselves in case of lay-offs.

Mr. Blais: Unemployment, that is what it is!

Mr. Malépart: Exactly. When you lose your job. I am happy to see that the Conservative Members agree. When you look for a second job, you are entitled to UI benefits. But then, the Government says no. The workers in Bellechasse who will be looking tomorrow for another job because they have been laid off would like to get their UI benefits, but the Hon. Member for Bellechasse says no. When you are looking for another job, you are not entitled to the full benefits. But when you have found another job and embraced a new career that may last five or ten years, according to the Minister, after 20 weeks the principle has now changed.

I wish the Minister would break down this $285 millions he is talking about. We all know how much it costs the Unemployment Insurance Commission and not the Government in 1985 to reimburse retired workers, but who exactly will benefit from the projected $265 millions or so, how many people are actually affected? I would appreciate some precision about the numbers and about the principle at work. Why is this principle rather flexible? If you qualify for a second job, you lose the benefits, but for the first one, the principle applies.

Mr. Bouchard: Madam Chairman, it is not easy to reply to the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart), because he said at the outset that we are "off the track". I don't know how many are on his side, but some of them have often changed "tracks" on the way. I am simply asking him to be logical and understand that in 1987, some people stop working, either through mandatory or voluntary retirement: that is called pre-retirement. There are people in the Armed Forces who retire when they are 40 years old, others retire when they are between 45 and 50 years of age: We say that these people are getting money from employment, something you just cannot deny; therefore, the unemployment insurance rule states: You are entitled to benefits if you do not get money from another job. That's exactly what's happening when people are collecting a pension.

Please, when you had the floor, I did not try to interrupt you! When you qualify for a second job, it's not the rule that changes, but the facts. You pay premiums, you begin a new career and if, after a while, you lose your job, you are entitled to benefits because of the premium you paid, because, again, your pension fund applies to your first job . . . All of this is logical. But you should not try to adapt logic to daily reality. Otherwise, we would end up in a mess such as yours: between $3 billion and $4 billion deficit in the unemployment insurance account. By 1989, we expect to completely balance the unemployment insurance account.

You are mixing things up, you are saying that it is an employer-employee fund. The federal Government is contributing $2.8 billion, which represents over 25 percent of the unemployment insurance funds. This is a whole package which must be dealt with as a whole. The Government states that retired people with a pension—be honest now—will collect unemployment insurance benefits if their pension income is $5,000. Only those who are paid a $15,000 pension will not get unemployment insurance benefits. Benefits are progressively eliminated as the level of pension income goes up. Yes, but let us call a spade a spade. The older workers who are receiving $5,000 will collect unemployment insurance benefits. But it is clear that a person who is getting a $35,000 pension a year should not, *a priori*, collect $15,000 in unemployment insurance benefits just because he has paid premiums.

I suggest that unemployment insurance benefits exist for people who have lost their jobs, who have no employment income and who are looking for a job. However, we recognize that for those who have started a second career and who are paying premiums, it's not the principle but reality which has changed. It's reality which has changed, and you will have to admit that today, because people will have a second career which will last, not five or ten years, but 20 or 25 years, for when people reach age 50, they can start a career which may last 20 years, contributing premiums for 20 years. When they stop, according to the legislation which will be in force at the time, they will act accordingly.

We are trying to be logical, and I think we have been from the start; if we made adjustments, it is because we felt we had to take into account new facts such as a second career. The Government was motivated by fairness and justice for those to whom the new legislation and regulation have not been properly explained; that's why it added $65 million to establish a proper balance. I think that the Government has done its job. done its job.

• (2140)

[*English*]

Mr. Allmand: Madam Chairman, if I understand the proposed amendment correctly, it would restrict the definition of pension to simply being pension under the Canada Pension Plan. As a result, an individual could not have his or her unemployment insurance benefits cut because they received pension arising out of employment or arising out of service in the Canadian Forces or any police force or under a provincial pension plan.

Under this amendment, unemployment insurance benefits could only be cut for those who receive pension under the Canada Pension Plan. As we know, that only takes effect at age 65. I see the Hon. Member for Nickel Belt (Mr. Rodriguez) nodding his head so I presume I understand his amendment correctly. It is a worth-while amendment because it restricts the harshness of this Bill, and while it is the best we can do on this clause, I think it is something which would certainly go a long way in making this Bill more acceptable. It would no longer impinge upon people in the Armed Forces or police forces who were forced to retire early. It would not impinge upon those who work for Northern Electric or Bell Telephone who are forced to retire early, nor people who come under a provincial pension plan of any kind.

This raises the whole question of the real reason for this Bill. During the debate tonight, Hon. members from the government side have said this Bill is necessary—

An Hon. Member: Desirable.

Mr. Allmand: —or desirable, whatever you wish. I was repeating some of the terminology used earlier this evening and during the day. Those Hon. Members said the Bill was necessary because unemployment insurance was never meant to be a pension plan. They implied that when people went on pension, they should not have the right to unemployment insurance benefits. I must point out again that the principle control mechanism in the Unemployment Insurance Act is that one must be ready and available for work. If a person in effect does retire, taking their early retirement pension, then no one is suggesting they should receive unemployment insurance benefits. A lot of people opposite do not seem to understand that. No one is suggesting that someone who is not ready, willing and available for work should receive unemployment insurance benefits.

The problem is for those people who receive an early retirement pension but are still ready and available for work because they are only age 45, 50, 55 or 60 years. They have a lot of good years left in them. They are receiving an early retirement pension and are ready and available for work. However, we have the control mechanism on abuse. If they are really using their unemployment benefits to retire, then the control mechanism is in the Act that they are not ready and available for work.

The discriminatory nature of all these measures—and I am glad the Hon. Member for Nickel Belt is restricting this definition of pension—is that while the Government has tried to cut back on employment insurance benefits for those who receive an early retirement pension, it does not cut back on their unemployment insurance if they retire early, do not get an early retirement pension, but are able to live on rents, dividends from stock or bonds, or types of income other than employment income. There was no attempt to do that. So it is very discriminatory.

I am pleased that the Hon. Member has put forward this amendment. We will support it because it restricts in a large measure the scope of this Bill. I give notice to the Minister that discrimination would still remain in the Bill and it would be essential to knock out all those provisions which discriminate between those who apply for their unemployment insurance benefits before January 1, 1986, and those who apply after. That is unacceptable and we will deal with that as soon as we have this amendment accepted by the Minister. I am sure he will see the reason for it.

Mr. Bouchard: Madam Chairman, I am really sorry but I think I have the same argument in English as I do in French. I have already said that we need the amendments to be in accordance with the law. Any kind of exclusion would mean there is no accordance with the law. I think my hon. friend would like us to be very legitimately in accordance with the law. That is the reason why I believe that this amendment is not reasonable.

• (2150)

Mr. Robinson: Madam Chairman, I am rising in support of the amendment proposed by my colleague, the Hon. Member for Nickel Belt. I would like to ask the Minister a question in connection with the amendment.

As the Minister knows, members of the Armed Forces and members of the RCMP have served Canada for many years. They have paid contributions into the unemployment insurance fund. These individuals, these members of the Canadian Armed Forces and the RCMP, have in fact assumed all along that because they had paid into this fund in good faith that they would then be in a position, if they were still actively looking for work and were unable to find employment, to draw upon unemployment insurance.

These individuals are forced to retire at an early age by the policies of the Armed Forces and the RCMP. The Special Committee on Equality Rights recommended that this type of forced early retirement be eliminated. But it has not been eliminated. The reality is that men and women in the Canadian Armed Forces and in the RCMP are in a position in which at the age of 45, 50, 55 they are thrown on to the job market. It is true that they have a pension, but in many cases they want to continue working.

As the correspondent to my colleague, the Hon. Member for Winnipeg North, pointed out, in many cases they have additional expenses involved in relocating from the Armed Forces, or relocating from where they may be serving with the RCMP. For example, they may be serving in Europe, in Lahr or Baden with the Armed Forces. They have assumed that they would have this money available, money which they paid into UI while they actively seek work.

The Minister represents men and women in the Armed Forces. He has members of the RCMP in his constituency. I have the honour of representing the constituency of Burnaby. I have a couple of hundred members of the Armed Forces in my riding who, in fact, are serving not only in Canada but in Europe as well. How can the Minister, and how can members of the Conservative Government and caucus, possibly support the betrayal, the breach of trust and the breach of contract which this Bill represents by denying to those members of the Canadian Armed Forces and the RCMP the right to apply for unemployment insurance if they are still actively looking for work when they are forced to retire from the forces and from the RCMP? How can the Minister possibly defend that policy?

Surely he recognizes that it is indefensible. Surely he recognizes that by supporting this amendment and by his Tory colleagues supporting it he would at least be keeping faith with the men and women of the Canadian Armed Forces and the RCMP who have served the country and who do not deserve to be stabbed in the back the way the Minister is doing.

Mr. Bouchard: Madam Chairman, of course I will not support the amendment. I am sorry. I have a great deal of respect for those people in the Armed Forces and in the RCMP. Giving UI or not to the people for whom we have a lot of respect is not the basis upon which we have to make such considerations. I agree with the Hon. Member that the people from the Armed Forces, from the RCMP and from the police forces across Canada have to take mandatory retirement sometimes at the age of 40 or 45 years. But those people have a pension. If the pension is too small, then, at that time, they have the right to make up the difference with their UI benefits. I refer to an amount lower than $15,000. That is what we call equity. At 40 or 45 years of age we are usually looking for another job. A great many times we have the possibility of getting a job, and at that time to requalify.

If we have to take those people out of the definition, then how can we give back that money to those people who requalified since January 5, 1986?

Mr. Robinson: Madam Chairman, I have a supplementary question. The Minister should know that it is very difficult for people in their late forties and fifties to find other employment at a time when there is a very high level of unemployment in the country. I wish to ask the Minister a very specific supplementary question.

In view of the fact that these individuals, the men and women in the Canadian Armed Forces and the RCMP, have paid into the unemployment insurance fund, in some cases for many, many years, in good faith, and they are now being denied eligibility for unemployment insurance, is the Minister at the very least prepared to return the contributions which these people have paid into the fund, with interest, since they are obviously eligible for unemployment insurance? Will the Minister at least return the contributions that they have made in good faith over the years?

Mr. Bouchard: Madam Chairman, I will be brief. I do not know of any type of insurance company which returns premiums.

Mr. Orlikow: You took the money under false pretences.

Mr. Bouchard: I cannot understand that type of philosophy. We are dealing with an insurance. When we do not need this insurance because we have a job—

Mr. Robinson: They don't have a job.

Mr. Bouchard: And they have a pension. A pension is money coming from employment. The employment rules are very clear. We cannot obtain money from both sources. I think that

is very clear. I am sure that if the Hon. Member wants to make just a small effort he will understand.

Mr. Baker: Madam Chairman, the Minister said that he did not know of any insurance money that was returned. I do not know of any insurance program into which one pays money and when one has an accident the company does not pay. If one had insurance on one's car and had an accident, then the insurance company pays. What the Government is doing is this. The Minister says that it will collect unemployment insurance. It will make people pay the insurance premium and when they are out of a job it is not going to pay the insurance.

Under the same Bill, if an employer pays in and the employee pays in and the employment is found not to be insurable, then it is paid back to the employer.

In the Bill "pension" means any retirement pension "(a) arising out of employment". I suppose we can understand that. That is the intent of the Government. The Bill goes on to state: "arising out of service in the Canadian Forces or in any police force". In other words they are not really in employment. They are not being employed. The Bill states that the Canada Pension Plan is not paid out from employment or the provincial pension plan is not paid out from employment. The Minister then turns around and says: "We do not want to pay unemployment insurance to somebody making over $30,000 a year".

Under the Bill, one cannot earn more than $35,500 per year, because then one would have to start paying it back.

I see that our time is running out. I do not completely agree with the amendment. What we should be returning to is what the situation was under the Liberal Government—

Some Hon. Members: Oh, oh!

Mr. Baker: —that is that all people who pay into the insurance scheme can collect insurance.

Some Hon. Members: Oh, oh!

Mr. Baker: We do not say: "Oh well, you know, people who paid in under the Armed Forces, they cannot collect. Police forces cannot collect. Provincial employees cannot collect. Canada Pension Plan people cannot collect". I suggest to the Hon. Member for Nickel Belt that what he has proposed is perhaps the second best thing. He should change his thinking back to what the situation was under the Liberal Government.

Some Hon. Members: No, no!

Mr. Baker: That was that we paid out. If they paid in, we paid out. We did not betray them as this Government is doing.

The Assistant Deputy Chairman: It being 10 p.m., pursuant to order made Monday, June 8, 1987, it is my duty to interrupt the proceedings and put forthwith every question necessary to complete the committee stage of the Bill now before the House.

• (2200)

Shall the amendment carry?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Amendment (Mr. Rodriguez) negatived: Yeas, 11; Nays, 65.

The Assistant Deputy Chairman: Shall Clause 2 carry?

Some Hon. Members: Agreed.

Mr. Rodriguez: On division.

Clause agreed to: Yeas, 60; Nays, 10.

The Assistant Deputy Chairman: Shall Clause 3 carry?

Some Hon. Members: Agreed.

Mr. Riis: On division.

Clause agreed to.

The Assistant Deputy Chairman: Shall Clause 4 carry?

Some Hon. Members: Agreed.

Mr. Rodriguez: On division.

Clause agreed to.

The Assistant Deputy Chairman: Shall Clause 5 carry?

Some Hon. Members: Agreed.

Mr. Riis: On division.

Clause agreed to.

The Assistant Deputy Chairman: Shall Clause 6 carry?

Some Hon. Members: Agreed.

Mr. Riis: On division.

Clause agreed to.

The Assistant Deputy Chairman: Shall Clause 7 carry?

Some Hon. Members: Agreed.

Some Hon. Members: On division.

Clause agreed to.

The Assistant Deputy Chairman: Shall Clause 8 carry?

Some Hon. Members: Agreed.

Some Hon. Members: On division.

Clause agreed to.

The Assistant Deputy Chairman: Shall Clause 9 carry?

Some Hon. Members: Agreed.

Some Hon. Members: On division.

Clause agreed to.

The Assistant Deputy Chairman: Shall Clause 10 carry?

Some Hon. Members: Agreed.

Mr. Riis: On division.

Clause agreed to.

The Assistant Deputy Chairman: Shall Clause 1 carry?

Some Hon. Members: Agreed.

Mr. Riis: On division.

Clause agreed to.

The Assistant Deputy Chairman: Shall the title carry?

Some Hon. Members: Agreed.

Mr. Riis: On division.

Title agreed to.

Bill reported.

The Acting Speaker (Mrs. Champagne): Mr. Bouchard, seconded by Mr. Hockin, moves that Bill C-50, an Act respecting the treatment of pension payments in determining certain unemployment insurance benefit entitlements and to amend the Unemployment Insurance Act, 1971, be concurred in.

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): It has been a long night for all of us. I think the yeas have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Shall I dispense with the ringing of the bells?

Some Hon. Members: Dispense.

Mr. Riis: The vote is tomorrow.

Some Hon. Members: Let's have it now.

The Acting Speaker (Mrs. Champagne): The question is the following one—may I dispense?

All those in favour of the motion will please rise.

Mr. Riis: Madam Speaker, I rise on a point of order. Are we now voting on third reading or concurrence?

The Acting Speaker (Mrs. Champagne): I am now taking the vote on the motion to concur.

Mr. Allmand: What did we vote on before?

The Acting Speaker (Mrs. Champagne): Would it be easier if the Chair repeated the question?

An Hon. Member: Yes.

The Acting Speaker (Mrs. Champagne): It has been a long evening for all of us. The Chair would—

Mr. Rodriguez: A point of order, Madam Speaker—

The Acting Speaker (Mrs. Champagne): On a point of order, the Hon. Member for Nickel Belt (Mr. Rodriguez).

An Hon. Member: I thought we had done that on division.

The Acting Speaker (Mrs. Champagne): The Chair would appreciate a little quiet so that we all know what we are voting on. I will read the question. The question is—

Mr. Rodriguez: On a point of order—

Some Hon. Members: Oh, oh!

Mr. Rodriguez: Madam Speaker, I want to know what it is we are voting on. If it is concurrence—

An Hon. Member: That is what she will tell us.

Mr. Rodriguez: Just settle down.

Some Hon. Members: Oh, oh!

The Acting Speaker (Mrs. Champagne): The Hon. Member will please sit.

Some Hon. Members: Sit down!

Mr. Scott (Hamilton—Wentworth): Listen to the Speaker and you will find out.

• (2210)

The Acting Speaker (Mrs. Champagne): The question is the following one: Mr. Bouchard, seconded by Mr. Hockin, moves that Bill C-50, an Act respecting the treatment of pension payments in determining certain unemployment insurance benefit entitlements and to amend the Unemployment Insurance Act, 1971, be concurred in.

All those in favour of the motion will please rise.

Mr. Allmand: On a point of order, Madam Speaker.

Some Hon. Members: No. Sit down.

An Hon. Member: The vote has been called. There is no point of order.

The House divided on the motion, which was agreed to on the following division:

(Division No. 139)

YEAS

Members

Belsher	Fretz	Martin
Blackburn (Jonquière)	Friesen	McCain
Blais	Gagnon	McCrossan
Blouin	Gass	McDermid
Bosley	Gérin	McKenzie
Bouchard	Gormley	Merrithew
Bradley	Gottselig	Minaker
Brightwell	Grisé	Nicholson (Niagara Falls)
Brisco	Hamelin	Nickerson
Caldwell	Hamilton	Peterson
Cardiff	Hicks	Plourde
Clifford	Holtmann	Porter
Cochrane	Jacques	Ravis
Collins	James	Redway
Comeau	Johnson (Bonavista—Trinity—Conception)	Reid
Cooper	Joncas	Reimer
Corbett	King	Scott (Hamilton—Wentworth)
Darling	Lanthier	Scowen
Della Noce	Lawrence	Sparrow
Desjardins	Layton	Stackhouse
Dorin	Leblanc	Warner—71
Edwards	Lewis	
Epp (Provencher)	Lopez	
Fennell	Mailly	
Ferland	Marin	

NAYS

Members

Allmand	Manly	Rossi—9
Epp (Thunder Bay—Nipigon)	Orlikow	
Grondin	Riis	
	Robinson	
	Rodriguez	

The Acting Speaker (Mrs. Champagne): I declare the motion carried.

When shall the Bill be read the third time? Pursuant to order made Monday, June 8, now?

Some Hon. Members: Agreed.

Mr. Bouchard moved that the Bill be read the third time and passed.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the yeas have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to order made Monday, June 8, 1987, the division stands deferred until 3.15 p.m., Wednesday, June 10, 1987.

It being 10.16 p.m. pursuant to order made Monday, June 8, 1987, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 3(1).

The House adjourned at 10.16 p.m.

HOUSE OF COMMONS

Wednesday, June 10, 1987

The House met at 2 p.m.

Prayers

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

WOMEN

BATTERED WOMEN—GOVERNMENTS MUST ACT

Mrs. Lucie Pépin (Outremont): Mr. Speaker, today, the Canadian Advisory Council on the Status of Women published an important document, under the title: Battered But Not Beaten, an investigation of wife battering in Canada.

In this document, a sequel to the book on battered women published in 1980, we find women of all classes and all ages. In 1985, the majority of women in transition houses were young mothers. Fourteen per cent were under 20. Fifty per cent were between 21 and 34. More teenagers and pregnant women who have been battered by their partners are coming to these transition houses.

Many of these women are poor: 43 per cent were living on an annual income of less than $10,000, while 32 per cent had a family income of $10,000 to $20,000.

We also find immigrant, native, disabled, teenage and rural women in this group as well as women living on military bases.

Much has been done since 1980 and much remains to be done. A number of recommendations are directed to the Government, such as increasing personnel and funding for shelters for battered women, including special assistance for child care, the need for the Prime Minister (Mr. Mulroney) and the Minister responsible for the Status of Women to heighten the awareness of the Members of this House, and creating special shelters for batterers. The husbands or boyfriends, not the women, should have to leave the family home. And there is special emphasis on the need for research on the cause and dynamics of family violence and on the connection between violence, alcoholism and pregnancy.

In concluding, I want to say that battered women who choose to stay with their families do not do so out of weakness. In fact, the opposite is true, and this document praises their courage, saying that it takes extraordinary strength of character to stay in that kind of situation.

I therefore want to ask federal, provincial and municipal Governments to help deal with this pressing problem.

* * *

• (1405)

[*English*]

HIGHWAYS

UPGRADING OF YELLOWHEAD HIGHWAY

Mr. John Gormley (The Battlefords—Meadow Lake): Mr. Speaker, I have risen many times in this House to talk about the Yellowhead Highway which runs through Saskatchewan from Manitoba to British Columbia. It is considered, by those of us who live along it, to be the northern Trans-Canada route when travelling across the country. I have pressed many times for federal recognition of this highway and federal funding.

I was delighted when the Government of Canada agreed to a cost-shared $100 million upgrading of the Yellowhead Highway. I was particularly pleased when, just recently, we concluded the Canada-Saskatchewan-Yellowhead agreement involving $22 million of the $100 million to be spent in my home province. Some $15 million of that $22 million will be spent in the general area of The Battlefords—Meadow Lake. It will involve, for example, widening and enlarging the underpass near Borden. There is also a commitment to twin the Yellowhead between Saskatoon and The Battlefords and the first leg will begin shortly.

The Canada-Saskatchewan-Yellowhead agreement is very real evidence of co-operative federalism as the Government of Canada and the Government of Saskatchewan have committed themselves to working together. I would like to thank our Government and particularly the Progressive Conservative Members of Parliament who helped me to make this a reality.

* * *

REFUGEES

CALL FOR WITHDRAWAL OF BILL C-55

Mr. Dan Heap (Spadina): Mr. Speaker, yesterday, June 9, was the forty-eighth anniversary of the black day in 1939 when the ship *St. Louis*, with 930 Jews seeking refuge from Hitler, was turned away by the Government of Canada, so that many of them died in Hitler's Holocaust. Yesterday Canadians in a

dozen cities said: "Once is too often". They put on black armbands and publicly demanded that the present Government of Canada withdraw Bill C-55, the Bill which would do to Central American and other refugees what the Government of 48 years ago did to Jewish refugees.

In Nanaimo people joined a fast and public protest. In Calgary, Winnipeg and Saskatoon all heads of churches fasted one day and put on black armbands. MLA Anne Smart addressed a rally of Amnesty and the Open Door Society of Saskatoon. The entire caucuses of the Manitoba and Alberta NDP joined the one-day fast and are wearing black armbands. In St. John's, Newfoundland, and Halifax, Nova Scotia, churches, Amnesty, Oxfam and CUSO are petitioning residents against Bill C-55. Every Member of Parliament has been sent a letter by the Montreal Coalition for Refugees asking each of us to join in demanding withdrawal of Bill C-55, the anti-refugee Bill.

* * *

CANADIAN NATIONAL RAILWAYS

REDUCTION OF STAFF IN SASKATOON AND MELVILLE

Mr. Don Ravis (Saskatoon East): Mr. Speaker, I would like to express my deepest concern over the reduction of 55 employee positions in Saskatoon and another 47 positions in Melville by Canadian National.

I clearly understand the need for an efficient rail service capable of remaining competitive with other forms of transport. I also recognize the effects automation and modernization will have on the CN workforce. However, I cannot overlook the far-reaching effects this shuffle of 102 CN employees will have on these two Saskatchewan communities.

Some of these employees will opt for early retirement. However, most will have little choice but to relocate to Winnipeg where CN is centralizing its workforce. Saskatchewan generated $459 million in major commodities for CN last year. In fact 16 million tonnes, or 18 per cent of all goods carried on CN in Canada in 1986, originated in the Province of Saskatchewan. In light of these figures you would think CN, as a good corporate citizen, would take into account the effects these actions will have on one of its major revenue contributors.

• (1410)

I intend to organize a meeting of senior officials from CN and representatives from the federal, provincial and municipal Governments in order that an amiable solution can be reached reflecting the interests of these two communities and CN's commitment to serve Saskatchewan.

MINES AND MINING

MINERS' MEMORIAL DAY IN CAPE BRETON

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, in 1937 George Orwell vividly described the life of a coal-miner in these words: "In the western world the coal-miner is second in importance only to the man who ploughs the soil". He went on to say that most of the things one imagines in hell are there; heat, noise, confusion, darkness, foul air and, above all, unbearably cramped space.

Tomorrow, June 11, 1987, is Miners' Memorial Day in Cape Breton. We are reminded of the important role coal-mining has played in the history of Cape Breton. Although many mining methods have changed since Orwell's time, the unique character of the miner, the courage and strength that Orwell so well described, have not.

The devastating fire at No. 26 Colliery in Glace Bay, Nova Scotia, brings home once again just how dangerous a profession coal-mining is and how the people of Cape Breton have continually had to struggle against adversity. As we turn back the pages of history we remember the tragic loss of 69 men in 1917 in the methane gas explosion which took place in the Lingan mine, and the explosion in 1979 in Glace Bay. We especially remember the origins of Miners' Memorial Day which arose from a six-year series of protests culminating in the strike of 1925 and the death of William Davis.

We can be proud of the coal-mining tradition of Cape Breton and at this time we remember the contributions of all miners and all their families and, above all, we honour those who lost their lives in those tragic accidents.

* * *

HISTORIC EVENTS

COMMEMORATION OF BALTIC AND UKRAINIAN NATIONS' SUFFERINGS

Mr. Andrew Witer (Parkdale—High Park): Mr. Speaker, this evening the fifteenth Ecumenical Memorial Service to commemorate the genocides and continued sufferings of the Baltic and Ukrainian nations will be held at the Notre Dame Basilica in Ottawa, followed by a candle-light vigil at the National War Memorial. Similar ceremonies will be held throughout Canada this weekend.

Ukrainians, Estonians, Latvians, and Lithuanians, together with other captive east European nations, gather each year to commemorate the Baltic Holocaust and the millions of Ukrainians who fell victim to Soviet oppression. The service provides an opportunity to reflect upon the continued persecution and suppression of freedom, national cultures, religions and languages by the Soviet regime.

I urge all my colleagues in this House to join eastern European communities this evening and, by our presence,

demonstrate our commitment to the universal principles of freedom, liberty and justice.

* * *

REVENUE CANADA

ACCESS TO CONFIDENTIAL TAX INFORMATION—ABSENCE OF SECURITY SCREENING FOR EMPLOYEES

Mr. Simon de Jong (Regina East): Mr. Speaker, yesterday details of a secret government report which investigated the theft of confidential tax information on 16 million Canadians were made public in *The Globe and Mail*. This damning report is a sorry tale of sloppy and lax security, of unsupervised access to offices containing confidential tax information. Incredibly there was an absence of security screening of any type for employees having access to personal tax information.

The bad news does not end there. The report also concluded that officials in the Minister's Department should have foreseen these serious security problems at Revenue Canada long before the theft of the tax information.

In light of this telling and depressing report the Minister of National Revenue (Mr. MacKay) should now admit that his Department was negligent in protecting sensitive tax information that millions of Canadians entrusted to the Government. It must never happen again.

* * *

[*Translation*]

LABOUR RELATIONS

USE OF UNION DUES

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, we are pleased to welcome the National Citizens' Coalition spokesmen to Parliament Hill today.

The NCC is rallying support for Ontario Professor Merv Lavigne who for a number of years has been questioning the use of the Rand formula union dues for purposes other than the labour movement and collective bargaining.

After campaigning for several years Mr. Lavigne got a favourable ruling from the Supreme Court of Ontario on July 4, 1986.

Mr. Speaker, most of the money is used illegally by the socialist party across the aisle. So far I have made a number of interventions requesting the socialist party to enlighten us on the source and legality of its funding. Mum is the word.

At 3 p.m. today, Mr. Speaker, Mr. Lavigne will be in the hall of the Centre Block to explain his principle concerning the use of workers' money to Hon. Members and parliamentary reporters.

S. O. 21

TRANSPORT

INDUSTRIAL CLOSURES—EMPLOYMENT—REQUEST THAT GOVERNMENT RELEASE FUNDS

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, in one month, six companies have announced they are closing their plants and laying off more than 2,000 employees in Quebec, mainly in the Greater Montreal area: Simmons, Coleco, McIntyre, Métallurgie générale, and Taran and Murdochville.

Furthermore, Mr. Speaker, it was announced today that the shipyard industry is experiencing its worst year in the past 25 as far as loss of employment is concerned, and the same applies to industries involved in railway car construction.

Mr. Speaker, I would urge all Conservative Members in this House to put pressure on the Government and the Minister of Transport to release funds to save over 2,000 jobs in Quebec.

* * *

• (1415)

[*English*]

FRIENDSHIP FESTIVAL '87

FORT ERIE, ONT.—BUFFALO, N.Y. CELEBRATIONS

Mr. Girve Fretz (Erie): Mr. Speaker, I want to make you aware of a special event that will take place in Erie riding this summer. It is Friendship Festival '87.

Friendship Festival '87 will exemplify nearly 175 years of peaceful and friendly co-existence between two communities, Fort Erie, Ontario, and Buffalo, New York. But more than the celebration of two communities, Friendship Festival '87 will symbolically highlight the warm and mutual amity that has existed between Canadian and American peoples for generations. These celebrations, as you might expect, will occur between July 1, Canada Day, through July 4, Independence Day, 1987.

What a celebration. What a party. Activities and events galore. Fun for everyone! Visit the tall ships. See the old planes by the Canadian Warplane Heritage Aircraft. Watch the CF-18 jet perform tactical manoeuvres. Behold the pageantry of a military tattoo, including precision marching and displays of historical arms from the 1812 period. Become part of the Heritage Day festivities which include a multicultural event featuring arts and crafts, food, and entertainment from around the world, together with over 100 vehicles, Canadiana, a spectacular outdoor concert, and fireworks.

All of this will be staged along the beautiful and scenic Lake Erie and attractive Niagara River. Fort Erie, the place to be this summer for Friendship Festival '87, July 1 to July 4. I invite you all.

S. O. 21

REGIONAL INDUSTRIAL EXPANSION

DELAY IN TABLING IRDP ANNUAL REPORT

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, of course you are aware of the tremendous mismanagement at the Department of Regional Industrial Expansion, known as DRIE. That Department is now almost $100 million over-committed in its funding for the 1987-88 year. Being $100 million over-committed after two months is tremendous mismanagement.

It is also very unfair that the Native Economic Development Programs have been put on hold despite the fact that those programs are not responsible at all for the over-commitment in that particular Department.

You should also be aware that according to the precedents and rules of the House, IRDP, which is the Regional Industrial Development Program is supposed to table its annual report in the House by June 1. It is now over a week past June 1 and we do not have that report. Where is that annual report? What is the Minister trying to hide, or is it just more incompetence by the Minister in charge of regional development?

* * *

STATUS OF WOMEN

PLIGHT OF BATTERED WIVES—PUBLICATION OF BOOK

Mr. William C. Winegard (Guelph): Mr. Speaker, along with other Members of the House, I was present today when an important book was launched in Canada. *Battered But Not Beaten* by Linda MacLeod is about preventing wife battering in Canada. It is about the battered and the batterer. It is about the children who also suffer. It is about the shelters and the people who work in them, about the community and our response to a very serious problem.

But the book is also about hope, about love, about support for those who are directly involved.

• (1420)

It is about the progress we have made and the distance yet to go before we can fully understand, control, and ultimately prevent this vicious and particularly hurtful form of violence.

This book is a low-key, serious, sensitive, and enlightening exposition of a complex social problem.

ENVIRONMENTAL AFFAIRS

POSSIBLE EFFECTS OF ACCIDENTS ON BOARD NUCLEAR-POWERED SUBMARINES

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, many Canadians are asking do we really need nuclear submarines? Are they desirable from an environmental viewpoint? Would Canadians living near coastal waters be safe in the event of an accident? In recent years radiation accidents are reported to have taken place aboard nuclear-powered vessels, including a meltdown.

Experts say that accidents at sea or under the Arctic ice may damage a reactor core and release radioactivity. Although the probability of such accidents is low, it takes only a small release of radioactivity to cause widespread damage.

As reported in a national newspaper, it is the opinion of civilian emergency planners, environmental scientists, and veterans of the United States nuclear navy that the Canadian Government's plans to build nuclear-powered submarines may pose serious dangers to the environment.

The message is loud and clear. Canadians don't want nuclear submarines. The Cabinet should shelve this $5 billion idea of the Minister of National Defence (Mr. Beatty).

* * *

THE GREAT LAKES

HAZARDS POSED BY HIGH WATER LEVELS

Mr. Ken James (Sarnia—Lambton): Mr. Speaker, I am rising in the House today to thank the Government of Canada and especially the Minister of the Environment (Mr. McMillan) for their interest and efforts to find possible solutions to the high water levels in the Great Lakes. These abnormally high levels have been plaguing my constituency for a number of years. The people of Sarnia—Lambton thank the Minister for his action plan to assist in the reduction of lake levels.

The Government has recognized the essential role played by the Great Lakes. Lake Huron and the St. Clair River in my constituency are both well-known tourist areas. As well as this, they provide an avenue for commercial shipping, both Canadian and international. They separate Canada and the United States, yet in many ways bring us closer together as we share a common waterway. It is essential that we continue to protect these great bodies of water from environmental problems and shoreline erosion.

The Canadian Government recognizes their importance and appreciates the Great Lakes. By working with our American neighbours we can maintain and preserve the essential characteristics of this great waterway.

I call upon the Government of Canada to continue to respect and appreciate the Great Lakes. For the millions of Americans and Canadians who live on the Great Lakes, I urge the

Government to continue its efforts to preserve and protect our homes and jobs on the Great Lakes.

ORAL QUESTION PERIOD

[*Translation*]

EXTERNAL AFFAIRS

ISSUANCE OF EXPLORATION PERMITS BY GOVERNMENT OF FRANCE—GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, my question is directed to the Deputy Prime Minister. The Government of France has issued drilling permits for an area in Canadian waters that is 100 times the area of St-Pierre-et-Miquelon and four times that of Prince Edward Island. At the Venice Summit, did the Prime Minister of Canada tell the Prime Minister of France it is illegal to issue drilling permits in Canadian waters, and has Mr. Chirac agreed to cancel the permits? Could the Deputy Prime Minister inform the House why the Prime Minister of Canada has allowed France to treat us so casually in this matter?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the right hon. gentleman is dead wrong in his assertion that the French Government has issued drilling permits in the area in question; that is absolutely false.

What has been issued are exploration permits. Such exploration permits—

Some Hon. Members: Oh, come on.

Mr. Mazankowski: —have gone back to 1966-1967. Canada has had exploration permits issued in this disputed area as has France. It appears to be sort of a paper exercise wherein the two countries are positioning themselves in such a way to exercise their so-called rights in the resolution of the disputed area.

I should say that the Government of Canada, through the Prime Minister and the Ambassador, has protested very vigorously. However, this is not a new development. It has been going on for quite some time. I find it rather surprising that the Liberals find it offensive today when they agreed to the same course of action in previous times.

Some Hon. Members: Hear, hear!

Some Hon. Members: Oh, oh!

• (1425)

ISSUANCE OF LICENCE TO FRENCH GOVERNMENT-OWNED COMPANY

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, we do not accept that defensive assertion of the Deputy Prime Minister at all.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): The Deputy Prime Minister may call this a paper exercise, but for the people of Newfoundland having their waters taken away from them for the purpose of exploration, and having their fish taken away from them is not a paper exercise. It is their livelihood.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): I wish to ask the Deputy Prime Minister this. Is it a paper exercise to allow France to grant drilling or exploration permits, or any other type of permit invading our sovereignty, to a government-owned petroleum company in France, the same way that it would be illegal for the Government of Canada to grant a permit to Petro-Canada to drill in the Mediterranean? Is that a paper exercise? Is that an exercise he will not protest on behalf of the people of Canada and Newfoundland?

Some Hon. Members: Hear, hear!

Mr. McDermid: That is a stupid analogy.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the Right Hon. Leader of the Opposition may want to posture, and perhaps in the process even blow a blood vessel, but the fact of the matter is that he is dead wrong. This is an exercise that has been going on for some time.

France first issued its exploration permits in 1966, which were protested by Canada. Canada issued exploration permits in 1967, which were protested by France. There has been a moratorium and an understanding during the course of this period of time that no drilling would take place. That assurance has been given. So nothing has really changed.

Some Hon. Members: Hear, hear!

CANADIAN POSITION—FRENCH PRESIDENT'S VISIT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Minister got some very nervous applause from the Minister of Transport. I can understand that.

Some Hon. Members: Hear, hear!

Mr. Crosbie: I worry for you, John. We're afraid you might disappear before our eyes.

Mr. Turner (Vancouver Quadra): Yesterday in the House the Deputy Prime Minister said in response to a colleague of

mine that there was a similar protest made by this Government in October, 1986. That protest was rejected by France. This was an issue before the French and the Canadian Governments when President Mitterrand was here. Why was this issue not taken up with the President of France, or at least the Foreign Minister of France, Mr. Raimond, when he was here? Why was this challenge to Canadian sovereignty not rebutted and rejected by Canada when we had a chance when the President was here in Canada?

Some Hon. Members: Hear, hear!

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, we are going from the ridiculous to the sublime. The Right Hon. Member knows that this is a disputed area and that the two countries have been issuing permits in order to protect their own interests in terms of the bargaining process and the dispute-resolving process that will take place.

An Hon. Member: Speak for Canada.

Mr. Mazankowski: We are speaking for Canada. There is no drilling. The Government of Canada has reacted in a very vigorous way. That is why there is no drilling, and there will be no drilling as long as the disputed area remains in question.

Some Hon. Members: Hear, hear!

PRIME MINISTER'S MESSAGE TO FRENCH PRIME MINISTER

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, my question is for the Deputy Prime Minister. He knows that there are no conditions attached to these licences which state that the licences and the permits to explore will not be exercised until such a time in the far distant future when the matter of the dispute is resolved. He knows that.

Yesterday in the House he told all Members that the Prime Minister yesterday morning met with Mr. Chirac, the French Prime Minister. Will he tell us today what message the Prime Minister gave the French Prime Minister and what the response was?

Mr. Turner (Vancouver Quadra): Good question!

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, it is a good question. I am glad the Right Hon. Leader of the Opposition agrees.

The Prime Minister met not only with Mr. Chirac yesterday, he met with him today. He also conveyed our views in writing. He informed the French Prime Minister that the action taken by the French in issuing these permits was inappropriately timed given the fact of the negotiations in which we are now engaged. But having regard to the fact that the permits that are issued on either side, either by France or by Canada, are equal in every respect, that is part of the bargaining process and the positioning the two countries are taking in respect to the resolution of the disputed boundary area.

OVERFISHING BY FRENCH VESSELS

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, we know what the message was. We now want to know what Canada will do to back up its position.

We are not in a normal negotiating process when France takes 20,000 metric tonnes more fish than has been allocated by the Government of Canada. We are not in a normal negotiating position when France claims 22,000 square kilometres of Canadian sovereign waters for exploration permits. That is not normal.

• (1430)

We closed ports on fish. What new measures is the Government, beyond paying lip service at the Venice Summit, prepared to take to ensure that Canadians and Newfoundlanders can look out across the water off the coast of Newfoundland and know it is ours and will not be exploited by any other nation? What measures, Mr. Speaker?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, one has to wonder where this great voice was from 1967 to 1984.

Some Hon. Members: Hear, hear!

Ms. Copps: You were in the Liberal Party when he was in high school.

Mr. Crosbie: The Hon. Member needs the assistance of the honourable fog-horn from Hamilton East.

Some Hon. Members: Oh, oh!

Mr. Crosbie: That issue started in 1966 and went on until 1984. After 1984 action was taken.

What have we done about the French overfishing? What the Liberal Party was afraid to do for all the years it was in power. We closed Canadian ports to French fishing vessels. They are hurting and they are asking us to change that, but we are holding firm until we get this matter settled in the interests of the fishermen of Atlantic Canada.

Some Hon. Members: Hear, hear!

ISSUANCE OF PERMITS—CANADIAN POSITION

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, my question is for the Deputy Prime Minister. It has to do with this drilling in Canadian waters by French companies.

Some Hon. Members: No.

Mr. Riis: There is going to be drilling.

Mr. Rodriguez: The French Government has issued drilling permits.

Mr. McKnight: No.

Mr. Rodriguez: —to Total Petroleum.

Some Hon. Members: No.

Mr. Rodriguez: They are exploration permits.

Some Hon. Members: Hear, hear!

Mr. Nystrom: They are sensitive about the Gallup poll, aren't they?

Mr. Rodriguez: They have issued the same kinds of permits which the Government issued to oil companies in Canada to drill on the Grand Banks.

What commitment did the Prime Minister get from Prime Minister Chirac with respect to withdrawing those permits whether they are exploration, drilling or whatever? What commitment did the Government get to withdraw them?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the Hon. Member is dead wrong. Drilling permits have not been issued. That has to be made very clear. The Hon. Member should know that there has been an understanding. There is a moratorium that has been in place since 1966. It is continuing and that has been reaffirmed. I repeat for the Hon. Member that no drilling will take place, notwithstanding the fact that exploration permits have been issued, on the part of either side.

REQUEST FOR WRITTEN UNDERTAKING

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, my supplementary question is for the Deputy Prime Minister. Has the Government received in writing from the French Government that there will be no drilling in those disputed waters?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, that has been the understanding and it has been reconfirmed today verbally.

Mr. Riis: In writing?

Mr. Mazankowski: It will be confirmed in writing.

REQUEST THAT AMBASSADOR BE RECALLED FROM FRANCE

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, it is fairly obvious that the Government has reneged on its responsibility to speak up for the rights of Canadians and for the rights of Newfoundlanders in this particular dispute the same as it reneged concerning the northern cod stocks.

Can the Deputy Prime Minister indicate how seriously we in Canada consider this matter? Is the Government prepared to recall our Ambassador for consultations?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I can only say to the Hon. Member in the House that his obvious lack of knowledge of this issue will not impress the voters in St. John's East. That is all he is posturing for.

Mr. Rodriguez: Answer the question.

Mr. Mazankowski: There is no need to recall the Ambassador. The Ambassador is carrying out his duties as he is instructed to by the Government of Canada.

CONTENT OF FRENCH PERMITS—MINISTER'S SCHEDULED VISIT TO PARIS

Mr. George Baker (Gander—Twillingate): Mr. Speaker, after many telephone calls to Canadian officials in the Department of Energy, Mines and Resources and in the Department of External Affairs, it is quite obvious that nobody in the Government of Canada knows what is in the present permits that were issued by the Government of France, and neither does anyone know what was in the permits issued back in the 1960s.

After telephoning officials in the French Government, it is quite clear that the permits are considerably different. The geographic area is not the same nor is the content of them. They are completely different. The Government of France says there is no moratorium on drilling off the East Coast of Canada.

Since the Minister of Transport is flying to Paris tonight to watch an air show tomorrow to sit back and relax, will the Deputy Prime Minister order the Minister of Transport to stop paying attention tomorrow to what French activities are in the air and pay more attention to what the French activities are in the waters off Newfoundland, present Canada's case, and get some answers?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, I am happy to confirm that I am going to Paris tonight.

Some Hon. Members: Stay there.

Mr. Crosbie: Canadians can rest at home tonight easy knowing that I will be in Paris tomorrow morning.

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

Mr. Axworthy: What about the French?

Mr. Crosbie: I am going to the Paris Air Show. Today, of course, it is the House of Commons hot air show that I am observing.

Some Hon. Members: Oh, oh!

Mr. Crosbie: The Canadian Ambassador delivered a strong protest to the high levels of the French Foreign Affairs Department today. He was reassured in very clear terms that the present exercise was nothing more than a paper one that had been going on since 1967. He was assured that the

agreement entered into between Canada and France in 1967, when guess who was in power, whatever exploration rights were requested or given these would not give rise to actual drilling or other installations, would be maintained, and that that position would be confirmed in writing.

I suggest to the hon. gentleman that he stop bothering officials in the Government of Canada with silly inquiries this afternoon.

REQUEST THAT FRENCH DRILLING RIGS BE ARRESTED

Mr. George Baker (Gander—Twillingate): Mr. Speaker, the Minister's line yesterday was what oil company in France would come over all the way across the Atlantic to explore and to drill, spending millions of dollars over here when it didn't even know if the Government of France owned the territory. Obviously the Minister doesn't realize that Elf Aquitaine is not a private company. It is owned mostly by the Government of France and it is willing to spend millions and millions of dollars to lay claim to our shores off the East Coast.

My question is for the Deputy Prime Minister. Can he tell us when is the Government going to stop pussyfooting around and announce today that if any drilling rig comes into Canadian waters to explore for oil it will be arrested immediately?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, it is not a question of arresting the Hon. Member, it is a question of certifying.

Some Hon. Members: Oh, oh!

Mr. Crosbie: The very oil companies that the hon. gentleman is going so wild about owned by the Government of France—it has some kind of ownership interest—got these original permits in 1967 when the great giant killer and his Party were in power, those ferocious defenders of what?

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

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FISHERIES

NEWFOUNDLAND CAPELIN FISHERY

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, my question is for the Minister of Fisheries and Oceans. Newfoundland fishermen after having spent thousands of dollars getting ready for the capelin fishery now see that the price being offered and the volume demanded by the chief buyers, the Japanese, are not sufficient to maintain that fishery as an economic fishery and they see their families robbed of important income for the coming year.

Is the Minister prepared now to take responsibility to ensure that Newfoundland fishermen will get an adequate and fair price for the capelin?

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, it is certainly not the intention of the Government of Canada that the fishery of Newfoundland be nationalized as might be the direction which the Hon. Member would advocate.

• (1440)

We are expecting a very successful inshore fishery in Newfoundland this year partly as a result of the corrective measures I took last autumn at the urging of the Newfoundland Inshore Fisheries Association. We cannot determine prices, or subsidize prices directly, for reasons the Hon. Member should appreciate. However, we are definitely looking forward to this year as a very good year for the fishermen of Newfoundland and Labrador.

REQUEST THAT MARKETING AGENCY BE ESTABLISHED

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, it is not necessary to nationalize the fisheries in order to have a decent pricing strategy in place. This problem happened last year. It is happening this year, and it will go on happening unless the Government takes action. The Minister should be aware of the need and desire for a proper marketing strategy and marketing agency for capelin. Is he prepared now to have a marketing agency for the capelin? And is he prepared to use some of the funds promised to the Atlantic area through the Atlantic Opportunities Agency to ensure that agency is able to function and get a fair price for Newfoundland fishermen?

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, it is a fact that the demand for capelin has produced a new dimension to the Newfoundland inshore fishery which was of great benefit to the fishermen last year.

Mr. Manly: It is good for all of us.

Mr. Siddon: That is a fact, and we are looking at means of enhancing the opportunity the capelin fishery represents in additional ways this year. Discussions I have had with the Salt Fish Corporation and members of its board perhaps will envisage a marketing arrangement of the sort to which the Hon. Member has alluded.

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HOUSE OF COMMONS

PRESENCE IN GALLERY OF DELEGATION FROM PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE

Mr. Speaker: I wish to bring to the attention of the Members the presence in the Gallery of a delegation of members of

the Committee on Economic Affairs and Development of the Parliamentary Assembly of the Council of Europe, led by Mr. Jean Valleix.

Some Hon. Members: Hear, hear!

PRESENCE IN GALLERY OF ROMANIAN VICE-MINISTER, MINISTRY OF FOREIGN AFFAIRS

Mr. Speaker: I wish also to bring to the attention of the Members the presence in the gallery of Mrs. Olimpia Solomanescu, Vice-Minister, Ministry of Foreign Affairs of Romania.

Some Hon. Members: Hear, hear!

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INDUSTRY

FUTURE OF FIRESTONE PLANT IN HAMILTON

Ms. Sheila Copps (Hamilton East): Mr. Speaker, in the absence of the Minister of Regional Industrial Expansion I will direct my question to the Deputy Prime Minister. He should know that the possible closure or sale of Firestone in Hamilton involves 1,300 jobs. Given that the federal Government has spent $15 million to modernize that plant over the last five years, including the demand for job guarantees, what specific action is the Government prepared to take to protect those 1,300 workers in Hamilton who are facing either possible layoffs or plant closure as a result of the sale?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I am informed that in 1986 this Government signed a Memorandum of Understanding with the tire manufacturing industry in Canada. In this case we have been in close consultation with the company's executive to see how this matter might be handled. The Memorandum of Understanding commits us to working very closely with all the companies in the industry on a continuing basis to address such mutual concerns as expressed by the Hon. Member.

I simply want to assure the Hon. Member that that close relationship and co-operation are ongoing.

Ms. Copps: Mr. Speaker, the workers of Moncton heard that promise from that same Minister and in fact they were let down. We want to make sure the people of Hamilton are not let down.

JOB GUARANTEES

Ms. Sheila Copps (Hamilton East): Given that the Minister has been in close consultation, he will know that there are discussions with both the Italians and the Japanese about the possible sale and/or closure of the plant. Can the Deputy Prime Minister tell us specifically whether the Government is prepared to block that sale through its powers under Investment Canada if indeed these job guarantees, for all the current jobs, are not forthcoming?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I want to assure the Hon. Member that in no way does this Government intend to let the people of Hamilton down, as we have not let other people down.

Mr. Tobin: Why don't you talk about Moncton?

Mr. Mazankowski: That is manifested in the fact that some 840,000 new jobs have been created.

Mr. Tobin: How about Moncton?

Mr. Mazankowski: Insofar as Moncton is concerned, is the Hon. Member criticizing the fact that the new Atlantic Opportunities Agency is going to be located there—

Ms. Copps: What about Firestone?

Mr. Mazankowski: —which is going to create some 300 jobs? If he is, why does he not stand up and say so?

Ms. Copps: What about Firestone?

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THE CONSTITUTION

1987 CONSTITUTIONAL ACCORD—ABORIGINAL SELF-GOVERNMENT

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, my question is, of necessity, directed to the Deputy Prime Minister. He will be aware that Premier Hatfield of New Brunswick recently added his voice to others in the Tory Party supporting the amendments to the Meech Lake Accord which were proposed by my Leader in his motion in this House on Monday, namely, that the elevation of territories to provincial status should not be subject to unanimity rule and that at the very least there should be a schedule in the Meech Lake Accord for the negotiation of the entrenchment of aboriginal self-government rights in the Constitution.

Given the increasing number of influential voices—

Some Hon. Members: Speech.

Mr. Crosbie: Order.

Mr. de Cotret: Question.

Mr. Parry: —supporting these amendments, will the Prime Minister at least canvass provincial Premiers to see if they would be in favour of including those improvements?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the Premier of

New Brunswick has long been an advocate of advancing the rights of aboriginal peoples in this country. Of course, he has taken a very major leadership role in federal-provincial conferences. We certainly welcomed that and I think he should be complimented.

I would hope he would call upon his provincial colleagues, the other Premiers, to work in unison with the federal Government in achieving what might be a consensus. But the Hon. Member knows there has been an agreement signed and agreed to, and the constitutional process is not shut. It provides for ongoing dialogue and adjustments. Clearly this could be an issue which could be placed for consideration in the next year.

The Government's position on this is very clear. We have attempted in every respect to work out an arrangement which would be satisfactory to all, and we will continue in our endeavours in that regard.

GOVERNMENT POLICY

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, in recent months aboriginal people have seen the breach of the James Bay Agreement, the breakdown of the First Ministers' Conference, the insulting omission from the Meech Lake Accord, a cap on post-secondary education, and most recently the Government has denied—

Mr. Crosbie: Order.

Mr. Parry: —to six bands in northwestern Ontario—established bands—the right to land for their own reserves. What, if anything, is the Government going to do for the aboriginal people of Canada before all the people of Canada send it to its just reward?

Hon. Bill McKnight (Minister of Indian Affairs and Northern Development): Mr. Speaker, the Hon. Member expresses his concerns in strange ways. The request by six bands in northern Ontario, newly created bands, to establish reserves and lands was a process which was discussed with those bands. The decision which was made was made because of the additional costs. Some $66 millions of dollars were needed. The only way this Government could find the dollars needed would be over a three-year period, not to provide housing to any bands in the Province of Ontario, or only to provide one-quarter of the housing needed over five years. I am sure the Hon. Member would not find that acceptable and neither would Indian leadership in Ontario.

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ROYAL CANADIAN MOUNTED POLICE

OFFICE BREAK-IN—REPORTED ALLEGATION BY ROGER NANTEL

Mr. John Nunziata (York South—Weston): Mr. Speaker, my question is directed to the Solicitor General. It concerns the very serious allegations by one of the Prime Minister's best friends, Mr. Roger Nantel. Mr. Nantel has accused the RCMP of criminal activity by breaking into his offices and camouflaging the break-in to look like an ordinary burglary. Mr. Nantel further alleges that the RCMP were investigating "dirty money behind Brian", referring to the Prime Minister of Canada.

Will the Solicitor General categorically state that Mr. Nantel's allegations are without foundation? Or is there any truth to Mr. Nantel's allegations?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I am happy to have this opportunity to advise the Hon. Member that I was advised by the Royal Canadian Mounted Police approximately two hours ago that its organization was not in any way involved in the break-ins as alleged by Mr. Nantel.

SPECULATION CONCERNING WALTER WOLF

Mr. John Nunziata (York South—Weston): Mr. Speaker, Mr. Nantel is accusing the RCMP of investigating the Prime Minister. He speculated that the RCMP were investigating "rumours circulating that Walter Wolf was an international arms dealer who had largely financed Mulroney's operations". I ask the Solicitor General whether the RCMP has ever investigated the allegation that dirty money was used by the Prime Minister to defeat the then Leader of the Conservative Party, the Right Hon. Member for Yellowhead?

• (1450)

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, as the Hon. Member well knows, the RCMP does not disclose what investigations it is carrying out at any particular time but I can assure the Hon. Member that the RCMP is a force of integrity and honesty and is the best force in the world.

Some Hon. Members: Hear, hear!

* * *

STATUS OF WOMEN

REPORT ON BATTERED WOMEN

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, my question is directed to the Minister of National Health and Welfare and concerns a very distressing report on battered women in Canada which was released today. I wonder if the Minister will tell us if he will respond favourably to the prime recommendation of this report which is for federal initiatives for funding so that we can end this problem by reducing it gradually, and so that transition houses and shelters can work toward education and prevention so there will no longer be one million battered wives in Canada.

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, the report from the Canadian Advisory Council on the Status of Women is an extremely important one. As was mentioned, for example, by the Hon. Member for Guelph in his statement to the House today, the report on which I had a briefing earlier from Ms. Gold lays out very clearly the wide-ranging complexities of the issue. I also think the report indicates that there has been some progress made but we have a long way to go yet.

I might say to the Hon. Member and to the House that this matter was placed on the agenda of the Minister responsible for federal-provincial social affairs in January. I intend to take the issue back and make further recommendations to my cabinet colleagues along with my colleagues who have similar responsibilities in this field.

FEDERAL INITIATIVES RECOMMENDED

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, for every one woman who enters a shelter for battered wives, another is turned away because of lack of funds. We still have a very long way to go.

I wonder if the Minister would be more positive in his response and would really deal with the fundamental recommendation that there must be federal initiatives so that there will be not just emergency response but a comprehensive approach to education and prevention for dealing with this problem and eliminating the shameful condition of the existence of battered wives.

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, I am not trying to minimize at all the recommendations made by the advisory council but I think Hon. Members should also keep in mind that there have been two changes made in the very specific area the Hon. Member has raised in her question. There has been an increase in the number of transition homes. I along with my colleague, the Minister responsible for CMHC, will have to expand that social housing so that there will be an additional number of spaces.

Second, I changed the Canada Assistance Plan regulation for a needs test. I felt that that was not appropriate. If a woman presents herself at a transition home, her needs are not financial, her needs are psychological and social and can be so identified quickly. That provision has been changed so that women can access those homes under the Canada Assistance Plan.

Earlier in my response I said that we will look at the report very carefully. I will come back to the House and my cabinet colleagues for further recommendations and action.

SUPPLY AND SERVICES

ADVERTISING CONTRACT—REQUEST FOR CANCELLATION

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, my question is directed to the Minister of Supply and Services and concerns once again the very serious allegations made by Mr. Roger C. Nantel. Can the Minister if Supply and Services tell the House, in view of the unacceptable conduct of Mr. Nantel of which we were informed today by the Solicitor General, what specific actions she will take to cancel the contract Mr. Nantel has with the Government of Canada through Supply and Services as the agency of record, because of his unacceptable conduct? Will she fire him and will she do so now?

[*Translation*]

Hon. Monique Vézina (Minister of Supply and Services): Mr. Speaker, I have already had occasion to remind the House that Mr. Roger Nantel is not registered with the Department of Supply and Services and has therefore never received a contract from my department.

REQUEST FOR JUSTICE

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I have a supplementary. Whether we are talking about Roger Nantel, Roger C. Nantel, Nantel and Associates, Media Canada or Synchrocom, it is all the same. What does the Minister intend to do today to put a stop to this circus where someone who has a fat government contract can accuse the RCMP and everybody else and get off scot-free? How are we going to have any justice in this country?

Hon. Monique Vézina (Minister of Supply and Services): Media Canada Inc. does have government contracts. We followed the normal procedures, and as I said previously in the House, we got better value at lower cost, compared with what was being done under the previous government.

* * *

[*English*]

ROYAL CANADIAN MOUNTED POLICE

REQUEST FOR INDEPENDENT INQUIRY INTO REPORTED ALLEGATIONS MADE BY ROGER NANTEL

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, my question is directed to the Solicitor General and concerns the very serious allegations being made by Roger Nantel, the long-time friend of the Prime Minister. In view of the seriousness of these allegations, allegations of illegal break-ins by the RCMP to the Tory Party headquarters in Quebec and Mr. Nantel's office, will the Solicitor General agree to meet with Mr. Nantel to discuss his allegations and will he assure the House that there will be an independent inquiry, and that it will not be a case of the RCMP investigating the RCMP?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I have already advised the House earlier today that the RCMP was not involved in this break-in. Second, I can assure the Hon. Member that at the time of this break-in it was fully investigated by the Montreal Urban Police, the police with jurisdiction.

REQUEST THAT MINISTER SEEK INDEPENDENT INQUIRY

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, in view of the seriousness of the allegation of Mr. Nantel, does the Solicitor General not recognize that it is important that justice be seen to be done and that it not be merely the Commissioner of the RCMP assuring him that the RCMP did nothing wrong? We have heard that before. Will the Solicitor General not ask for an independent inquiry into this matter to assure the House and the people of Canada that there has been no impropriety or illegality on the part of the RCMP as alleged by Mr. Nantel?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I deeply regret these unsubstantiated allegations made against the integrity of this force.

Some Hon. Members: Hear, hear!

Mr. Kelleher: Mr. Speaker, if the Hon. Member or any other Hon. Member in the House, or Mr. Nantel, has any information which can assist the Montreal Urban Police to substantiate these allegations, then I ask them to come forward immediately.

* * *

[*Translation*]

RESEARCH

ALLOCATION OF FUNDS—APPARENT INJUSTICE TO QUEBEC—GOVERNMENT POSITION

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): My question is directed to the Minister of Supply and Services. Some troubling figures have just been released indicating that Quebec is only getting a few crumbs, in terms of federal contracts for scientific research. In 1985-86, Quebec got only 16 per cent, which is $569 million out of a total $3.4 billion.

Considering those figures, could the Minister inform the House what her Government or Department intends to do to correct this unbalance?

Hon. Monique Vézina (Minister of Supply and Services): Mr. Speaker, the Hon. Member's insinuations are entirely ridiculous and are based on an erroneous newspaper article. *Le Devoir* has finally realized that we have a national capital and that research is done within the departments. Thirty-four per cent is therefore in the National Capital area, as you know, and covers both Quebec and Ontario, with 20 per cent for Ontario and 16 per cent for Quebec.

QUEBEC RECOMMENDATION—GOVERNMENT POSITION

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, if what the Minister just said is true, why did she tell my colleague that no more figures will be released? Because 75 per cent of the 34 per cent for the National Capital area is on the Ontario side. That makes a big difference.

Daniel Johnson, the Quebec Minister of Industry and Trade, has said he would not be satisfied with mere crumbs, and he suggests that the Minister correct this injustice by having the federal Government establish its space agency in the corridor between Quebec City and Montreal.

Does the Minister agree with the suggestion made by the Quebec Minister of Industry and Trade?

Hon. Monique Vézina (Minister of Supply and Services): Mr. Speaker, I am indeed honoured by the fact that the Quebec Minister has given me the privilege of deciding where this particular agency is going to go.

I will tell you why I asked my department to stop releasing the data collected by us. I tried to explain to the press that these data concern only the research and development being done by the Department of Supply and Services. And that is why I stopped the production of these figures because they were only confusing the issue.

Statistics Canada, however, will provide comprehensive statistics, and of course we, as the Government, have an abiding concern for maintaining social and economic equity in dealing with the provinces.

* * *

• (1500)

[*English*]

CHILDREN

ACTIVITIES OF BUREAU OF MISSING CHILDREN

Mr. Benno Friesen (Surrey—White Rock—North Delta): Mr. Speaker, my question is directed to the Solicitor General. Last year the Minister established a Bureau of Missing Children headed by Inspector John Brookmyre. There is some concern that the bureau has been downgraded and I would like an assurance that that is not true but that in fact the program will move forward with vigour in order to secure the future of these children.

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I know the Hon. Member has long had an interest in this matter and I thank him for his question. I am happy to advise him that indeed Sergeant Brookmyre remains in charge of this unit. As a matter of fact, he is down in Chicago today with my Deputy Minister attending a conference on missing children.

We are indeed very concerned about this issue. As you know, I opened the missing children registry last August and am presently in the process of holding national consultations on the feasibility of opening a missing children information Center. There is very strong support for this initiative in Cabinet and we will continue along that line.

Some Hon. Members: Hear, hear!

* * *

REFUGEES

BILL C-55—REQUEST FOR AMENDMENTS

Mr. Sergio Marchi (York West): Mr. Speaker, my question is directed to the Minister of State for Immigration. Yesterday over 100 organizations and thousands of individuals initiated a national campaign to try to convince the Government to amend very serious flaws in its refugee legislation. Every single NGO in the country is unanimously opposed to the fundamental tenets of this legislation. Given all that, will the Minister begin to promote and defend the constituency he is responsible for in Cabinet by eliminating the pre-screening process and the safe third country concept which have the effect of turning people away even before they reach an oral hearing before a refugee board? Is he prepared to amend universally unacceptable principles?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I think that the Hon. Member for York West is fully aware of the opinion of Canadians concerning the legislative measure we tabled with respect to immigration and the status of refugees.

I would suggest that the Bill will come up for second reading debate in the very near future. I am even more convinced that our propositions reflect the views of most Canadians concerning the measures we must take to let genuine refugees gain access to Canada.

[*English*]

UNIVERSAL ACCESSIBILITY QUERY

Mr. Sergio Marchi (York West): Mr. Speaker, the Minister also knows the opinion of Canadians, some 75 per cent of whom want a fair refugee system. He and the Government are misleading Canadians if they continue to say that this system is fair and humane, because it is everything but.

While recognizing that no legislation is absolutely perfect, is it also not irresponsible to continue to ignore stubbornly the recommendation for universal accessibility, which was the centre-piece of a three-year consultation process? Why is the Government betraying that process now? When the Minister is long gone from his portfolio, how will he live with himself and his community in defending this legislation?

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, my friend from York West can say what he wants. I challenge him to deny that 83 per cent of Canadians want us to tighten up the regulations.

Mr. Marchi: Read all the statistics, Benoît.

* * *

CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION

REFUSAL OF APPLICATION TO LAUNCH YOUTH TELEVISION CHANNEL

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, my question is directed to the Minister of State for Youth. After the expenditure of $800,000 of taxpayers' money and two years of hopeful and enthusiastic lobbying by young people for a cable TV channel which would serve their interests as well as involve them, the CRTC has denied a hearing of their application on the basis of a technicality. The Minister is an advocate for youth. What action does he intend to take in order to effect some change in the face of this distasteful and insensitive rebuff to our youth by the CRTC?

Hon. Jean J. Charest (Minister of State (Youth)): Mr. Speaker, I have not been up-to-date on that issue but I can inform the Hon. Member that I am aware of representations made before the publication of the Caplan-Sauvageau report. As he also knows, that report dealt with part of that request put forward by that group. It is something to which I am at firsthand sympathetic. What we must also consider in dealing with this matter is the arms' length relationship that exists between the Government and the CRTC. In that context I will be very happy to look into the matter.

Mr. Speaker: Short supplementary.

REQUEST THAT MINISTER INTERVENE

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, I would hope that the third Party's purported advocate for youth will take action at least to intervene in order to obtain either a delay of the hearings or a delay of the decision until the application of Young Canada Television can be heard?

Hon. Jean J. Charest (Minister of State (Youth)): Mr. Speaker, whatever intervention we do undertake will have to be done in a quasi-judicial context. My predecessor did this in making representations before the committee but there are limits imposed upon a cabinet Minister by law. I can make limited representations in that context.

I would like the opportunity to look at it very closely and report to my hon. colleague because it is an issue over which the Government has a great deal of concern.

Members of Parliament

Mr. Speaker: The Deputy Prime Minister on a point of order.

* * *

MEMBERS OF PARLIAMENT

THIRTIETH ANNIVERSARY OF ELECTION OF MR. CROUSE, MR. COATES, AND MR. HAMILTON

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I want to draw to your attention and that of all Hon. Members that there are three Members of this House who entered Parliament for the first time in the general election of June 10, 1957.

The Hon. Member for South Shore (Mr. Crouse), Nova Scotia, is still a tower of strength in our caucus and the House and a strong voice for freedom. He has served with dignity and honour and has made a tremendous contribution to this House, to Nova Scotia, and to Canada.

The Hon. Member for Cumberland—Colchester (Mr. Coates), Nova Scotia, has over 30 years served with dedication and commitment, never wavering in his loyalty to his Party and his country, serving in many capacities in the House and indeed in the Party. Most of all he has always been cognizant of and concerned about the welfare of his constituency.

Of course we must acknowledge in our midst the Hon. Member for Qu'Appelle—Moose Mountain (Mr. Hamilton), Saskatchewan, who served as a Minister in that first Diefenbaker Government and subsequent Governments. His imagination and creative approaches to dealing with our mutual problems have certainly made a notable contribution to our country.

• (1510)

There are many other outstanding Members from other Parties who came into the House in the 1957 general election. Many have since gone on to other fields of endeavour. I would like to take this opportunity, on behalf of my colleagues, to congratulate and thank them all for their outstanding service and their distinguished contribution to this House and to Canada.

Some Hon. Members: Hear, hear!

Mr. Mazankowski: Mr. Speaker, while this may be somewhat unusual and unorthodox, I see in the Gallery the former Hon. Member for Ontario, the Hon. Michael Starr, who was also elected in 1957 and was the Minister of Labour in the Diefenbaker Government. I think it would be appropriate to acknowledge him as well.

Some Hon. Members: Hear, hear!

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, it is with great pleasure that I rise to second the good wishes of the Deputy Prime Minister (Mr. Mazankowski). What Canadian could ever forget that 30 years ago today John George Diefenbaker swept into power with a minority Government after a very, very charismatic campaign. I can say to all Hon. Members that there has been no more compelling parliamentarian in the history of Canada than John George Diefenbaker.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): At that time, the three Members mentioned by the Deputy Prime Minister were also elected to this House of Commons; the Members for South Shore (Mr. Crouse) and Cumberland—Colchester (Mr. Coates), both from Nova Scotia, and, of course, the Member for Qu'Appelle—Moose Mountain (Mr. Hamilton) from the Province of Saskatchewan.

I want to say to all three hon. gentlemen that no greater tribute can be paid in this country than to enjoy the confidence of one's fellow citizens, for whatever length of time, but 30 years is a hallmark of which each of them individually ought to be proud. It is a tribute to the sacrifices they and their families have made. I want to congratulate all three of them most heartily.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): I, too, in breach of the rules, would like to recognize Michael Starr whom I knew as Minister of Labour and for whom I retained a very warm friendship. He enjoyed the respect of Members from all sides of the House when he was in this place.

Since the Hon. Member for Qu'Appelle—Moose Mountain is here in the House this afternoon I want to say to him that in my view he has never been given the credit he deserves for having authored the northern vision. Mr. Diefenbaker made that a popular concept in Canada. He opened up our lands north of the 60th parallel to Canadian attention. The Roads to Resources program was his. The farmers of this country will always remember him as a spectacularly successful Minister of Agriculture.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): The only weakness in judgment he has ever shown is having hired Brian Mulroney as his executive assistant when he was the Minister of Agriculture. The only other person who had as good luck with his executive assistants was Davie Fulton.

In any event, to all three gentlemen, congratulations, a generous thank-you from your fellow citizens, and wishes of good health, good future. We are proud to have known you.

Some Hon. Members: Hear, hear!

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is a pleasure to have the opportunity to rise on behalf of my Party and recognize the Members for South Shore (Mr.

Crouse), Cumberland—Colchester (Mr. Coates), and Qu'Appelle—Moose Mountain (Mr. Hamilton). We take great pleasure today in recognizing their contributions to the House of Commons and Canada for so many years. We appreciate the fact that through their efforts Canada is a better place today.

The fact that the three Members being honoured today have served this House for 30 years tells us a great deal about what their constituents think of them having given them the ultimate vote of confidence for so many years. The fact that these individuals have been in this House serving the people of Canada in this capacity for 30 years also tells us a great deal about their perseverance and their commitment to the principles of democracy and parliamentary procedure.

There are a handful of people in the House of Commons who command the attention of Members when they stand. When the Member for Qu'Appelle—Moose Mountain stands and makes a speech in this House, he has the undivided attention of all Members. On behalf of my Party I would like to say that we appreciate and recognize the Hon. Members' contributions. We thank all three of them for making Canada a better place.

Some Hon. Members: Hear, hear!

Hon. Alvin Hamilton (Qu'Appelle—Moose Mountain): Mr. Speaker, I thank all Hon. Members for mentioning the names of the three of us who are in the House today and that of Mike Starr. I would like to say something a little different from what would ordinarily be expected on this occasion.

I recall when a Member from one of the York ridings had been in the House for 30 years and the Prime Minister had made him an honorary Privy Councillor. The House began to scream "Speech, Bob, speech". He had never made a speech in 30 years. He rose in his place and made the shortest speech I think this House has ever heard. He said, "If you guys would speak a lot less you would last a lot longer", and he sat down.

Some Hon. Members: Hear, hear!

Mr. Hamilton: In the history of the British Parliament there was one Member who made one speech in the House which was so well received that he never spoke again for 40 years. When he went to Ireland to become a Member of Parliament in the new Irish House they asked him why he had kept quiet for so long. He was a very able person. He said, "When you do something you cannot do better at, take it as granted and do not try to do any better". His name was Hamilton too, but that is beside the point.

Some of you may have noticed that in the last few years I have not spoken as much as I used to. I have learned from fellows like Bob McGregor and the Irish Hamilton of 150 years ago.

I would like to make one serious remark. On June 10, 1957, Canada was living perilously close to a one-Party type of government. I do not mean that in any harsh sense at all. The mere fact that the Conservative Party came back to power, with a minority Government admittedly, was the first break in this tendency.

In addition, never in the history of Parliament had there been so many veterans in the House. Those of us who had survived the war came in here in large numbers in the elections of 1957 and 1958. We brought back to this House an attitude which I think deserves some consideration at this particular moment.

We were well convinced that our efforts abroad would have to be repeated unless we learned to work together, not only within our nation but with other nations as well. I am doubly glad to see my friend, Mike Starr, in the Gallery because we set out to try to co-operate with the provinces.

I well remember in 1958 when we were hard pressed to provide jobs for people. We had a high unemployment rate in those days of about 6 per cent and were catching Hail Columbia from the Opposition. Bill Hamilton, the Postmaster General, and I were doing our level best to build post offices across the country and clear up the bush. We were spending a lot of money but not creating many jobs. Mike Starr suggested that we go to the municipal Governments which had lots of jobs they wanted done but no money.

Some Hon. Members: Hear, hear!

• (1520)

Mr. Hamilton: As the House very well knows, municipalities are the creatures of the provinces. But how did Mike Starr get around that? He simply proposed to the municipalities that all of these programs were eligible for help if they could get the consent of the provincial Government. One had to see the reactions of the provincial Governments. How can one turn down a request from a municipality to have something done in its riding when nothing has to be spent?

I can still remember Premier Duplessis of Quebec calling me and saying: "That Mike Starr, he is a devil. He puts a proposal before me that I cannot refuse". He thought the world of Mike, who was a very sensible person. He only dealt with Duplessis over the phone.

Some Hon. Members: Hear, hear!

Mr. Hamilton: Let me also say that, to my recollection, Mike Starr was the first person to describe the type of program we were conducting with all the provinces and territories as a co-operative type of government. I changed that name somewhat, to co-operative federalism.

I was pleased that the succeeding administration of the Right Hon. Mr. Pearson accepted this doctrine. However, that administration made a slight mistake. It called all the provinces together to deal with them as a group. Confrontational politics could never work in that sort of situation. They must be dealt with individually and let each province have a different arrangement.

Today, I not only want to give credit to the Government of the day but to point out that we had a group of people in the caucus who were very conscious of the fact that the only way to keep peace in the world was to co-operate not only with our own institutions in the country, but to co-operate on an economic basis with all other countries in the world. We are one world economically, we are one country nationally, and the only way we can make it work is through co-operation. All that this Government has done is simply to put it in a written form. Thank you.

Some Hon. Members: Hear, hear!

Mr. Speaker: The Chair might say to the Hon. Member for Qu'Appelle—Moose Mountain (Mr. Hamilton), on behalf of all Members of this place today and over many years, that we have heard some wonderful comments, and that was vintage House of Commons.

[Editor's Note: Whereupon all Hon. Members rose and applauded.]

GOVERNMENT ORDERS

[English]

UNEMPLOYMENT INSURANCE BENEFIT ENTITLEMENT ADJUSTMENT (PENSION PAYMENTS) ACT

MEASURE TO ENACT

The House resumed from Tuesday, June 9, consideration of the motion of Mr. Bouchard that Bill C-50, an Act respecting the treatment of pension payments in determining certain unemployment insurance benefit entitlements and to amend the Unemployment Insurance Act, 1971, be read the third time and passed.

Mr. Speaker: It being 3.15 p.m., pursuant to order made Monday, June 8, 1987, the House will now proceed to the taking of the deferred division on the motion for third reading and passage of Bill C-50, an Act respecting the treatment of pension payments in determining certain unemployment insurance benefit entitlements and to amend the Unemployment Insurance Act, 1971.

Call in the Members.

The House divided on the motion (Mr. Bouchard), which was agreed to on the following division:

• (1530)

(Division No. 140)

YEAS

Members

Belsher
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bouchard
Boyer
Brightwell
Brisco
Browes
Caldwell
Cardiff
Carney
Champagne (Saint-Hyacinthe—Bagot)
Charest
Clark (Brandon—Souris)
Clifford
Cochrane
Comeau
Cooper
Corbett
Crombie
de Cotret
Della Noce
Desjardins
Domm
Duguay
Edwards
Ellis
Epp (Provencher)
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gagnon
Gass
Gérin
Girard
Gormley
Gottselig
Graham
Greenaway
Grisé
Hamilton
Hardey
Hicks
Holtmann
Howie
Hudon
Jacques
James
Jelinek
Jepson
Johnson (Bonavista—Trinity—Conception)
Joncas
Jourdenais
Kelleher
Kempling
King
Landry
Lawrence
Layton
Leblanc
Lewis
Lopez
MacDougall (Timiskaming)
Marin
Martin
McCain
McCrossan
McDermid
McKenzie
McKnight
McMillan
Minaker
Mitges
Nicholson (Niagara Falls)
Nickerson
Oberle
O'Neil
Paproski
Peterson
Plourde
Porter
Price
Ravis
Redway
Reid
Reimer
St. Germain
Scowen
Shields
Siddon
Sparrow
Stackhouse
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Tremblay (Québec-Est)
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Winegard
Witer—113

NAYS

Members

Allmand
Althouse
Axworthy
Benjamin
Berger
Boudria
Caccia
Copps
de Corneille
de Jong
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Frith
Garneau
Gauthier
Gray (Windsor West)
Guilbault (Saint-Jacques)
Heap
Hopkins
Isabelle
Jewett
Johnston (Saint-Henri—Westmount)
Kaplan
Keeper
Killens
MacLellan
Manly
Marchi
McCurdy
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rodriguez
Rossi
Skelly
Tobin
Turner (Vancouver Quadra)
Waddell—48

• (1540)

Mr. Speaker: I declare the motion carried.

Bill read the third time and passed.

ROUTINE PROCEEDINGS

[*Translation*]

STRIKING COMMITTEE

PRESENTATION OF TWENTY-FIRST REPORT OF STANDING COMMITTEE

Mr. Scott Fennell (Ontario): Mr. Speaker, I have the honour to present the twenty-first report of the Striking Committee.

If the House gives its consent, I intend to move concurrence in this report later this day.

[*Editor's Note: See today's Votes and Proceedings.*]

* * *

• (1550)

[*English*]

CRIMINAL CODE

MEASURE TO AMEND

Hon. Bob Kaplan (York Centre) moved for leave to introduce Bill C-258, an Act to amend the Criminal Code (War Crimes and Crimes Against Humanity).

The Acting Speaker (Mrs. Champagne): Shall the Hon. Member have leave to introduce the Bill?

Some Hon. Members: Agreed.

Mr. Kaplan: Madam Speaker, this is an amendment to the Criminal Code to permit the prosecution within Canada of war criminals found here. The Bill comes from a recommendation of the Deschênes Commission to the same effect. This recommendation has been agreed to by the Government. Although the report was received as long ago as last December by the Government no action has been taken. I intend by my Bill to show the Government one way, at least, of implementing that important recommendation and to urge the Government to get on with the job.

I hope I will have the opportunity to proceed with this Bill because I think it is effective. I want to note the strong legal opinions which the Deschênes Commission obtained upon which the recommendation is based to the effect that this is a valid exercise by Canada of its municipal jurisdiction to deal with criminals found within our country.

Motion agreed to, Bill read the first time and ordered to be printed.

STRIKING COMMITTEE

CONCURRENCE IN TWENTY-FIRST REPORT OF STANDING COMMITTEE

Mr. Scott Fennell (Ontario): Madam Speaker, if the House gives its consent, I move, seconded by the Hon. Parliamentary Secretary to the President of the Privy Council (Mr. Lewis), that the twenty-first report of the Striking Committee presented to the House earlier this day be concurred in.

Motion agreed to.

* * *

PETITIONS

CALL FOR INQUIRY INTO USE OF CHEMICAL PESTICIDES

Mr. Nelson A. Riis (Kamloops—Shuswap): Madam Speaker, it is my pleasure, and indeed, an honour to present petitions on behalf of the residents of Kamloops, Monte Lake, Copper Creek, Argenta, Kaslo, New Denver, Nakusp, Vancouver, North Vancouver, Burnaby, Delta, Lillooet, Bridge Lake, Williams Lake, 100 Mile House, Salmon Arm, Ladner, Surrey and other places.

The petitioners are concerned about the increasing number of chemicals used as herbicides and insecticides which they believe have been proven to have harmful effects on human health. They believe that these chemicals also produce short and long-term harmful effects on non-target organisms, soil and water. They are, therefore, asking the House of Commons to initiate a full public inquiry into the safety, testing, registration and regulation of the use of pesticides and the examination of alternative ways of controlling pests, such as biological control and plant-derived pesticides.

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Cyril Keeper (Winnipeg North Centre): Madam Speaker, I rise with a petition which indicates that troubles in many parts of the world are causing people to seek safety from persecution by coming to Canada.

Canada has established standards of refugee status determination but our existing procedures have broken down under unexpected strains. The standing committee of Parliament has proposed a new procedure for refugee determination which is quicker and fairer than the one now in force. This proposal has support among all Parties in Parliament as well as the Canadian Council of Churches, the Canadian Bar Association, the Canadian Jewish Congress and other groups and individuals.

Procedures recently adopted that turn away refugee status claimants from ports of entry before their claims are examined put real refugees at risk. Therefore, we, the undersigned petitioners, humbly pray and call upon Parliament to ensure that the Government and Parliament enact legislation that will

embody the principles of fair and quick oral hearings of refugee claimants before a refuge board, independent of the Immigration Commission, universal access to such hearings for every claimant in Canada and an adequate opportunity to arrive in Canada to make this claim.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Madam Speaker, I have a petition from a number of Canadians concerned that conditions in many parts of the world are causing people to seek safety from persecution by coming to Canada. They point out that in the past we have had standards for refugee status determination but that these have broken down under unexpected strain. They also point out that the standing committee of Parliament has established a new procedure which has the support of all Parties and of many other groups in Canada concerned with refugees, but that the present procedures which have been adopted turn away refugee status claimants from ports of entry before their claims are examined, which puts real refugees at risk.

• (1600)

Therefore, the petitioners call upon Parliament to ensure that the Government and Parliament enact legislation which will embody the principles of fair and quick oral hearings of refugee claimants before a refugee board independent of the Immigration Commission, universal access to such hearings for every claimant in Canada, and adequate opportunity to arrive in Canada to make this claim.

OPPOSITION TO PROPOSED CHANGES TO UNEMPLOYMENT INSURANCE PROGRAM

Mr. Dan Heap (Spadina): Madam Speaker, I have a petition from a number of residents of Toronto who are concerned about the subject of unemployment insurance and point out the large amount of money spent in income transfers in other provinces and the necessary consideration of these things by the Forget Commission, but the unfortunate recommendations made by the commission which would force 62 per cent of the unemployed to live on less than $140 a week.

Therefore, the undersigned, your petitioners, call upon Parliament to reject any legislation designed to eliminate federal contributions to the unemployment insurance program and to reduce unemployment benefits for unemployed Canadians.

LOW-LEVEL FLIGHTS AT ARMED FORCES BASE AT GOOSE BAY

Mr. Dan Heap (Spadina): Madam Speaker, I also have a petition from a number of people, about a hundred people, living in Toronto who are concerned about the low level flight training of pilots in NATO at the Canadian Forces Base in Goose Bay, Labrador.

Apart from the damage to the local native life, they point out that this training program is a provocative and aggressive war-fighting action that tends to endanger world peace.

Therefore, your petitioners call upon Parliament to ensure that the Prime Minister (Mr. Mulroney) will end all low level flight training at the Goose Bay Canadian Forces Base and cease negotiations with NATO for the establishment of a larger base there.

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Dan Heap (Spadina): Madam Speaker, finally I have a number of petitions, about a hundred petitions, from residents of Toronto who are concerned about immigration, particularly about the refugee program of the Government.

They point out that whereas the previous system broke down under strains, it is necessary to adopt the recommendation of the Standing Committee on Labour, Employment and Immigration, which has support from the Council of Churches, the Bar Association, the Jewish Congress, members of all Parties, and other groups and individuals, and which would particularly embody the principles of fair and quick oral hearings of refugee claimants before a refugee board independent of the Immigration Commission, universal access to these hearings for every claimant in Canada, and adequate opportunity to arrive in Canada to make this claim.

As in duty bound, your petitioners will ever pray.

OPPOSITION TO RESTORATION OF CAPITAL PUNISHMENT

Mr. Simon de Jong (Regina East): Madam Speaker, I have the pleasure of introducing a petition signed by numerous constituents living mainly in the City of Regina.

They petition Parliament to defeat the motion introduced on February 16 supporting the principle of the restoration of the death penalty in Canada.

The petitioners point out that to kill people who kill people to show that killing people is wrong is morally indefensible. They share the belief that returning evil for evil contributes to the disintegration of the moral integrity and social well-being of the society in which it is introduced.

They also point out that as a member in good standing of the United Nations, Canada should be supporting the United Nations in its efforts to eradicate the death penalty in all nations of the world, rather than undermining Canada's reputation as a leader among civilized nations.

Therefore, it gives me great pleasure to present the petition to the House.

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. John Parry (Kenora—Rainy River): Madam Speaker, I have the privilege and pleasure to present today a petition which has been duly certified and signed by residents of Toronto, Kelowna, Whitehorse, Vancouver, Ladysmith, Sardis, Burnaby, and Kitimat, on the question of the Government's proposed changes to the criteria for admissibility of refugees to Canada.

The petitioners urge parliamentarians to support a system which will embody the principles of fair and quick oral hearings of refugee claimants before a board independent of the Immigration Commission, universal access to such hearings for every claimant in Canada, and adequate opportunity for refugees to arrive in Canada to make such a claim.

* * *

POINT OF ORDER

THIRTIETH ANNIVERSARY OF ELECTION OF SENATOR HEATH MACQUARRIE

Mr. Pat Binns (Parliamentary Secretary to Minister of Fisheries and Oceans): Madam Speaker, I am not sure whether my point is strictly in order, but earlier today we recognized Hon. Members who have served the House for 30 years, since June 10, 1957.

I should like to recognize another Member who was elected on that same date and still serves this Parliament, now as a Senator of the Government of Canada. I am referring to Senator Macquarrie who was elected on the same date and has now served Parliament for 30 years.

He was a Member of the House until 1979 when he was appointed by the Prime Minister of Canada, the Right Hon. Member for Yellowhead (Mr. Clark), to the Upper House, the Senate.

Senator Macquarrie was first elected in the dual riding of Queens which included part of my present constituency. However, following a redistribution, he went on to represent the riding of Hillsborough.

I know my colleague, the Hon. Member for Malpeque (Mr. Gass) who is seated beside me, would want to join in recognizing his fine accomplishments for the people of Canada and the people of Prince Edward Island in both this House and in the Upper Chamber.

Some Hon. Members: Hear, hear!

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 128 and 138.

[*Text*]

DRIE—GRANTS AND/OR LOANS WITHIN METROPOLITAN TORONTO REGION

Question No. 128—**Mr. Redway:**

Since September 4, 1984, did the Department of Regional Industrial Expansion make grants and/or loans to persons or corporations, non-governmental organizations and governments within metropolitan Toronto and, if so, in each case, what was the (*a*) purpose (*b*) amount?

Hon. Michel Côté (Minister of Regional Industrial Expansion): In so far as the Department of Regional Industrial Expansion is concerned, the answer is provided below.

Department of Regional Industrial Expansion
Grants and or Loans within Metropolitan Toronto Region
September 4, 1984 to May 5, 1987

Company Name	Project Location	Purpose	Amount
Adecon Energy Systems Inc.	Weston	Research/Development/Innovation	$ 100,000
Asdor Limited	Downsview	Research/Development/Innovation	213,000
Brown Boveri Howden Inc.	Scarborough	Research/Development/Innovation	330,500
CDA Industries Inc.	Scarborough	Research/Development/Innovation	98,865
CGN Videodisc Development Corp.	Toronto	Research/Development/Innovation	125,000
Commutron Limited	Scarborough	Research/Development/Innovation	215,648
Daedalian Systems Group Inc.	Toronto	Research/Development/Innovation	23,293
Dellcrest Children's Centre	Downsview	Research/Development/Innovation	41,250
Dominion Cellulose Limited	Toronto	Research/Development/Innovation	267,000
Dufflet Pastries Inc.	Toronto	Productivity/Modernization/Expansion	50,000
Echlin Canada Inc.	Rexdale	Productivity/Modernization/Expansion	95,000
Electronic Health Machines Inc.	Downsview	Research/Development/Innovation	100,000
Erwel Inc.	Scarborough	Research/Development/Innovation	60,000
G & B Automated Equipment Limited	Downsview	Research/Development/Innovation	300,000
Gemtex Company Limited	Rexdale	Research/Development/Innovation	223,000
Herbrand Tools Corp.	York	Productivity/Modernization/Expansion	300,000
Info-Power Software Corporation	Rexdale	Research/Development/Innovation	47,369
Institute of Corporate Directors in Canada	Toronto	Development Climate	73,027
Interactive Image Technologies Ltd.	Toronto	Research/Development/Innovation	100,000
Intermetco Limited	Downsview	Research/Development/Innovation	392,537
International Council for Small Business	Toronto	Development Climate	60,000
John T. Hepburn, Limited	Toronto	Productivity/Modernization/Expansion	1,560,000
K-Line Insulators Limited	Scarborough	Research/Development/Innovation	100,000

Kalun Communications Inc.	Scarborough	Research/Development/Innovation	40,626
Legalware Inc.	Toronto	Research/Development/Innovation	274,154
Magna International Inc.	Scarborough	Productivity/Modernization/Expansion	1,815,000
Malcan Industries Ltd.	Etobicoke	Productivity/Modernization/Expansion	20,000
Marsan Foods Limited	Agincourt	Productivity/Modernization/Expansion	22,000
Marshall Industries Limited	Rexdale	Productivity/Modernization/Expansion	304,677
McAsphalt Industries Limited	Westhill	Research/Development/Innovation	62,000
Mirtone Industries Ltd.	Toronto	Productivity/Modernization/Expansion	150,000
Numetrix Limited	Toronto	Research/Development/Innovation	301,760
Ocean Food Company Limited	Scarborough	Productivity/Modernization/Expansion	60,000
Penwood Manufacturing Inc.	Downsview	Productivity/Modernization/Expansion	17,650
Plandata Electronics Ltd.	Toronto	Research/Development/Innovation	99,500
Precision Electronic Components Ltd.	Toronto	Research/Development/Innovation	77,680
Price & Knott Mfg. Co. Limited	Westhill	Productivity/Modernization/Expansion	58,000
Remanco Systems Inc.	Toronto	Research/Development/Innovation	1,459,293
Siegfried Krieser Industries Ltd.	Weston	Productivity/Modernization/Expansion	36,783
St. Andrew Poultry Limited	Toronto	Productivity/Modernization/Expansion	179,000
Toronto Kitchen Equipment Ltd.	Weston	Productivity/Modernization/Expansion	185,000
Toronto Medical Corporation	Scarborough	Research/Development/Innovation	18,600
Trigon Technologies Inc.	Toronto	Research/Development/Innovation	450,318
Unic International Corporation	Scarborough	Research/Development/Innovation	15,000
Waferboard Association	Don Mills	Marketing	89,055
Walach Industries	Toronto	Research/Development/Innovation	23,600
Westhead Industrial Systems Corp.	Rexdale	Research/Development/Innovation	200,000
Zest Furniture Industries Ltd.	Toronto	Productivity/Modernization/Expansion	100,000

WAR VETERANS' PENSIONS

Question No. 138—**Mr. Howie:**

For the fiscal year ended March 31, 1986, how many surviving widows received war veterans' pensions?

Hon. George Hees (Minister of Veterans Affairs):

Number of Widows/Widowers	Survivor Benefits Paid
42,042	Canadian Pension Commission survivor pensions
31,306	Allowances under the War Veterans Allowance Act.

[*Translation*]

Mr. Lewis: Madam Speaker, I ask that the remaining questions be allowed to stand.

The Acting Speaker (Mrs. Champagne): The questions enumerated by the Hon. Parliamentary Secretary have been answered. Shall the remaining questions stand?

Some Hon. Members: Agreed.

MOTIONS FOR PAPERS

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Madam Speaker, notice of motion for the production of papers No. P-5, in the name of the Hon. Member for Churchill (Mr. Murphy), is acceptable to the Government and the documents will be tabled immediately.

Madam Speaker, I ask that the remaining notices of motions for the production of papers be allowed to stand.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House that notice of motion for the production of papers No. P-5 be deemed to have been adopted?

Some Hon. Members: Agreed.

Motion No. P-5—**Mr. Murphy:**

That an humble Address be presented to Her Excellency praying that she will cause to be laid before this House a copy of the Cape Breton Development Corporation's Five Year Plan.

Mr. Lewis: Madam Speaker, I ask that the remaining notices of motions for the production of papers be allowed to stand.

The Acting Speaker (Mrs. Champagne): Shall all notices of motions stand?

Some Hon. Members: Agreed.

* * *

[*English*]

MOTION TO ADJOURN UNDER S. O. 29

FRENCH GOVERNMENT'S ISSUANCE OF PERMITS TO DRILL FOR OIL AND GAS IN CANADIAN WATERS

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Madam Speaker, it is a pleasure for me today to ask leave, pursuant to Standing Order 29, to propose a motion to adjourn the House for the purpose of discussing a specific and important matter requiring urgent consideration, namely, the issuance by the Government of France of drilling and exploration permits to foreign and French companies to drill in Canadian sovereign waters.

I make this request in the interest of ensuring that Canadians, and more important Newfoundlanders, have an opportunity to air fully in the House all the consequences and implications of such extraordinary action which has been taken in recent days by the Government of France.

Mr. Shields: Madam Speaker, I rise on a point of order. I think my hon. friend is making a serious error in fact, which I should like to point out to the Chair.

In fact the Government of France has not issued drilling permits. Neither has the Canadian Government issued drilling permits.

The permits which were issued were exploration permits, issued by the Government of France and by the Government of Canada, into disputed areas. Both Governments have issued permits to—

The Acting Speaker (Mrs. Champagne): At this time the Chair will reserve on the application submitted by the Hon. Member for Humber—Port au Port—St. Barbe (Mr. Tobin).

• (1610)

I would like, with the permission of the House, to go back to the previous item of Routine Proceedings.

Some Hon. Members: Agreed.

CAPE BRETON DEVELOPMENT CORPORATION FIVE-YEAR PLAN

Motion No. P-5—**Mr. Murphy:**

That an humble Address be presented to Her Excellency praying that she will cause to be laid before this House a copy of the Cape Breton Development Corporation's five-year plan.

Motion agreed to.

GOVERNMENT ORDERS

[*English*]

CANADIAN EXPLORATION AND DEVELOPMENT INCENTIVE PROGRAM ACT

MEASURE TO ENACT

Hon. Robert de Cotret (for the Minister of Energy, Mines and Resources) moved that Bill C-59, an Act to provide for payments in respect of exploration for or development of lands for the production of hydrocarbons in Canada other than coal, be read the second time and referred to a legislative committee.

Mr. Jack Shields (Parliamentary Secretary to Minister of Energy, Mines and Resources): Madam Speaker, I rise to make a few brief comments on Bill C-59. In so doing, I would like to acknowledge the co-operation of my friend, the energy critic for Her Majesty's Loyal Opposition, the Hon. Member for Cape Breton—The Sydneys (Mr. MacLellan), as well as the co-operation of my friend, the energy critic for the NDP, the Hon. Member for Vancouver—Kingsway (Mr. Waddell). I think the attitude of co-operation displayed by these two gentlemen and their Parties toward Bill C-59 underlines the importance we all place on the legislation that is so needed for the benefit of the Canadian West and indeed the entire economy. It will address the devastation experienced by the oil and natural gas producing provinces because of the drastic drop in world oil prices.

This legislation will make possible the implementation of the Canadian Exploration and Development Incentives Program which my colleague, the Minister of Energy, Mines and Resources (Mr. Masse), announced on March 25 in Edmonton. I am sure all Hon. Members are fully aware of the problems the Canadian oil industry and the western producing regions experienced, particularly last year because of the dramatic drop in international oil prices. Just as an example of this, exploration and development spending in the western sedimentary basin plunged by more than 50 per cent and thousands of jobs were lost. Hundreds of companies went into receivership and experienced bankruptcies. I believe we all appreciate the human and social costs of the situation.

I am sure all Hon. Members will agree on the soundness of the measures provided by the Bill and the urgent need to support recovery in this key sector of the economy. Just as an aside let me say that, since the announcement of this program, there have been clear signs that exploration and development activities and plans as reported by the service sector in the oil industry have increased considerably. There is now a mood of optimism in the oil patch that has not existed for quite some time.

The Canadian Exploration and Development Incentive Program is as relevant to the imperatives of social justice as it is to those of economic development. I would like to emphasize that the provisions of the Bill are the outcome of lengthy discussions and consultations with representatives of the oil and gas sector and provincial Governments as well as with my Liberal friend from Cape Breton—The Sydneys and my NDP friend from Vancouver—Kingsway.

The purpose of these consultations and briefings was to ensure that the financial support provided by the Government would do the greatest amount of good while respecting the structure of the industry. This support could go as high as $350 million in the first year and it is estimated that the program will attract up to $1 billion in additional investment in the petroleum industry and will create as many as 20,000 jobs in the oil and gas sector.

The Canadian Exploration and Development Incentive Program is a signal to thousands of workers in the oil patch in western Canada and the producing provinces that we recognize the importance of the oil and gas industry and that we have confidence in its future. I therefore encourage all Hon. Members to recognize the soundness of the Bill and to give it their unreserved support.

Mr. Russell MacLellan (Cape Breton—The Sydneys): Madam Speaker, it gives me a great deal of pleasure to reply to the Parliamentary Secretary to the Minister of Energy, Mines and Resources (Mr. Shields) in debate on this very important piece of legislation. Our Party is in agreement with this legislation. As has been stated by the Parliamentary Secretary, we feel that it will be helpful to the oil and gas sector. We only wish it had been brought forward earlier.

According to the Independent Petroleum Association of Canada, in 1986, $4.2 billion of investment which had been applied the previous year was not applied to the energy sector. Had this piece of legislation been brought forward earlier, we could have kept some of this investment in 1986. However, it is being brought forward now and it is better late than not at all.

I do feel that the Government was somewhat pressured into bringing this measure into place. There has been intense pressure from western Canada in addition to the pressure of the obvious need which exists in the energy sector. The Parliamentary Secretary has mentioned that the sector is recovering, and I am pleased to say that I agree with him. We have not seen a manifestation of that yet, but planning for drilling for the fourth quarter of 1987 is optimistic. The companies are planning for a greater participation in drilling and exploration than they had earlier. Of course, this is as a result of a combination of this legislation and the fact that the OPEC price has been holding fairly steadily. The price that we once believed would not hold beyond the December agreement now seems to have a good chance to remain in that vicinity.

I would like to compliment the Government on finally accepting a principle that the Liberal Party has been putting forward for quite some time, and that is, the principle of involving government programs in the energy sector and not just letting the market dictate it. This program is good. I know we cannot expect great movement, but this will be helpful. The energy sector appreciates it and I, on behalf of the Liberal Party, appreciate it. I would like to thank the Government for this enlightenment.

There are a few provisions in various clauses which I will mention. I presume that as we go through the Bill clause by clause, I will have a chance to mention any questions that come up on the various clauses.

• (1620)

Mr. Ian Waddell (Vancouver—Kingsway): Madam Speaker, I welcome the speech of the Parliamentary Secretary and thank him for acknowledging the co-operation involved in this legislation. It is a sort of co-operative federalism, if you like, or co-operative parliamentarianism.

He mentioned in his short speech that there had been a 50 per cent plunge in exploration in the western sedimentary basin. He is right about that. That is why this Bill is here in front of us. Many aspects of exploration and development in western Canada have been devastated. There are certain bad aspects to that and maybe even certain good aspects. The bad is the personal problems for some of the people in the oil industry, especially the small producers who do exploration and the small companies that help with that exploration. Those people are having trouble surviving.

The profit in the upstream exploration and development part of the oil business has gone down 64 per cent, but in the refining and marketing end, which is called the downstream, it has gone up 110 per cent. That is especially true in refining. That indicates the big guys can carry on through this downturn whereas the small companies are really getting hit. It means the big guys will have money and the little guys will not and they can be bought out by the big guys. There is a real danger that the small Canadian sector of the oil industry will collapse or be bought out by the larger companies.

I will not go into this in great detail but if you look at the comments of the Canadian Petroleum Association, the lobby group for big oil, or IPAC, the Independent Petroleum Association of Canada, which is big and medium-size oil, they oppose regulated crude prices. The smaller producers tend to want a return to a fixed price or some system of stabilizing their cash flow. The Government was under some pressure and, to its credit, it responded.

I said there was some good with respect to the hard times. The good is that it has forced a lot of oil companies in western Canada to be lean and trim. The cost of finding oil is now about $7 a barrel. Some of the Alberta Members can enlighten us more on that. The figure is certainly lower than the American cost. The rough rule of thumb is to multiply that by three, which means our producers can survive at around $20 a barrel and prices today are around $18, $19, or $20 a barrel. So the industry in western Canada is starting to come back. There is some light at the end of the tunnel.

I join with the Hon. Member for Cape Breton—The Sydneys (Mr. MacLellan) in asking what took the Government so long. The announcement was made on March 25. First reading of this Bill was on May 19. Here we are in June with the Bill before us. I think the reason is that the Government had to take a kind of long swallow. This Bill is in conflict with the Government's basic energy policy because the Government is actively involved in the market. That is of course against its policy. However, to its credit the Government realized that that kind of energy policy would not serve the small companies properly.

The oil industry is being devastated by the Western Accord signed by the previous Minister of Energy, Mines and Resources and the producing provinces a couple of years ago. The Government deregulated the price of oil and allowed it to go to world levels at the same time as the world market price fell out of bed. That is what devastated the industry. The Government has been scrambling to do something in return. It withdrew some taxes after a lot of pressure and after an Alberta by-election was about to proceed. The Government got rid of the PGRT. It has also responded in this Bill.

I would like to refer the House to my question of March 25, 1987, the day after the Government announced this program we are debating here today. I quote:

> Mr. Speaker, my question is directed to the Deputy Prime Minister. It concerns the statement of the Minister of Energy, Mines and Resources in Edmonton today. I want to tell him that I generally regard the measures as positive for small oil companies. However, why did it take the Government so long to announce the program? Why was there so much squabbling associated with it? Why did the Government not use our proposal, which was to take the money raised from the one cent per litre tax on gasoline, or about $450 million,

and earmark that amount for grants for small oil companies? It would have been a greater amount, and it would have been a better amount.

There are other alternatives to this scheme. However, on behalf of my Party I support it.

I have some questions and they will come up as we debate the clauses. First, will the cost be $350 million? The PIP program, and that is what this is, the son of PIP, or mini-PIP if you like, cost the Treasury something like $8 billion. That was an incredible amount for what is, I think, fairly limited return. That is why I was critical of that in the National Energy Program. When the Conservatives say the NDP supported the NEP, it is simply not true and I invite them to check the record.

What I am saying is that we have to audit it carefully so the costs do not get out of line. The Parliamentary Secretary said he anticipated the cost would be $350 million, but that it will bring in another $1 billion in private investment. I hope it does. However, we have to look at the mechanics of its operation in some detail. Does it effectively target Canadian companies? We want Canadianization of the oil industry if we can get it. We should look at the accountability of the companies, not just the people who get the grants but the operators of the actual programs, and we should make sure they are all audited properly.

I have another concern and I will leave this with the Parliamentary Secretary. He might want to look at it. I am concerned about the lease of premises for this new outfit. Perhaps he might be able to enlighten me further. I am told the Government is going to spend about $1 million to $2 million to lease premises in Calgary for the agency administering this program. I am told there have been two bids, one from PetroCan and one from Great West Life, and the Government accepted the one from Great West Life. I do not understand why the Government does not want to give this to its own Crown corporation. It seems to me that this would save taxpayers $1 million or $2 million. I put the Government on notice that we will be pursuing this further.

To sum up, this legislation is to be welcomed because it helps the small Canadian producer. It is still not the answer. That really lies in a proper price for oil. That depends on the world price and upon government policy. I hope the Government will not stop here. I hope there will be more energy matters included in the western initiative which will be announced. I suspect that there will not be, that the Government will be finished with the energy industry after this Bill. I hope it will consider the Husky upgrader and negotiated prices for the tar sands and Syncrude.

• (1630)

In conclusion, we do welcome this Bill. We will be monitoring it very closely. I have some other questions which I will raise during the clause-by-clause debate.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Madam Speaker, there have been discussions among the Parties. I think you would find unanimous consent to change the reference from a legislative committee to Committee of the Whole.

The Acting Speaker (Mrs. Champagne): Is there unanimous consent?

Some Hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the said motion?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the second time and, by unanimous consent, the House went into committee thereon, Mrs. Champagne in the Chair.

The Assistant Deputy Chairman: Order. House in Committee of the Whole on Bill C-59, an Act to provide for payments in respect of exploration for or development of lands for the production of hydrocarbons in Canada other than coal.

Clauses 2 to 4 inclusive agreed to.

On Clause 5—

Mrs. Sparrow: Madam Chairman, I would like to move an amendment to Clause 5 as follows:

That Clause 5 of Bill C-59 be amended

(a) by striking out line 38 on page 2 and substituting the following:

"person, other than those allocated by that person to a shareholder pursuant to section 7;"

(b) by striking out lines 41 and 42 on page 2 and substituting the following:

"person with whom the person is associated and those allocated pursuant to section 7 to any person with whom the person is associated; and"

The amendment to Clause 5(a) explains that a joint exploration company that has allocated some of its benefit to a shareholder can exclude it from the calculations of its annual expense limit.

Section (b) clarifies that in calculating your annual expenses you must include yours and those with whom you are associated. You must also include the expenses that were incurred by your associate as well as those that were allocated to your associate.

The Assistant Deputy Chairman: The House has heard the amendment proposed by the Hon. Member for Calgary South. Is it the pleasure of the House to accept the amendment?

Some Hon. Members: Agreed.

The Assistant Deputy Chairman: Shall Clause 5, as amended, carry?

Some Hon. Members: Agreed.

Clause 5, as amended, agreed to.

On Clause 6—

Mrs. Sparrow: Madam Chairman, I would like to move an amendment to Clause 6 at page 3. I move:

That paragraph 6(b) of the French version of Bill C-59 be amended by striking out lines 6 and 7 on page 3 and substituting the following:

[*Translation*]

"*b*) le ministre les répute associés *à partir du moment* qu'il fixe et les en avise par écrit"

[*English*]

This amendment makes the French version correspond exactly with the English.

The Assistant Deputy Chairman: The House has heard the amendment. Shall the amendment carry?

Some Hon. Members: Agreed.

The Assistant Deputy Chairman: Shall Clause 6, as amended, carry?

Some Hon. Members: Agreed.

Clause 6, as amended, agreed to.

On Clause 7—

Mrs. Sparrow: Madam Chairman, I would like to move an amendment to Clause 7 at page 3. I move:

That Clause 7 of Bill C-59 be amended by striking out lines 27 to 41 on page 3 and substituting the following:

"entitled to a payment in respect of eligible expenses incurred by it during a fiscal year in respect of which the corporation has the right to make a renunciation under subsection 66(10.1) or (10.2) of the Income Tax Act, unless the corporation allocates to a shareholder eligible expenses in an amount equal to the amount that the corporation has so renounced or will so renounce in favour of that shareholder in respect of eligible expenses incurred during that fiscal year.

(2) Where a joint exploration corporation allocates eligible expenses incurred during a fiscal year to a shareholder, the corporation is entitled to a payment in respect of those eligible expenses to the extent that the shareholder would be entitled to a payment had that shareholder incurred during the fiscal year the expenses"

We have pluralized "expense" because, as you well know, during exploration and development there will be more than one expense. The other word we had a problem with was "renunciation". A company does not have to renounce everything which would be in the pool of the shareholder. All that need be allocated is what is expensed, not all that is eligible to be expensed.

The word "application" is too restrictive and would not allow a change. The amendment removes "application" and replaces it with "joint exploration corporation allocate as eligible expenses" and so on.

The Assistant Deputy Chairman: Hon. Members have heard the amendment. Shall the amendment carry?

Some Hon. Members: Agreed.

The Assistant Deputy Chairman: Shall Clause 7, as amended, carry?

Some Hon. Members: Agreed.

Clause 7, as amended, agreed to.

Clauses 8 and 9 agreed to.

• (1640)

On Clause 10—*Entitlement is Property*

Mrs. Sparrow: Madam Chairman, I have an amendment to Clause 10. I move:

That Clause 10 of Bill C-59 be amended by striking out lines 1 to 3 on page 5 and substituting the following:

"10. Subject to part IX of the Financial Administration Act and the regulations thereunder, the entitlement of a person to a payment in respect of an eligible expense incurred after March 31, 1987 is transferrable and"

We are correcting terminology. This Bill is not amending in any way the Financial Administration Act. This amendment does allow for persons to assign, to transmit, through wills or any other sort of documentation, their entitlement. It really provides for the flow-through of the benefits.

The Assistant Deputy Chairman: Shall the amendment carry?

Some Hon. Members: Agreed.

The Assistant Deputy Chairman: Shall Clause 10, as amended, carry?

Some Hon. Members: Agreed.

Clause 10, as amended, agreed to.

Clauses 11 to 14 inclusive agreed to.

On Clause 15—*Audit or Examination*

Mr. Porter: Madam Chairman, I move:

That Clause 15 of Bill C-59 be amended by (a) striking out line 17 on page 6 and substituting the following:

"audit or examination, including information, documentation or copies to which the person has a right of access but which belong to another person"

(b) by striking out line 44 on page 6 and substituting the following:

"audit or examination, including information, documentation or copies to which the person has a right of access but which belong to another person".

The books and records are usually in the hands of the operator. This amendment provides access for the applicant to obtain invoices, records, et cetera.

Mr. Waddell: Madam Chairman, I am in favour of the amendment. I am pleased that the Government has noticed this because it seems that there could be abuses if the people who were getting the grants did not have the power to examine the chits and other records operators were sending in. I take it that the auditors can now look at those books of the operator

and that there cannot be an agreement between the people who get the grants and the operator to exclude the government auditors from looking at those books. I hope that is true.

Mr. Shields: Perhaps the officials could answer that directly.

The Assistant Deputy Chairman: The officials cannot answer directly.

Mr. Shields: It requires the applicant to secure the operator's permission that CDIP may see the operator's books.

Mr. Waddell: The company that is getting the grant may require that it be allowed to see those books so that the government auditor can see the books? I do not want them to make any cozy agreement between themselves.

Mr. Shields: It requires the Government to have access to the books.

The Assistant Deputy Chairman: Shall the amendment carry?

Some Hon. Members: Agreed.

The Assistant Deputy Chairman: Shall Clause 15, as amended, carry?

Some Hon. Members: Agreed.

Clause 15, as amended, agreed to.

Clause 16 agreed to.

On Clause 17—*Exceptions*

Mr. MacLellan: Madam Chairman, I have a problem with Clause 17 insofar as there is disclosure of information. I believe that any disclosure of information must be dealt with judicially. There should be no disclosure of information unless it is absolutely necessary.

The clause states:

> Information or documentation obtained under this Act may be communicated, disclosed or made available for the purposes of the administration or enforcement of this Act, legal proceedings related thereto or criminal proceedings under this Act or any other Act of Parliament and may be communicated, disclosed or made available—

To the Minister of Finance solely for the purposes of his needs, to the Minister of National Revenue, and to the Chief Statistician for Canada. Clause 17(d) goes on to say:

> —to any agency established under an Act of Parliament to which the Minister is, by that Act, required to make available statistics, information and documentation obtained by the Minister under that Act that relate to energy enterprises or corporations that control energy enterprises.

I find that clause quite broad. It is a catch-all clause that leaves those to whom this information relates in an uncertain position. There is much confidential information and I believe it is an infringement on the privacy and rights of these people and corporations to include that in a catch-all clause like this.

Mr. Shields: I thank the Member for his question. I refer him to Bill C-104, which I am sure he recognizes. It was an Act respecting petroleum incentives and Canadian ownership and control determination that amended the Foreign Investment Review Act. It was under the Petroleum Incentives Program legislation. The wording from that legislation was transferred directly to this. There have been no leaks.

Mr. MacLellan: Madam Chairman, I acknowledge what the Parliamentary Secretary has said. My point is that if there was a need to rush this clause through and it was a unique clause that had never been used before, perhaps it could be said that there may be something to which the Minister will have to relate this information.

Since we have seen this clause before and no other agency or body has required this information or there is no other body to which this information must be applied, why is this clause necessary now? If there is another agency to which this information must be given, surely that should be made public and stated in the Bill, rather than have this catch-all clause.

Mr. Shields: Madam Chairman, let me give one example to the Member. The Petroleum Monitoring Agency might require the information. We realize that the Government is big. One is not always sure exactly when and where this information will be required. The point I want to make is that to my knowledge there was never a leak during the entire time this clause was in the PIP legislation. I and all Members of the House would share the fears expressed by the Hon. Member. However, history has shown that there have been no leaks. I would ask the Member to consider that and allow this clause to pass.

The Assistant Deputy Chairman: Shall Clause 17 carry?

Some Hon. Members: On division.

Clause 17 agreed to.

Clause 18 agreed to.

• (1650)

On Clause 19—*Evidentiary Privilege*

Mr. MacLellan: I do not honestly see the need for this clause. I will just read the information. It states, and I quote:

> Notwithstanding any other Act or law, no person who obtains information or documentation under this Act shall be required, in connection with any legal proceedings, other than proceedings relating to the administration or enforcement of this Act or criminal proceedings under this Act or any other Act of Parliament, to give evidence relating to any information or documentation that is privileged under this Act or to produce any statement, document, writing or portion thereof containing any of that information or documentation.

I do not understand why we really need that clause. Perhaps the Parliamentary Secretary could help me on that.

Mr. Shields: My understanding is from the officials—and I think we would all admit we do not understand all of these clauses because of the legalese involved—it is so it does not catch an individual in a position where he is required to testify,

caught between a rock and a hard place. It is so that it does not infringe upon his rights, but he must testify. I would also point out again to my hon. friend that it is exactly the same wording as in the PIP legislation and it has caused no problem in the history of the PIP legislation. I would ask that it just be carried through.

Clause 19 agreed to.

On Clause 20—*Regulations*

Mr. MacLellan: Under Clause 20(a) under "The Governor in Council may make regulations", my concern is that the tendency in the last few years is to have legislation which really is less informative and all encompassing than it used to be. There seems to be more and more of a trend these days to go to regulations, that the legislation itself is just merely a framework on which one could hang the regulations. The regulations, of course, can be changed by Order in Council and do not have to be brought before this House for passage.

Therefore, it is a convenience for the Government that if it wants to change a regulation, it merely needs an Order in Council, whereas if it is in the Act and has to be amended, it requires legislation.

When we have a clause like this, I think we have to be very careful that we define accurately and carefully where these regulations are to apply. If we get into a generalization of any of these clauses, then what we are doing is giving *carte blanche* to the Government to change this Act by Order in Council instead of by amendment to the Act, which I think would be more in order. Granted, there is a place for regulations and I would be the first to admit that, but not to the extent we are seeing at the present time. To that degree, I would just like to mention Section 20(a) which states, and I quote:

> The Governor in Council may make regulations
>
> (a) prescribing any matter or thing that is by this Act to be prescribed;

That seems unnecessary. If we are going to have regulations, the regulations should be on specific points and not a catch-all. What that does is give the Government *carte blanche* to be able to put a regulation through on anything it wants and this Act will diminish in importance and the regulations will continue to become more important. More and more of the principles of this Act will be included in regulations and the Act will become less and less important and, I think, largely through a clause such as that.

Mr. Shields: First, Madam Chairman, I do not think that anyone would deny that we need flexibility in the Act, and full consultation will always take place with the industry. Our discussion about this Bill has been one of co-operation of all parties in the industry and that is why I think we have such a good piece of legislation.

I want to point out to the Hon. Member that we must always refer back to the text of the legislation to make the regulation. It is not *carte blanche*. We just have to refer back. It is not a general power the way it is drawn up. We must always refer back to the text of the legislation before the regulation can be adopted.

Mr. Waddell: I wonder if the Parliamentary Secretary could enlighten me as to under what section I can ask some questions on the administration of the program. I suppose I could do it under Clause 20 if some regulations would be made in terms of setting up the program. How is the bureaucracy set up? This is the Petroleum Incentives Administration which was set up by an Act. There is a report to Parliament and so on. I gather this will be just part of the Department of Energy, Mines and Resources. Where can I ask some of those questions? I will do it now if it is possible.

Mr. Shields: I would like to point out to my colleague that the PIA is not created by statute. The PIA is part of EMR and the annual report to which the Hon. Member refers is strictly a voluntary matter. It is not a requirement by statute.

Mr. Waddell: I thank the Hon. Member. That answers one part of my question. The second part of my question is that I want to ask about the money for the administration of this program. How much is it going to cost for the administration of the program? Under what section of the Act will that be included? Is there any section of the act? If there is not, I will ask the question now because there could be regulations passed for the administration of this program.

Mr. Shields: Madam Chairman, I am not sure if I understand completely what the Hon. Member is asking.

Mr. Waddell: Perhaps I should wait until Clause 32, if he is prepared to allow us to go to that. I want to know how much money is going to go for administration and what kind of administration of this program, versus how much money does the Parliamentary Secretary expect to go to the oil companies? There is a Clause 32 which deals with $350 million for this fiscal year ending March 31, 1988. I want to ask some questions about that. Perhaps I will wait until we get to Clause 32.

Mr. Shields: Madam Chairman, I can answer one part of the question. The total $350 million is allocated for the program. The administration of the program is taken out of the EMR budget.

Mr. Waddell: Well, then perhaps I could ask him now. Is the Parliamentary Secretary prepared to tell me, or has he any idea of how much it is going to cost to administer the program? I cannot find it in the Bill. How much is it going to cost to administer the program up to March 31, 1988?

Mr. Shields: Madam Chairman, I cannot give the Hon. Member the answer to that specific question at this time—I will undertake to get him the estimates—because it is outside of the Act. However, I will get him the estimates as closely as I can. The closest I could come, and I do not know whether this would be satisfactory, is to say that indications are it looks like it would be about $10 million.

Mr. Waddell: So it would cost about $10 million to administer the $350 million program. I know the Parliamentary Secretary shares with me the concern that we do not want to blow Government money or spend it if we do not have to.

• (1700)

Could the Hon. Member also find out, unless he knows the answer already, why the Crown seems to be spending $1 million or $2 million more than is required? As he might know, there are two bids for the premises of the administration, one being for the Merlin Building in Calgary—I am not as familiar with Calgary as other Hon. Members across the way—and I think that is already Petro-Canada's. The other one is the Pacific Plaza, although I am not sure of that either. That is the Great West Life Company. Petro-Canada is already paying for the space, is it, or perhaps it is the other way around? If Petro-Canada is already paying for some space in Calgary, why is the Government going with Great West Life and wasting $1 million to $2 million of the taxpayers' money?

Mr. Shields: Madam Chairman, I think the Hon. Member knows full well that Petro-Canada is a Crown corporation and operates in the private sector under certain regulations. He also knows that the Department of Energy, Mines and Resources does not determine what buildings are to be leased for the purpose of administering the CEDIP. That is determined by the Department of Public Works. I have had discussions with the Minister of Public Works. I have asked him the very same question as the one posed by the Hon. Member. He has yet to get back to me with an answer. When he does, I will be happy to pass on the information to the Hon. Member.

Mr. MacLellan: Madam Chairman, I understand that the Great West Life Building is the Merlin Building and the Pacific 66 Building is the one that is owned by Petro-Canada. I understand that the difference between the two is very small. Can the Parliamentary Secretary give us the difference? As I understand it, it is about a $1.2 million lease but the difference between the two is just a few thousand dollars. Is that not correct?

Mr. Shields: Madam Chairman, again, I have to say to my hon. friend that I just do not have the information which he requests. The person who will have that information is the Minister of Public Works. I will make that information available to the Hon. Member when we have it.

Mr. Waddell: I will take the Parliamentary Secretary up on his offer. I point out that Petro-Canada may be operating in the private sector but it is a public company. It is owned by us all. If it has vacant space and if the Government does not take it up, that means that the taxpayers lose money, unless someone else takes it up. However, I am told that someone else will not take it up, or that the chance of that happening is small. I hope that the Government is not making an ideological decision, or any other kind of decision on this matter. I hope the Government has some good explanation for this.

Mr. Shields: Point well taken. Thank you.

The Assistant Deputy Chairman: Shall Clause 20 carry?

Mr. MacLellan: On division.

Clause agreed to.

Clauses 21 to 25 inclusive agreed to.

On Clause 26—*Officers, etc., of Corporation*

Mr. MacLellan: Madam Chairman, with respect to Clause 26, I think the burden that is being placed on transgressors in the Clause is very light. The Clause states:

> Where a corporation commits an offence under this Act, every person who at the time of the commission of the offence is a director or officer of the corporation is guilty of the like offence, unless the act or omission constituting the offence took place without the person's knowledge or consent or the person exercised all due diligence to prevent the commission of the offence.

I can understand the part that refers to "without the person's knowledge", and perhaps "the person exercised all due diligence". But the fact that the person did not give consent to the wrongdoing should not excuse that person from being at fault. A person could have knowledge of what is being done and have been in a position of responsibility and exercised no due diligence to try to stop that act from being committed. Just because consent was not given does not mean that that person should be completely blameless for the offence. I think it is letting them off too lightly.

Mr. Shields: Madam Chairman, I point out to my hon. friend that in legal slang this is called "boiler-plating". It is only in there to conform to the Charter of Rights and Freedoms.

The Assistant Deputy Chairman: Shall Clause 26 carry?

Some Hon. Members: On division.

Clause agreed to.

Clauses 27 and 28 agreed to.

On Clause 29—*Liability of Flow-through Shareholder*

Mr. de Jong: Madam Chairman, I was not planning to enter into the debate. However, I realize that on June 18 the Minister of Finance will be bringing down his White Paper on tax reform. It seems that the Minister and the Government have made a commitment to change many of the tax provisions in the Act. As well, there has been discussion in terms of flow-through shares and the possible elimination of such shares. Does the Government's spokesman have any knowledge with respect to whether or not the flow-through shares that are provided for in Bill C-59 might very well go out the window in a matter of a few days or a few weeks?

Mr. Shields: Madam Chairman, I am sure my hon. friend will understand that I have no more knowledge of the White Paper than does he. I just cannot answer his question.

Mr. de Jong: In other words, is it possible that the exercise we are going through today will become meaningless one or two weeks from now?

Mr. Shields: I can point out that this Bill reflects the position of the Government of Canada. If we wanted to get hypothetical, the price of oil could go to $50 per barrel tomorrow.

Clauses 29 and 30 agreed to.

On Clause 31—*Variation in Program*

Mrs. Sparrow: Madam Chairman, I would like to move an amendment to Clause 31 on page 12 of the Bill. I move:

That Clause 31 of Bill C-59 be amended by striking out lines 27 to 32 on page 12 and substituting the following:

"order made after September 30, 1988 provide that there is no entitlement to a payment in respect of eligible expenses incurred after the date of the order or vary the figure set out in section 4 in respect of all eligible expenses or of such classes of eligible expenses as are specified in the order, and where an order is made under this subsection varying the figure set out in section 4, the figure as so varied shall be deemed"

What this means is that the "vary" in the original documentation does not allow for the Governor in Council to vary down the grant or entitlement to zero. What the amendment does is give power to the Governor in Council to phase out, terminate or reduce to zero the rate of entitlement, at a rate of 33.33 per cent of that expense.

Mr. MacLellan: I cannot agree with the amendment proposed by the Hon. Member. I think it drastically alters the spirit of the Bill. We are told in Clause 4:

Where an application made to the Minister in the prescribed form and manner establishes that a qualified person has incurred after March 31, 1987 an eligible expense, the qualified person is entitled, subject to the prescribed terms and conditions and on the requisition of the Minister, to a payment out of the Consolidated Revenue Fund of 33.33 per cent of that expense.

• (1710)

The amendment to Clause 31 changes Section 31 and says that really there is no entitlement to a percentage. What we have through the back door from the Government is a sunset clause when in September, 1988 the Government can reduce the rate to zero. Therefore, there is no entitlement under this Act. It is not only not in the spirit of the legislation but it is a misapplication of the intention of both Clauses 4 and 31.

Mrs. Sparrow: Madam Chairman, I thank the Hon. Member for his concerns. Yes, the Bill does provide for a sunset clause. The initial thrust of this program was to create jobs in a regionally depressed area which was caused, as the Hon. Member well knows, by the falling price in oil.

The program is specifically to help small and medium-sized producers. After September 30, 1988 the amendment to the Bill requires six months notice before one can terminate, which is stated in Clause 31(2).

The Hon. Member is quite right, it is a sunset clause. It would be acted upon in the event that the price of oil did rise and rise quite dramatically. Those people could be secure in their employment.

Mr. Shields: Madam Chairman, it might be of interest to my hon. friend to know that when drafting the legislation and discussing the way it would work with the industry, the industry had no complaints with this clause. There is a sense of security there because we know the price paid under the CEDIP for exploration and development will remain consistent. It is only after September, 1988 which is 18 months down the road that it changes. This is a transitional thing. We do not know where the price of oil will be next September. We certainly did not know where it was going to be last September. We must have that flexibility as keepers or watchdogs of the taxpayer's dollar.

Mr. MacLellan: Madam Chairman, I do not doubt that what the Parliamentary Secretary is saying is correct. The people who viewed Section 31 may not have found it objectionable but they would find the amendment objectionable because it drastically changes things. Under law, Section 31 could not reduce the rate to zero. That would be over and above the authority of Section 31. Under Section 31 as it presently stands, it can be reduced but it can only be reduced, it cannot be wiped out. Section 31, in effect, is not now a sunset clause. Under the amendment to Section 31, it would be a sunset clause. That is the objection I make.

Mr. Shields: Madam Chairman, I point out to my hon. friend that it was always the intent to have a sunset clause. When discussing the principles with the industry, that was always understood. What we have done by way of the amendment is to clarify that original intent. It was obviously overlooked at the drafting stage. I am looking at the proposed rules for the Canadian Exploration and Development Incentive Program dated April, 1987. I refer the Hon. Member to page 5, second paragraph. I will read a portion of it:

It is currently proposed that the legislation will authorize the Governor in Council to adjust the incentive rate for eligible expenses, or to adjust the rate for particular classes of eligible expenses, or to terminate the Program on six months' public notice.

That was there and it was discussed. No one is getting blindsided on this. It is strictly clarifying what the original intent was. I will make this booklet available to the Hon. Member if he does not have it.

The Assistant Deputy Chairman: Shall the amendment carry?

Some Hon. Members: Agreed.

Mr. MacLellan: On division.

Amendment agreed to.

The Assistant Deputy Chairman: Shall Clause 31, as amended, carry?

Some Hon. Members: Agreed.

Mr. MacLellan: On division.

Clause 31, as amended, agreed to.

Clause 32 agreed to.

Clause 1 agreed to.

Title agreed to.

Bill reported.

Hon. John Wise (for the Minister of Energy, Mines and Resources) moved that Bill C-59, as amended, be concurred in.

Motion agreed to.

The Acting Speaker (Mrs. Champagne): When shall the Bill be read the third time? By leave, now?

Some Hon. Members: Agreed.

Mr. Lewis: Madam Speaker, I rise on a point of order. I think if you were to seek unanimous consent you would find unanimous consent to proceed with third reading of this Bill now, and immediately following completion of third reading debate and the division being taken, the House would call it six o'clock.

The Acting Speaker (Mrs. Champagne): Does the House agree to the proposal put by the Hon. Parliamentary Secretary to the President of the Privy Council (Mr. Lewis)?

Some Hon. Members: Agreed.

Mr. Wise (for the Minister of Energy, Mines and Resources) moved that the Bill be read the third time and passed.

Mr. Jack Shields (Parliamentary Secretary to Minister of Energy, Mines and Resources): Madam Speaker, I wish to acknowledge once again the co-operation of the energy critic for the Official Opposition and the energy critic for the New Democratic Party. I want to thank them for their diligence and help in seeing the Bill passed. This Bill will be welcomed in the oil patch in western Canada and in all Canada because it is non-discriminatory. It will apply equally in Hibernia, Beaufort, and the Western Sedimentary Basin. I thank them very much.

• (1720)

Mr. Russell MacLellan (Cape Breton—The Sydneys): Madam Speaker, I thank the Parliamentary Secretary for his kind words. We in the Liberal Party support the Bill. I have certain reservations about some of its clauses but not about the general thrust of the assistance it will give to the oil and gas sector.

I would hope that the Parliamentary Secretary and the Government would note the objections which have been made today and would give consideration to them, so that perhaps some changes can be made and we will not have to continue on those points and thereby be able to give the financial benefits the Bill provides to the oil and gas sector.

Mr. Ian Waddell (Vancouver—Kingsway): Madam Speaker, on behalf of the New Democratic Party, I should like to thank the Parliamentary Secretary for his kind words acknowledging the co-operation of the Opposition. I look forward to receiving my next letter from Mr. Bill Jarvis, President of the Conservative Party, who no doubt will talk about our co-operation in various matters.

I should like to say that I am cautiously optimistic that the Bill will work. It favours smaller companies. It focuses on grants rather than on tax incentives, allowing some of the smaller companies which do not pay taxes to benefit. It acknowledges the plight of small oil companies as a national issue. It is a national problem about which we all must talk.

It is still short-term. The long-term solution is to diversify the western economy—no mean feat but something which must be done—away from total dependence upon oil, but oil being a major part of it.

I should like to conclude by quoting from *The Calgary Herald*. I am not the favourite son of that newspaper; it has written three editorials criticizing me personally. However, I want to show how co-operative I am by quoting *The Calgary Herald*: "The federal Conservatives have learned a valuable lesson in realpolitik", or as they say in Calgary "real politics". It continues: "No matter what is said publicly about meddling bureaucrats and the virtues of free enterprise, government intervention in defence of orderly markets and job preservation is as indelibly a part of Canadian life as ice hockey and woollen mittens", and I would add to that summer barbecues.

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

[*Translation*]

The Acting Speaker (Mrs. Champagne): With unanimous consent, it being six o'clock, this House stands adjourned until tomorrow at 11 a.m., pursuant to Standing Order 3(1).

The House adjourned at 5.23 p.m.

HOUSE OF COMMONS

Thursday, June 11, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*Translation*]

PETITIONS

GOVERNMENT RESPONSE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table, in both official languages, the Government's response to Petitions Nos. 332-2038, 332-2040, 332-2041, 332-2432 to 332-2434 inclusive, 332-2445, 332-2446, 332-2456 to 332-2494 inclusive, 332-2501 to 332-2571 inclusive and 332-2596.

* * *

[*English*]

PUBLIC ACCOUNTS

PRESENTATION OF SEVENTH REPORT OF STANDING COMMITTEE

Miss Aideen Nicholson (Trinity): Mr. Speaker, I have the honour to present the seventh report of the Standing Committee on Public Accounts which deals with the agri-food program of the Department of Agriculture. The committee is concerned that farm income programs need to be more carefully planned, funded and co-ordinated to ensure that adequate reserves are built up to assist farmers at times of greatest need. This is highlighted by the recent dramatic increase in the western grain stabilization fund deficit which has risen to $850 million in April, 1987, from $175 million on December 31, 1986. A need for better information and analysis in the administration of this program is required, as well as better information to the Minister in the exercise of discretionary authority.

Your committee is concerned also about the health hazard posed by inadequate procedures and facilities for the storage and disposal of dangerous substances. This problem had been noted in earlier reports and therefore your committee will pay particular attention to the Department's aim of 100 per cent compliance for the handling, transporting, storing and disposing of these materials.

As a result of two cases in London, Ontario, involving major capital projects which demonstrated a lack of consciousness, the committee is calling on the Department to demonstrate its capacity to accept increased responsibility and to be cost conscious in the expenditure of taxpayers' money.

[*Editor's Note: See today's Votes and Proceedings.*]

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PETITIONS

CALL FOR INQUIRY INTO USE OF CHEMICAL PESTICIDES

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is my honour to present a petition pursuant to Standing Order 106. The petitioners reside in Hinton, Grande Cache, Rimbey, Lethbridge, Red Deer, Condor, Edmonton, Camrose, Calgary, Jasper, Drayton Valley, Robb, Sherwood Park, St. Albert, Stony Plain, Edson, and other locations in Alberta. The petitioners are of the opinion that increasing numbers of chemicals used as herbicides and insecticides are being proven to have harmful effects on human health. They believe these chemicals also produce short and long-term harmful effects on non-target organisms, soil and water, and that the same chemicals in past years have been registered and approved as safe for their various uses. The petitioners therefore call upon the House of Commons to initiate a full public inquiry into the safety, testing, registration and regulation of the use of pesticides and an examination of alternative ways of controlling pests such as biological control and plant-derived pesticides.

• (1110)

Mr. Rod Murphy (Churchill): Mr. Speaker, I also have the honour to present a petition on the concerns of people with regard to pesticides. In this petition people from Ontario, B.C., and Nova Scotia express their concern and call upon the Government to have a full public inquiry into the safety, testing, registration and regulation of the use of pesticides and an examination of alternative ways of controlling pests such as biological control and plant-derived pesticides.

If I may sneak in a short editorial, Mr. Speaker, it is interesting that I am presenting this petition at the same time as Cesar Chavez of the United Farm Workers is meeting with MPs on this very topic.

Order Paper Questions

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, Question No. 121 will be answered today.

[*Text*]

PACIFIC ADVISORY REGIONAL COUNCIL

Question No. 121—**Mr. Manly:**

1. Since its inception, have any specific issues been referred to the Pacific Advisory Regional Council (PARC) to be investigated and reported upon and, if so (*a*) what are they and what is the timetable for a report on each issue (*b*) how many directly concern the commercial fishing industry on the West Coast?

2. What percentage of members appointed to PARC are (*a*) natives (*b*) sport fishermen (*c*) processors (*d*) seine fishermen (*e*) troll fishermen (*f*) others?

Hon. Thomas Siddon (Minister of Fisheries and Oceans): 1. (a) PARC has not determined a formal agenda of issues to be considered nor their timetable for deliberation and reporting.

(b) Each of the 15 items on the list of prospective issues submitted to PARC are of concern to the west coast fishery including the commercial fishing industry. The majority of prospective issues involve other interests in addition to commercial interests.

2. Selection of PARC membership was not based on organizational affiliation, however, selections were made to ensure "balance of knowledge and experience in the different aspects of the Pacific fishery. The members of PARC have a broad generalized knowledge of the west coast fishery: some also have a very specialized knowledge of particular sectors. Many PARC members fall into more than one of the categories specified (e.g., commercial native fishermen), therefore the following add up to more than 100 per cent.

Commercial (troll, seine, gillnet) gears (5)	38%
Processing (2)	15%
Native (3)	23%
Sports (3)	23%
Other (2)	15%

[*Translation*]

Mr. Lewis: Mr. Speaker, I ask that the remaining questions be allowed to stand.

Mr. Speaker: Shall the remaining questions stand?

Some Hon. Members: Agreed.

[*English*]

MOTION TO ADJOURN UNDER S. O. 29

FRENCH GOVERNMENT'S ISSUANCE OF PERMITS TO DRILL FOR OIL AND GAS IN CANADIAN WATERS—MR. SPEAKER'S RULING

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, pursuant to Standing Order 29 I ask leave today to propose a motion to adjourn the House for the purpose of discussing a specific and important matter requiring urgent consideration, namely, the issuance by the Government of France of drilling and exploration permits to foreign and French companies to drill in Canadian sovereign waters.

I make this request in the interest of ensuring that Canadians and, more important, Newfoundlanders, have an opportunity to debate fully in the House all of the consequences and implications of such extraordinary action which has been taken during recent days by the Government of France.

Mr. Speaker: I thank the Hon. Member for Humber—Port au Port—St. Barbe (Mr. Tobin) for bringing this important matter to the attention of the Chair and Hon. Members. The Hon. Member applies under Standing Order 29 which is a provision under which an application can be made for an emergency debate in circumstances in which the matter is not only important but the discussion of it is urgent.

The matter raised has been the subject of some comment in the Chamber in the last several days and is with regard to permits allegedly being granted to certain oil companies or oil corporations by the Government of France for exploratory drilling in waters which Canada alleges are Canadian sovereign waters. As I say, there has been some preliminary exchange on this issue during Question Period for the last two days.

The matter is important. There is no question of that in the mind of the Chair. However, as yet I do not think it is appropriate for the Chair to accept the application for an emergency debate. This, of course, is without prejudice to Hon. Members to raise the matter under Standing Order 29 at another time.

• (1120)

GOVERNMENT ORDERS

[*Translation*]

BUSINESS OF SUPPLY

MAIN ESTIMATES, 1987-88—MOTION FOR CONCURRENCE IN VOTE 60, DEPARTMENT OF COMMUNICATIONS

Mr. Speaker: Today being the final day for the supply period, the House will proceed as usual with consideration and adoption of a supply bill. Considering our recent practice, do Hon. Members agree to have this Bill distributed now?

Some Hon. Members: Agreed.

Hon. Robert de Cotret (President of the Treasury Board) moved:

That Vote 60, in the amount of $64,443,000 under the Department of Communications—National Film Board—Revolving fund, operating loss, in the Main Estimates for the fiscal year ending March 31, 1988, be concurred in.

Mr. Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: On division.

Motion agreed to.

Mr. Speaker: Debate. The Parliamentary Secretary to the Minister of Communications.

Mrs. Claudy Mailly (Parliamentary Secretary to Minister of Communications): Mr. Speaker, it is incredible that, today, the Government should have to defend an institution as prestigious as the National Film Board. However, because of a motion by the New Democratic Party to substract $100,000 from the National Film Board's budget, the Government of Canada has a duty to defend an institution that has made its mark in the cultural and social sphere in this country.

The reputation of the NFB has been recognized by the public, and in fact internationally, for many years. And each year's production confirms that this reputation is not exaggerated, witness the NFB's latest productions under the directorship of François Macerola and his team. We have every reason to be proud of an institution that is one of the great success stories in Canada's cultural history.

Since it obtained its initial mandate, the NFB has been producing and distributing films, and now videos, and plays a major and strategic role in the world of the motion picture industry, culture and communications, where public and private institutions work side by side. In this respect, the NFB is an essential adjunct to our country.

It helps provide Canadians with basically Canadian cultural products that respond to their expectations and their needs, Madam Speaker, and which offer a comprehensive view of our own reality and culture.

The NFB's primary role is to help Canadians become aware of their own cultural identity, to enhance their knowledge of what they are and of the values by which our society is defined. Because of its mandate, the NFB is not subject to the same financial constraints as the private sector. It is therefore our responsibility, here in the House, Madam Speaker, to ensure it has the means to carry out that mandate.

That does not mean the National Film Board, as a State-funded filmmaking agency, can afford to neglect current developments in the industry. Several years ago, it established a number of objectives for institutional renewal which have helped to make its organization less unwieldy and more flexible, and as a result, the NFB has been able to introduce more efficient operations and filmmaking practices. Building on the experience acquired over the years, the NFB has rejuvenated its image and while stimulating the creativity of in-house filmmakers it has also attracted independent film artists who increasingly are taking advantage of the institution's new open policy in this respect.

This publicly-funded producer is becoming increasingly better equipped to fulfil a mandate that is particularly important today. Its success and its image are due first of all to the daring, quality and excellence of NFB productions which respond to the social and cultural needs of Canadians. Fiction feature films, documentaries and thematic subjects all reflect a Canadian reality. In addition, the NFB also plays a role in developing and advancing filmmaking techniques.

One example is the development of the IMAX Three-D, which was used to make the first production to be actually projected in 3D. Madam Speaker, I am referring to the film Canadians had the pleasure of seeing at Expo 86 in Vancouver. This film was seen by about 700,000 visitors from all over North America and the rest of the world.

Madam Speaker, I would also like to mention a fond memory. During Expo '67 in Montreal, the city where I was born, the NFB presented a film which people are still talking about. It was screened in the Labyrinth Pavilion where film producer Roman Kroiter and his assistant Joan Henson, a close friend of mine with whom I attended McGill University, had prepared an absolutely extraordinary documentary highlighting Canada's cinematographic evolution. It was the NFB which provided these highly talented young Canadians with an opportunity to produce this film at the pavilion, a film which earned general plaudits at Expo '67. As early as 1967 therefore, 20 years ago, the NFB made a name for itself and for Canada in the realm of cinematography.

The NFB continues to be very active on a number of research and development fronts, experimenting with new techniques and thus keeping abreast of state-of-the-art technologies which it uses to its own ends and from which cinematographic circles in Canada and abroad can readily benefit.

A visit to National Film Board headquarters is all one needs to see how very succesful it has been. The walls are literally covered with plaques and awards attesting to the excellence of its productions.

One hundred and forty-six NFB productions were singled out for awards during the last fiscal year: 69 here in Canada, 40 in the United States, 39 in Europe, and one in Australia. *The Decline of the American Empire* alone accounts for 18 awards.

If I may, Madam Speaker, I would draw Hon. Members' attention to a special program designed to warn children against sexual abuses. This has to be the current topic with which we can all readily identify, and here again the NFB is leading the way. I am referring to the series *Mon corps, c'est mon corps* which is distributed by public organizations throughout Canada. In recent months this series has sold 7,686

video copies and the NFB is planning to send 3,500 videocassettes to public libraries from coast to coast.

Such success can only stem from the NFB growing popularity and the need for this kind of agency. Fully aware of current trends, the NFB has revamped its distribution network to make its products more readily accessible. Ever more organizations are promoting and distributing NFB films because its products are increasingly geared to a variety of needs. The number of Canadian viewers is on the increase and sales abroad are booming.

The National Film Board is responsible also for training our filmmarkers and upgrading their skills. Together with departments and provincial agencies, the NFB has developed experimental training programs dealing with various movie-making trades, as a result of which we are witnessing a new breed of people increasingly skilled in their craft, to meet the needs of our own producers and those of foreign producers who come to make movies in Canada.

Moreover, the NFB is making every effort to attract a larger audience by ensuring its presence on the national television networks during prime time, as well as on the educational networks. Over the past two years, the English and French national networks added more and more NFB productions to their programming.

Moreover, the NFB has been trying, in its programming to reach the various strata of our Canadian society, supplying with quality videos institutions such as video clubs, film archives and film theatres, as well as video distributing machines. Also in the area of broadcasting, the Government Film Commissioner tabled recently with the CRTC a request for licenses to be issued to Télé-Canada and TV-Canada, which will specialize in public interest non-commercial television services.

In line with the Caplan-Sauvageau Report recommendations, these services would serve essentially to identify Canadian social and cultural realities, to represent Canada in its entirety, to broadcast quality programs, to give Canadians, both men and women, with creative abilities better access to television, and to provide complementary programs.

That kind of project evidently reflects the will of the NFB to have the widest distribution possible for its productions. This is a necessity as important as the capacity to produce, Madam Speaker. Why have excellent films if people cannot see them? So this is a necessity for which funds are required. This is not the time to reduce the funds; we should rather try to add to the existing funds. This is why, breaking new grounds in the distribution area, the NFB has concluded agreements with public and school libraries to make them partners in the distribution of its films and videos.

That kind of agreement is very successful. I will give only one example but it is without doubt very telling. In 1984-85, the city of Quebec public library rented 335 videocassettes and 254 were viewed on the premises. However, following the signature of the agreement, in 1985-86, that is under our government, Madam Speaker, the renting of videocassettes went up to 5,525 and then to 8,070 in the first nine months of the following financial year; to that number must be added 3,700 internal viewings. Therefore, we realize, Madam Speaker how much public access to viewing has increased.

The countless successes of the National Film Board are not due to chance. They are due in the first place to experienced personnel which can be found at every level of the organization. They are due also to the leadership of the Commissioner and his management team. The NFB was not afraid to set itself some high objectives and does not hesitate to innovate and encourage creativity. As a public producer, the NFB provides support to all talented filmmakers everywhere in Canada. In fact, 70 per cent of NFB films are made by freelance filmmakers, a major contribution to the development of new talents and the growth of our cinematographic industry.

Madam Speaker, another plus is the very special consideration given women by the NFB which has set up mechanisms to promote the cultural constituency they so properly deserve. Whatever one may say, Madam Speaker, whatever the NDP opposition may claim, the Access and Equality program is aimed at wage parity and employment equity for women working at the NFB. Under this program launched last year, it is expected that parity between male and female permanent and casual NFB staff will have been achieved by 1996.

In this respect, Madam Speaker, it must be recalled that in 1974 the NFB created a separate unit—Studio D—to meet the specific needs of women film producers and English-speaking viewers. This is the special domain of anglophone women filmmakers. Through this unit the NFB makes it possible for women to produce films and provides them with an opportunity to become proficient in every sectors of cinematography. Ever since it opened its doors, Studio D has gained international recognition for the quality of its productions.

So those are some of the accomplishments which were made under the aegis of François Macerola and which ought to be kept in mind. We must be fully aware of them and realize how enriching they are for all Canadians, men and women alike. Are we going to take a stingy axe to such a cultural heritage? Are we going to deprive our filmmakers—even partially—of such an essential tool for our own development?

The NFB is a large and diversified public undertaking. It has already agreed to make major budget cut-backs, thus contributing to reduce the national deficit, as would any agency or ministry of a Government intent on setting public finances back on an even keel. Even at that the NFB has managed to fund its activities and come up with new programs. At the present time, the socio-cultural balance of Canada's cinematographic industry rests squarely on three production sectors: film production by women, regional production, and production of fiction feature films. These three creation sectors deserve the financial backing required for more dynamic expansion.

We owe the NFB the support it needs to carry on with its activities. It would be an unfathomable loss, Madam Speaker, for the private and public movie industry if our public producer were to be forced to reduce its involvement in areas of activities that are so important to each and everyone of us.

In this vast country of ours, with a number of remote isolated communities, movies play an essential role as an outstanding communication medium. We should give the film industry all our support and even increase that effort so that it can serve the Canadian people even better, rather than calling for cuts in its funding.

The suggestion under consideration bears the mark of ignorance, or at least of inexplicable blindness, and is therefore unacceptable. Such a lack of common sense is beyond belief, Madam Speaker. The motion calls for cuts of $100,000 out of a $72 million budget, for reasons which appear to be rather personal. I read the report of an exchange which took place at the Standing committee between the Hon. Member in whose name this motion for $100,000 cut stands and Mr. Macerola, and I must say that I was taken aback by the personal and agressive remarks of that person, and that I felt very sad when I read that text, because I deeply respect the Hon. Member who moved that resolution. I am surprised at the approach she has decided to embark upon for reasons which she will no doubt be explaining to us later on.

Deep in the memory and in the experience of every Canadian man and woman, there is a character, a lansdcape, a situation, which have helped them know and understand themselves better. We could all mention a movie of the NFB, a documentary which made us feel proud to be Canadians.

Let us think for instance of the innovation of Mr. MacLaren. I remember as a child, as a teenager at school, when we were shown those outstanding short films.

Just skimming through the 300 pages of the NFB inventory will provide an answer for everyone. The NFB is our collective memory, and that past and present memory deserves to be respected and protected. Presently, the National Film Board needs us and is asking us to let it keep its share of the development of the Canadian movie industry.

As we are the ones who need the NFB, Madam Speaker, we will agree with that request out of generosity and self-respect, and we will reject in no uncertain terms the suggestion of the New Democratic opposition.

The Acting Speaker (Mrs. Champagne): Questions and comments. The Hon. Member for Broadview—Greenwood (Ms. McDonald).

• (1130)

[*English*]

Ms. McDonald: Madam Speaker, I am rising on debate rather than to ask a question of the Parliamentary Secretary. Can we move to that?

The Acting Speaker (Mrs. Champagne): This is the period for questions or comments, but there being no questions or comments, we will resume debate.

Ms. Lynn McDonald (Broadview—Greenwood): Madam Speaker, it may seem to be quite an anomaly, and indeed it is, for me to be proposing a cut of $100,000 from the budget of the National Film Board because I am a long-term supporter of the National Film Board. I have protested against the very substantial cuts the Government ordered against the NFB and which have been defended by the Parliamentary Secretary who is going to the rescue. She is trying to defend against my proposal today, which is for a very specific purpose, and I will explain very precisely why. This is a symbolic gesture. The $100,000 that I propose be cut from the budget of the NFB represents the salary and benefits to the President of the NFB who has acted in a most irresponsible way. I intend to document to this House precisely in what kind of irresponsible fashion he has acted and why he is unworthy to be the head of the NFB.

I would like to see the NFB get lots more money, not just $100,000 more. I think it could use far more money than that. I have supported it in principle being involved a TV Tele-Canada proposal, which not everyone does, but I want to see the NFB involved in that.

I have opposed the drastic cuts suggested for the NFB in the past by government commissions, task forces and so forth. So I am a supporter and I am very disappointed about the way it is acting on the very important question of funding films for women, its own Studio D in English production and, of course, it is not making a priority for women in French production.

Studio D has been very important for women in this country. It has been a means of expression for women. It has given an opportunity for women film makers who, after all, have a much tougher time getting independent film money. The role of funding film makers who are women is absolutely essential for women to have voice and to be part of the world of film and video in Canada.

There has been a long history of attacks on Studio D. I can recall when I was President of the National Action Committee on the Status of Women defending Studio D when it was always about to be cut completely. We had to run to its defence because it was speaking for women in a way in which no other body was. I note also that the model of Studio D has been proposed as a model to emulate in other institutions. The Caplan-Sauvageau report, for example, made a recommendation that Studio D, the women's arm of the NFB, should be seen as an important player in the NFB's contribution to TV Canada, its expertise in producing women's films serving as a model to the entire broadcasting industry. I very much agree with this assessment. I think it is quite right.

I recall that for women trying to get the CBC to have more women producers, directors and more broadcasting reflecting women's points of view in an area where women were still

badly represented, Studio D was a positive model and it is a very important part of our cultural life.

I have been raising this issue with the President of the NFB when he comes before the committee for Estimates. I want to quote what was actually said. He came before the Standing Committee on Communications and Culture in 1985 on Estimates. I asked him about the role for Studio D. Mr. Macerola turned the responsibility of answering my question over to Mrs. Joan Pennefather, the Vice-Commissioner and Planning Director. She said: "The NFB is stating quite clearly its continuing support for women's production at the NFB and in Canada". With respect to production both in Studio D and by Francophone women at the Film Board she said: "We are not only supporting the continuance of Studio D but the expansion of its mandate, a national mandate to reach out to Anglophone and Francophone women". She goes on to say: "There it is, its work is continuing. It is not satisfactory and we want it to grow". She also talked about expansion.

• (1140)

I have already pressed them on the need to have an equivalent studio for Francophone women since Studio D makes only Anglophone productions. There has been a great demand for that. There has been a demand for the great films of Studio D to be subtitled in French so that they will be accessible. That has not been allowed, or at least not in nearly adequate numbers.

I suggested that in terms of popularity, rentals and sales Studio D is actually Studio A. In terms of winning prizes Studio D is Studio A. Indeed, when I suggested this in committee, the President of the National Film Board, Mr. Macerola, said: "Yes, you are absolutely right. Yes". I asked him about funding and why the studio was not getting more.

As to the discussion about the exact amount of money that it was getting, Mr. Macerola said: "The object is to increase that budget". This is from the transcript of the Standing Committee on Communications and Culture for May 9, 1985, at page 12:23. That is a very specific promise.

On the next page, page 12:24, Mr. Macerola states:

> We are just in the middle of the exercise of allocating the financial resources. It will be the normal increase . . . but that is not enough.
>
> I cannot give you a precise figure. Nevertheless, the objective is to increase the budget of Studio D and to increase the amount of money devoted to film making by women at the NFB. It will be a significant and a very important increase, but I cannot tell you the percentage because we are in the middle of it.

Nevertheless, significant and important suggests significant and important—large, not small. We have been promised a significant increase, and that was before a parliamentary committee which represents not only Parliament but the people of Canada in vetting the estimates of the National Film Board. It is what the President of the National Film Board promised.

What did he do? He did not increase the budget of Studio D. We know that in the meantime the NFB experienced cuts. But when we look at the period from 1985 until 1987, although there were cuts, that money has been restored. If we look under the heading "English Programming Financial Resource Allocation" for women's production, we see that the actual figure for 1985-86 is $2,531,000. The estimate for 1987-88 is down to $2,184,000. For marketing the figure for 1985-86 was $288,000 and for 1987-88 it is down to $228,000. These are decreases, not increases. Yet we had a promise of significant increases.

The total resources in this area of course have gone up. The total for production in 1985-86 was $22,960,000, whereas by 1987-88 the figure had increased to $24,939,000. For marketing there had been an increase from $4,079,000 to $4,715,000. This is a section of the Film Board that has had an increase in its allocations while Studio D has gone down. It has gone down in proportion, and it has gone down in actual figures. Yet the President promised an increase, and a significant one.

The Parliamentary Secretary thinks that my reaction is a personal one, as if it were somehow a peculiar reaction for a Member of Parliament who sits on the committee. The Parliamentary Secretary did not sit on the committee. She did not hear that promise. But she can look it up in the minutes of the committee meeting and see that he made a promise to the committee of a significant increase. She can read right in front of her that there is a real decrease. That is not a personal reaction. Here we have the President of the National Film Board making a promise to a parliamentary committee and then reneging on it and cutting the money.

If one turns the page in the Estimates to the next page and looks at French productions, one will see that women's productions are not even on the list—so much for making it a priority area for Francophone producers, directors and performers. This is something which has been demanded before.

The National Film Board likes to talk about its employment equity program. I applaud it for introducing an employment equity program. Every government Department and every enterprise of any size ought to have one. I am not against it. I have said before that I am in favour of it. I am pleased to see that it has one. Women should be able to move into other roles. Women should be part of every studio at the National Film Board. They should have opportunities for training and promotion, of course. But that is not a substitute for having Studio D, or a Francophone equivalent of Studio D. Women must feel so at home at the Film Board that they can get their ideas across so that there is not a situation of women film makers having to go to male managers of departments or studios and asking and trying to convince them that their point of view, while it might be a bit different, is nevertheless worthy.

We have to accept the fact that there may be differences of opinion as to what is the best way to do things artistically. There is a difference. *Vive la différence.* We want to see that the creativity of women and men has a chance to be explored. While there is a managerial structure that is overwhelmingly

male and women have to go to male managers to ask for money, that is not adequate. There may be a time in which Studio D is not needed. That may happen. But I do not see it happening yet. Until that happens we need a strong Studio D.

I can give Hon. Members an example of what the President of the Film Board said himself. This is from the committee hearings held on May 21, 1987. Again, he was being asked about Studio D. Mr. Macerola states, as reported on page 42:22:

> —well, I have some problems, frankly speaking, with the filmic approach of certain films. I think they are putting too much emphasis on the content but nevertheless, . . . this film is returning some good revenues.

From Mr. Macerola's perspective he does not like some of the work that Studio D does. He is entitled to his opinion. But it is important that there be a studio where women can make the decisions about what is film quality and not have to answer to a male manager who may have a different opinion. It seems to me only fair that that should be the case. Women should have a chance to explore and to use their creative abilities. If they have some differences, they should be expressed, just as men express theirs. In the meantime—we want to see women moving into positions in other studios and being able to do their work in other studios working with men.

When we have the situation of Mr. Macerola lying to a parliamentary committee, not fulfilling his promises, what do we do? The idea of having a separate vote for Studio D, to have a National Film Board women's division, seems to be not the way we like to do things in Canada. We like to have women and men working together. While we have a situation in which women have been very under-represented, not appointed to managerial positions and not being given any opportunities for expressing themselves, having a separate studio for Anglophone women and a separate studio for Francophone women makes sense. That is a reasonable Canadian type of compromise. The idea of having a completely and separate parliamentary vote, a completely separate board of directors and so forth seems to me to be going too far. That kind of separation of women and men is not what we want. I would like to think that women and men can by and large work together. But while women are still not on an equal basis in reality with men, we need two studios, by language, in which women can have their own voices heard.

I think the idea of having a separate vote and so forth, going to those lengths, is wrong. I am not suggesting we go that route. But I can tell Hon. Members that I feel very much puzzled as to what else we can do. I do not think we can continue with a President of the Film Board who comes to a committee and who admits that the studio is doing good work and who promises it extra money and then reneges on that promise. What is a parliamentary committee for if people will come before it and not do what they actually say they will do? We have to be able to count on the heads of agencies who come before us. If their word is not good, we have to get rid of those people and bring in people who will actually do the jobs properly and will be fair to both women and men.

• (1150)

If progress is made in employment equity, that is fine. I understand that some new appointments are coming up and I am very pleased to see that. We will certainly applaud any move in that direction. Women have been appointed as head of the camera department, head of the Atlantic regional office and recently head of the Pacific regional office in Vancouver. It is very good to see these appointments and no one is complaining about them. However, until there is real equality between men and women, we must see adequate funding for Studio D.

I note that an advisory committee for Studio D composed of people both in and out of the Film Board, film-makers and representatives of women's organizations across Canada, recommended that Studio D needed $3 million to $5 million to do its job. The people who made this recommendation know the Film Board and its capacity for work. They know what can be done. This year, $2,154,000 has been awarded to Studio D. That is not terribly close to what the advisory committee indicated would be sufficient.

Mr. Macerola has said that 36 per cent of English film production will be done by women this year. That figure does not sound too bad. It is not 50 per cent or 52 per cent, but it is not a bad figure. I note, however, that it is a bit of an exaggeration because the *Daughters of the Earth* program took a very large amount of money. There is a little blip from that and normally the participation of women is not nearly that good. Yet the quality of the films produced by Studio D is very good. Those films win awards all around the world. They are very popular. Canadian people watch them, rent them and buy them. They are sold in other countries as well.

A study done by Chris Scherbarth on Studio D productions in comparison with other NFB productions found that Studio D productions were borrowed or bought twice as often as other films produced by the National Film Board. We have an enormously successful studio, yet the President of the National Film Board is simply not giving it the opportunities it should have. This is despite its artistic success and popularity.

I believe my proposal is the only symbolic gesture I can make. I would like to see the NFB receive more money for Studio D and for other studios. However, I as a private Member cannot move for an increase in the budget. As all Hon. Members know, that is not open to a private Member. However, I am concerned that there be fairness for women and men film-makers. Women and men taxpayers contribute to the National Film Board and I am concerned about fairness.

As a parliamentarian, I am concerned that the head of an agency came before a parliamentary committee and gave an undertaking which he did not respect. I think we must respond to that, and I throw it back to the Government. What should the Government do when the word of the head of an agency cannot be relied upon? I believe that a person like that should be replaced with someone who will be honest and open to the

needs of Studio D and who will be fair to both the women and men who work at the National Film Board.

Mrs. Mailly: Madam Speaker, today we have seen a perfect example of what would happen to government policies if the NDP ever got into power. We have heard a whole mish-mash of emotions but very few facts. Some of those facts, to be polite and use parliamentary terms, are so twisted that I cannot recognize from where they come from.

I would like to point out what the Hon. Member said in the exchange about the separate set-up for men and women at the National Film Board during the meeting of the Standing Committee on Communications and Culture which the Hon. Member read. It reads:

> I suggest to you that it is inadequate, that you are insensitive, and that you have rested on the fact of having an employment equity program, which may do great things in the long run.

The Hon. Member says that women have to run hat-in-hand and hat-pin in the other hand to react to men at the National Film Board. In saying that, she is omitting a few facts. The trustees of the National Film Board are composed of four men and four women. The National Film Board senior management committee is composed of three men and four women. The heads of the National Film Board's English regional studios are three men and two women. The National Film Board's French fiction studio which administers over $11 million in co-production funds is composed entirely of women. I do not know where she gets her figures.

I have before me the budget summary of the National Film Board for the period from 1983 to 1987. The figure at the bottom designates money attributed to the French unit of Studio D which our Government brought in, in 1986-87, first with a budget of $159,000 and now for 1987-88 a budget of $404,000. The Studio D budget went from $579,000 to $795,000, which means there is already $1,300,000 where there used to be $600,000 for Studio D and its French counterpart which did not exist previously. Added to that is the federal Women's Film Program, the International Year of Youth training project, which was also done by the NFB and dealt with men and women, the Employment Equity Program, which has $337,500 in training funds right now, as well as the Women's Market Development Group. In 1983-84, that was $504,142 altogether, and what is it for this year? It is $1,678,430. How can that be a decrease? I do not understand.

What we have here is a difference in philosophy. I have discussed with the Hon. Member for Vancouver—East (Ms. Mitchell) the NDP's approach to equality for women. Members of the NDP think in terms of quotas. Since 50 per cent of the people in Canada are women, they think that 50 per cent of every program everywhere, even if women are not involved in a particular activity, should be composed of women. That is ridiculous.

Members of the NDP think in terms of quotas and reverse discrimination. They think in terms of ghettos. They feel that if they cannot get their pound of flesh, men and women should live in separate ghettos. That is the philosophy of the New Democratic Party. Members of the NDP think that women cannot hack it in the real world so they should be put in a favoured environment, watered and fed so that they will grow like beautiful flowers. That is nonsense.

Ms. McDonald: Madam Speaker, I note that the Parliamentary Secretary simply totally ignored the Estimates of her own Department. She said she does not know where I got my facts. Expenditures in 1985-86 were $2,531,000, an amount which has gone down to $2,184,000 for 1987-88. I do not understand how that can be an increase. Of course, there has been a loss in purchasing power because of inflation. Those are the facts.

The Parliamentary Secretary has taken some very selective positions and has referred to them. The board of trustees does not decide which individual films will be funded. Let me quote what Mr. Macerola said about the NFB before the committee, and this can be found at page 42:36 of the transcript of the meeting of May 21, 1987. He said:

> What I was saying is that for the time being, I am head of a cultural organization that is a male organization, like all the other ones. Therefore I have to redistribute the existing funds, that is I have to go and get the money that is being spent by male producers and directors in order to give it to another constituency.

He was complaining about my suggestion that Studio D ought to get more money. He said "no", that the NFB was a male organization, and that he had to cope with the male producers who run the NFB. That is what he said in committee. Then he went on to say:

> The easiest way for me would be to "ghettoize" the women who work at NFB and increasing Studio D's budget by $2 million or $3 million.

He was counting on an increase to Studio D, which he promised before the parliamentary committee two years earlier. Then he said that that would be to ghettoize women.

• (1200)

It is absolutely preposterous to say that giving money to Studio D is to ghettoize women. If that is the policy of the Government, then it ought to get rid of Studio D altogether. We do not want a ghetto. We want a climate where women can work and get their stuff out. That is what Studio D was doing. I do not think the Government can have it both ways. If it wants to say that it is a ghetto, that it is a bad thing, then the Government ought to get rid of it.

We certainly cannot have the head of an agency come before a parliamentary committee in 1985 and promise an increase for Studio D, and then return to the same parliamentary committee two years later, having decreased the funds available to Studio D, with the excuse that it was on the grounds that the male producers who run the NFB would not let him do otherwise and that to give more money to Studio D would be to ghettoize it.

Why did he not say in 1985 that he was against Studio D and against ghettos? He has simply not been honest.

I should like to see the Parliamentary Secretary respond to these false statements made to the committee. I am absolutely astounded. She was not at the committee at that time, but now that I have brought it to her attention, I hope she will take it up with the Minister.

It is grossly irresponsible for her to say that it is all right for the president of an agency to come before a committee, to lie, to make promises and not to fulfil them, and then to attack someone who points that out and react personally. I think Parliament ought to be very concerned when the head of an agency comes before a parliamentary committee on the Estimates and lies before that committee.

Mr. Orlikow: Madam Speaker, I hesitate to ask this question of my colleague as she is a member of our Party, but I say to her that I would ask this question of any Member.

I think it is a very serious matter for a Member of Parliament to rise in the House when the Member has what the Member says is privilege and the person accused does not have the opportunity to reply.

Mrs. Mailly: Right on.

Mr. Orlikow: My colleague, for whom I have a great deal of respect, has said repeatedly in her speech today that the head of the National Film Board lies. I do not know how the head of the National Film Board can reply to that.

When the committee was meeting and when the head of the National Film Board was there, did the Hon. Member make that charge to him so that he could reply to that charge at the meeting?

Ms. McDonald: Madam Speaker, I did not make the specific charge there because I wanted to consider carefully copies of *Hansard* and the Estimates. I asked him and gave him an opportunity to give an undertaking that he would fulfil his word.

I asked him very explicitly, since he had brought in these Estimates which were a decrease, if he would then undertake to increase the budget of Studio D. He then said "no", absolutely and categorically. I gave him a last opportunity to make good on his word.

Subsequently I went over the record very carefully to compare his original statements in the 1985 meeting with what happened in 1987.

As I say, I gave him an opportunity to make good on his word, and that is when he came up with the response that it was a male institution. He came up with excuses as to why he was not going to make good on the word he gave back in 1985.

Mrs. Sheila Finestone (Mount Royal): Madam Speaker, I somewhat reluctantly join in this debate on Vote 60 in respect of the cut of $100,000 to the budget of the National Film Board.

I am disconcerted by the manner chosen by the Hon. Member for Broadview—Greenwood (Ms. McDonald) to bring to the attention of the House what she perceives to be untruths spoken and undertaken by the chairman of the board and our film commissioner in respect of Studio D.

I was not there in 1985. I was not the communications critic at that time. I was at part of the meeting to which the Hon. Member for Broadview—Greenwood referred in May, 1987.

I actually left that meeting because I believe that one has an obligation to be at least polite and to maintain a degree of decorum when one is speaking with public servants and technocrats who are there to serve our society. One can disagree, but one does not have to be disagreeable. I was so discomfited that I left.

I went over the exchange but not with the same fine-tooth comb as the NDP Member went over the exchange. I have subsequently asked myself what we are talking about in respect of the National Film Board and women.

I know that the National Film Board has a very wonderful Studio D. I know that it produces some extraordinary films about, for, and addressed to women as well as the general population. The film commissioner has a commitment to the cultural space occupied by women at the National Film Board and to film-making in general, film-makers in Canada. He has been attacked by the Hon. Member for Broadview—Greenwood. In my view he has shown—and I say it in all sincerity—some leadership and a great deal of sensitivity to the matter of equal opportunity and to the development of women, not only in Studio D but throughout the National Film Board.

The track record of the National Film Board and the final results we have seen—and one must assume it is because of the leadership; I have no other way of making such a presumption—have indicated an ongoing improvement since the appointment of the present director, Mr. Macerola, in 1983. If we look at our other cultural industries, whether it is broadcasting, cable, television, or book publishing, in every single industry the situation of women and their presence in those industries is indeed something to criticize.

I suggest that the Hon. Member for Broadview—Greenwood is as strong a proponent of the role, space, and place of women as I am. However, I think we see things somewhat differently. I see the world as a shared partnership, families and people who live together in society. I do not look at 52 per cent *per se*. I look at competence, equivalents, and the right to move regardless of one's sex.

I also say that there has been discrimination and stereotyping and that therefore we must do some additional promotion, which is called employment equity. I have been very critical of the Government's employment equity Bill, Bill C-62. I have said very strongly to the Parliamentary Secretary—and she knows that I have said it—and to the Minister that all the right words are in place; the problem is that there are no teeth in the Bill to put employment equity into action. All one must do, according to the Government, is to deposit a report. You

can avoid any kind of punishment and any kind of sanction. That is not good enough, Madam Speaker. On that score, the Government has done lovely things with words, flowers and smoke and mirrors, but it has put no practical application to it. On the other hand, we have the chairman of the National Film Board, the film commissioner, who has said, contrary to all his other colleagues in the cultural field, "I intend to do something about this."

• (1210)

In December, 1986, the National Film Board announced—voluntarily—its plan to establish a new division to head an employment equity program which aims to achieve parity among women and men in all National Film Board staff and contract positions by 1996 and to ensure a more equitable place for women in all aspects of film-making in our society, particularly by establishing training and apprenticeship programs. I wish Treasury Board would take note of what the National Film Board has done and apply the same thing across all the Crown corporations in our Government. The goals set will be met through funding and hiring practices, through training programs, film crew selection procedures and greater support of the board's film unit.

The program is the first to be implemented by a major Canadian cultural organization. The program was initiated as a result of a study done by the National Film Board completed in November, 1986. It was not a surprise to me nor to the NFB that the study found that men make up 78 per cent of the management, 69 per cent of the film-makers and 85 per cent of the technicians. Furthermore, and I am sure the Parliamentary Secretary is well aware of this, men make $4,000 to $6,000 a year more than women in all categories except in the support staff. It is traditional and normal in Canadian society that women get paid a 60 cent dollar. I think women now get a 64 cent dollar, but we are looking for a 100 cent dollar.

In the meantime, the National Film Board took a really solid look at things. Because women comprised 72 per cent of the board's support staff and 93 per cent of the its clerical and secretarial staff it said something had to be done. In actual fact, when you look at the number of National Film Board employees, as of February 28, 1986, you have on full-time staff 324 women and 421 men. In terms of division, women are trying to get to an equal situation—we have not made it yet—but at least there is a program being put in place that will see an improvement in this unfortunate distribution which does not reflect women's competence, capabilities, ingenuity and creativity in the cultural sector. This program grew out of the Film Board's five year operational plan which guarantees Canadian women equal partnership in the National Film Board's reform.

The federal employment equity legislation to which I referred before, Bill C-62, passed last spring required all federally regulated employers and Crown corporations to report annually to Parliament on the progress in the hiring and promoting of women, the disabled, native and visible minorities, as per the whole of Section 15 in our Charter of Rights and Freedoms, it being the equality section. The concept was to be applied in the National Film Board. We have been addressing particularly Studio D.

I suggest that there are other aspects which need to be addressed, not only Studio D, relating to visible minority women, relating to visible minorities, relating to native people, women, and native people in general. We have to look at the whole ball of wax and see what the National Film Board will come up with in all of these categories.

The Film Board, as you well know, Madam Speaker, does not fall under the employment equity legislation. That is why the President and his board must be complimented. They have shown leadership. They did not have to put themselves under Employment Equity legislation because NFB is an arm's length cultural institution. But Mr. Macerola intends to keep the Government informed about the progress and the implementation of the program. That is a very forward move.

The Member quoted from the hearings and the exchange with the Vice-Commissioner of the National Film Board, Joan Pennefather. I too asked about employment equity. She went on to tell us that not only was the NFB involved in an employment equity program, but it would also bring in contract compliance, something which the Government did not even bother to do in its legislation which it should have done and which was promised during the election. The Government forgot to keep that promise along with many others. What did Joan Pennefather say in response? She said that the National Film Board has gone further than the employment equity legislation and has implemented contract compliance. Contract compliance is an essential component of the employment equity program ensuring that when the National Film Board is working on co-ventures with partners in the independent producer sector, it will see that employment equity is involved through contract compliance.

The Hon. Member said there were cuts. There may have been some cuts. I am not prepared to argue down to the finest of details. But I am prepared to suggest that one should look at what happened to Studio D over a year ago. Through no fault of Studio D it had a deficit. Anyone who is in business, whether in public company business or private company business, knows that when you have a deficit it has to be dealt with. Studio D had to deal with that deficit. Studio D had a lot of carry-overs, projects which it carried over from 1985 to 1986. There was, and understandably so, some discontent at Studio D. There were film producers who were not getting jobs. There were new projects. Studio D has a million and one new ideas which are good, exciting and dynamic. But you and I know that we cannot have everything we want. We have to do things within certain parameters. Studio D, with this long list of carry-overs and with the deficit it had to pay back, did not have the kinds of funds it wanted that year.

Let us look at what has happened. Basically, we have had dollars invested in film projects produced and directed by

women. In the English branch we had a total of $18,121,898 in production, $6,581,334 of that or 36.3 per cent was done by women. In the French branch with a total of $12,334,697 of production, $3,610,423 or 29 per cent, was done by women. That is not fifty-fifty, but I hope we will move to fifty-fifty.

There have been no cuts in the over-all budget. In Studio D in 1983-84 they had $363,708, and the amount was $795,450 in 1987-88. I will place in the record, if I have time, the total of this budget, but I now want to go on to another aspect.

With respect to the over-all National Film Board, we are talking about five studios in Montreal, one in Toronto, one in Halifax, one in Winnipeg, one in Edmonton and one in Vancouver. Each one of these studios has projects dealing with women and with women's issues. Not all projects with respect to women come out of Studio *D*.

The Member said that she does not want to see Studio D perceived to be a ghetto, and neither do I. I am saying to you, Madam Speaker, and to the Member for Broadview—Greenwood, the leadership and the motion before us, which is a motion of censure on the management and leadership of Mr. Macerola, is not a fair critique. We see coming from all the studios some excellent projects and programs which deal with women and women's concerns. They are not just women's concerns, they are society's concerns. Things concerning women, from women's point of view, are very important. There are also women who produce and direct on their own, not necessarily in Studio D.

• (1220)

Studio D, which was founded in 1974, the International Year of Women, has produced many films to date. It has been a training ground for young film producers. They have gone on to other studios with their skills, training, their vision and view, scripts and productions.

Studio A is an animation studio and it boasts five studios in Montreal. It was founded by Norman MacLaren. Wendy Tilby of Vancouver has produced a wonderful film called *Tables of Content*. She has already won two major awards, one in France just last week. She won the best women's film award at the Annecy meeting in France. She does not come out of Studio D, she comes out of Studio A. Quite frankly, I do not care what studio she comes out of as long as she has produced a fine film with taxpayers' dollars which reflects women's concerns from a woman's perspective. I do not think she has to be from Studio D. Obviously, if Mr. Macerola were not interested in women, he would have done something that would have been counter-productive to producing these kind of women.

Studio A has an opportunities program for young children animators and film directors. On the French side, research is being done in the two-dimensional animation field. We have produced *Sand Castle* which won an academy award and gave us a chance to experiment in new technology and new technique.

In Studio B, the fiction studio, great features have been produced. We have had some excellent critical awards. One of the best film-makers, Donald Britton, did that film on Mackenzie King. Do not tell me that women in our society are not interested in Mackenzie King, his peccadilloes, his view of women and whether or not he looked in a crystal ball. Women are just as interested in that as men. The fact that it was produced in that studio does not detract from Studio B or the vision we have.

The film on Hal Banks which was produced last year had a very serious impact on the lives of women. It impacted on how their husbands live. I do not think you can discount that. *Sitting in Limbo* and *90 Days* are excellent films that need to be recalled.

With respect to Studio C, the centre for documentaries, it has produced wonderful film series such as the one done by Gwynn Dyer on war and the consequences of war. Does that not impact on women? Some day we ought to look at a film series done by women on the impact and consequences of war. It might be a different film. I hope in that sense we will see an evolution in the role of women in the National Film Board. Co-production on the French side in that studio is very important.

In Studio G we are doing multi-media and educational programs. My friend talked about how young people view themselves within the educational framework. Those are important projects.

What is the true portrait? The NFB board of directors is composed of four men and four women. Senior management is composed of three men and four women. The heads of the regional studios are three men and two women. The French fiction Studio C, which administers over $11 million in co-production, is composed of women only. What I am trying to say to you is that the NFB renewed its commitment to the federal Government's women's film program in the amount of $2 million over the next five years, and that is some commitment.

In closing I want to point out to you that the voice which the Hon. Member for Broadview—Greenwood brings to this debate is not consonant with the voices of some women's organizations. Madam Louise Dulude, in December, 1986, had only praise for the NFB announcement and said that since they are a federal government agency they are under no obligation with respect to employment equity or the promotion of women. She feels they deserve full credit. That credit goes to the head of the NFB. In March of 1987, MediaWatch, the Canadian Coalition Against Media Pornography, and the National Action Committee on the Status of Women held a conference called "Adjusting the Image: A National Conference on Canadian Broadcasting Policy" and paid compliments to the NFB.

I want to conclude by saying that I oppose the sense of the amendment. We cannot afford to cut $100,000 from the NFB. It goes against the creativity which has been demonstrated in

the leadership and all the way down the line. So I reject out of hand the amendment to the motion.

Mr. Murphy: On a point of order, Madam Speaker. Through an inadvertent slip-up the amendment which the Hon. Member just spoke against has not actually been put to the House. There have been consultations with the Parliamentary Secretary and the Liberal Whip and, with unanimous consent, the Hon. Member for Broadview—Greenwood (Ms. McDonald) should be allowed to make her motion at this time.

The Acting Speaker (Mrs. Champagne): Is there unanimous consent?

[*Translation*]

Mrs. Mailly: Madam Speaker, I would like to reply to this point of order. We would agree with the proposal except for the fact that we would like to complete the 10-minute question period, and then proceed with unanimous consent to the amendment standing in the name of the Hon. Member for Broadview—Greenwood (Ms. McDonald). We wish to go on, but I do not think that the Hon. Member for Mount Royal (Mrs. Finestone) is aware of this, and she has now gone out. I have a question to ask her. When the 10-minute period is over, if everyone agrees, we can proceed with the amendment.

[*English*]

The Acting Speaker (Mrs. Champagne): There seems to be consent that we complete the question and comment period following the speech of the Hon. Member for Mount Royal (Mrs. Finestone). I will then recognize the Hon. Member for Broadview—Greenwood (Ms. McDonald) to put her motion.

Questions or comments.

[*Translation*]

Mrs. Mailly: I thank my colleague for Mount Royal (Mrs. Finestone) for her speech. I know that she is a member of the Standing Committee, on which my position of Parliamentary Secretary unfortunately prevents me from sitting. A Parliamentary Secretary cannot sit on a Standing Committee to ensure that all its members will have every freedom to develop policies on the issues involved. This is why the Parliamentary Secretary does not sit on the Committee. It is out of respect for the independence of the Committee. However, since the Hon. Member for Mount Royal herself does sit on the Committee and quoted some of her own comments before the Committee, I would like to ask her to confirm officially what Mr. Macerola said in reply to the question asked by the Hon. Member for Broadview—Greenwood (Ms. McDonald). The Acting Chairman had just asked the Hon. Member for Broadview—Greenwood to let the witness answer since he was being bombarded with questions. Mr. Macerola then replied.

[*English*]

MR. MACEROLA: What I was saying is that for the time being, I am head of a cultural organization that is a male organization, like all the other ones.

Obviously he meant a male-dominated organization. That is the world as it is, but we want to change it. He continues:

• (1230)

Therefore I have to redistribute the existing funds, that is I have to go and get the money that is being spent by male producers and directors in order to give it to another constituency.

Mrs. Finestone: What page is that on?

Mrs. Mailly: I am on page 42:36 of the minutes of May 21, 1987. He continued:

The easiest way for me would be to "ghettoize" the women who work at NFB and increase *Studio D*'s budget by $2 million or $3 million. However, I decided to choose the harder way.

I have chosen to enhance the cultural space occupied by women, not only within *Studio D*, but also within the NFB and within the Canadian film-making milieu.

So, the whole world is our oyster, Madam Speaker. He said:

That is my philosophy. That is why I believe that I have all the required competence and capacities to lead that organization.

I ask whether Mr. Macerola answered that way in committee.

Mrs. Finestone: Madam Speaker, I would like to be able to say that I was there and heard it with my own ears. Regrettably, I had to leave before the end of the meeting. Therefore, I did not hear it. I have, however, read it. I wondered what the meaning of that jargon was. I called Mr. Macerola and asked him what he was talking about when he said: "I have chosen to enhance the cultural space occupied by women, not only within Studio D but also within the NFB and within the Canadian film-making milieu". I told him that I did not understand his philosophy in English and asked him to explain it to me.

I am glad the Member asked that question because the answer really meant that he was going to apply employment equity and ensure that women get equal opportunity based on their competence, the projects they will present, and the fact that they are creative, innovative and competent. He said that he believed that to be the case and that it should apply not only in Studio D but across the board in those areas in which he has an involvement.

If the Hon. Member wants to know whether I heard it, the answer is no; whether I read it, the answer is yes. As to what it means, I have just told you what it means.

Ms. McDonald: Madam Speaker, I would like to make a comment first and then ask a question. I am very perplexed by why this has to be an either/or proposition, that either we have employment equity or we have Studio D. I am in favour of both, and I would hope all Members here would be in favour of both. It is not an either/or proposition. We need Studio D. The day may come when we do not need it, when women will be so much at home in any studio that it will seem superfluous to have a separate studio. However, in the meantime we need it and we had a promise that funding to it would be increased.

I applaud the employment equity program. I do not know why the Liberal critic talks about support for the NFB by the National Action Committee, MediaWatch and so as if that were somehow in opposition. Of course they should applaud

the NFB when it does the right thing. I do too. There is no opposition. That is a completely false opposing of sides. I applaud their employment equity program, but it is not a substitute for Studio D. I think this false opposition has caused us to miss the point of the debate.

I would like to ask the Member a question for clarification. Was there a decrease between 1985 and 1987? The Member referred to figures from between 1983 and 1987, but I am not talking about 1983. The Member's figures showed an increase between 1983 and 1987 but there was in fact a decrease between 1985 and 1987. Would the Member confirm that? The promise was made in 1985.

Second, is it all right for the President of an agency to come to a committee and promise an increase and then to decrease the funds?

Mrs. Finestone: Madam Speaker, I will answer the second question first. I was not there when the promise was made. From the Hon. Member's description the promise seems to be more of a global nature than a specific nature. From reading the minutes of the committee proceedings it seems to me that the promise to increase Studio D related to a budget cut which had taken place. There was a hope that money would be coming back to the National Film Board from the Treasury Board and that if such funds came back a portion of them, or perhaps all of them, would be turned over to Studio D. I was not there in 1985. All I can say is that I have heard the Hon. Member speak to Mr. Macerola, in not the most gentle of terms, with respect to that issue.

I will send my hon. colleague a copy of the figures I have on the Studio D budget. I said that in 1983-84 Studio D had approximately $363 million. In 1984-85 it had $343 million. In 1985-86 it had $554 million. In 1986-87 it had $579 million, and in 1987-88 it has $795 million. When I subtract 579 from 554 I still get an increase rather than a cut.

Ms. McDonald: No, no.

Mr. Gormley: That's it for questions and comments.

Mrs. Finestone: Does my hon. colleague who just chaired the other meeting want to ask a question too?

Mr. Gormley: I will let you ask me questions.

Ms. McDonald: Sheila, you haven't got the right figures.

Mrs. Finestone: Madam Speaker, if I do not have accurate figures I will have to recheck them. I am not lying to the House or misleading it. These are figures which I have taken—

Ms. McDonald: Look at the Estimates.

Mrs. Finestone: I am looking at the budget summary, Madam Speaker. These are the figures in the budget summary. However, I will go back and check that to which the Member is referring. My over-all sentiments remain the same. I have not heard the President mislead or lie. I was not there. I understood that there was a promise "if", and that promise was not realized because new moneys were not forthcoming or moneys were not recovered.

I am sorry but I still cannot agree with the Member for Broadview—Greenwood, as much as I would like to support her. She usually does very good research and there is something wrong somewhere.

The Acting Speaker (Mrs. Champagne): The time for questions and comments is over. Pursuant to prior unanimous agreement of the House I will now recognize the Hon. Member for Broadview—Greenwood (Ms. McDonald) to move an amendment.

Ms. Lynn McDonald (Broadview—Greenwood): Madam Speaker, I move:

> That the motion be amended by deleting the amount of $64,443,000 and substituting therefor $64,343,000.

The Acting Speaker (Mrs. Champagne): I have received the amendment and it is in order.

Mrs. Finestone: Madam Speaker, I rise on a point of order. I would like to know if this in any way nullifies the debate which we have already had due to a lack of process.

Mr. Murphy: No, you're still on record.

The Acting Speaker (Mrs. Champagne): Not in any way. There was unanimous consent of the House to allow this amendment to which everyone has referred throughout the debate this morning. The amendment is now before the House.

• (1240)

Mr. John Gormley (The Battlefords—Meadow Lake): Madam Speaker, it is a pleasure to have this opportunity to speak to this particular motion. However, I must confess that it is not without a rather strong sense of incredulity that I find myself compelled to defend the proposed 1987-88 budget for the National Film Board. It is lamentable, in fact completely incomprehensible, that any Member of the House would suggest diminishing our support for the National Film Board of Canada.

As a member of the Standing Committee on Communications and Culture, I know I speak on behalf of all government Members in saying that the Government wishes it could have given more to the National Film Board this year and we regret the budgetary constraints that do not make this possible. However, we live in cognizance and awareness of certain economic realities.

I find it strange that a member of the Opposition would actually suggest that we appropriate less money for the National Film Board this year. I find it rather reprehensible that it would come from a Member who I believe has a long and distinguished record not only in the field of communications and culture, but in having women play a complete and equally participating role in Canadian society.

That Member has spent a great deal of her career defending the National Film Board and has often stated what she and the New Democratic Party believe are many of the dangers to culture from free trade. We know that these fears are unfounded. One has the impression of posturing when members of the NDP talk about a freer or enhanced trade threatening the cultural sovereignty of the National Film Board but then proposing less money for the National Film Board of Canada.

There is no question as to where the true danger lies. It is not with our Government's far-seeing policy of securing economic growth through expanding our markets. However, it is in the betrayal by any Member of the House of the kind of cultural rights that we try to uphold.

Many of us see these cultural rights residing in the National Film Board and the kind of work that it does. To undermine this cultural instrument in Canada through arbitrarily slashing money off the budget, $100,000 in this case, is truly dangerous to Canada's culture.

The Member for Broadview-Greenwood (Ms. McDonald), on this day when we discuss Estimates, should be defending the National Film Board rather than attacking it. Anyone versed in the cultural history of Canada would know that contribution that the National Film Board has made to our national identity. The international reputation of Canada has been indeed illustrious in the NFB's 48 years of history.

Established in 1939 by the legendary John Grierson, the board quickly became a pioneer in documentary film-making. It remains a world leader to this day.

In the early days when the NFB got its start, it did not remain exclusively in the documentary field for long. With the arrival of Norman MacLaren in 1941, the NFB began laying many of the foundations of its international reputation for imagination and innovation in the field of animation. This reputation still holds true today, not only for independent Canadian film-makers but in the good name of the NFB itself.

MacLaren was a genius who continually developed new film-making techniques, drawing, painting and even scratching directly on the film itself to achieve effects that others never even imagined. Norman MacLaren was honoured around the world not only for his artistic achievements, but also for his contribution to world peace and understanding through films such as *Neighbours*.

But his brilliance might never have been able to flower had it not been for the National Film Board, where he was free to transcend the commercial pressures of the bottom line and to pursue innovative ways that were artistically and culturally far ahead of many of the pioneer film-makers. His techniques have recently reached critical acclaim from mass audiences.

His productions, and those of the NFB in many disciplines—features, documentaries, shorts, animated films and videos—were far ahead of their time in the 1940s and 1950s. They were popular and acclaimed. In the ensuing 40 years, NFB productions have appeared in some 60 languages and have won innumerable international film festival prizes, acclamations, and awards.

For example, in 1960, the film *Universe* won the Jury's Prize at the Cannes Films Festival for the exceptional quality of its animation, as well as 23 awards from other film festivals. Other NFB films have consistently won prizes at Cannes. These winners have included over the years: *Blinkity Blank*, *City of Gold*, *Women on the March*, and most recently all Canadians are very familiar and proud of *Le Déclin de l'Empire Américain* which won the Cannes International Critics Prize just this last year.

Other NFB films have won the prestigious Robert J. Flaherty Award of the British Academy of Film and Television Arts. They include *Nobody Waved Goodbye*, *Grierson*, *Los Canadienses*, *Prologue* and *Sad Song of Yellow Skin.*

The films which were winners at Cannes and in the British Academy also won many other international prizes. However, these films represent only a few of the international award winning productions of the National Film Board of Canada.

Many Canadians, particularly those in the more widely distributed commercial film category, look to the American Academy of Motion Picture Arts and Sciences for the Academy Awards. The Academy Awards are often a test around the world of the commercial viability and success of popularly distributed film.

The Academy of Motion Picture Arts and Sciences has recognized the National Film Board achievements with an astounding total of over 50 Oscar nominations for NFB productions. The Film Board has had eight Oscar winners so far. They are: *Churchill's Island* in 1948, *Neighbours* in 1953, *Le Château de Sable* and *I'll Find a Way* in 1978, *Special Delivery* in 1979, *Every Child* in 1980, *If You Love This Planet* in 1982 and *Flamenco at 5.15* in 1984.

All of these award-winning productions were rooted in the Canadian experience. Many involved powerful and occasionally searing explorations of Canadian cultural and social life.

Many were done on low budgets through the NFB's regional offices, which contracted much of the production work out to free-lancers.

We should all be very proud and amazed at what the NFB has accomplished with the money Canadians have entrusted to it over the years. The board's record calls for all the support that this Government is able to give to the NFB.

It is time for fiscal prudence. I believe every Canadian who sees the astonishing national debt that was bequeathed to this Government by years of reckless spending by previous Liberal Governments, knows that tough decisions must be taken to achieve the kinds of savings the Government needs.

The National Film Board has achieved substantial saving under its five-year plan. It is not a time to be lopping off $100,000 from the NFB budget, an institution which has been a source of great pride to many Canadians over the years.

I want to comment on this motion and why it has been moved at this time. Since it is not parliamentary to impute motives to another Member, I will not do so. However, I will directly share with the House why this is being done.

As a member of the parliamentary Standing Committee on Communications and Culture, I know there has been a rather unfortunate, long-standing and ever increasing degree of enmity, animosity and open hostility between the New Democratic Party member of our committee, the Member for Broadview—Greenwood, and the very renowned and esteemed President of the National Film Board, Mr. Francois Macerola.

In a rather distasteful exchange recently before the committee, that NDP member called the President of the Film Board arrogant. Just this morning in committee, she said that he had "lied to the committee".

I understand that earlier this day during the debate the Member for Broadview—Greenwood also referred to lying. The Member's concern is about the place of women in the National Film Board and their place as producers and directors and those contributing to Canadian film. Her concern is shared by every Member of the House. They say the best way to make any man a feminist is to have daughters. That we will see our daughters with full equality with men in Canadian society in the next 10 or 20 years is of great importance to us.

• (1250)

Mr. Skelly: That is paternalism.

Mr. Gormley: The Hon. Member of the New Democratic Party interrupted me just as I felt a wonderful speech on feminism coming, but perhaps I will save that for another day. We who have children want to see our daughters attain an equality in the arts, culture, business, law and in many other sectors of Canadian society.

The Hon. Member for Broadview—Greenwood has had a long-standing row with the National Film Board over what she believes the NFB is doing in place of allocating funds for Studio D, the women's studio, for employment equity and for encouraging the development of women. However, I think the Hon. Member has far overstepped parliamentary privilege in referring to a Canadian citizen as lying under parliamentary privilege where that citizen has no recourse against that allegation. I think a careful examination of the record will show that as well as being unparliamentary and unfair, it is simply not correct in this case to refer to the film commissioner of Canada as having lied or having misled a parliamentary committee. More than that, this row has led to the motion today to eliminate $100,000 from the operating budget of the NFB. What the Hon. Member is trying to do is somehow to punish the film commissioner for what she believes has been a lack of performance on his part on behalf of women's issues.

The mind boggles at that philosophical approach. I do not always agree with Mr. Juneau of the CBC, but is the answer to cut more money from the CBC? I do not even like Knowlton Nash. I would not have hired him as an anchor man. But should we eliminate his salary from the CBC? Any good and sensible parliamentarian would see that it is the height of irresponsibility to try to inflict upon a Canadian organization, particularly a cultural organization, one's own viewpoint, in this case, often dogmatically, by assaulting the fiscal planning of the NFB by trying to reduce money from its budget. I think Members of this House, particularly those on the government side, and members of the Standing Committee on Communications and Culture, feel a sense of revulsion about this.

I am not usually very partisan in this House, but this is really an example, I think, of what we see as a great contradiction. Back where I come from, the NDP goes out to talk to farmers and damns the grain handlers every time there is a strike. This is the same NDP which is run by the Canadian Labour Congress, of which the grain handlers are dues payers. That is the height of hyprocrisy. It is typical of the New Democratic Party.

The NDP cultural critic, who extols the virtues of the NFB, as we all do, scares the devil out of the cultural community by saying the NFB will be jeopardized if we have free trade, and we all know that as false. Here is a person, who is a self-styled, well respected advocate of the NFB, standing in this House asking us to lop money from its budget. That cut in money is designed to cause personal harm to the Film Commission of Canada and the chairman of the NFB, Francois Macerola. I think it is a petty way to deal with one's difficulties and disagreements with the policy of the NFB.

I would hope that in the remaining part of this debate, and in the future of the NFB, we do not see this kind of narrow-minded, overly partisan sort of attack, not only on the NFB but on the very integrity of a man who is respected by all Parties in this House for doing an excellent job in leading Canadian film policy. I would like to point out that if one looks at the record of NFB with respect to women, one will find that of the eight Oscar-winning films I mentioned just a moment ago, three have come from the NFB Studio D. The only permanent women's film making unit in the world, Studio D has often given compelling expression to the Canadian voice on the world's stage, a voice of conscience, reason and personal dignity.

Many who know my background will know I have not always agreed with Studio D. Some Studio D productions have offended my sense of balance on certain moral issues. However, do I, as a member of the Standing Committee on Communications and Culture, say to lop money from the budget of Studio D because I did not like a film on abortion, or that I did not like the direction taken in a certain program? All Members of this House know that that is not the way one tries to effect a balanced policy in Canada's National Film Board.

Not a Love Story, for example, which was nominated for an Academy Award in 1982, graphically portrayed the destructive effects of pornography on both men and women. This acclaim was given to the NFB for that production, and to

Studio D, wherein that production had its development and its promotion, and I think that was a very wide acclaim to us in Canada who are so concerned with the harmful effects of pornography. *If You Love This Planet* in many ways polarized and balkanized the great concern over how we view nuclear arms, and to all of us involved in the debate as parliamentarians, it gave us a warning and yet a hopeful message. I think that is something about which all Canadians are justifiably proud.

The continued support for Studio D is part of a comprehensive policy designed to increase the cultural space occupied by women.

During Francois Macerola's mandate, the NFB has increased resources to women working in studios and other parts of the country. Just recently a film on entrepreneurial women was shown to a meeting of Ministers for the Status of Women in Halifax. The NFB's over-all approach is to ensure fairness in the workplace for women. As the government film commissioner, Mr. Macerola, recently announced, an employment equity program, as detailed in *Equality and Access a New Social Contract* has been hailed as one of the most progressive anywhere in the federal Government. Mr. Macerola's action was not compelled or forced. This was voluntary. This was developed by a senior manager in Canada's Public Service who has that kind of commitment.

The NFB has undertaken to conduct a comprehensive program of employment equity as provided for in the Charter of Rights to improve the status of women not only in the employ of the NFB but in the film arts of Canada. The NFB has been reviewing its programming and distribution systems to ensure that all their components recognize and honour a commitment to the full partnership of women in Canadian society. It has identified specific training objectives to be pursued in terms of the promotion of women within its ranks.

I would think the Hon. Member for Broadview—Greenwood, whose concern with the advancement of equality for women is well known to all Canadians, would want to reward Mr. Macerola for moving in the right direction. I know that until we have a House of Commons with 141 elected women—probably about 143 women would reflect the true percentage—women have some distance to go in Canadian society. But if one looks at the commitment of the NFB, at the testimony before the standing committee of Mr. Macerola and his senior staff, many of whom are very well respected women managers in the Public Service and in the film industry, I think one could take lessons in many respects from what the NFB has done. I would hope that as we analyse the NFB and its work, we would provide a hopeful message to the NFB, not only for the Studio D but particularly for women who are hoping to produce, write and make film across Canada, that these people can indeed be recognized as women and as Canadian artists in their own right.

For this reason, I will conclude by saying that I reject out of hand, as I am sure all Hon. Members do, that the NFB should have any kind of budget reduction based on a very partisan, political aim, which I know is unacceptable to every Member of Parliament.

The Acting Speaker (Mrs. Champagne): It being one o'clock p.m, I do now leave the Chair until 2 p.m. this day.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

TAXATION

NEEDS OF SMALL BUSINESSES

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): In 1986, Mr. Speaker, I had the great pleasure of traveling through Canada from Halifax to Vancouver to consult small businesses and find out their needs with respect to federal policy. Today I am very pleased to present this report of the national Liberal task force on small businesses, a report which features the representations made to us.

Mr. Speaker, it must be emphasized that the tax reform which the Minister of Finance (Mr. Wilson) is committed to unveil on June 18, 1987 will undoubtedly have a significant impact on small businesses.

Since the Liberal Party wants to take a positive and open approach to this reform, we will wait until the white paper is tabled before commenting and announcing our position on taxation and small businesses.

* * *

[*English*]

ENERGY

ALASKA STATE SENATE'S CONGRATULATIONS TO CANADA ON ARCTIC OIL PROGRAM

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, sometimes it is quite interesting to see ourselves as others see us. Very occasionally the view can be quite complimentary.

On April 23 the Senate of the State of Alaska passed the following resolution after noting in the preamble how Canadian industry and government had successfully worked together to explore, develop and transport Arctic oil from the Beaufort Sea in a visionary and environmentally sound manner. The resolution reads as follows:

> Be it resolved that the Alaska State Senate sends its hearty congratulations and expresses its deep admiration to Gulf Canada Corporation, the Government of Canada, and the governments of the Yukon Territory and

Northwest Territories for successfully developing a leading edge in Arctic oil production for the international petroleum industry.

In return perhaps we should compliment the honourable Senators on their perspicaciousness.

* * *

PESTICIDES

POTENTIAL HAZARDS—CALL FOR CHANGES IN REGULATIONS AND CONTROL

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, today on Parliament Hill, Members of Parliament had the opportunity to meet with Cesar Chavez of the United Farm Workers who indicated his concern regarding the affect of pesticides on consumers and farm workers.

The control and use of pesticides are an issue of growing concern to many Canadians, and all New Democrats. Today the New Democrat environment critic in Alberta, John Younie, is launching a campaign to increase awareness of the potential hazards of many pesticides and calling on the federal and provincial Governments to implement the following changes to pesticide regulation and control: That Health and Welfare Canada, Environment Canada, and the general public should have more control over the registration of pesticides in Canada; that all substances in pesticides, including active and inert ingredients, should be listed on packaging and should be fully tested and registered; that stronger regulations on testing should be devised that ensure human and environmental safety, with the producer or distributor bearing the testing costs, and the use of all pesticides that do not meet test standards should be suspended until these standards are met; that the public should have access to all toxicological data concerning pesticides so that informed choices can be made regarding their use; and that a test review board should be established to permit an all-Canadian, independent audit of tests done by private labs to check the appropriateness, validity, methodology, lab practices and accuracy of test results.

These are measures which my New Democrat colleagues and I urge the Government to consider seriously.

* * *

HOUSE OF COMMONS

PAGES AND MEMBERS ANNUAL BALL GAME

Mr. Gordon Taylor (Bow River): Mr. Speaker, "It's one, two, three and you're out at the old ball game"!

The "Expo" MPs and the "Blue Jay" Pages played their annual ball game in the rain. The "used-to-be" ball-playing MPs, with the help of three Pages, garnered 14 runs against 6 by the middle of the ninth inning. During the game the MPs gradually weakened while the Pages grew stronger.

When the Pages came to bat at the bottom of the ninth they batted the ball all over the diamond bringing their score to 14. But considering that the Pages playing for the MPs made three runs the Pages really won the game 14 to 11.

• (1405)

Superb sportsmanship permeated the whole game as did friendly comradeship. As the two teams "three-cheered" each other, every MP felt proud to have had an opportunity to work with such splendid young Canadians. We need have no fears about a wonderful future for Canada when our Pages, with other youths like them, take over the reins of Government. *Vive les Pages*!

Some Hon. Members: Hear, hear!

* * *

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

SITUATION IN GASPESIA—ROLE OF GOVERNMENT

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, I want to draw the attention of the House to the drama now unfolding in the town of Murdochville and, in fact, in a major part of Gaspé. Hon. Members know that fire swept through the Murdochville mine in April. Two hundred workers had been laid off. We learned recently that these 200 workers will definitely lose their jobs and that 200 more will be laid off soon, with the result that in a town like Murdochville 400 families will be jobless.

Mr. Speaker, as if the situation were not serious enough, a few days ago I heard the Minister of Energy, Mines and Resources (Mr. Masse) tell the House that the only intervention of the Government would be to help "support" whatever financing may be offered by the Quebec Government.

Mr. Speaker, I would suggest that the role of the federal Government in regional development is much more extensive than that, and I urge the Minister of Energy, Mines and Resources as well as the Minister of Regional Industrial Expansion (Mr. Côté) to look immediately into this dramatic situation which is having a serious impact not only on the town of Murdochville but also on the entire economy of Gaspé.

S. O. 21

UNEMPLOYMENT INSURANCE

EARLY RETIREES—GOVERNMENT POSITION

Mr. Marcel R. Tremblay (Québec East): Mr. Speaker, yesterday, the House passed Bill C-50 to reinstate the eligibility for unemployment insurance benefits of early retirees who had filed applications before January 5, 1986. Mr. Speaker, I am sure you will agree that June 10, 1987 was a great day for early retirees in this country. After waiting for many months, all those who took early retirement and filed their applications for unemployment insurance before January 5, 1986, will at least get the amounts to which they were entitled.

Above all, I would like to say to these people that it was a privilege to work with them, as I did by taking part in a number of private and public meetings with the ARSAC on this matter, and I am proud of the fact that thanks to the provisions of Bill C-50, they will be reimbursed. I also want them to understand I will continue to intervene on their behalf, as I did throughout this debate in my representations to the Minister of Employment and Immigration (Mr. Bouchard), so they will get their cheques as soon as possible.

I am delighted with the outcome of this debate which means that all workers concerned will receive fair treatment.

* * *

[*English*]

CAPE BRETON DEVELOPMENT CORPORATION

LEGAL FEE EXPENDITURES

Mr. Rod Murphy (Churchill): Mr. Speaker, I have just received a response from the Minister of Regional Industrial Expansion (Mr. Côté) to questions I put on the Order Paper regarding the Cape Breton Development Corporation. From January 1, 1986, to March 1, 1987, a period of just over one year, the corporation spent $54,792 on legal fees related to one aspect of industrial employee relations.

Specifically, this money was spent to deal with cases brought before the Canada Labour Relations Board on employee classifications. The firm McInnes, Cooper and Robertson were the recipients of this outrageous amount of money.

Since the Cape Breton Development Corporation has a full-time industrial relations department, on behalf of the people of Nova Scotia who want to know why so much extra money was spent on industrial employee relations, I call upon the Minister to order an immediate investigation into the legal expenses of the Cape Breton Development Corporation.

HISTORIC EVENTS

COMMEMORATION OF BALTIC AND UKRAINIAN NATIONS' SUFFERINGS

Mr. Alan Redway (York East): Mr. Speaker, last night Canadians of Estonian, Latvian, Lithuanian and Ukrainian origin held their 15th annual ecumenical memorial service here in Ottawa. This service is held each year to remind us all of the six million to 10 million Ukrainians who perished in a man-made famine or in Siberian labour camps, to remind us of the one million, or one in six Estonians, Latvians and Lithuanians who were liquidated or deported to Siberia, and to remind us all of the continued suppression of national cultural, religion, language and freedom in Estonia, Latvia, Lithuania and Ukraine today.

• (1410)

This year's service should remind us all, as we debate the defence White Paper and as the Secretary of State for External Affairs (Mr. Clark) meets today and tomorrow in Reykjavik to discuss arms control with NATO Foreign Ministers, that there is no real peace without freedom.

* * *

HUMAN RIGHTS

CHILE—CONCERN FOR SAFETY OF CARMEN QUINTANA

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, as of June 8, Carmen Quintana, the young Chilean student who was horribly burned with gasoline last July, returned to Santiago, Chile, to testify against the soldiers responsible for this hideous crime.

Quintana, who now resides in Canada, returned to Chile in April to meet with the Pope during his visit. While there, a death squad threatened to kill her, and written graffiti calling her a traitor were on walls everywhere. As a result of this previous visit, human rights groups in Chile and the Inter-Church Committee for Human Rights in Latin America here in Canada are extremely concerned for her safety.

Carmen Quintana's lawyers, one of whom is from Montreal, are asking the Chilean court for an re-enactment of the incident that almost ended Carmen's life but claimed the life of a friend. The Pinochet regime has already conducted a re-enactment but without the benefit of any witnesses.

The results of the Government's re-enactment show that Carmen kicked the container of gasoline on herself that nearly ended her life—a remarkable conclusion. Her lawyers are requesting another re-enactment with the benefit of witnesses to prove the Government's allegations to be incorrect.

It is clear that Carmen Quintana is in environment that is very hostile, and any requests to challenge the Pinochet Government's earlier claims of the incident will not be taken lightly.

I call upon the Secretary of State for External Affairs (Mr. Clark) to inform the Pinochet regime that the Canadian Government is maintaining a careful watch on Carmen Quintana throughout the trial until she returns to Canada, and to press other countries to pursue the same course.

* * *

IMMIGRATION

ARREST OF CONSULTANTS AND LAWYERS

Mr. Andrew Witer (Parkdale—High Park): Mr. Speaker, on Tuesday of this week RCMP officials arrested six Toronto area immigration consultants and lawyers and charged them with aiding and abetting Portuguese nationals to remain in Canada through fraudulent means.

The role which certain unscrupulous lawyers and immigration consultants played in the movement of groups to Canada claiming refugee status is a matter of concern to us all. Such abuses bring our immigration laws into disrepute and, above all, have flooded our refugee determination system with false claims, while those refugees with valid claims have been forced to wait months and years before their claims could be resolved.

The Government's action in seeking out and charging individuals engaged in such reprehensible practices is to be applauded. I urge the Ministers responsible to continue their efforts to track down and prosecute those consultants and lawyers who prey upon the natural desire of people who, because of poor economic or political circumstances in their homeland, seek to come to Canada in the quest for a better life.

* * *

MEDICAL CARE

TWENTY-FIFTH ANNIVERSARY OF INTRODUCTION

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, I am sure I rise today on behalf of all Saskatchewan Members of Parliament on both sides of the House. July 1 will be the twenty-fifth anniversary of the introduction of medical care into North America.

It was on July 1, 1962, that the first medical care plan came into effect in the Province of Saskatchewan. Tonight, community health care personnel from across Canada will have a special banquet to commemorate and celebrate that occasion in the city of Prince Albert. The guest speaker tonight will be the very distinguished Canadian, Mr. Emmett Hall.

The Hon. Member for Prince Albert (Mr. Hovdebo) would normally want to make this statement, but he is currently making use of medical care. He is recovering from minor surgery, so he asked me to make the statement on his behalf.

On his behalf, and I am sure of all Saskatchewan Members of Parliament, I want to say that Canada owes a great debt of gratitude to the Premier of that day, Premier Woodrow Lloyd; to his Minister of Health, Mr. Allan Blakeney; to the former Premier of the province, the father of medicare, Tommy Douglas; and to Mr. Emmett Hall, who prefers to be called the grandfather of medical care.

Community health care workers who have gathered from across Canada in Prince Albert have asked me to request that pages distribute these little pins I hold here, commemorating this twenty-fifth anniversary, to all Members of Parliament from Saskatchewan.

* * *

THE ECONOMY

APRIL TRADE SURPLUS

Mr. Jim Jepson (London East): Mr. Speaker, once again the confidence of Canada's business and investment community continues to be reflected in sound economic figures. Not only are we hearing of a continuing decline in unemployment figures, increased new housing starts, and higher consumer spending, but Statistics Canada has reported that Canada posted a $1.6 billion merchandise trade surplus in April, the largest surplus since April, 1986.

The merchandise trade surplus—the amount that Canadian exports of wheat, metals, and other goods exceed imports—was up 55 per cent from the $1 billion level in March. Economists see the over-all April figures as a good sign for the Canadian economy.

My congratulations to Canadian producers for increasing their productivity and showing very clearly that Canadian producers can compete very favourably in world markets. This gives added impetus to our Government to secure an enhanced trade agreement.

* * *

• (1415)

NATIONAL DEFENCE

1983 BUDGET—SPENDING PROJECTIONS

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, on Monday, June 8, the Minister of Consumer and Corporate Affairs (Mr. Andre) who was Acting Defence Minister for the day made a misleading and wrong statement in this House of Commons. The Minister's misleading statement was:

> As a matter of fact the fiscal plan, and it is in the budgets of the former Finance Minister, the Hon. Marc Lalonde, called for no increases in defence spending after 1983.

Then he went on to say:

I think the Hon. Member should check that out before making an accusation.

Imagine the Minister telling a Member of this House to check his facts when he hasn't even done so himself.

I have here the 1983 Budget Papers dealing with National Defence financing, Mr. Speaker. In the fiscal year 1983-84 the defence budget, under Marc Lalonde's fiscal plan, stood at $7.840 billion. In the next year an additional $930 million was added and in 1985-86 another $724 million was added. In 1986-87 another $865 million was added. In this present fiscal year another $766 million would have been added under the 1984 Budget, hence making it more than $800 million higher than the present Conservative Budget in this country.

Really the Budget Papers of 1983 and 1984 proved beyond a doubt, right here, Mr. Speaker, that the Liberal defence spending projections called for sustained increases in the defence budget.

Meanwhile, we have the spectacle of two Conservative Defence Ministers running around the country trying to convince Canadians that they are doing such great things when, in fact, they are doing less than the previous Liberal Government whose defence purchases they are even trying to claim as their own. The program is a scam.

* * *

AGRICULTURE

REFORM OF INTERNATIONAL TRADE—PRIME MINISTER'S ACTIONS ON BEHALF OF CANADIAN FARMERS

Mr. Albert Cooper (Peace River): Mr. Speaker, under the Prime Minister's (Mr. Mulroney) leadership, Canada has been at the forefront of those nations calling for a new set of rules for international agricultural trade.

As a result of the Prime Minister's efforts, agriculture was raised as Canada's number one issue at the Tokyo Summit, the first time agriculture has been raised at a summit. Agriculture is being considered in the new round of GATT negotiations, and the OECD agreed to the need to reform international trade and issued a communiqué incorporating our Canadian proposal. This week, at the Venice Economic Summit, the Prime Minister took the lead against agricultural protectionism.

The Prime Minister obtained agreement from all seven leaders to consider a stepped up timetable for negotiating solutions to the world grain wars.

I have been asked by farmers in the Peace country to commend and thank the Prime Minister for his understanding of agricultural problems and for his actions on behalf of Canadian farmers.

ORAL QUESTION PERIOD

[*Translation*]

REGIONAL INDUSTRIAL EXPANSION

UTILIZATION OF FUNDS—MINISTER'S FUTURE

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, my question is directed to the Deputy Prime Minister and concerns the behaviour of the Minister of Regional Industrial Expansion.

According to reports in the media, $900 million were squandered at the Department of Regional Industrial Expansion over a period of two months. The Minister is unable to tell us why or to deny or confirm this report. Furthermore, Mr. Speaker, he is incapable of saying whether $100 million are still missing for other programs. And he is incapable of saying whether funds earmarked for new projects have been frozen.

His responsibility for the development of the Atlantic region has been taken away from him by the Prime Minister.

My question is as follows: Why is the Minister staying in Cabinet, if most of his duties have been taken away from him?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, as the Minister has indicated in this House on a number of occasions an internal audit and an outside audit are being undertaken. DRIE is in business. It is functioning in its usual manner and capacity. It is honouring all commitments and accepting applications and considering them, as it should be.

• (1420)

REPORTED FINANCIAL SHORTAGES

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I want to specify the situation as we understand it. There have been reports, neither confirmed nor denied, that the Department is $900 million short. There is another report that the Department is short an additional $100 million for new programs. Furthermore, there is a report that there has been a freeze on all new programs in the Department.

The Prime Minister has relieved the Minister of his responsibility for the Atlantic region. Because of the Deputy Prime Minister's responsibility, the Minister no longer has any responsibility in western Canada for the diversification program. This is not just an internal problem. It is now affecting the country.

In these circumstances, why does the Minister remain in Cabinet since he really has nothing left to do?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the right hon. gentleman is acting in a very irresponsible fashion today. He is using media reports as the premise of his questions. He is

suggesting that the Minister has been stripped of his duties. Both the reports and the suggestion are false.

FUNDING FOR YUKON AND NORTHWEST TERRITORIES

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I think we can substantiate the particular responsibilities quite clearly. The Deputy Prime Minister has responsibility for the west. There is a new organization in Atlantic Canada taking over the east. The Minister is left with virtually nothing.

I want to add something which undoubtedly the Deputy Prime Minister has had drawn to his attention. Over the weekend the Government of the Northwest Territories criticized the Minister for delinquency with respect to programs in the Territories. Yesterday the Yukon Territory also attacked the Minister. Our citizens north of 60 have already been shabbily treated by the Government on the Meech Lake Accord where they were not consulted at all. Now they find out their regional development moneys have been frozen.

My question is this. Why are the Northwest Territories and Yukon being punished for the delinquency of the Minister? We now have a Department in shambles, and it is being taken out on our citizens north of 60 in particular.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the right hon. gentleman insists on making careless assumptions today as he did yesterday and the day before. I simply repeat that all commitments are being honoured. Applications are being received. DRIE is in business as usual.

YUKON APPLICATIONS—FUNDING OF PROJECTS

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, my question is also directed to the Deputy Prime Minister. In Yukon, an important part of Canada's great northwest, there are 62 applications pending, worth $3 million, under three different regional development programs. These projects will create a large number of new jobs. They will trigger another $6 million in public and private investment. Is there any money available for these projects? If there is, when will Yukoners see it?

Mr. J. M. Forrestall (Parliamentary Secretary to Minister of Regional Industrial Expansion): Mr. Speaker, it is always a pleasure to see Hon. Members opposite recognize the validity and usefulness of programs put in place by this Government. I can only reiterate the response of the Deputy Prime Minister to the Right Hon. Leader of the Opposition when he suggested that DRIE is in business. The doors are open.

Mr. Turner (Vancouver Quadra): DRIE has dried up.

Mr. Forrestall: DRIE has not dried up. The Right Hon. Leader of the Opposition persists in misleading and mischievous questions on the floor of the House. He knows better and he should be somewhat ashamed of himself.

PROPOSAL TO CREATE NORTHERN ECONOMIC DEVELOPMENT AGENCY

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, there is no answer for Yukon. Let us see about the Northwest Territories.

On June 9 the Northwest Territories Legislative Assembly, by unanimous motion, called upon the Government of Canada to help stimulate and develop the territorial economy. In particular they asked the Government to create a northern economic development agency. I want to ask the Deputy Prime Minister this time what response the Government has to this motion from the Northwest Territories Legislative Assembly?

• (1425)

Mr. J. M. Forrestall (Parliamentary Secretary to Minister of Regional Industrial Expansion): Mr. Speaker, Atlantic Canadians were pleased by the announcement of the Prime Minister together with the four Atlantic Premiers a week ago Saturday. So will the government leaders in both the Northwest Territories and Yukon be pleased with the plans which will flow very soon from this Government.

REPORTED OVER-COMMITMENT OF FUNDS—REQUEST FOR COMMITTEE REFERRAL

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, my question is directed to the Deputy Prime Minister and is with regard to the over-commitment of funds at the Department of Regional Industrial Expansion. According to one of the internal investigations taking place, as of yesterday the over-commitment had reached $90 million for the fiscal year 1987-88. That figure will probably approach $100 million, if not more.

The most important thing a Member of Parliament can do in this House is scrutinize the spending of public funds. In light of the fact that we are today dealing with the Estimates, would the Deputy Prime Minister tell the House whether he would agree to have this whole matter referred to a special parliamentary committee so that we can discover why a Minister can allow the over-commitment of nearly $100 million by his Department, which is unprecedented in this country?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, that Member of the New Democratic Party has been in this House for a long time and has some knowledge of the rules. He knows very well that these kinds of things can be considered by standing committees which have the perfect right to do so. As a matter of fact, the Estimates have been before the appropriate standing committees and standing committees are empowered to engage in any studies they so desire.

Mr. Nystrom: Mr. Speaker, I am pleased the Deputy Prime Minister is not opposed. I hope we can now convince the chairman of the committee.

INDUSTRIAL REGIONAL DEVELOPMENT PROGRAM—DELAY IN TABLING ANNUAL REPORT

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, the annual report of the Industrial Regional Development Program was supposed to be tabled in this House on June 1. It is now June 11. Why is this annual report, which details the amounts spent and the dates commitments are made with regard to DRIE's programs, overdue? Is this just another way of trying to cover up what is happening in that Department?

Mr. J. M. Forrestall (Parliamentary Secretary to Minister of Regional Industrial Expansion): Mr. Speaker, the annual report will be tabled very soon.

Some Hon. Members: When?

Mr. Forrestall: It will be tabled very soon. If the Hon. Member or other members of his Party bothered to show up at DRIE meetings once in a while, as members of the Official Opposition do, they would be aware that officials are there, as they will be this afternoon, to answer questions of Hon. Members in detail.

REQUEST THAT LIST OF APPROVED PROJECTS BE TABLED

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, this Ministry is almost $100 million over-committed after only two months in this fiscal year. That is without precedent in the Government. Most Ministers would be fired immediately by a Prime Minister.

Can the Deputy Prime Minister make a commitment in the House that he will make public and table in this House a list of all the projects which were approved in that Ministry in the last 18 months? Will he make that commitment to Members of Parliament and the people of Canada so that we can get to the bottom of this important issue?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, a question similar to that was put to the Minister responsible. I think he has responded to it.

* * *

THE ADMINISTRATION

RENOVATION OF OFFICIAL'S OFFICE AND BUILDING OF KITCHEN

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, my question is directed to the Deputy Prime Minister and pertains to the latest episode in the continuing saga of the lifestyles of the rich and famous.

In the latest episode of the redecorators His Excellency, Ambassador at large, Dr. Fred Doucet, spent $35,150.37 of taxpayers' money to renovate his office and build a kitchen.

Could the Deputy Prime Minister explain to this House why fast Freddy needs a $35,000 kitchen to cook his hamburgers at noon? Could he explain to the people of Canada why such extravagance is necessary?

Hon. Stewart McInnes (Minister of Public Works): Mr. Speaker, the person in question holds a very important and strategic post in the Government. He is involved in very confidential conversations on behalf of the Government.

• (1430)

Some Hon. Members: Oh, oh!

Mr. McInnes: It was necessary to renovate his offices to ensure that appropriate security was made available to him.

Mr. Boudria: Most Canadians have never seen a $35,000 kitchen, let alone have one in their office.

[*Translation*]

REQUEST FOR EXPLANATION OF OFFICE RENOVATION EXPENDITURES

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I would like to ask why the Prime Minister's friend, Fred Doucet, had to spend $35,000 to renovate his office and install a kitchen.

Could the Deputy Prime Minister explain to the House why he tolerates this kind of spending, especially considering that in a recent poll, 70 per cent of Canadians indicated they were fed up with the kind of life being led by Cabinet and the Prime Minister? Furthermore, could he inform the House who authorized this kind of spending and what punitive measures will be taken in the circumstances?

[*English*]

Hon. Stewart McInnes (Minister of Public Works): Mr. Speaker, the Opposition may take the importance of summit meetings for Canada lightly, but in view of the fact that this country is hosting three summit meetings next year we view the involvement of Doctor Doucet as very important. It is essential that he have the appropriate security and surroundings to carry out his functions properly.

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HARBOURS AND PORTS

MAINTENANCE OF SMALL CRAFT HARBOURS IN NEWFOUNDLAND

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, my question is directed to the Deputy Prime Minister. Last week, when I asked about the Minister of Fisheries'

small crafts harbour cabinet proposal, the Minister of Transport said that it has been dealt with in a very satisfactory manner. In fact, it has not yet gone to Treasury Board so that no one, particularly not the Minister of Transport, knows what the final figure might be.

Since 47 Newfoundland ports will be closed over the next five years unless adequate funds are found for maintenance, will the Deputy Prime Minister tell us if the $1.2 million for harbours in the St. John's area that the Minister of Transport announced in the last couple of weeks comes out of the already allocated fund which is less than $8 million for all of Newfoundland? If it does not come from that fund that is already allocated, where does it come from?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, when the new policy on small craft harbours is fully concluded it will be announced in an appropriate fashion. I just ask my hon. friend to be patient.

GOVERNMENT POLICY

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, this is important to fishing communities all across Canada. They are being asked to be patient while the Government is playing politics with their livelihoods and safety. Why has the Government been so cynical about this issue? Why does it not announce a policy now that will maintain these small craft harbours for the safety and livelihood of Canadian fishermen?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, we know that it is an important issue. That is why we are acting. I am sure the Hon. Member will be fully supportive of the policy when it is announced.

* * *

THE CONSTITUTION

1987 CONSTITUTIONAL ACCORD—ABORIGINAL AND MULTICULTURAL CHARACTERISTICS OF COUNTRY

Mr. Sergio Marchi (York West): Mr. Speaker, my question is directed to the Deputy Prime Minister. It concerns the 1987 Constitutional Accord.

One area of the Accord which needs vast improvement is its poor recognition of Canada's multicultural and aboriginal dimension which affects some 10 million Canadians.

Our Canadian society is undeniably made up of the French, English, aboriginal and multicultural dimensions. Clause 1 of the Accord only recognizes the English-French linguistic duality as a fundamental character of Canada. Therefore, is the Government prepared to amend and thereby strengthen Clause 1 by also entrenching the multicultural and aboriginal fact and reality as a fundamental characteristic of Canada so that the Constitution will truly reflect our bilingual and multicultural nature as a country and as a people?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I am pleased to be able to respond to the Hon. Member in that regard because it is important for the Hon. Member to understand that, while we appreciate very much the unequivocal support that has been given to us by the Liberal and New Democratic Parties with respect to the Accord, I would not want his question to be misinterpreted as a correct statement of the Accord and the recognition which it does in fact pay to two very important groups in our society.

I think our Government's commitment to the third of Canadians who are neither of English nor French extraction is manifested in a number of ways in terms of our policies and particular programs that are brought forward by the Government, and by the very make-up of the Government in terms of the heritage of the membership in the Cabinet, and appointments made by this Government to very important positions. This Government has given leadership to the multicultural and aboriginal groups that is unprecedented.

Mr. Marchi: The Minister, who had the responsibility with the Prime Minister to draft this Constitution, is simply skirting around a very important question.

RECOGNITION OF MULTICULTURALISM AND ABORIGINAL PEOPLES

Mr. Sergio Marchi (York West): Mr. Speaker, without the inclusion of the multicultural and aboriginal dimension, Clause 1 is incomplete and an inaccurate definition of the Canada of today, regardless of what is in Clause 16 at the end of the Accord.

Since the Constitution must clearly define and express the reality of our country and our people, which is unquestionably bilingual and multicultural, why does the Minister refuse to give the undertaking, while not detracting from anyone, to add to Clause 1 the fundamental character defined through multiculturalism and our aboriginal peoples? Why is he continuing to justify ignoring the contributions and aspirations of some 10 million Canadians, one-third of Canada's population?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I am not quite sure of the purpose of the question because it is based on a wrong proposition. The reality is that in the Constitution there is the recognition of multiculturalism as an essential ingredient of our country. There is an important recognition of the rights of aboriginal peoples in this country. Indeed, the provision with respect to the rights of the multicultural society in Canada was moved by the Progressive Conservative Party at the time of the original Charter.

Some Hon. Members: Hear, hear!

Mr. Hnatyshyn: We do not need any lectures from the Hon. Member with respect to a commitment, not only in this Accord to reaffirm that very important principle of our country, but also with respect to the record of this Government which is unprecedented.

Mr. Marchi: Absolute garbage.

Mr. Hnatyshyn: He should be ashamed of himself for even asking that question.

* * *

FISHERIES

NEWFOUNDLAND CAPELIN CATCH—MARKETING AGENCY QUERY

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, my question is directed to the Deputy Prime Minister. In light of the fact that the inshore fishermen of Newfoundland will be adversely affected by the lack of an adequately negotiated price for capelin, and that yesterday the Minister of Fisheries and Oceans indicated in the House that he was considering a marketing agency to deal with this problem, will the Deputy Prime Minister tell us how soon the Government intends to act on a marketing agency for the capelin fishery?

Mr. Pat Binns (Parliamentary Secretary to Minister of Fisheries and Oceans): Mr. Speaker, the Hon. Member raises an important question dealing with the capelin fishery. Of course the Minister is concerned that we have an adequate market for that species from Newfoundland. I know the Department is actively working on it. Since the Minister is not in the House today, I will bring it to his attention later this afternoon.

Mr. Rodriguez: That is a small comfort to the inshore fishermen of Newfoundland, when they expect some action from a Government that has such a massive majority.

UNEMPLOYMENT INSURANCE BENEFITS

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, I want to make another positive suggestion to the Government. Hopefully it will act on it. Since the inshore fishermen have not begun fishing capelin and many of them are not receiving unemployment insurance benefits because benefits stopped on May 15 according to the Act, is the Government prepared to extend unemployment insurance benefits to the inshore fishermen of Newfoundland who have not started to fish the capelin?

Mr. Pat Binns (Parliamentary Secretary to Minister of Fisheries and Oceans): Mr. Speaker, of course the matter of unemployment insurance benefits is something that would have to be considered not only by the Minister of Fisheries and Oceans, but by the Government and the Minister of Employment and Immigration. I know that they will take the representations seriously and consider that particular matter.

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[*Translation*]

SMALL BUSINESS

INQUIRY WHY GOVERNMENT HAS NOT PUBLISHED REPORT ON NEEDS OF SMALL BUSINESS

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, in the absence of the Minister of State for Small Businesses, my question is directed to the Deputy Prime Minister.

In 1985, the Government consulted Canadians to find out the needs of the small business sector. Two and a half years later, we are still waiting for the report. In 1986, the Liberals consulted Canadian business people from Vancouver to Halifax, and today, we are proud to be able to submit our report to the public. Why is the Government hiding a report that was printed in 1986?

• (1440)

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, in the absence of the Minister, I will take that question as notice.

RELEASE OF GOVERNMENT REPORT

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, I have with me a copy of the government report entitled "Toward Progressive Action for Small Business". I wonder if the Deputy Prime Minister would allow me to release the government report today with my report?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the Government does not have to take any lessons from Members opposite with respect to our support for small business. We brought down interest rates. We brought in a $500,000 capital gains tax exemption. We have done a number of things which have enhanced the profile of small business in this country.

Small businessmen are very proud of what the Government has achieved for them. We are the best friend they ever had.

AGRICULTURE

SPECIAL CANADIAN GRAINS PROGRAM—MAILING OF CHEQUES TO FARMERS

Mr. Albert Cooper (Peace River): Mr. Speaker, my question is directed to the Minister of Agriculture. It concerns the Special Canadian Grains Program. As the House is aware, farmers have found this program very helpful, but are concerned about the cheques which will be going out on the second mailing. Would the Minister tell us what actions he has taken with regard to those second cheques? And what safeguards will be put in place in case of postal disruptions?

Hon. John Wise (Minister of Agriculture): Mr. Speaker, I welcome that question because it provides me with an opportunity to deliver another good news message to Canadian farmers. I am sure they will take great pride and satisfaction in knowing that throughout this day all the cheques will be mailed to them.

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NATIONAL DEFENCE

ACQUISITION OF NUCLEAR-POWERED SUBMARINES

Ms. Pauline Jewett (New Westminster—Coquitlam): Mr. Speaker, my question is directed to the Minister of National Defence—

Mr. Beatty: At last.

Ms. Copps: At last he is here.

Ms. Jewett: —whom I welcome back to the House.

Mr. Beatty: Thank you.

Ms. Jewett: As Greenpeace has recently pointed out, and as the Minister must surely already know, his nuclear-powered attack submarines would require highly enriched uranium fuel. Canada has no facilities to create such a fuel. Does the Government plan, then, to export Canadian uranium to the United States or another major nuclear weapons state to have it enriched for his subs? And is this not a blatant violation of Canada's own policy of forbidding the export of uranium for military purposes, including the fueling of nuclear submarines?

Hon. Perrin Beatty (Minister of National Defence): Mr. Speaker, I do thank the Hon. Member for her question. I want her to know that, when I was on the road, I missed her just as much as she missed me.

Some Hon. Members: Oh, oh!

Mr. Beatty: Because it is the first new comprehensive defence policy in 16 years, I felt an obligation to go out and tell the Canadian people about it. I am pleased to be able to report to the House—

Some Hon. Members: Order.

Mr. Beatty: —that they are delighted we have a new policy for Canada.

Some Hon. Members: Hear, hear!

Mr. Riis: Answer the question.

Mr. Orlikow: Get to the point.

Mr. Beatty: The purchase of nuclear-powered submarines is completely consistent with our obligations under the NPT. It will be done in a way which will respect Canada's obligations and our policies with regard to non-proliferation.

What we do have with that purchase is an indication by this side of the House that we are prepared to take the measures necessary to keep this country strong, independent, and free.

URANIUM EXPORTS—GOVERNMENT POLICY

Ms. Pauline Jewett (New Westminster—Coquitlam): Mr. Speaker, clearly the Minister is not aware, nor, apparently, is the Cabinet, that it is Canada's long-standing policy to export uranium only for civil reactor purposes. That is our long-standing policy. Our agreement with the United States explicitly states it shall not be used for military purposes, so that the Minister is deceiving—misleading the House and the people. He is indeed saying we are staying with our non-proliferation practices.

Some Hon. Members: Oh, oh!

Mr. Forrestall: Withdraw that remark.

Mr. Speaker: The Hon. Member who is a very experienced Member of this House, knows when a question goes into argument. Please put the question.

Ms. Jewett: Does the Minister have the agreement of the Secretary of State for External Affairs and the Cabinet to this violation of long-standing Canadian policy and practice that we will not sell our uranium for enrichment except for civil reactor purposes?

Hon. Perrin Beatty (Minister of National Defence): Mr. Speaker, certainly Cabinet is in support of the policy contained in the White Paper, which represents the first new defence policy for Canada in 16 years.

Mr. Riis: Answer the question.

Mr. Orlikow: Answer the question.

Mr. Beatty: Any action we take will be fully consistent with our treaty obligations. Any action we take will be fully designed—

Ms. Jewett: Read your own treaties.

Mr. Beatty: I wonder whether the Hon. Member, having put her question, will allow me to answer it?

Mr. Blaikie: You are not answering.

Ms. Jewett: Read your own treaties.

Mr. Speaker: The Hon. Minister will answer the question.

Mr. Beatty: Thank you, Mr. Speaker. I want to have a chance to answer this question because I think, for the first time, there will be an clear indication of where Parties on all sides of the House stand on the issue of defending Canada.

Some Hon. Members: Hear, hear!

Mr. Speaker: The Chair, as Hon. Members will know, has asked the Hon. Member for New Westminster—Coquitlam to put her second question succinctly, which she did. I ask the Hon. Minister to answer it.

Mr. Beatty: Yes, Mr. Speaker. All of our actions will be fully consistent with Canadian treaty obligations under the NPT. They will be consistent with our policies with regard to non-proliferation, and these reactors will be under Canadian control in Canada.

LEVEL OF DEFENCE SPENDING

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, my question is also directed to the Minister of National Defence. For the five years previous to the first Budget brought in by this Conservative Government, previous Liberal Governments had an average of over 7 per cent real increase in defence spending. In the previous 10 years before the election of this Government, Liberal Governments averaged over 4.5 per cent real increase in defence spending.

How can the Minister travel around Canada with his 2 per cent and tell the people what great things this Government is doing? Why did he not make it 3 per cent or 4 per cent? Why did he not make it 6 per cent as was promised by the Minister of Consumer and Corporate Affairs during the last election campaign?

Hon. Perrin Beatty (Minister of National Defence): Mr. Speaker, the figures used by the hon. gentleman for the Trudeau years are rather interesting because the average during the Trudeau years was 2.2 per cent. The floor under the P.C. program will be 2 per cent. In addition, as major capital projects come along, we will be adding to that.

The Liberal policy left us without a single minesweeper in the Canadian Navy. It left us without adequate armaments for our CF-18s. The Liberals, over their time in power, ignored the Canadian Forces, and it is too late now for them to attempt to kiss and make up.

SIZE OF EXPENDITURES

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, the Minister is still on his ego trip with his big 2 per cent. What he did not say was that he is using total years. I mentioned five years and 10 years—

Some Hon. Members: Oh, oh!

Mr. Hopkins: —and now he is talking 15 years.

Some Hon. Members: Oh, oh!

Mr. Hopkins: Lets face it, is it not true that the Government—

Mr. Speaker: Order. There is always some latitude, of course, allowed in preambles, but arguments over figures really do take up a great deal of time. I know the Hon. Member has a succinct question and again I would ask that he put it.

Mr. Hopkins: Is it not true that the Government has simply put 15 years together in the White Paper because that is the only way it could make its program look big at a measly 2 per cent per year? That is a fact of life the Minister cannot deny.

• (1450)

Is it not true that the Government is playing a public relations campaign by stretching out the program? The reason why it has to be stretched out is because there is absolutely no firm or big enough commitment on the part of the Government. It has now promised 2 per cent per year when it promised 6 per cent in the last campaign. That is one thing about which the Government will never hear the end.

Hon. Perrin Beatty (Minister of National Defence): I love it, Mr. Speaker. The Liberals have finally discovered the Armed Forces of Canada which they ignored for 20 years.

Some Hon. Members: Hear, hear!

Some Hon. Members: Oh, oh!

Mr. Beatty: Mr. Speaker, the vice-president of the student council over there shouts across the floor. I want to know whether she feels we are spending too little on defence.

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NUCLEAR ENERGY

PERRY NUCLEAR GENERATING STATION IN UNITED STATES—REPORT OF FLAWED DESIGN

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, in the absence of the Secretary of State for External Affairs my question might interest the Minister of National Health and Welfare, although I am not sure. It has to do with the release of a report which has long been secret, having to do with the

fact that the Perry nuclear generating station in the United States was built with a flawed design. It has been described as an accident waiting to happen.

Is the Government now prepared to change the view expressed to me, in reply to a letter which I wrote several months ago, that it has confidence in the Nuclear Regulatory Commission of the United States? Is it now prepared to take some more critical action *vis-à-vis* this reactor and other American reactors on the Canadian border which may be in a similar condition?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, we are of course aware of the press reports concerning this secret report on the safety of the Perry nuclear reactor. We are looking into it. We will have to study the matter on something more than just press reports before making any further comment.

I remind the Hon. Member that we do discuss these security issues related to nuclear reactors on an ongoing basis, both bilaterally with the U.S. and with multilateral organizations. I will take the matter up with the Secretary of State for External Affairs on his return.

CANADIAN GOVERNMENT'S POSITION

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, in view of the fact that a U.S. official retiring from the Nuclear Regulatory Commission has said that it would not be a surprise to him if there were a serious melt-down in the United States within 10 to 20 years—in fact he said it would be a surprise if there were not—I want to ask the Government this.

With respect to the nuclear generating station which I have mentioned, as well as the Hanford reactor about which the Hon. Member for Vancouver—Kingsway has written to the Government, when will it adopt a more critical attitude on behalf of Canadians—not just for the sake of being critical but a critical attitude toward the increasing evidence of serious flaws in the way that nuclear power stations are being run in the United States, and the ability of the Nuclear Regulatory Commission to do anything about it?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I have assured the Hon. Member that the types of discussions to which he refers are carried out on an ongoing basis between the two countries, particularly in cases in which the Canadian population could be affected. I am certain that we will have an answer to his question before the end of the 10 or 20-year timeframe about which he talks.

Oral Questions

STATUS OF WOMEN

REPORT ON BATTERED WOMEN—LACK OF SPACE IN TRANSITION HOUSES

Mr. Alan Redway (York East): Mr. Speaker, my question is for the Minister of National Health and Welfare. The Linda MacLeod report on battered women that was released yesterday indicated the shocking fact that one out of two women who go to a transition house or a shelter are turned away because of lack of space. This is not a new problem.

Can the Minister tell us what we have been doing for the last two and a half years about providing for transition houses for women in situations such as this? Bearing in mind the fact that this is International Year of Shelter for the Homeless, will the Minister give us his undertaking that during the current year we will close the gap and provide enough spaces for all women in these circumstances?

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, I thank the Hon. Member for his question which deals with a very serious topic. He will recall that yesterday in a reply that I gave to the House I mentioned what we refer to as the abbreviated form for application under the Canada Assistance Plan so that people can access transition homes. I also mentioned that, along with my colleague responsible for Central Mortgage and Housing, additional recommendations will be examined in terms of social housing.

In respect to the Hon. Member's specific question, I should say to the hon. gentleman that at the present time there are an estimated 265 centres which currently provide emergency shelter to women and their children. We are cost sharing with approximately 100 of them. I understand from statistics that that is a substantial increase over 1984 when this Government took office. As I said yesterday in the House, I think we still have some distance to go.

* * *

[*Translation*]

YOUTH

PLIGHT OF UNEMPLOYED AND HOMELESS—GOVERNMENT POSITION

Mr. Gilles Grondin (Saint-Maurice): Mr. Speaker, my question is directed to the Minister of State for Youth and concerns the plight of unemployed and homeless youth. The Leader of the Official Opposition and myself met with representatives of various groups that are dedicated to helping unemployed and homeless youth. After explaining how upset they were about the Government's failure to act, they described the growing numbers of unemployed and homeless youth in Canada's main cities. There are between 10,000 and 20,000, depending on whether we are talking about Montreal, Toronto or Vancouver, while numbers are increasing in other Canadian cities. Mr. Speaker, these young people want to

know why the Government has failed to take any concrete steps to deal with the plight of unemployed and homeless youth across Canada.

Hon. Jean J. Charest (Minister of State (Youth)): Mr. Speaker, first of all, I think we have to recognize there is a fundamental rule that applies to youth and their place in Canadian society, as far as employment and every other aspect of their lives is concerned. When the economy in Canada is not working properly, young people are the first to suffer, and when the economy picks up, they are the last ones called back. So for this Government, as I imagine it is for all other governments, the fundamental rule is to make sure the economy can function properly. That is why the youth unemployment rate has dropped 4.3 per cent since we came to power.

Second, I think the Hon. Member will agree there is no miracle solution to this particular problem. Recently, one of Canada's major newspapers published a series of articles on the homeless, and there were constant references to young people who in many cases suffered abuse from parents or other adults, in many cases, and young people who were victims of crimes and violence. These problems are not easily solved. However, we are very concerned.

EXPECTATIONS OF YOUTH—GOVERNMENT POSITION

Mr. Gilles Grondin (Saint-Maurice): Mr. Speaker, I think at least one thing is clear, and that is that homeless youth and the people who are responsible for helping them are amazed at all the pomp and circumstance with which some programs are launched, and I am sure that they would rather have something to put on their own dinner table. These young people would like to know whether the Government is truly concerned and, especially, whether it is prepared to put in place a permanent means of ensuring that someone will be giving their needs and their problems the attention they deserve.

Hon. Jean J. Charest (Minister of State (Youth)): Mr. Speaker, the Hon. Member for Saint-Maurice who has been a Member of this House for some time now is referring to the pomp and circumstance with which we launched certain programs. I am not sure exactly what he is referring to, but I do know that since I was elected to the House of Commons, we had a motion from his party on this subject on one of the Opposition days. Unfortunately, I did not hear the Hon. Member for Saint-Maurice speak that day, and furthermore, if he has anything positive to say to the Minister of State for Youth, I would appreciate that. I would be delighted to hear even one new idea from the Official Opposition.

[*English*]

SCIENCE AND TECHNOLOGY

FUNDING OF RESEARCH AND DEVELOPMENT

Mr. David Orlikow (Winnipeg North): Mr. Speaker, my question is for the Minister of State for Science and Technology. Before the last election the Conservative Party criticized the science policies of the Liberal Government and promised that a Conservative Government would double support for scientific research and development in Canada. According to Statistics Canada, we are now down to an all-time low. We are only putting in 1.35 per cent of GNP. Will the Minister explain why this is happening despite the promises?

Hon. Frank Oberle (Minister of State for Science and Technology): Mr. Speaker, as I have told the House before, the urgent priority was to reorganize the apparatus of government in tune with the new realities and the new age that is dawning on us before we made further spending commitments. The fact is that spending has increased very significantly, admittedly because of the significant if not spectacular growth in the GNP. It has not kept pace in terms of the percentages on which the Hon. Member would like to make his comparisons, but he will be pleasantly surprised, and I am pleased the socialist Party is as concerned about science and technology as it has indicated and that it sees it as being as urgent as we do.

• (1500)

CONSORTIUM'S APPLICATION FOR FINANCIAL ASSISTANCE

Mr. David Orlikow (Winnipeg North): Mr. Speaker, the Government has said that it wants to get the private sector involved. There is a proposal for the formation of a consortium in which Inco, Stelco, Ontario Hydro and Quebec Hydro are involved. They have asked the Government for start-up money in the amount of $10 million. That is precisely the kind of idea the Government has been pushing. Why has the Government not approved that financial support for this group?

Hon. Frank Oberle (Minister of State for Science and Technology): Mr. Speaker, it is true that such a proposition has been advanced. Knowing that the NDP will support this kind of initiative by the private sector will make the decision that has to be made in regard to that easier for me.

Mr. Speaker: I want to advise the House that there will be one single question from the Hon. Member for Mount Royal and that will be the last question. I would like to thank Hon. Members for having taken some pains today to make their questions and responses shorter.

FILM INDUSTRY

DISTRIBUTION POLICY—UNITED STATES CRITICISM

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, last week on June 5, Senator Bensten, the Chairman of the powerful U.S. Finance Committee, co-sponsored a resolution of the U.S. Senate warning Canada that the implementation of our film distribution policy could result in an absolute bar to the successful completion of negotiations and Senate approval of a free trade agreement between Canada and the United States.

My question is directed to the Deputy Prime Minister. Who is making the film distribution cultural initiative policy, Hollywood, Jack Valenti, the U.S. Senate, or our Cabinet? If the Minister of Communications has not been forced to change her tune, will the Minister bring the film distribution policy into the House now before the end of June, or is the Government bowing to American pressure?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, such decisions always have been and always will be made by the Cabinet under this Conservative Government. The Minister of Communications has already told the House that she is proceeding with the legislation as planned. Since she has told the House that, I do not see why the Hon. Member is so critical of her intentions.

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BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Hon. Herb Gray (Windsor West): Mr. Speaker, I would like to ask the customary question one asks on Thursday; namely, what business does the Government intend to call for the next several days?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, tomorrow we will be dealing with the second reading of Bill C-55, amendments to the Immigration Act. On Monday, we will be dealing with report stage and third reading of Bill C-13, the Bell reorganization Act, and also second reading of Bill C-60, the Copyright Act.

I also wish to indicate that I have been unable to reach an agreement after discussion with representatives of the Parties opposite with respect to time limits on Bill C-18. Therefore, I give notice that I will be moving at a later sitting, pursuant to Standing Order 117, that four hours, the equivalent to one day's sitting, shall be allotted to the further consideration of report stage of the Bill and four hours shall be allocated to third reading stage.

On Tuesday, we will move to the report stage of Bill C-18, the National Transportation Act, followed by report stage of Bill C-19, the Motor Vehicle Transport Act. On Wednesday, June 17, we will call Bill C-18, the National Transportation Act, for third reading and Bill C-19.

Other business will be announced later this week or early next week. We are still working out some agreements with respect to Thursday, June 18, when the Minister of Finance (Mr. Wilson) will be bringing down his statement on tax reform.

I would also like to inform the House that I will be tabling today with the Clerk a motion which seeks the concurrence of the Senate to join the House in the establishment of a special committee to consider and report on the constitutional amendments proposed at the First Ministers' meeting. I would hope that members could be appointed to this committee soon after it is passed. The committee would have most of the usual powers allocated to such committees plus substitution provisions and broadcasting provisions. We are proposing 12 Members from the House and five from the Senate. I know that all Hon. Members would want to join me in support of this initiative and we hope that we can move on it with expedition so we can get into the committee hearings.

Mr. Nelson A. Riis (Kamloops—Shuswap): Madam Speaker, referring to the latter comments made by the Deputy Prime Minister (Mr. Mazankowski), I would like to indicate how much we in the New Democratic Party support the proposal presented by the Deputy Prime Minister. We find what is happening in the other place to be outrageous. The hacks, flacks and bagmen over there, the Liberal appointees, are circumventing the process of Parliament.

I simply want to say that this is an issue of Parliament, not of the Senate or of the House of Commons. That is why we feel so strongly about this initiative. It is time to get on with advancing the Constitution and we would hope that the people in the other House, particularly those from the Liberal Party, would put Canada before politics on this particular issue.

The Acting Speaker (Mrs. Champagne): The Chair feels that the House can and will take its own responsibility on the matter.

Mr. Pat Nowlan (Annapolis Valley—Hants): Madam Speaker, I rise on a point of order on House business. You did not see me even though I rose before the House Leader of the NDP.

My question is on the order of business, and I am very glad the Government House Leader mentioned it and the House Leader of the NDP commented on it. It has to do with the creation of the special committee, and I certainly agree that it should be a joint committee.

So that there will be no misunderstanding and so that no one will be caught by surprise, I would like to ask the Government House Leader if, when the motion is brought in and after discussion with House Leaders on all sides, there will be no collusion of House Leaders to have only one speaker from each Party speaking on whatever motion is brought in.

I would like the House Leader, for whom I have the greatest of respect, to give a public commitment now that when the motion is brought in, in whatever form, it will be an open debate like the free trade debate so that Hon. Members who wish to speak will have a chance to speak and the debate can go into the wee hours of the morning if necessary. Otherwise, Hon. Members will have to stay here to ensure that they take a watching guard to refuse consent on any motion, whether or not it is agreed to by House Leaders.

Mr. Mazankowski: Madam Speaker, I will certainly take that into consideration and under advisement when I am discussing the matter with the other House Leaders. As a matter of fact, we have not negotiated any particular time-frame for it to be called. There still may be some negotiations and some refinement, but we will certainly take that into account.

Mr. Gray (Windsor West): Madam Speaker, I simply want to confirm what the Government House Leader has said in that regard. I am sure that when the House Leaders meet to discuss those aspects in a constructive spirit, we will take into account the feelings of Hon. Members on this matter. Also, in a constructive vein, I want to say, with respect to the motion which the Government House Leader said he would be putting on the Notice Paper, that I am sure a way will be found to look into this matter through a committee in a constructive way, a way which would give full consideration to the role of the House of Commons. I am very optimistic that that would be the case.

• (1510)

Mr. Riis: Madam Speaker, I rise on another point of order. On May 29, the House passed Bill C-204 at second reading. Back in November, 1986, a legislative committee with a chairperson and appropriate members was struck.

Standing Order 93(3) indicates:

> A legislative committee constituted pursuant to sections (1) and (2) of this Standing Order, shall meet within two sitting days after the adoption of the motion for the second reading and reference to a legislative committee—

I simply want to say that almost two weeks have passed and no meetings have been held, and I simply want to flag it as a breach of the Standing Orders. I assume the Government House Leader would see to it that this is acted upon forthwith.

Mr. Mazankowski: Madam Speaker, I thank the Hon. Member for drawing that matter to my attention. In consultation with the Whip of my Party, I have been informed that the Chairman of the committee is out of the country at the present time and is due to be back next week.

I will certainly take the Hon. Member's suggestion under advisement and hope that we can resolve the matter soon.

GOVERNMENT ORDERS

[*English*]

BUSINESS OF SUPPLY

MAIN ESTIMATES, 1987-88—MOTION FOR CONCURRENCE IN VOTE 60, DEPARTMENT OF COMMUNICATIONS

The House resumed consideration of the motion of Mr. de Cotret:

> That Vote 60, in the amount of $64,443,000 under the Department of Communications—National Film Board—Revolving fund, operating loss, in the Main Estimates for the fiscal year ending March 31, 1988, be concurred in.

The Acting Speaker (Mrs. Champagne): When the House rose at one o'clock p.m., the Hon. Member for The Battlefords—Meadow Lake (Mr. Gormley) had completed his speech. I will now recognize Hon. Members who wish to question him. Otherwise, we will resume debate.

Ms. McDonald: Madam Speaker, I have a question for the Hon. Member for The Battlefords—Meadow Lake (Mr. Gormley).

I should like to begin by making a very brief comment that there seems to be some misunderstanding about my position. I am not at all against employment equity in the National Film Board. I think it is excellent. I am a great supporter of the National Film Board. I have said publicly on many occasions that I think it ought to have more money.

My concern in my resolution is apropos a very specific question, that is, the refusal to give an increase to Studio D, which was promised at a previous committee meeting.

I am pleased to see the support for the NFB and Studio D given by the Hon. Member. I note that at committee he was not at all supportive of Studio D. As reported in the committee hearing for May 21, he said:

> I watch sometimes with dismay . . . Studio D, for example, very dogmatic. It is the work of ideologues, some of it, and very sadly. I do not find much of an appeal—in fact, I find it rather offensive.

Then the head of the NFB pointed out that nevertheless it made a certain amount of money, that the returns were good. The Hon. Member was rather surprised by this; he was not a supporter of Studio D at all. I am simply interested that he has changed his tune.

I have a very specific question to ask him. It concerns the statements made by the head of the NFB on May 9, 1985. He indicated:

> It will be a significant and a very important increase—

He was referring to the budget of Studio D, and those are his words. How can the Hon. Member for The Battlefords—Meadow Lake reconcile a promise of a significant and a very important increase in funding for Studio D with the figures in the Estimates?

The Government's own Estimates for 1985-86 indicate $2,531,000 for production and $288,000 for marketing. For the following year, 1986-87, there was a decrease to

$1,908,000 for production and an increase in marketing to $273,000. For the following year, 1987-88, there is $2,184,000 for production and $228,000 for marketing. That is clearly a decrease. However, the resources for that section, English language production, had increased from $22,960,000 to $24,939,000.

How does the Hon. Member reconcile these figures with the statement made in committee that there would be a significant and a very important increase?

Mr. Gormley: Madam Speaker, I welcome the opportunity to reply first to the comments and then to the question of the Hon. Member for Broadview—Greenwood (Ms. McDonald).

I have made very critical comments in the past of Studio D. I do not see them as being particularly inconsistent with my comments this morning.

This morning, if the Hon. Member were listening to my speech, she would have heard me say that I have had cases where I do not agree with Studio D. I have had cases, particularly in respect of the abortion issue, where I believed that Studio D was unbalanced in its programming. I would go further and reiterate the words which I said in committee when I referred to the work of ideologues being rather dogmatic. However, that does not derogate from the need for Studio D to advance programs by women for women. Neither does it derogate in any way from the work of the National Film Board.

I would not see any great inconsistency in my position on the needs of Studio D, however, with the qualification that sometimes I do not agree with the tilt of some of its programs.

I mentioned this morning that it is because of the very question of how we voice our opposition to something that we are here today. The member of the NDP, with typical NDP double standards, has a difficulty in that she believes the chairman of the National Film Board has not followed through on a commitment made to her, so she asks for the Estimates to reduce the budget of the National Film Board. Every responsible Member of the House finds that absolutely unacceptable.

In answer to the question the Hon. Member has asked about funding for women, I refer to the budget summary for women in the National Film Board. I see in the 1987-898 expenditures the figure of $795,450, which is approximately $220,000 more than the previous year.

If one takes into consideration Studio D funding, funding for women in film production and development, and funding for youth and young women, one sees that there has clearly been a commitment by the National Film Board to see this funding increased. I do not think it is an entirely healthy attitude when one views women in film as somehow being exclusive to Studio D. I do not think responsible people in the film community would say that the budget of Studio D is therefore reflective of the commitment—

Ms. McDonald: Read the Estimates.

Mr. Gormley: Oh, gosh, Madam Speaker, I cannot hear myself think; the NDP is heckling again. We all know how the NDP deals with things it does not like to hear, like yelling at President Reagan. Its Members will not let someone answer; rather, they yell them down.

If I could have a couple of seconds, I will conclude by saying that Studio D, women's programming in totality, and funding for young producers are big commitments of the National Film Board. I do not believe that the chairman of the National Film Board has in any way deceived the committee. I really think that what this Member has been doing is pretty irresponsible.

Mrs. Finestone: Madam Speaker, the Hon. Member for Broadview—Greenwood (Ms. McDonald) was wrong this morning. The Hon. Member for The Battlefords—Meadow Lake (Mr. Gormley) has just been quoting the same figures at which I have been looking. They include the planning priorities of the National Film Board and the priority areas in which Studio D is located, but not the figures quoted by the Hon. Member for Broadview—Greenwood who pointed out inaccurately that the 1985-86 figure for production was $2,531,000 and that the figure for marketing was $288,000. She pointed out that it was a decrease or an increase; it did not matter how she read it because she was confusing—and I should like the Hon. Member opposite to respond to this—the planning priorities of the National Film Board, including women's programs which cut across all lines, not just Studio D.

She forgot to compare the actual figures of Studio D, as I told her this morning, which went from approximately $363,000 to $795,000 in 1987. I mentioned those figures in the speech which I made this morning. I would suggest that the increase from $504,000 to $1,678,000 for women in the National Film Board is a significant one.

Would the Hon. Member agree that the chairman has not been reneging on his duties?

Mr. Gormley: Madam Speaker, in reply to that question and for the sake of clarification, indeed I confirm that if one looks at Studio D in isolation there is a proposed increase this year of $220,000. However, I should like to refer to something that just an oversight on the part of the Hon. Member of the Liberal Party. She did not refer to the National Film Board renewing its commitment to the federal women's film program. We are dealing with approximately $2 million over the next five years and much of that money will be used through Studio D. I think it is clear to all who follow the work of the National Film Board and the film community in Canada that Studio D has, in fact, received an increase.

• (1520)

The National Film Board is committed not only to its very good level now of the development of women's programming of films but is also increasing that level to bring women to a full position of equality, not only in production and filming but in

the management of the NFB, film programming and distribution throughout Canada. Certainly the proposal today by the New Democratic Party to take funding away from the National Film Board is puzzling, rather bizarre and shameful.

Mr. David Orlikow (Winnipeg North): Madam Speaker, the way in which Parliament and its committees work makes it very difficult for Members who do not serve on a committee, such as the one with which we are dealing today, to be as knowledgeable and as aware about the actual workings of, in this case, the National Film Board as one would like to.

I enter this debate because I have been very interested, supportive and impressed by the tremendous work which the National Film Board has done over the years, beginning during the World War II years when it was organized and led by John Grierson and by many of the people whom I have known, some who came from my City of Winnipeg, such as Gordon Burwash and later Bernard Ostry.

We know that films made by the National Film Board dealt with every aspect of Canadian life, even labour management relationships. We saw recently the film the NFB produced about Bob White, head of the Canadian Autoworkers Union. It has dealt with farm problems, with inner-core city problems, and with the problem of racial prejudice.

I remember a film made many years ago which dealt with prejudice and discrimination against black people who at that time lived in Dresden, Ontario, whose grandparents and great-parents came from the United States before and during the Civil War because Dresden was the end of the underground railway for slaves escaping from the U.S. We know how many awards and on how many occasions in national and international competitions at film festivals the National Film Board has been honoured.

We know that at the National Film Board, as at the CBC and in the private film and TV industries, many more women are now involved than there were some years ago. That does not mean we are satisfied that women have yet achieved the important role which they ought to play at the National Film Board or anywhere else.

Let me say something about the whole question of employment equity, not just at the NFB but everywhere. I had the opportunity to spend about 15 years of my life before I came to Parliament and after coming here working with the Canadian Labour Congress on the whole question of the kind of prejudice and discrimination which we had and still have—hopefully to a lesser degree—in this country against people who are non-white, against women, against natives and against handicapped people. It was the labour movement in co-operation with farm groups, co-operatives and church groups which persuaded first the provinces and then the federal Government to enact the fair employment practices Act and the fair accommodation practices Act and later the Bill of Rights.

We have accomplished a great deal, but we have a long way to go. I want to say to the Parliamentary Secretary that one of the very sad things so far as we are concerned is that the employment equity legislation which the Conservative Government is so proud of is flawed. If you compare the Act here and the way it is in the legislation in the United States, Madam Speaker, you will see very quickly that our legislation is very much the way President Reagan would like the American legislation to operate. In other words, our legislation is based on voluntary compliance. That will not work. In the United States where the Americans have had a great deal more experience than we have had with that kind of legislation, the U.S. Manufacturers' Association has said that it is quite happy with the laws as they are. The U.S. law gives them a target. It tells them that they have to move toward hiring more people from minority groups: the non-whites, the handicapped and women. Companies are given goals. A year later they have to report how far they have moved to accomplish the objectives given. There are no misunderstandings, nor misapprehensions.

If you leave things loose and to voluntary acceptance, there will be criticism because there will be something that has not been done that should have been done. Unfortunately, this Government did not take the time to look into the way the system works in the United States and it is following an entirely different course which, as I pointed out, even the Manufacturers' Association in the U.S. says will not work. It will not work in the States and it will not work in Canada.

Having said that, I want to deal with the National Film Board. As I have said, and I have said it many times both in the House over the years that I have been here and in committee when I was a member of that committee, we are happy with the work done by the National Film Board. We would support any proposal by this Government, as we did for the former Government, to increase the budget of the National Film Board to permit and encourage the National Film Board to do even more than it has done. We know at the NFB as everywhere else there are not enough women, certainly not in responsible positions. There are still not enough people employed at the NFB who come from the visible minorities. There are still not enough people who are physically handicapped. That is true of every government Department and agency. It is true of every private sector employer. We want that situation to change. We do not call for quotas, but what we do say is necessary is some reverse discrimination.

Minority groups, whether women, handicapped, ethnic groups or non-white groups are represented in the NFB as in every other employment in this country, but they are under-represented. We do not say, "Hire them just because they are women, handicapped, from visible minorities or are native", but we say, "If they have the qualifications to do the job for which there is a vacancy, then give them a little bit of extra support, because unless you do, we are probably looking at 100 years before they will get their fair share." We are not saying we want precise quotas. We are saying we have to make a special effort, and I do not see that being done by the Government.

• (1530)

I want to say something about the National Film Board and the work it has done for women. We in Manitoba are very proud of the fact that the NFB produced in my City of Winnipeg a series entitled *Daughters of the Country*. It consisted of four one-hour dramatic episodes. I am proud of the NFB for doing it and I am proud of the NDP Government of Manitoba which helped make the series possible by investing $500,000 in the project through its jobs fund. That was an important series because it depicted the history of the Métis people as seen through the eyes of Métis women. We hope there can be more series like that and we hope to see a great deal more film productions by the NFB in the regions. Whether it be in the Maritimes, the Prairies, or British Columbia, we want to see a lot more of it.

Let me say a word about Studio D. We know it has produced some excellent films. We know it could do more. We have to, as I have over the years, support and defend the CBC and call for more assistance. I have done that even though not infrequently I see a CBC program I disagree with. I expect the same will be true of the NFB. I want the film board to do more. I want it to give women more opportunities. I would be concerned if any Member of Parliament started to interfere with the work the NFB does on specific projects.

I am reminded of the film it made about Billy Bishop. I saw the film, but I must admit I am not an expert on Canadian history, and even less of an expert on Canadian military history. I do not know whether it gave an accurate depiction of Billy Bishop and his involvement in World War I. However, it really disturbed me when Members of the other place made what I considered to be a very vicious attack on the NFB. I hope we let the NFB do its job. If we are not satisfied with the way the board treats Studio D or some other group, that can be discussed in committee, as it should be.

Aside from that, I think on the whole we have a great deal to be grateful for to the NFB for what it has done over the years. I am looking forward to many more great productions and I urge the Government not only to give the support it has up until now to the NFB, but to increase its funding and let it do an even better job in future.

Mrs. Mailly: Madam Speaker, I thank the Hon. Member for that very thoughtful speech. I think it is very typical of him. He looks at a question not only with his heart but with his head.

I would like to tell him about how the responsibilities of the Minister for the NFB are defined. This will show that the Hon. Member is very right in saying that his colleague has brought before us a motion which is not really in keeping with the relationship between the Government and an independent National Film Board. Under the Act, the board operates subject to the direction and control of the Minister, but it is an arms length relationship. It is based on a blend of legislation and practice. It has never been interpreted to mean that the Government becomes involved in the day-to-day operational decisions of the NFB. It is also a tradition that Ministers exercise direction only on matters of general policy.

Today we are being asked in this motion to subtract $100,000 from the NFB budget. That amount bears a curiously strong relationship to the salary of the chairman of the NFB. All Members of this House are in effect being asked to make a policy decision not only in general terms but in the day-to-day operation of the board. We are being asked to deduct the salary of one person on the NFB because a Member of this House, the Hon. Member for Broadview—Greenwood (Ms. McDonald), does not agree with his approach to equality of women in cultural matters. She believes he wants the world to be a man's oyster. In fact, he wants the whole industry to be open to women. He is working toward that goal. The Hon. Member has blinders on, as always, and is only looking at a very narrow field. She suggests that we should punish one person, the head of the NFB, who under the Act has every liberty to carry out his mandate. We should not interfere because he is doing a good job. She calls this a symbolic gesture. It is more than that. It is an insidious and very sinister gesture toward silencing someone who has a different approach from her to a very serious matter.

I would like to ask the Hon. Member, who is a very thoughtful and serious person, how can it be that two such different people should be in the same Party, one who is willing to allow freedom of divergent opinions while being concerned about the emancipation of women, and another who seems to be so autocratic?

Mr. Orlikow: Madam Speaker, let me answer that question by relating to the Hon. Member the answer I gave to someone after a two-hour discussion on the question of capital punishment. This person is a member of my Party in my constituency and he disagreed with me very violently on this question. When I realized after two hours that I could not convince him that abolition was a good idea, and I knew very well that he would never convince me that I should support capital punishment, I tried to think of a way to get out of this pointless discussion without offending him too much. I told him that we would never agree on the subject of capital punishment but there was one thing I thought we could agree on. That is, this is a wonderful country because he had stopped his Member of Parliament for two hours, called him all sorts of names and told him how wrong he was, but he knew and I knew that if he went home that evening he would not be fired from his job. He would not be evicted from his house. He would not be put in jail, as would happen in many countries in similar circumstances. I knew that the worst he could do to me was not vote for me in the next election. Therefore, I thought we could agree that this was a wonderful country in which to live.

• (1540)

In response to the question asked of me by the Hon. Member, in our Party, like in every Party, Members sometimes disagree. I can only speak for myself. I tried to explain how I felt about the National Film Board, how it should

operate and what kind of support it should have. If the Parliamentary Secretary has differences of opinion with my colleague and friend, the Member for Broadview—Greenwood (Ms. McDonald), she should take it up with that Member rather than with me.

Mrs. Finestone: I would like to make an observation. I do not know if my hon. colleague, the Member for Winnipeg North (Mr. Orlikow), felt the same way as I did about the remarks of the Parliamentary Secretary who said that it was typical of a man to look at an issue not just with his heart but with his head. It is my view that human beings, men and women, look at issues with their hearts and their heads.

Mrs. Mailly: I said that man.

Mrs. Finestone: I personally took great umbrage with the comments of the Parliamentary Secretary. That may be why the employment equity Bill does not function as well as it should.

The Hon. Member has given this House a very fine review of the outstanding role which the National Film Board plays in bringing Canadians closer to their own reality in order that they can see reflections of themselves. That is somewhat different than what we normally see on the screen, which consists of approximately 97 per cent foreign films.

With regard to the $100,000 which is at issue, would the Member tell us whether the New Democratic Party plans to support the Estimates of the budget of the National Film Board?

Mr. Orlikow: Madam Speaker, I have some difficulty in answering that question, not because I do not want to, but because to my knowledge that question was not discussed by members of our caucus, although it may have been discussed at a meeting which I did not attend. Therefore, I cannot give the Hon. Member an answer on that on behalf of the caucus.

Mr. Allan Pietz (Welland): Madam Speaker, I am sure Hon. Members will not be surprised to hear that the Government stands behind the Main Estimates for the fiscal year ending March 31, 1988, as tabled on March 2 of this year. Indeed, I find it hard to understand why the Hon. Member for Broadview—Greenwood (Ms. McDonald) would propose a reduction in funding for an organization which has contributed so much to Canada's cultural development and which has been particularly responsive to the interests and concerns of Canadian women. Were it possible in the current climate of fiscal austerity, the Government would happily increase funding to the National Film Board of Canada, a fine organization of which all Canadians can be proud.

Hon. Members are well aware of the enviable reputation of the National Film Board of Canada. From its founding in 1939, the NFB has built a record both at home and abroad as a producer of films of the highest artistic quality in all areas; features, documentaries, shorts, animated films and videos. More than almost any other institution in Canada, the NFB has allowed Canadian men and women to capture their own cultural identity, to perceive more clearly who and what they are, and to reach a fuller comprehension of the values that shape and define the society in which we live.

Each year, this year being no exception, a number of films produced by the NFB enjoy acclaim both in Canada and abroad. Permit me to cite some statistics from the 1986-87 fiscal year alone. During that period, 146 NFB films obtained prizes; 69 in Canada, 40 in the United States, 30 in Europe and one in Australia. Of these 146 prizes, 57 were awarded to fiction films, 50 to documentaries, 30 to animation films, three to film strips, and six to special projects.

I imagine many Members have seen a film called *The Decline of the American Empire*, which was co-produced by the National Film Board. It garnered 18 awards, including the Silver Hugo in Chicago and the International Critics Prize at the Cannes Film Festival. It was the first Canadian film ever to receive an Oscar nomination as the best foreign film. It was voted best foreign film by the New York Film Critics' Circle.

I would like to mention a few of the other titles which have received honours and awards. They include *Canada's Sweetheart*, the saga of Hal C. Banks, *Democracy on Trial*, *Final Offer*, *Sitting in Limbo*, *Sonia* and *The Big Snit*.

I should point out, Madam Speaker, that the NFB continued to earn awards, critical acclaim, and wider audiences for its films despite a reduced budget. Like other departments of Government, the NFB has had to contribute its share to cost-cutting in keeping the Government's deficit within reasonable limits. From April, 1984, to April, 1986, the NFB's permanent staff was reduced by 25 per cent, from 947 to 705.

Savings resulting from the reduction of permanent staff and administrative costs were intended to generate more funds for the production and distribution of films and videos. However, cumulative vote reduction in the order of $5.5 million from 1984-85 to the present hampered the NFB's ability to realize these objectives. Yet, today we hear the unusual proposition by the NDP Member of Parliament for Broadview—Greenwood that the budget be further reduced by $100,000.

In addition to its artistic achievements, the NFB places a high priority on contributing to the development and advancement of film technology to the benefit of the film industry as a whole. For example, the NFB contributed to the perfection of the Imax three-dimensional camera and to the making of the first genuinely three-dimensional visual document. This work, called *Transactions*, was one of the major events at Expo 86 in Vancouver where it attracted 1,700,000 visitors from every corner of North America and the world.

Research and development are being carried out on several fronts simultaneously. Revolutionary new technologies such as computer assisted animation, infography, and many other techniques are being developed in NFB studios.

In co-operation with the private film sector and with university research centres, the National Film Board is

working in the field of videodisc, high definition television, stereophony and electronic editing. The NFB remains on the leading edge of new technologies, developing them for its own purposes as well as making them available in Canada and abroad.

The National Film Board takes a dynamic approach to communicating with its audience, an approach which allows it to reach more Canadians and to increase continually its presence on national television during prime time as well as on educational channels. As an example, in 1985-86 audiences for National Film Board productions scheduled during prime time on the French and English national networks increased by 54 per cent respectively over the previous year. Furthermore, the National Film Board has been able to successfully market many of its films abroad. Members of the public who watch PBS stations in the United States can see many National Film Board productions.

• (1550)

The NFB also takes seriously its role in the community and the importance of producing films which can lead to the betterment of life for Canadians. In this context, I want to point to a specific program of video productions aimed at warning children about the serious problems of sexual abuse. The distribution of this series called *Feeling Yes, Feeling No*, in English and French, is being handled by public organizations across Canada in connection with the NFB.

The latest report indicates sales of some 7,686 copies of these videos in the past few months. Following an agreement reached between the National Film Board and Health and Welfare Canada, 3,500 video cassettes in French and English will be distributed soon in public libraries across the country.

The National Film Board has also taken initiatives to broaden the audience for its films through agreements with public and school libraries. The agreement concluded with the Public Library at Quebec City is a noteworthy example of the validity of this approach.

During the 1984-85 fiscal year, before the agreement was signed, the Quebec Public Library had rented 335 video cassettes and screened 254 on its premises. After the agreement was signed, during the 1985-86 fiscal year, 5,525 video cassettes were rented from the library. In the first nine months of the following fiscal year, the number of rentals rose to 8,070, in addition to 3,700 inside screenings. This means that in less than two years, rentals and screenings in total rose from 500 to 10,000.

Let me turn for a moment to the specific concerns which the Member for Broadview—Greenwood has expressed over the position of women at the NFB. As Hon. Members may be aware, in 1974 the National Film Board created Studio B, a separate unit within the NFB designed to meet the particular needs of women film-makers and audiences.

Since its creation, Studio D has earned an international reputation for producing unique and often controversial films. Its productions include *Not A Love Story*, an award-winning film on the pornography industry's exploitation of women. They also include *If You Love This Planet*, an academy award-winning film about nuclear war.

Studio D is unique in the world as a film production unit directed by women producing films by, for and about women. Its mandate is to provide training for women, with emphasis on the film crafts from which women have been traditionally excluded, to increase the employment of professional women film-makers across Canada, to maintain an environment where women can bring women's perspectives to all social issues through the medium of film.

Since its inception, Studio D has produced, co-produced or assisted in the production of approximately 80 films. These included films made under the Federal Women's Film Program, those made under the International Youth Year Training Project Film, the Working Mothers series and the Canadian Children's series.

Studio D was responsible for the creation of the Federal Women's Film Program in 1981. This program is aimed at increasing the number of informational, educational and promotional films produced by, about and for women, as well as increasing opportunities for the creative expression of women. The Federal Women's Film Program produces and distributes films and organizes information campaigns and workshops.

Recently, the Canadian Institute for the Promotion of Culture for Women declared Studio D a "national treasure". Kathleen Shannon, Director of Studio D from 1974 to 1986, received the Order of Canada for her contribution to film-making in Canada.

In November, 1986, the NFB announced the creation within the French program branch of a women's production unit. This unit's mandate is to increase the presence and influence of women in all areas of documentary film-making within the French program branch. This unit will strive to promote discussion and change in social, cultural, economic and political relationships between men and women, and focus on new ways of examining human relationships.

The creation of Studio F is just another example of the commitment by the National Film Board to expanding the role of women in Canadian film production.

In December, 1986, the National Film Board announced plans to begin implementing, early in 1987, an employment equity program designed to increase the participation of women in film production and ensure that women achieve parity with men in all NFB staff and contract positions by 1996. The Hon. Minister of Communications (Miss MacDonald) has expressed her enthusiastic support for the NFB's employment equity program, which is one of the most extensive in any government agency.

All areas of the NFB's recruitment, training, promotion and contracting practices will be addressed in order to ensure that

women achieve parity in what is generally still a male-dominated industry. For example, in competition with all other factors being equal, preference will be given to hiring women in occupations where they are under represented. At the NFB, these include management positions as well as positions as film directors, producers and technicians. Conversely, men will be given identical preference in occupations where they are under represented. The only occupation at the NFB where men are under represented is support staff, particularly secretarial and clerical jobs.

This program is based on targets and timetables established by managers, and parity is to be achieved through funding and hiring practices, training programs, film crew selection and procedures, and the sustained support of Studio D and Studio F.

While the NFB maintained a voluntary equal opportunity program, the mandatory employment equity program was established to address inequities that have persisted within the NFB and in the film industry in general.

The chairman of the National Film Board recently told the House of Commons Standing Committee on Communications and Culture:

> Despite the progress we have recorded and the success we have achieved, it is increasingly difficult for us to provide the material and financial support necessary for a more dynamic development of three production sectors in particular which are vital for the social-cultural equilibrium of Canadian cinema: production of films by women, regional production, and the production of feature films developed from alternative models.

In other words, a cut in the Estimates for the National Film Board would likely result in cuts to production of films by women, and I cannot believe that this is a result which the Hon. Member for Broadview—Greenwood would wish to see.

Rather than entertain the Hon. Member's motion to reduce the NFB's funding by a further $100,000, I suggest that the House reaffirm its support for this excellent Canadian institution. In particular, I suggest that we reaffirm our support for the Board's continuing efforts to ensure the fullest possible participation of women in one of Canada's most important cultural industries.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I am pleased to have an opportunity to put some comments on the record regarding this particular motion by my colleague, the Hon. Member for Broadview—Greenwood (Ms. McDonald). I believe it is important that Members realize what is happening here today.

We have heard many accusations from Hon. Members which I suspect were made with honourable intention. There were suggestions that the New Democrats wanted to see a decrease in the federal support for the National Film Board. Nothing could be further from the truth or more distant from reality. Nothing could be more illogical in relation to what New Democrats have stood for since their inception.

• (1600)

For decades and decades we have been on record on every occasion as recognizing the value of the National Film Board in terms of the strategic role it plays in bringing Canadians together, making us proud of our culture and heritage and recognizing the past achievements of outstanding Canadians. We would like to see the budget for the NFB increased. That is why we are so outraged today when we look at the Estimates before us and see that the significant increases which have been called for by all Canadians have simply not occurred. Once again the NFB, for all intents and purposes, when one factors in the rate of inflation, has fallen under the axe, the knife and chain-saw of the hackers in the Department of Finance when it comes to budgeting.

Let us for once indicate the truthful position. We want to see a significant increase in the funding of the NFB in all areas. I want to focus on one area in particular, and that is the area about which the Hon. Member for Broadview—Greenwood made her comments and what precipitated this particular vote. The Hon. Member was concerned about one of the critical areas of the NFB, referred to as Studio D, which is particularly involved with the production of movies, videos and other forms of communication, portrays the concerns of women and develops the talents of women in film production and in a whole variety of other very crucial areas. The Hon. Member for Broadview—Greenwood raised this particular issue of Studio D in committee. She put to the president of the National Film Board a variety of questions to find out from his perspective what was going to happen to the funding for this particular sector of the NFB. He said that the objective is to increase the budget of Studio D and to increase the amount of money devoted to film making by women at the NFB. He said it would be a significant and very important increase.

Mrs. Mailly: It was.

Mr. Riis: That was in 1985. I am looking at the Estimates before us today. The Estimates for women's production in 1985-86 totalled $2,551,000.

Mrs. Mailly: That is not Studio D.

Mr. Riis: When I look at the Estimates for 1987—88, I find it has not increased, it has decreased to $2,184,000, with marketing also on the decrease.

Mrs. Mailly: You are looking at the wrong copy.

Mr. Riis: I am hearing embarrassed Members on the Conservative side saying I am looking at the wrong part.

Mrs. Mailly: I am not embarrassed.

Mr. Riis: I am reading the Estimates. We are debating the Estimates. We are debating this vote. If those Members have some hidden little pool they use, then it should be in the Estimates. That is what we are reading today.

Mrs. Mailly: You are reading it wrong.

Mr. Riis: That is what we are debating today. My friend, the Hon. Member for Broadview—Greenwood, stood in her place and said there is something haywire here, something has gone awry because the president of the NFB said there would be a significant increase in women's productions and there is a significant decrease. That is not only in women's production, it is in other areas about which Members of Parliament are deeply concerned, that is, the welfare of our young people, our future resources.

Mrs. Mailly: That is right.

Mr. Riis: The most important future resources of our country are the young people of Canada. I look again at what the actual production allocations were in 1985 and I look at what the Estimates for this particular year are, and they are about half. They have been reduced by 50 per cent.

Mrs. Mailly: Because International Youth Year is finished. You know that.

Mr. Riis: Oh, I see, my hon. friend says it is because the national youth year is finished and, therefore, we can forget about our interest in youth, that there is no need to be concerned about film production and marketing for young people. I think it is important that our concern for youth goes on every single year, not just in the national year of young people.

Mrs. Mailly: But you cannot have it every year.

Mr. Riis: We cannot have it every year, the Hon. Member says. I say we can have it every year and I hope in her next breath, as she screams across the aisle, she will ask where we will get the money. In other words, if we are going to increase the NFB because we want to produce more films and videos in support of young people, where are we going to get the money? Increase the budget? No. There are 79,000 profitable corporations in this country which do not pay a single cent in federal income tax.

Mrs. Mailly: Stick to the subject.

Mrs. Riis: I wish she would shut up, Madam Speaker. She has been bugging me. She has been sitting there yapping on, quite frankly.

Mrs. Mailly: It is because you are not speaking on the subject.

Mr. Riis: She is obviously embarrassed by what I am saying.

The Acting Speaker (Mrs. Champagne): Order. The Chair is quite surprised at the language used by the Hon. Member for Kamloops—Shuswap (Mr. Riis). The Chair, knowing how much everyone is being passionate in discussing the issue today, has been rather patient. However, I can assure the Hon. Member for Kamloops—Shuswap that had he been here this morning, he might have heard someone from his side of the House also trying to get her point across while the Hon. Member for Gatineau (Mrs. Mailly) was trying to get her point across. So I would like to ask all Hon. Members to please be quiet and everyone will get a chance to express his or her view as much as time will allow.

Mrs. Mailly: Point of order.

Mr. Riis: Madam Speaker, on a point of order, if I need to, I would—

The Acting Speaker (Mrs. Champagne): The first point of order was called by the Hon. Member for Gatineau. I will then recognize the Hon. Member for Kamloops—Shuswap.

[*Translation*]

Mrs. Mailly: I thank you for this clarification, Madam Speaker, but I want to say that I was going to rise on a point of order anyway, because the speech of the Hon. Member is becoming irrelevant. We were debating a motion to cut $100,000, and the Hon. Member has been dwelling on all sorts of other matters. He has been talking about the National Film Board generally. That is not what the motion is about, Madam Speaker, that is not the point.

[*English*]

Mr. Riis: I also want to suggest to my hon. friend that it is not a point of order, or it is a bogus point of order. I do not know if it is appropriate for her to challenge the work the Chair is doing. However, I want to clarify the record, Madam Speaker, by saying that I was in attendance this morning. I think it is inappropriate for anyone, with all due respect, to refer to the perceived absence of Members of the House of Commons. We have many duties which require us not to sit in our seats all day long—

The Acting Speaker (Mrs. Champagne): The Chair does apologize for having made that remark. I must say that when I hear Hon. Members screaming from one side of the House to the other, it sometimes becomes very difficult. I do apologize to the House for that remark. It was not meant in a derogatory way. On the other hand, I would ask the Hon. Member to allow the Chair to decide what is or what is not a point of order. Let us go back to debate. The Hon. Member for Kamloops—Shuswap.

Mr. Riis: Madam Speaker, I presume your intervention was most appropriate because things seem to have subdued significantly to allow us to continue. I appreciate the interjection of my hon. friend as well. These are important matters we are debating and we have many other items we must debate today under these Estimates. With that in mind, I will wrap up my comments very quickly by simply saying that when I look at the Estimates today, I see the significant decrease in support for children and for youth when it comes to marketing and production for the NFB, a reduction in women's production for NFB for the year 1985-86, and that there are a variety of deductions in what I think are perhaps the most critical areas.

We can debate which are the most critical areas in terms of support for film production of the NFB, but when it comes to women's issues and children's issues, I certainly feel these are areas which ought to receive a considerable expansion of funds as opposed to a reduction of funds. Under no circumstances are we suggesting that the over-all budget of the National Film Board should be dramatically decreased now or in the future. It is exactly the opposite. We are advocating a significant increase in the funding for the National Film Board.

• (1610)

My colleague, the Hon. Member for Broadview—Greenwood was simply trying to make an important symbolic gesture to the President of the National Film Board to the effect that when he appears before the Standing Committee on Communications and Culture and says to its members that it is his intention to significantly increase the budget for Studio D and women's programming, and a number of other areas which I will not take the time to mention, that that is what we assume he means. But when he obviously agrees and then in the final budget analysis does something different, we want to register our concern with that decision.

The National Film Board is something about which we feel very strongly. As a matter of fact, as a youngster going to school I remember those Friday afternoons when we watched films about Canada. It was probably a way for us to run out the week and give the teachers a bit of a break, I suppose, since we were restless on Friday afternoons. But year after year I was introduced to parts of Canada through the National Film Board. I became educated and informed as to the lifestyle and culture of people living in Labrador, parts of Newfoundland and northern Quebec—in fact, all parts of Canada. For that, to this day, I am very grateful.

I certainly wish to recognize the outstanding contribution that the National Film Board has made to international cinema. The awards which it has won in virtually every film festival has put Canada, along with a number of other private producers, on the cinema map of the world. For that we are all grateful.

I simply wish to clarify these two points. The first point is our support for the National Film Board funding. The second is with respect to the concern of the president in terms of what appears to be his commitment to increasing significantly the amount of money for women's productions under NFB.

The Acting Speaker (Mrs. Champagne): Are there questions or comments? The Hon. Member for Mount Royal (Mrs. Finestone).

Mrs. Finestone: Madam Speaker, I would like to bring to the attention of the House Leader of the New Democratic Party that the discussion we are having relates to a misunderstanding, I believe—and I hope it is not a wilful misunderstanding—on the part of the Hon. Member for Broadview—Greenwood (Ms. McDonald), a member of his Party. In the document to which he has been referring he looked at children/youth and women's production on page 27 of the document entitled "National Film Board 1987-88 Estimates Part III Expenditure Plan". He is looking at planning priorities. It states quite clearly "priority areas" and then states "English Programming Financial Resource Allocation". That is all women's programming, not just Studio D.

The figures which I outlined this morning, and they are figures which I support, come out of a government department, the Department of Communications. For the Hon. Member's information the booklet is entitled:

[*Translation*]

The briefing notes for the meeting of May 21 1987, National Film Board, Department of Communications, Madam Speaker, and I can hardly think that errors could have been made in that presentation too. In those papers—

[*English*]

There is Studio D and Studio D. I have said it three times today, I think, and I would like the House Leader of the NDP to understand it. There have been ongoing increases every single year in Studio D. The problem that was being referred to by the Hon. Member for Broadview—Greenwood is with respect to the fact that there was an overrun, a budget miscalculation in one year which had to be made up the following year, as well as a carryover of projects and programs that were being developed. It is true, and I said this before, that there were certain producers who could not meet their program objectives because certain fiscal matters had to be attended to first. Whether it is one's mind or one's heart, there are still fiscal matters to which one has to attend.

The facts are clear. The budget for Studio D was not decreased. The women's programming on the English side includes a whole series of programming. Yes, according to the Estimates, programming did go down for the year 1985-86 from $2.5 million to $1.9 million and then increased to $2.1 million. So there has been a realignment of funds. Thus in the total score for women at the National Film Board we have, I am pleased to say, gone from $500,000, approximately, to $1.6 million.

When we look at the issue in terms of productions being at $6.5 million, as well as the $3.5 million on the French side, we are talking about close to $10 million. I do not think that one can chastise the National Film Board in that respect.

I would like to ask the Hon. Member this. Will his Party support the amendment of his colleague, the Hon. Member for Broadview—Greenwood? What is his Party's position with respect to the National Film Board and the $100,000 which members of the New Democratic Party wish to cut from the budget? How does the Hon. Member intend to vote?

Mr. Riis: Madam Speaker, I appreciate my hon. friend's interjection. I think it needs to be said again that the initiative to reduce the budget by $100,000 is symbolic. It is an attempt to send a message to someone, a message which is obviously not getting through to certain people. On the one hand I say

that we would like to see the over-all budget significantly increased, but that is another question which we will discuss later. Today we are discussing the Estimates for the National Film Board for 1987-88. That is what we are doing. We are trying to send through this vote, which we will support, a clear message to the National Film Board, and presumably to responsible members of the Government and of the Official Opposition, that we would like to see a significant increase in moneys for women's production.

When I look at what was spent in 1985-86, with all due respect, and look at what the Government plans to spend this year in terms of production—and all I can go on is what is in the Estimates—I see a decrease. What is even more alarming is when I look at the French programming, it is not even mentioned. So if the Government plans to have some new initiatives, then for goodness sake this is the place it should be. In this way Members of Parliament could make an informed decision on whether or not we should support it. And when I look at the French Programming Financial Resource Allocation for 1987-88 and do not see it mentioned as a priority, then I have to be concerned and assume that it is not a priority. I cannot second-guess what someone somewhere might have as a priority if it is not in the Estimates. After all the Estimates estimate where the Government plans to spend money in certain areas. It is as simple as that.

I have listened to the interjections and I respect them. What I am saying is that I hope next year, in the best interest of all concerned, that when we look at the National Film Board we will see Studio D put aside in a special, separate section. In this way we would be able to see specifically what the funding was last year and what it will be this year and next year. I say that because there is obviously some confusion now. I will not make any suggestion as to where that confusion might originate. Nevertheless, it would be a significant way to improve the ability of Members of Parliament to follow through what the Government is actually expending in certain areas of this very important budget.

[*Translation*]

Mrs. Mailly: I would like to have a division on this matter, Madam Speaker, for I cannot let the Hon. Member get away with that last comment. It is quite clear.

[*English*]

The Budget Summary is very much part of the Estimates. It was available to all Members of Parliament, including the Hon. Member for Broadview—Greenwood (Ms. McDonald). It is very clear. For instance, the Hon. Member mentioned French programming, something which we instituted in 1986. For the budget of 1986-87 it states very clearly $159,000. For 1987-88 the figure is $404,000. It has not decreased, it has increased. The same applies to Studio D. In 1986-87 the figure was $579,880, which has been increased to $795,450 for 1987-88.

• (1620)

I think what has happened is that there is some confusion about the total budget of the National Film Board. The budget for Studio D, the English counterpart of the women's program, is not the whole program for women. The whole program for women at the National Film Board was worth in 1986-87, $1,174,000, and it will be receiving funding in 1987-88 of $1,678,430. That is definitely up and not down.

I believe the confusion lies in the reading of those figures to which the Hon. Member for Broadview—Greenwood referred. She came to a different conclusion, but this does not negate the fact that what has been suggested by the Hon. Member in this motion is to cut $100,000 from the budget, one-fifth of the budget allocated to Studio D. That is a large cut.

Ms. McDonald: Madam Speaker, I would like to reply—

The Acting Speaker (Mrs. Champagne): The Hon. Member for Kamloops—Shuswap (Mr. Riis) would have the right to answer. Does he give the floor to the Hon. Member for Broadview—Greenwood (Ms. McDonald)?

Mr. Riis: Madam Speaker, I do not have much to say in response to that. I heard the Hon. Member's comments and I accept them. I expect we should get on with the debate.

Ms. McDonald: Madam Speaker, I simply want to respond very briefly. It has been stated many times by the Parliamentary Secretary that somehow my response is a personal one and that the head of the National Film Board has a different way of proceeding. She has said that I simply want to be autocratic about this. I wish to respond to the criticisms—

[*Translation*]

Mrs. Mailly: On a point of order, Madam Speaker.

The Acting Speaker (Mrs. Champagne): The Hon. Parliamentary Secretary to the Minister of Communications (Mrs. Mailly) on a point of order.

Mrs. Mailly: Madam Speaker, I am somewhat confused. The Hon. Member for the New Democratic Party just said that he had nothing to add in answer to my question, which means that the Hon. Member for Broadview—Greenwood (Ms. McDonald) is now commenting on my remarks instead of the remarks of the Hon. Member who just spoke. I suggest that the debate is over and we could now put the question.

The Acting Speaker (Mrs. Champagne): There was one minute left in the questions and comments period after the Hon. Member for Kamloops—Shuswap (Mr. Riis) ended his remarks. I therefore allowed, and I think it is quite proper to do so, the Hon. Member for Broadview—Greenwood (Ms. McDonald) to speak during that one minute before we resume debate.

Supply

[*English*]

Ms. McDonald: Madam Speaker, briefly, in the time that is left, I want to respond to the comments that are being continually made by the Parliamentary Secretary indicating that somehow my reaction is personal. The head of the NFB has the notion that he can do whatever he wants and he has chosen—

Mr. Hicks: Madam Speaker, the point made in the point of order which is on the floor is that no one is allowed to begin questioning and commenting on the remarks of a questioner. Under the provisions of the Standing Orders, I believe Hon. Members are only allowed to question and comment on the remarks of the Hon. Member who has just spoken on debate.

Ms. McDonald: I am making a comment. If I may continue with my comment—

Mrs. Mailly: On my speech, not his.

The Acting Speaker (Mrs. Champagne): I will allow the Hon. Member for Broadview—Greenwood (Ms. McDonald) to continue with her comment but I will warn her that it would be better for her to keep her comments related to the speech made by the Hon. Member for Kamloops—Shuswap (Mr. Riis).

Ms. McDonald: Madam Speaker, in the one minute left, my comment is that the President of the NFB went to committee, made an explicit promise about Studio D and did not fulfil that promise. The Estimates very clearly show that.

Other comments that have been made throughout refer to sub-categories of the Estimates, project money in effect. Looking at the total amounts available, which is what I am referring to in the Estimates, it is very clear that there has been a decrease, contrary to the promise made by the head of the National Film Board to a Parliamentary Committee. I think that is a very serious matter to be fooling around with sub-categories where there is a different kind of trend when the general trend is such an unfavourable one and when I explicitly asked the head of the NFB if he would then grant an increase and he said no.

The Acting Speaker (Mrs. Champagne): I am sorry, but the time allowed has now elapsed. Is the House ready for the question.

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on the amendment of the Hon. Member for Broadview—Greenwood (Ms. McDonald). Is it the pleasure of the House to adopt the amendment?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Call in the Members.

The House divided on the amendment (Ms. McDonald) which was negatived on the following division:

• (1630)

(*Division No. 141*)

YEAS

Members

Althouse
Benjamin
Blaikie
Heap
Keeper
Manly
McDonald (Broadview—Greenwood)
Mitchell
Murphy
Nystrom
Riis
Rodriguez
Skelly—13

NAYS

Members

Andre
Attewell
Belsher
Bertrand
Blais
Blouin
Boudria
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Chartrand
Comeau
Copps
Corbett
Crombie
Darling
Daubney
de Cotret
Della Noce
Desjardins
Dorin
Epp (Provencher)
Fennell
Finestone
Fontaine
Forrestall
Foster
Fretz
Gagliano
Gagnon
Garneau
Gass
Gauthier
Gérin
Gervais
Girard
Graham
Gray (Windsor West)
Greenaway
Grondin
Guilbault (Saint-Jacques)
Hamilton
Hicks
Hopkins
Howie
Hudon
James
Jepson
Jourdenais
Kempling
King
Lapierre
Lawrence
Leblanc
Lewis
MacDougall (Timiskaming)
MacLellan
Mailly
Mantha
Marchi
Martin
Mazankowski
McCain
McInnes
McKenzie
McKinnon
McMillan
Merrithew
Nicholson (Trinity)
Nicholson (Niagara Falls)
Nickerson
Nowlan
Oberle
O'Neil
Paproski
Penner
Peterson
Pietz
Plamondon
Price
Prud'homme
Reimer
Robichaud
St. Germain
Scott (Hamilton—Wentworth)
Scowen
Suluk
Tardif (Charlesbourg)

Taylor	Van De Walle	Winegard
Thacker	Vincent	Wise
Tremblay (Québec-Est)	Weiner	Witer—103
Tremblay (Lotbinière)	White	

• (1700)

The Acting Speaker (Mrs. Champagne): I declare the amendment lost. Is the House ready for the next question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on the main motion. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Mr. Gauthier: On division.

The Acting Speaker (Mrs. Champagne): I declare the motion carried.

[*Translation*]

MOTION FOR CONCURRENCE IN VOTE 25, DEPARTMENT OF THE SOLICITOR GENERAL

Hon. Robert de Cotret (President of the Treasury Board) moved that vote 25, in the amount of $662,941,000 under the Department in the Solicitor General—Royal Canadian Mounted Police—Operating expenditures, in the Main Estimates for the fiscal year ending March 31, 1988, be concurred in.

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Madam Speaker, I would like to explain why I put a motion on the Order Paper of the House giving notice of opposition to this vote . . . —when Hon. Members are finished talking, perhaps they would care to listen—Madam Speaker, I moved that $100,000 be subtracted from Vote 25 moved by the President of the Treasury Board (Mr. de Cotret) for the simple reason that at least a year ago, it was last June, we were asking questions in the House about the Royal Canadian Mounted Police and its commitment to follow—

• (1710)

[*English*]

The Acting Speaker (Mrs. Champagne): Order. It is very difficult for the Chair to understand the Hon. Member's statement. I am sure all other Hon. Members want to hear what their colleague has to say. The Chair would appreciate everyone's co-operation.

[*Translation*]

Mr. Gauthier: Madam Speaker, of course the subject I want to discuss this afternoon is whether the RCMP, as a federal agency, realizes that the Official Languages Act applies to all federal agencies, including the RCMP.

Madam Speaker, there are problems in certain agencies, and today I would like to take this opportunity to discuss these and perhaps even try and correct some of the problems that exist at the RCMP.

Madam Speaker, there was a time when public opinion in this country was such that it was very difficult to introduce bilingualism in the public service in general and especially in certain Government agencies.

Today, although some reluctance still exists, I have the feeling, and I think the House will agree, that in our Canadian federation we are seeing a phenomenon that is the exact opposite of what we saw nearly twenty years ago in 1969, when the Official Languages Act was adopted. Today, we see in this country an increasing understanding, respect and generosity within the language groups and as a result, I think we have a far better understanding between the founding groups. Canada's duality is in better shape today.

As I said, attitudes have changed and the public at large has become ever more aware of this reality, acknowledging as well that it is necessary for the federal Government, its agencies included, to ensure full respect for this legislation, the Official Languages Act, and to promote it among Canadians generally.

The situation, Madam Speaker, more specifically with respect to the RCMP, is not particularly encouraging, something we have been witnessing for several months both in committee and in the House. RCMP officers are complaining, they write letters, and I could quote lengthy passages of the letter written and made public by C Division Assistant Commissioner J.E.J. Julien, an important letter which indeed raised a few eyebrows and bore the signature of many people, among others that of the C Division Assistant Commissioner, and which I think reflected the state of mind in Quebec.

In the rest of Canada, particularly here in the national capital, we could tell that the central administration was somewhat ill at ease.

At times it was difficult to make the RCMP Commissioner admit, in committee and elsewhere, that he was in the process of attempting to convince the force to show respect and follow the three major themes: the main theme being the language of service, that is the language of the institution which must serve the Canadian public; the language of work, of course, which is the right of every Canadian individual to work in the language of his or her choice, be it English in Quebec or French elsewhere, a worthy objective; and the third theme, which is fair representation.

Generally speaking, I think we have now reached what might be called an equitable level of about 26 or 27 per cent within the Public Service of Canada, and I am pleased about that.

However, I found it rather strange to hear and read that the RCMP was talking about reducing its objective, which was not 26 or 27 per cent, but 20 per cent, and which it had set in agreement with government authorities a few years ago, to some 12 or 14 per cent of the regular force, and this is why I would like to examine these events chronologically. When we asked questions in the House to the President of the Treasury Board to see whether he was aware of what was happening, he

replied that this was simply being discussed at the departmental level and that this plan had not been officially approved.

I asked this question on October 16, 1986, Madam Speaker. The Minister then replied: "This plan has not been approved by Treasury Board, which means that it is simply being discussed at the departmental level. What you have there is a document which should unfortunately not have been made public."

However, I was not the one to make the document public. It came to me and to many others by mail in the *Pony Express*, which is the publication of the RCMP Staff Relations Branch. This publication said that the 20 per cent target set by the RCMP would be reduced to between 12 and 14 per cent for constables in the regular force. I wanted to know whether the Government had supported, endorsed or approved such a reduction.

According to the President of the Treasury Board, this decision had not been approved. I believed him.

Some time later, I put another question to the Solicitor General about the negotiations between the Treasury Board and the RCMP, which negotiations seemed to be confirmed by some correspondence I had received in an envelope, as I receive many other things, which correspondence was signed by the Deputy Secretary of the Treasury Board, Mr. Aquilina. According to this correspondence, there had been discussions at the departmental level about a general plan to reduce the proportion of francophone staff from some 20 per cent to 12 or 14 per cent.

I simply made this correspondence public, and once more, I was told by the Government that these were only negotiations and dicussions between public servants and that there was no agreement in principle to reduce the proportion of francophone staff, in other words that there was no reason for concern.

Once more, I believed the Ministers. During the late show on November 20, I once more asked the same question to the Solicitor General who again confirmed that my concern was unfounded.

• (1720)

In the House, on December 18, I directed a number of questions to the President of the Treasury Board about the inconsistencies I had found in statements made by various Ministers, as reported by newspapers, and the policy of the RCMP; it was not quite clear who was telling the truth. I really wondered about the so-called secret meetings between the Treasury Board and the RCMP.

Madam Speaker, I asked the Solicitor General whether he had approved a comprehensive plan for the RCMP. Could we obtain a copy of it, to find out what the objectives and plans are? He did not give me a definite answer, but the Parliamentary Secretary to the President of the Treasury Board told me at the time that he had asked the Solicitor General to prepare one. I said, okay, I'm going to wait patiently.

In the meantime, on January 30, I asked a question; on February 2, I asked another question. On May 5, I indicated to the House that the RCMP's admission and selection tests were somewhat irregular and that the French translation of the text which had been prepared in English could be detrimental to the applicants who wanted to join the police force.

On May 7, I lost patience and asked the President of the Treasury Board to come and say outright how things stood and what the policy or policies were, as well as the comprehensive plan. He replied: I asked . . . I am quoting the Minister, although I am not quoting him *verbatim*, because it would be too long—but he told me at the time that he had asked the Solicitor General to table a comprehensive plan as soon as possible.

Again, I thought that he was telling the truth and I showed restraint. I told myself: Finally, we are going to get a plan, for the President of the Treasury Board has asked a Minister to provide him with such a plan, and all the doubts raised here in the House and in the committee were unfounded. In Montreal, however, the Solicitor told newspapermen that the Government would reestablish the objective set before for civil servants at between 12 and 14 per cent, to 20 per cent. Madam Speaker, I then asked the Solicitor General why, having denied for six months that there had been a reduction, claiming that there had been nothing but discussions, he had reestablished the 20 per cent rate. Then, I realized that someone was confused. Why should the objective he set again at 20 per cent for the RCMP when it had been denied all along that there had been any reduction. So I draw your attention to an article in the *Journal de Montréal* of May 14, from which I quote as follows:

> The Conservative minister intends to release the contents of the report—

This is the report he had been asked to prepare by Treasury Board.

> —as soon as it is printed.

So he will release the report. I quote again:

> For the time being, he will give no information other than to mention that he is willing to take steps to increase to 20 per cent the proportion of bilingual RCMP personnel, compared to the 12 or 13 per cent objective set by the management of that police force.

So, I had good reason to worry. This means that what we have been raising in the House for the past six months was based on some element of truth since the Solicitor General has said that he would raise the objective to 20 per cent and that he would release the report, the corporate plan for the organisation for which he is accountable in the House, as soon as it is printed.

Madam Speaker, today is June 11, and I have yet to see the report, I have yet to see the overall plan. I feel the Solicitor General should make it public, tell us exactly where we stand, tell us exactly where we are going on that matter, thereby meeting our most basic requirement, which is to get information in this House. Hon. Members here after all are capable of doing as much work as other people, but we must have the information needed to do our job. When we are being delayed,

when we are being deprived of information, we have to insist of course.

In the matter of the RCMP, it is my view that the Commissioner of Official Languages and the Standing Committee of this House on Official Languages, individual Members, not only myself but interested Members from the Committee on Official Languages from all political persuasions in this House, are entitled to a degree of consideration, a degree of information sharing. If, as the Governement suggests, they now have an overall plan and all that remains to be done is to print it—as they suggested almost a month ago—we are still waiting for it. So I told myself: Today is supply day, the last day where we are going to appropriate to the RCMP a substantial amount for operations, some $600 million. I told myself: Darn it, I would like to know where that report is, and from the RCMP Commissionner, what they are going to do to satisfy us as far as overall plans on officials languages are concerned.

So the first thing is this: Where is the report? I am asking this now. If someone in this House can respond on behalf of the Government and meet that request, I will sit down, Madam Speaker, I will read the plan, and along with other Members I would like to discuss it. I am not the only one to ask for some clarification.

I have here the Annual Report of the Commissioner of Official Languages, the 1986 Annual Report—should you look in the 1985, 1984 or 1983 Report, you would find the same thing—where it says that despite improvements in the RCMP they still have a long way to go. I would like to quote from page 125 of the 1986 Annual Report of the Commissioner of Official Languages:

> Even though the Royal Canadian Mounted Police took a few intersting initiatives in 1986, some of its actions may well delay achievement of linguistic equality.

Madam Speaker, I could read what the Commissioner of Official Languages has to say about the RCMP and the official languages, but I invite all the Members do so it, it is not very long, only about four pages.

As I said at the beginning of my remarks, it is clear, Madam Speaker, that there is a real need in some organisations to being the managers up to date. There are some officers, not just in the Royal Canadian Mounted Police, but also in the Canadian Security Intelligence Service, in the Correctional Service of Canada and in some other agencies, some top civil servants, people in managerial positions who, in 1987, still think that the Official Languages Act passed by this House in 1969 is only some form of regulation to be applied as such.

I do not like having to say so, but this is the law of the land. It must be followed and applied, and along with other Members of this House, I shall insist that it be applied literally and that it be improved.

I shall close by saying, because it is important for Canadians to know this, that this Act has been in existence for 18 years and it needs to be improved and brought up to date. In 1987, it should reflect the views which my friend the Hon. Member for Duvernay (Mr. Della Noce) and myself believe Canadians hold today, that is that there should be true equality, not better treatment for one group or another, but equal treatment. I would like the RCMP to understand that I am not singling it out. I am using the RCMP as an example today, but there are many others I could use. The Official Languages Act is not just a series of regulations, it is one of the basic laws of this country. I hope that it will be amended to give it some teeth.

I hope that it can be made to reflect what I believe to be the general view in Canada about the issue of official languages. There is an element of maturity in this country nowadays. There are no, or at least very few, groups which oppose the French fact or the "Frogs" as we used to be called. There are very few of them. The same is true for the Quebec anglophones. I believe that, in the public service in general, as I said earlier, Madam Speaker—

• (1730)

[*English*]

When we speak about official languages in Quebec, I think that we have some grounds which we can put forward in terms of fairness and gains which can be made. I for one think that the Public Service of Canada, for example, reflects the linguistic balance of the country in terms of per centages. But it is not fair in terms of regional representation. I think that the English in Quebec are not getting a fair shake in the Public Service of Canada. I think that the Francophones outside Quebec are not getting a fair shake in terms of fair representation among the—

[*Translation*]

—ranks of the Public Service of Canada. I think much remains to be done, and that is what we want: not more and not less. And when we asked representatives of the RCMP to try and listen to what we had to say, and when they appeared before the committee, on the first day of the hearings held by the Committee on Official Languages—a committee of the House—with a document in one language only—

An Hon. Member: In English only.

Mr. Gauthier: —and we had to say: Just a minute, according to one of the Standing Orders of this House, any document tabled by the Clerk or the Speaker of the House must be tabled in both official languages— A translation was done practically on the spot, but it was a translation of a document that had been prepared in one language only by the RCMP.

That started the meeting off on the wrong foot, Madam Speaker. It wasn't that easy. We had to be firm and tell Commissioner Simmons: Sir, sorry about that but you are a couple of years out of date. So the document was translated. Not a very good translation, since there were seven grammar mistakes and twelve spelling mistakes, but at least we had a translation an hour and a quarter after the committee's proceedings had started.

Madam Speaker, I want to end on a positive note. Today I think there is a new attitude in Canada towards the official languages. I think that when our legislation is amended to reflect the Canada of 1987, not just the RCMP but all Government agencies should act accordingly. And finally, and this was the purpose of my speech, Madam Speaker, I move, seconded by the Hon. Member for Westmorland—Kent (Mr. Robichaud):

> That the motion be amended by striking out the amount of $662,941,000 and substituting the amount of $662,841,000 therefor.

—or a reduction of $100,000, which represents the salary of the RCMP Commissioner.

The Acting Speaker (Mrs. Champagne): A period of questions and comments follows the speech of the Hon. Member for Ottawa—Vanier (Mr. Gauthier). The Hon. Member for Huron—Bruce (Mr. Cardiff).

[*English*]

Mr. Cardiff: Madam Speaker, I would just like to make one comment with respect to the speech made by the Hon. Member for Ottawa-Vanier. He made various comments about the Solicitor General not providing information on official languages. Perhaps the Hon. Member is not aware of this, and I wish to make him aware of it. Is he aware that the SIRC report dealing with this issue will be tabled within the next few days?

Mr. Gauthier: No, I was not aware of that, Madam Speaker. That goes exactly to the gist of my intervention today. It was to ask where this report is, a report which was asked for by Treasury Board and the Minister for the last three or four weeks. I have been promised the report. The Minister said in Montreal some time in May that he was waiting for the report to be printed. That report is very important to me. It gives us the objectives, the plan and it sets forth in the years to come what the RCMP stands for in terms of language policy. That is basically why I oppose what is before us today. It was so that I would have the assurance of the Government that it would indeed make the report public.

Mr. Skelly: Madam Speaker, I have just a couple of points to make. I participated in the Official Languages Committee when this subject was covered. It is difficult not to support the concept put forward by the previous speaker. The dilemma, of course, is that everyone in the House asks that Parliament be respected and that linguistic fairness and the targets outlined by the Parliament of Canada be respected by not only the RCMP but by all other agencies in the country. So we completely support that principle. We regret that the RCMP has not been able to move in a more satisfactory manner toward linguistic equality.

Back in the early 1980s we saw a period of time in which the country was in a deep recession. At that time very few people left the RCMP and recruitment was very low. Indeed, the Government of the day provided very few resources to enable the RCMP to meet its targets. Unfortunately, the RCMP did recruit quite a number of Francophones during this period of time to the exclusion of many other areas that had to be addressed.

It was pointed out in the committee, and has been pointed out in the country over the past few years, that the RCMP functions primarily in western Canada and in the North. Many Anglophones who had exceptionally good qualifications were denied access to the RCMP while the organization tried to meet its linguistic commitments in a period of very low recruitment.

One must come back to the Government of the day in that period from 1980 to 1984 and ask this. Why were additional resources not put aside so that the RCMP could meet its targets? Why was it not insisted upon that special resources be put aside to recruit and to meet those targets?

The same Government deprived the RCMP of resources to meet other important areas. The RCMP functions in native communities. It provides law enforcement services to native communities in the North and in the western provinces. What we have here is a very serious under representation of native people and of women. The RCMP provides law enforcement in areas in which I think it is absolutely important that the number of women officers be increased. The force deals with issues such as sexual abuse of children and rape and assault.

It is a situation in which the proportion of women for effective law enforcement be increased for two reasons. The first is that in many cases they deal more effectively in that area of offences. The second is that in terms of striking some form of fairness and equality for the participation of women that more initiative has to be put into recruiting women for the RCMP. Indeed, in these years I personally raised matters with officials of the RCMP because in the area of the country I represent there is a desperate need for women members, both with respect to the point of equality and with respect to their ability to deal more effectively in some areas of law enforcement.

We have lost the initiative in three important areas because the Government of the day failed to provide the resources to the RCMP in periods of low recruitment to make those programs work. Indeed, the same kind of shortage of resources is presented today in the Budget of the present Government. The present Government has turned a blind eye to the issue of allowing the RCMP to meet those targets with additional resources, especially with respect to these primary and important areas: increasing linguistic equality and the recruiting of more women and native people so that they can be present in the communities in which the RCMP provide law enforcement services.

I for one support the principle put forward by my colleague who serves on the Official Languages Committee in a very distinguished and effective manner. This point must be addressed and we support it, but we must not lose sight of the need to recruit more women and native people into the RCMP.

Certainly the issue of multicultural representation is critical as well. The Government of the day must provide resources to meet the targets and it must provide resources that are specifically targeted to aid in that area of recruitment.

• (1740)

Mr. Gauthier: Madam Speaker, I would like to respond to that. I think there are grounds for the kind of grievance expressed, particularly by western Canadians. I for one believe that there have been some errors in balancing recruitment over the years, and it goes both ways.

In his comments to the committee, Commissioner Simmonds recognized that indeed the RCMP is a national force and it must recruit nationally, but it must also meet its provincial contract requirements and accept the fact that a large portion of the force is mobile. Many members of the force are called upon to spend two or three years in one place and then have to move either because of the requirements of the force, because of experience or sometimes because of promotions. I accept that. I think over the years there has been some imbalance, but in the last few years the recruitment of Francophones and Anglophones has been pretty well equal to proportional population representation and of course to the workload of the force.

I am told that in 1983-84, 65 per cent of the only 84 members who were recruited were Francophones. Of course, there were only 84 members recruited that year because there was a down-sizing of the force. In the last year, there were 542 recruits and 26 per cent of those were Francophones. There has been a re-establishment of the proportions.

I understand the grievance of the western provinces. I understand they feel that they should be well represented, and I accept that. However, as I said at the beginning of my remarks, we have a long way to go to ensure regional representation and allow both the English-speaking in Quebec and the Francophones outside Quebec to participate fully in this national public service. We understand the difficulty. The grievance is well put and we will try to work toward re-establishing some equity.

Mr. Murray Cardiff (Parliamentary Secretary to Solicitor General of Canada): Madam Speaker, I rise to speak to the motion put forward by the Hon. Member for Ottawa—Vanier (Mr. Gauthier) opposing the $662,941 operating expenditures proposed in the RCMP Main Estimates for the fiscal year ending March 31, 1988. Given the Hon. Member's long-standing interest in official languages issues and particularly in those matters pertaining to the official languages program of the RCMP, I would like to take this opportunity to provide to the Hon. Member and other Hon. Members some indication of the current status of official languages in the RCMP and of the direction the force will be going in the future.

A balanced assessment of the RCMP with respect to official languages will recognize both accomplishments as well as areas where continued efforts are required. With respect to accomplishments, the force has been highly successful in developing innovative approaches to delivering bilingual policing services to the public in the vast unilingual areas served by the RCMP through the use of the unit bilingual complement concept.

The unit bilingual complement, or UBC, approach ensures that in each of the 276 significant demand areas served by the force, at least one officer is available to provide the public with bilingual service. Approximately 90 per cent of all UBCs are fully staffed with competent bilingual personnel. Efforts are continuing to improve practices so that the public is aware that service is available in both languages in these predominantly unilingual regions of Canada.

In bilingual regions such as northern Ontario, New Brunswick and the metropolitan areas of Quebec where both official languages groups represent a sizeable portion of the population, well over 80 per cent of serving RCMP members are bilingual. These figures reflect a significant commitment by the RCMP to offering, where required, service to the public in both official languages.

I am of course aware that the Government's official languages program consists of more than just service to the public. It also seeks to improve the language of work environment and to provide for equitable participation of both language groups. The status of these other aspects of the official languages program of the RCMP has experienced a gradual but sustained improvement over the last decade. I use the word "gradual" advisedly as incremental change is the only type of change possible in a career organization such as the RCMP. This is particularly so when it pertains to changes to the profile of RCMP members themselves.

Francophone participation in the RCMP stood at approximately 9.8 per cent in 1976 when the official languages program was first established. Since that year, the RCMP, through a vigorous recruitment program in which bilingual skills were given a very high priority, has increased the number of Francophones on average by 0.5 per cent per year. These results were achieved as a direct result of RCMP recruitment efforts and are evidence of the force's commitment in this area.

I should also add that in addition to recruitment, another reason for the advances made by the RCMP in increasing its bilingual resources and Francophone participation has been language training. The recruit official language training program was introduced in 1977, and since commencement, over 400 unilingual recruits, equitably divided between English and French-speaking candidates, have been given training in the other official language.

Having referred to areas in which the RCMP has made substantive progress, including the development and implementation of the UBC concept in unilingual areas, a proactive and progressive recruitment program designed to support official languages objectives and a small but effective cadet language training program, I will now touch upon three areas where further work is necessary.

The Commissioner of Official Languages has commented upon the number of bilingually designated positions in the RCMP in which the incumbent does not yet fully meet the language requirements of the position. In headquarters, for example, just over 50 per cent of bilingual positions are staffed by members who do not meet the linguistic requirements of the position. This can, of course, be explained by the fact that headquarters is made up of members drawn from the regions, most of whom served in English-speaking provinces. Nevertheless, this points to the need for the force to increase beyond its immediate requirements the size of its bilingual resources. A substantial pool of bilingual members is necessary if the force is to maintain a flexible policy of promotions and transfers while at the same time maintaining a high level of bilingual capability at headquarters.

It might also be stated that the Francophone participation rate is both a success and a shortcoming. It is a success in comparison to where the force was in the past but a shortcoming in view of where it wants to be in the future. Francophone members of the force still comprise less than 15 per cent of the regular member category, exclusive of special constables, a considerable distance from the full participation objective of 20.8 per cent for Francophones which the force set for itself in 1978.

These and other shortcomings have been referred to by the Commissioner of Official Languages and by the Hon. Member for Ottawa—Vanier during committee hearings on official languages. As the Hon. Member is aware, the Solicitor General (Mr. Kelleher) has submitted proposals to the President of the Treasury Board (Mr. de Cotret) for changing some aspects of the RCMP official languages program.

• (1750)

These proposals are designed to address the shortcomings which I have just mentioned. It is also worth noting that these proposals would build on the successes of the existing official languages program.

I am speaking here of the UBC concept which has been demonstrated as being a flexible and valid approach to providing bilingual service in unilingual areas. I am also referring to the recruit official language training program, and I believe that I can safely say at this point that there will be no dimunition at this time to the long-term commitment of the force to provide for equitable participation of both official language groups.

I am not at liberty at this time to go into the details of the proposals of the Solicitor General (Mr. Kelleher). However, I am sure the Hon. Member for Ottawa—Vanier (Mr. Gauthier) will be hearing from the Solicitor General concerning these matters in the not too distant future.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on the amendment standing in the name of the Hon. Member for Ottawa—Vanier (Mr. Gauthier).

Is it the pleasure of the House to adopt the amendment?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Gauthier: On division.

The Acting Speaker (Mrs. Champagne): I declare the amendment negatived.

The next question is on the main motion. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the yeas have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Call in the Members.

The House divided on the motion (Mr. de Cotret), which was agreed to on the following division:

(*Division No. 142*)

YEAS

Members

Attewell	Epp (Provencher)	Lawrence
Bertrand	Fennell	Leblanc
Blais	Ferland	Lewis
Blouin	Fontaine	Lopez
Boyer	Forrestall	MacDougall (Timiskaming)
Brightwell	Gagnon	Mailly
Brisco	Gass	Mantha
Browes	Gérin	Martin
Caldwell	Girard	Mazankowski
Cardiff	Graham	McCain
Chartrand	Halliday	McInnes
Comeau	Hamilton	McKenzie
Corbett	Hicks	McKinnon
Crombie	Howie	McMillan
Darling	James	Nickerson
Daubney	Jepson	Oberle
de Cotret	Jourdenais	O'Neil
Della Noce	Kelleher	Peterson
Dorin	Kempling	Pietz

Price	Tardif	Van De Walle
Reimer	(Charlesbourg)	White
St. Germain	Thacker	Winegard
Scott	Tremblay	Witer—72
(Hamilton—Wentworth)	(Québec-Est)	
Scowen	Tremblay	
Suluk	(Lotbinière)	
	Tupper	

NAYS

Members

Althouse	Heap	Nicholson
Benjamin	Hopkins	(Trinity)
Blaikie	Jewett	Nystrom
Boudria	Kaplan	Orlikow
Caccia	Keeper	Penner
Copps	Lapierre	Prud'homme
Finestone	MacLellan	Riis
Foster	Manly	Robichaud
Garneau	McDonald	Rodriguez
Gauthier	(Broadview—	Skelly—32
Grondin	Greenwood)	
Guilbault	Mitchell	
(Saint-Jacques)	Murphy	

• (1810)

The Acting Speaker (Mrs. Champagne): I declare the motion carried.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): On a point of order, Madam Speaker, there have been discussions among the Parties and I think you will find there is unanimous consent for the following proposition: That there be no further debate, and that Motions Nos. 3, 4, and 5, and the amendments thereto, will go on division, presumably with the Government winning the voice vote and the Opposition losing the voice vote. However, that the recorded division that was just taken be applied to the unopposed votes showing on the Order Paper. In addition, that there be no further debate or amendment on any stage of Bill C-65, an Act for granting Her Majesty certain sums of money for the Government of Canada for the fiscal year ending March 31, 1988, including Committee of the Whole, but that the same recorded division just taken be applied in all instances where a recorded division could be taken in order that those of us who are here will benefit from an addition to our voting records. When third reading is completed, the House has agreed we will call it ten o'clock.

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Madam Speaker, I can confirm that indeed there have been negotiations and I concur with the proposal made by the Parliamentary Secretary.

I would like to ask a question of the President of the Treasury Board. Can he assure the House that the Bill as presented is in proper form and in keeping with tradition?

Hon. Robert de Cotret (President of the Treasury Board): Madam Speaker, I am happy to inform my colleague that the form of the Bill is the same as in previous years.

Mr. Ross Belsher (Fraser Valley East): On a point of order, Madam Speaker, I was late arriving for the vote and I would like my name recorded with the Government on all the recorded votes to follow.

Mr. Nelson A. Riis (Kamloops—Shuswap): Madam Speaker, essentially I want to concur with the proposal made by the Parliamentary Secretary. I would like to propose one change, and that is that Motions Nos. 3, 4 and 5 as presented receive the vote that we just experienced on this division but that the amendments proposed to 3, 4, and 5 be opposed on division. That would enable Members to obtain three additional votes and I think it is appropriate that we do that.

Some Hon. Members: Hear, hear!

Mr. Lewis: Madam Speaker, we are in a position to agree with that.

• (1820)

Mr. Pat Nowlan (Annapolis Valley—Hants): Madam Speaker, I, too, like my friend from British Columbia, was on the phone. I thought I would be able to participate in the vote. I would like to have my vote counted on the government side for all the divisions that were agreed upon.

The Acting Speaker (Mrs. Champagne): The votes of the Member for Fraser Valley East (Mr. Belsher) and the Member for Annapolis Valley—Hants (Mr. Nowlan) will be included in the divisions on the government side.

[*Translation*]

Mr. Vincent: Madam Speaker, I too would have voted on the Government side.

[*English*]

The Acting Speaker (Mrs. Champagne): The same will apply to the Member for Trois-Rivieres (Mr. Vincent).

MOTION FOR CONCURRENCE IN VOTE 5, DEPARTMENT OF THE SOLICITOR GENERAL

Hon. Robert de Cotret (President of the Treasury Board) moved:

No. 3

That Vote 5, in the amount of $133,589,000 under the Department of the Solicitor General—Canadian Security Intelligence Service—program expenditure, in the Main Estimates for the fiscal year ending March 31, 1988, be concurred in.

The House divided on the motion which was agreed to on the following division:

(*Division No. 143*)

YEAS

Members

Attewell	Bertrand	Blouin
Belsher	Blais	Boyer

Brightwell
Brisco
Browes
Caldwell
Cardiff
Chartrand
Comeau
Corbett
Crombie
Darling
Daubney
de Cotret
Della Noce
Dorin
Epp
(Provencher)
Fennell
Ferland
Fontaine
Forrestall
Gagnon
Gass
Gérin
Girard
Graham
Halliday
Hamilton
Hicks
Howie
James
Jepson
Jourdenais
Kelleher
Kempling
Lawrence
Leblanc
Lewis
Lopez
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mazankowski
McCain
McInnes
McKenzie
McKinnon
McMillan
Nickerson
Nowlan
Oberle
O'Neil
Peterson
Pietz
Price
Reimer
St. Germain
Scott
(Hamilton—Wentworth)
Scowen
Suluk
Tardif
(Charlesbourg)
Thacker
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Van De Walle
Vincent
White
Winegard
Witer—75

NAYS

Members

Althouse
Benjamin
Blaikie
Boudria
Caccia
Copps
Finestone
Foster
Garneau
Gauthier
Grondin
Guilbault
(Saint-Jacques)
Heap
Hopkins
Jewett
Kaplan
Keeper
Lapierre
MacLellan
Manly
McDonald
(Broadview—
Greenwood)
Mitchell
Murphy
Nicholson
(Trinity)
Nystrom
Orlikow
Penner
Prud'homme
Riis
Robichaud
Rodriguez
Skelly—32

MOTION FOR CONCURRENCE IN VOTE 10, DEPARTMENT OF THE SOLICITOR GENERAL

Hon. Robert de Cotret (President of the Treasury Board) moved:

No. 4

That Vote 10, in the amount of $618,481,000 under the Department of the Solicitor General—Correctional Service—Penitentiary Service and National Parole Service—operating expenditures, in the Main Estimates for the fiscal year ending March 31, 1988, be concurred in.

The House divided on the motion which was agreed to on the following division:

(*Division No. 144*)

YEAS

Members

Attewell
Belsher
Bertrand
Blais
Blouin
Boyer
Brightwell
Brisco
Browes
Caldwell
Cardiff
Chartrand
Comeau
Corbett
Crombie
Darling
Daubney
de Cotret
Della Noce
Dorin
Epp
(Provencher)
Fennell
Ferland
Fontaine
Forrestall
Gagnon
Gass
Gérin
Girard
Graham
Halliday
Hamilton
Hicks
Howie
James
Jepson
Jourdenais
Kelleher
Kempling
Lawrence
Leblanc
Lewis
Lopez
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mazankowski
McCain
McInnes
McKenzie
McKinnon
McMillan
Nickerson
Nowlan
Oberle
O'Neil
Peterson
Pietz
Price
Reimer
St. Germain
Scott
(Hamilton—Wentworth)
Scowen
Suluk
Tardif
(Charlesbourg)
Thacker
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Van De Walle
Vincent
White
Winegard
Witer—75

NAYS

Members

Althouse
Benjamin
Blaikie
Boudria
Caccia
Copps
Finestone
Foster
Garneau
Gauthier
Grondin
Guilbault
(Saint-Jacques)
Heap
Hopkins
Jewett
Kaplan
Keeper
Lapierre
MacLellan
Manly
McDonald
(Broadview—
Greenwood)
Mitchell
Murphy
Nicholson
(Trinity)
Nystrom
Orlikow
Penner
Prud'homme
Riis
Robichaud
Rodriguez
Skelly—32

MOTION FOR CONCURRENCE IN VOTE 15, DEPARTMENT OF THE SOLICITOR GENERAL

Hon. Robert de Cotret (President of the Treasury Board) moved:

No. 5

That Vote 15, in the amount of $122,136,000 under the Department of the Solicitor General—Correctional Service—Penitentiary Service and National Parole Service—capital expenditures, in the Main Estimates for the fiscal year ending March 31, 1988, be concurred in.

The House divided on the motion which was agreed to on the following division:

(*Division No. 145*)

YEAS

Members

Attewell
Belsher
Bertrand
Blais
Blouin
Boyer
Brightwell
Brisco
Browes
Caldwell
Cardiff
Chartrand
Comeau
Corbett
Crombie
Darling
Daubney
de Cotret
Della Noce
Dorin
Epp
(Provencher)
Fennell
Ferland
Fontaine
Forrestall
Gagnon
Gass
Gérin
Girard
Graham
Halliday
Hamilton
Hicks
Howie
James
Jepson
Jourdenais
Kelleher
Kempling
Lawrence
Leblanc
Lewis
Lopez
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mazankowski
McCain
McInnes
McKenzie
McKinnon

McMillan
Nickerson
Nowlan
Oberle
O'Neil
Peterson
Pietz
Price
Reimer
St. Germain
Scott (Hamilton—Wentworth)
Scowen
Suluk
Tardif (Charlesbourg)
Thacker
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Van De Walle
Vincent
White
Winegard
Witer—75

NAYS

Members

Althouse
Benjamin
Blaikie
Boudria
Caccia
Copps
Finestone
Foster
Garneau
Gauthier
Grondin
Guilbault (Saint-Jacques)
Heap
Hopkins
Jewett
Kaplan
Keeper
Lapierre
MacLellan
Manly
McDonald (Broadview—Greenwood)
Mitchell
Murphy
Nicholson (Trinity)
Nystrom
Orlikow
Penner
Prud'homme
Riis
Robichaud
Rodriguez
Skelly—32

[*Translation*]

Mr. Guilbault (Saint-Jacques): Madam Speaker, in each case you have just mentioned you read the main motion, but not the amendment, the conclusion being that the amendment must be voted on before the main motion. First we dispose of the amendment and then of the main motion.

The Acting Speaker (Mrs. Champagne): We realize that after the motion of the Minister there were notices of opposition to certain motions. However, since there was no debate the notice could not be moved as such and therefore we cannot vote on a notice which has not been moved, on a notice which did not become a request for amendment.

[*English*]

Mr. King: Madam Speaker, I would like to ensure that my vote is recorded with the Government on the subsequent divisions.

The Acting Speaker (Mrs. Champagne): The vote of the Member will be counted on the government side in the following divisions.

MOTION FOR CONCURRENCE IN MAIN ESTIMATES, 1987-88

Hon. Robert de Cotret (President of the Treasury Board) moved:

That the Main Estimates for the fiscal year ending March 31, 1988, laid upon the Table Monday, March 2, 1987, except the items disposed of earlier this day and less the amounts voted in Interim Supply, be concurred in.

The House divided on the motion which was agreed to on the following division:

Supply

(*Division No. 146*)

YEAS

Members

Attewell
Belsher
Bertrand
Blais
Blouin
Boyer
Brightwell
Brisco
Browes
Caldwell
Cardiff
Chartrand
Comeau
Corbett
Crombie
Darling
Daubney
de Cotret
Della Noce
Dorin
Epp (Provencher)
Fennell
Ferland
Fontaine
Forrestall
Gagnon
Gass
Gérin
Girard
Graham
Halliday
Hamilton
Hicks
Howie
James
Jepson
Jourdenais
Kelleher
Kempling
King
Lawrence
Leblanc
Lewis
Lopez
MacDougall (Timiskaming)
Mailly
Mantha
Martin
Mazankowski
McCain
McInnes
McKenzie
McKinnon
McMillan
Nickerson
Nowlan
Oberle
O'Neil
Peterson
Pietz
Price
Reimer
St. Germain
Scott (Hamilton—Wentworth)
Scowen
Suluk
Tardif (Charlesbourg)
Thacker
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Van De Walle
Vincent
White
Winegard
Witer—76

NAYS

Members

Althouse
Benjamin
Blaikie
Boudria
Caccia
Copps
Finestone
Foster
Garneau
Gauthier
Grondin
Guilbault (Saint-Jacques)
Heap
Hopkins
Jewett
Kaplan
Keeper
Lapierre
MacLellan
Manly
McDonald (Broadview—Greenwood)
Mitchell
Murphy
Nicholson (Trinity)
Nystrom
Orlikow
Penner
Prud'homme
Riis
Robichaud
Rodriguez
Skelly—32

Hon. Robert de Cotret moved that Bill C-65, an Act for granting to Her Majesty certain sums of money for the Government of Canada for the financial year ending the 31st March, 1988, be read the first time.

The House divided on the motion of Mr. de Cotret which was agreed to on the following division:

(*Division No. 147*)

YEAS

Members

Attewell
Belsher
Bertrand
Blais
Blouin
Boyer
Brightwell
Brisco
Browes
Caldwell
Cardiff
Chartrand
Comeau
Corbett
Crombie
Darling

Daubney
de Cotret
Della Noce
Dorin
Epp
(Provencher)
Fennell
Ferland
Fontaine
Forrestall
Gagnon
Gass
Gérin
Girard
Graham
Halliday
Hamilton
Hicks
Howie
James
Jepson
Jourdenais
Kelleher
Kempling
King
Lawrence
Leblanc
Lewis
Lopez
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mazankowski
McCain
McInnes
McKenzie
McKinnon
McMillan
Nickerson
Nowlan
Oberle
O'Neil
Peterson
Pietz
Price
Reimer
St. Germain
Scott
(Hamilton—Wentworth)
Scowen
Suluk
Tardif
(Charlesbourg)
Thacker
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Van De Walle
Vincent
White
Winegard
Witer—76

NAYS

Members

Althouse
Benjamin
Blaikie
Boudria
Caccia
Copps
Finestone
Foster
Garneau
Gauthier
Grondin
Guilbault
(Saint-Jacques)
Heap
Hopkins
Jewett
Kaplan
Keeper
Lapierre
MacLellan
Manly
McDonald
(Broadview—
Greenwood)
Mitchell
Murphy
Nicholson
(Trinity)
Nystrom
Orlikow
Penner
Prud'homme
Riis
Robichaud
Rodriguez
Skelly—32

Bill read the first time.

Hon. Robert de Cotret thereupon moved that Bill C-65, an Act for granting to Her Majesty certain sums of money for the Government of Canada for the financial year ending the 31st March, 1988, be read the second time and referred to the Committee of the Whole.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

The House divided on the motion of Mr. de Cotret which was agreed to on the following division:

(*Division No. 148*)

YEAS

Members

Attewell
Belsher
Bertrand
Blais
Blouin
Boyer
Brightwell
Brisco
Browes
Caldwell
Cardiff
Chartrand
Comeau
Corbett
Crombie
Darling
Daubney
de Cotret
Della Noce
Dorin
Epp
(Provencher)
Fennell
Ferland
Fontaine
Forrestall
Gagnon
Gass
Gérin
Girard
Graham
Halliday
Hamilton
Hicks
Howie
James
Jepson
Jourdenais
Kelleher
Kempling
King
Lawrence
Leblanc
Lewis
Lopez
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mazankowski
McCain
McInnes
McKenzie
McKinnon
McMillan
Nickerson
Nowlan
Oberle
O'Neil
Peterson
Pietz
Price
Reimer
St. Germain
Scott
(Hamilton—Wentworth)
Scowen
Suluk
Tardif
(Charlesbourg)
Thacker
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Van De Walle
Vincent
White
Winegard
Witer—76

NAYS

Members

Althouse
Benjamin
Blaikie
Boudria
Caccia
Copps
Finestone
Foster
Garneau
Gauthier
Grondin
Guilbault
(Saint-Jacques)
Heap
Hopkins
Jewett
Kaplan
Keeper
Lapierre
MacLellan
Manly
McDonald
(Broadview—
Greenwood)
Mitchell
Murphy
Nicholson
(Trinity)
Nystrom
Orlikow
Penner
Prud'homme
Riis
Robichaud
Rodriguez
Skelly—32

Bill read the second time and the House went into Committee thereon, Mrs. Champagne in the chair.

Mr. Riis: Madam Chairman, I suspect that if you sought the guidance of the House you would find unanimous consent to deem that we have gone through all the stages necessary to complete this process.

The Assistant Deputy Chairman: Certain things cannot be done by unanimous consent.

Order. House in Committee of the Whole on Bill C-65, an Act for granting to Her Majesty certain sums of money for the Government of Canada for the financial year ending the 31st March, 1988.

The Assistant Deputy Chairman: Shall Clause 2 carry?

Some Hon. Members: On division.

Clause agreed to.

The Assistant Deputy Chairman: Shall Clause 3 carry?

Some Hon. Members: On division.

Clause agreed to.

The Assistant Deputy Chairman: Shall Clause 4 carry?

Some Hon. Members: On division.

Clause agreed to.

The Assistant Deputy Chairman: Shall Clause 5 carry?

Some Hon. Members: On division.

Clause agreed to.

The Assistant Deputy Chairman: Shall Clause 6 carry?

Some Hon. Members: On division.

Clause agreed to.

The Assistant Deputy Chairman: Shall the Schedule carry?

Some Hon. Members: On division.

Schedule agreed to.

The Assistant Deputy Chairman: Shall Clause 1 carry?

Some Hon. Members: On division.

Clause agreed to.

The Assistant Deputy Chairman: Shall the preamble carry?

Some Hon. Members: On division.

Preamble agreed to.

The Assistant Deputy Chairman: Shall the title carry?

Some Hon. Members: On division.

Title agreed to.

The Assistant Deputy Chairman: Shall the Bill carry?

Some Hon. Members: On division.

Bill agreed to.

The Assistant Deputy Chairman: Shall I rise and report the Bill?

Some Hon. Members: Agreed.

• (1830)

Bill reported.

Mr. de Cotret moved that the Bill be concurred in.

Some Hon. Members: On division.

The House divided on the motion of Mr. de Cotret which was agreed to on the following division:

(Division No. 149)

YEAS

Members

Attewell	Browes	Daubney
Belsher	Caldwell	de Cotret
Bertrand	Cardiff	Della Noce
Blais	Chartrand	Dorin
Blouin	Comeau	Epp (Provencher)
Boyer	Corbett	Fennell
Brightwell	Crombie	Ferland
Brisco	Darling	Fontaine
Forrestall	MacDougall (Timiskaming)	Scott (Hamilton—Wentworth)
Gagnon	Mailly	Scowen
Gass	Mantha	Suluk
Gérin	Martin	Tardif (Charlesbourg)
Girard	Mazankowski	Thacker
Graham	McCain	Tremblay (Québec-Est)
Halliday	McInnes	Tremblay (Lotbinière)
Hamilton	McKenzie	Tupper
Hicks	McKinnon	Van De Walle
Howie	McMillan	Vincent
James	Nickerson	White
Jepson	Nowlan	Winegard
Jourdenais	Oberle	Witer—76
Kelleher	O'Neil	
Kempling	Peterson	
King	Pietz	
Lawrence	Price	
Leblanc	Reimer	
Lewis	St. Germain	
Lopez		

NAYS

Members

Althouse	Heap	Nicholson (Trinity)
Benjamin	Hopkins	Nystrom
Blaikie	Jewett	Orlikow
Boudria	Kaplan	Penner
Caccia	Keeper	Prud'homme
Copps	Lapierre	Riis
Finestone	MacLellan	Robichaud
Foster	Manly	Rodriguez
Garneau	McDonald (Broadview—Greenwood)	Skelly—32
Gauthier	Mitchell	
Grondin	Murphy	
Guilbault (Saint-Jacques)		

Motion agreed to.

[*Translation*]

The Acting Speaker (Mrs. Champagne): When shall the Bill be read the third time pursuant to Standing Order 82(11)? With the unanimous consent of the House, now?

Some Hon. Members: Agreed.

Mr. de Cotret moved that the Bill be read the third time and do pass.

The House divided on the motion (Mr. de Cotret), which was agreed to on the following division.

(Division No. 150)

YEAS

Members

Attewell	Corbett	Gagnon
Belsher	Crombie	Gass
Bertrand	Darling	Gérin
Blais	Daubney	Girard
Blouin	de Cotret	Graham
Boyer	Della Noce	Halliday
Brightwell	Dorin	Hamilton
Brisco	Epp (Provencher)	Hicks
Browes	Fennell	Howie
Caldwell	Ferland	James
Cardiff	Fontaine	Jepson
Chartrand	Forrestall	Jourdenais
Comeau		Kelleher

Kempling
King
Lawrence
Leblanc
Lewis
Lopez
MacDougall
(Timiskaming)
Mailly
Mantha
Martin
Mazankowski
McCain
McInnes
McKenzie
McKinnon
McMillan
Nickerson
Nowlan
Oberle
O'Neil
Peterson
Pietz
Price
Reimer
St. Germain
Scott
(Hamilton—Wentworth)
Scowen
Suluk
Tardif
(Charlesbourg)
Thacker
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Van De Walle
Vincent
White
Winegard
Witer—76

NAYS

Members

Althouse
Benjamin
Blaikie
Boudria
Caccia
Copps
Finestone
Foster
Garneau
Gauthier
Grondin
Guilbault
(Saint-Jacques)
Heap
Hopkins
Jewett
Kaplan
Keeper
Lapierre
MacLellan
Manly
McDonald
(Broadview—
Greenwood)
Mitchell
Murphy
Nicholson
(Trinity)
Nystrom
Orlikow
Penner
Prud'homme
Riis
Robichaud
Rodriguez
Skelly—32

Bill read the third time and passed.

The Acting Speaker (Mrs. Champagne): It being 6.32 p.m., this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 3(1).

The House adjourned at 6.32 p.m.

HOUSE OF COMMONS

Friday, June 12, 1987

The House met at 10 a.m.

Prayers

[*English*]

BUSINESS OF THE HOUSE

Mr. Mazankowski: Mr. Speaker, I want to inform the House that there have been discussions amongst the House Leaders of the Parties with respect to today's business. Notwithstanding the fact that yesterday I indicated that we would be dealing with Bill C-55, amendments to the Immigration Act, there has been a disposition to move to another order of business standing in the name of the Minister of Justice (Mr. Hnatyshyn). It is a government motion for the establishment of a Joint Senate and House of Commons Committee to consider and report on the 1987 Constitutional Accord.

When that is completed we could then go on to the other business which was originally designated for today, namely, Bill C-55. I think if you seek the concurrence of the House, you will find that there will be unanimous consent to proceed in that manner.

Mr. Gray (Windsor West): Mr. Speaker, what the Government House Leader said reflects discussions we have had. If unanimous consent is asked to put the motion to set up the Joint Committee on the constitutional amendments, we will certainly agree.

Mr. Nystrom: Mr. Speaker, we concur.

Mr. Speaker: Is there unanimous consent?

Some Hon. Members: Agreed.

GOVERNMENTS ORDERS

[*English*]

1987 CONSTITUTIONAL ACCORD

ESTABLISHMENT OF SPECIAL JOINT COMMITTEE

Hon. Don Mazankowski (for the Minister of Justice) moved:

That a Special Joint Committee of the Senate and of the House of Commons be appointed to consider and report on the "1987 Constitutional Accord, signed in Ottawa on June 3, 1987, by the First Ministers of Canada", copies of which were tabled in the Senate and the House of Commons on June 3, 1987;

That twelve Members of the House of Commons and five Members of the Senate be the Members of the Special Joint Committee, such Members on the part of the House of Commons to be designated no later than seven sitting days after the adoption of this motion;

That the Committee have the power to appoint from among its Members such sub-committees as may be deemed advisable, and to delegate to such sub-committees all or any of their powers except the power to report directly to the House;

That the Committee have power to sit during sittings and adjournments of the House of Commons;

That the Committee have power to send for persons, papers and records, and to examine witnesses and to print such papers and evidence from day to day as may be ordered by the Committee;

That the Committee be empowered to authorize television and radio broadcasting, as it deems appropriate, of any or all of its proceedings or of proceedings of its sub-committees, pursuant to the principles and practices governing the broadcasting of the proceedings of the House of Commons;

That the Committee submit its report not later than September 14, 1987, provided that, if the House is not sitting, the report will be deemed submitted on the day such report is deposited with the Clerk of the House of Commons and with the Clerk of the Senate;

That substitution be authorized, for Members from the House of commons, from a list of alternates to be provided to the Joint Chairmen of the Special Joint Committee by a representative of each party at the first meeting of the Committee, such list of alternates to contain no more than twice the number of Members of the House of Commons who are Members of the Special Joint Committee representing each party in the House;

That the quorum of the Committee be eight Members, whenever a vote, resolution or other decision is taken, so long as both Houses are represented, and that the Joint Chairmen be authorized to hold meetings, to receive evidence and authorize the printing thereof, when six Members are present so long as both Houses are represented; and

That a message be sent to the Senate requesting that House to unite with this House for the above purpose, and to select, if the Senate deems it to be advisable, five Members to act on the proposed Special Joint Committee.

• (1010)

He said: Mr. Speaker, first of all I would like to express my appreciation to Members opposite for their co-operation in allowing this motion to come forth, providing unanimous consent to allow that to happen. I know my colleague, the Hon. Member for Annapolis Valley—Hants (Mr. Nowlan), constantly reminds me of the fact he has more seniority than myself. He tried to assert that again today, but I appreciate his courtesy in yielding the floor to me under the circumstances. I am sure he will have an opportunity to speak later on this day.

I am very pleased to address the motion which is before us this morning. The motion, as you know, Mr. Speaker, is presented in the name of the Hon. Minister of Justice (Mr. Hnatyshyn) who is in Winnipeg this morning on Government

business. I, therefore, have been given the opportunity to present this motion on his behalf.

It is timely that this debate commence this morning. As I said earlier, I am gratified by the co-operation and goodwill which has prevailed in this Chamber with regard to this very important proposal. I would like to acknowledge again the support shown by both Opposition Parties, both of which have agreed that this debate take place today. This co-operative action, indeed, underlines the great significance that Parties on both sides of the House can play and are playing in regard to this most historic Accord.

As you know, Mr. Speaker, the 11 First Ministers of Canada signed the Constitutional Accord on June 3 and thereby committed the Government of Canada, and the 10 provincial Governments, to a course of action which will effect a set of constitutional amendments and bring Quebec back into the Canadian constitutional family. All Canadians view this as a very important step in the constitutional development of our nation, one which has captured the imagination of all Canadians and one which has received the support of all Parties in this House.

As you know, Sir, the House of Commons has already played a major role in the developments leading up to the signing of the constitutional Accord. On May 1, the day after the Meech Lake Agreement was reached, statements were made in the House by the Prime Minister (Mr. Mulroney), the Right Hon. Leader of the Opposition (Mr. Turner) and the Leader of the New Democratic Party (Mr. Broadbent). I should say that at that time the Prime Minister made his position very clear in his response to questions about how we intended to proceed with regard to the process of this very important matter. I draw to Hon. Members' attention his statement which was made in response to the Hon. Member for Windsor West (Mr. Gray) when seeking clarification about the process that would be established. The Prime Minister (Mr. Mulroney) said at page 5615 of *Hansard*, and I quote:

> At all times the House will be fully advised and there will be full opportunity for participation and debate on all aspects of any proposal.

This debate today is evidence and proof positive that that commitment is being fulfilled.

Again, in response to a question from the Hon. Member for Saint-Denis (Mr. Prud'homme), the Prime Minister said at page 5616 of *Hansard*:

> We intend to consider any suggestions that will enable Hon. Members and the House to be as actively involved as possible and will also enable the House to provide moral leadership for the country and for the other Governments involved in the decision-making process.

I think those are very, very important commitments and those commitments are indeed being fulfilled.

On May 11 we debated the principles of the Meech Lake Accord. Again I would like to pay tribute to all those who engaged in that discussion and to acknowledge the important contribution made by Members on both sides of the House during the course of that debate. I should also remind Hon. Members here that at that time we were merely debating the principles. The draft which we now have before us in the form of a proposed constitutional amendment is part and parcel of the drafting which took place with respect to the principles and, indeed, incorporated many of the ideas and suggestions which were raised during the course of the debate, both in this House and outside the House.

I wish to say to my colleagues that their respective expressions of support contributed to the cohesion which ultimately prevailed on June 3, 1987. It is therefore fitting and proper that Parliament now review the substance of the Constitutional Accord to ensure a broader understanding by all Canadians of this constitutional initiative. It is only appropriate that Parliament provide a forum where interested individuals have the opportunity to enter into the national discussion.

The Government accordingly proposed that a Special Joint Committee of the Senate and of the House of Commons be appointed to consider and report on the 1987 Constitutional Accord signed in Ottawa on June 3, 1987, by the First Ministers of Canada. It is proposed that this Joint Committee be comprised of 12 Members of the House of Commons and five Members of the Senate, co-chaired by one Member of each Chamber. It is fitting that we consider the 1987 Constitutional Accord in a Joint Committee of the Senate and the House of Commons and fulfil our responsibilities in the spirit of co-operation which led the First Ministers to an agreement first at Meech Lake and finally here in Ottawa on June 3, and within the historic context of the constitutional discussions.

The committee would have the power to strike such subcommittees as are deemed advisable. The committee would have the opportunity to conduct hearings and receive written and oral submissions. It is proposed as well that the committee be authorized to conduct hearings unconstrained by any adjournments which may be called for during the summer months. Further, this joint committee would be empowered to authorize television and radio broadcasting as is considered appropriate.

We recall that in 1981 a successful contribution was made by a joint committee in relation to our constitutional endeavours at that time. We again want to establish a joint committee to continue this important work. Finally, it is proposed that this joint committee would submit its report not later than September 14, 1987.

The provisions of the constitutional Accord are wide-ranging and thus of fundamental importance to all Canadians. It is no surprise, therefore, that editorial commentary has been extensive and that a wide range of associations have spoken out and that public interest is high. That is as it should be in a democratic country such as ours.

A special joint committee, with representatives from both Houses of Parliament and all Parties, will provide, we believe, the most extensive and appropriate vehicle for this national dialogue on our further constitutional development. Representatives of organized interests and interested citizens alike will have the opportunity to express their views at one time and

in one place to a wide cross-section of parliamentarians. I believe this will encourage a continuity and a coherence to the important work of Parliament on this matter. In short, a special joint committee will provide a truly national focal point for our deeper understanding of the constitutional Accord.

• (1020)

I should like to review for a moment the events which led us to this point. Members will recall an earlier historic step in this evolution. In April 1982 our Constitution was patriated from London with its own all-Canadian amending formula and with a Charter which guarantees our fundamental rights and freedoms.

Unfortunately, this achievement was flawed because Quebec, which represents over a quarter of the Canadian population, did not accept the legitimacy of the political accord which had been signed by the Prime Minister and the Premiers of the nine provinces in November 1981.

[*Translation*]

In a speech delivered in Sept-Îles in 1984 the Prime Minister promised that if his Party were elected to office one of his priorities would be to conclude an agreement which would make it possible for Quebec to join the Constitution with honour and enthusiasm. He also stated he would take a different approach to federal-provincial relations, on the basis of national reconciliation.

[*English*]

That is the end of that, Madam Speaker.

Some Hon. Members: Hear, hear!

Mr. Benjamin: Encore.

Mr. Nystrom: *Chukay, chukay*!

Mr. Mazankowski: I am wondering how our reporters will interpret that comment.

In 1985 the Liberal Party of Quebec published its conditions for adhering to the Constitution of Canada as part of its electoral program. In early 1986, following its election, the Government of Quebec in a major public statement set out these conditions in considerable detail. During the course of 1986 and in the early months of this year, both the Liberal Party of Canada and the New Democratic Party of Canada adopted positions concerning Quebec in the Constitution. These processes generated widespread public interest and comment.

In the year leading up to the Meech Lake Agreement there have been extensive discussions and negotiations among the federal and provincial Governments at the level of First Ministers and senior officials. The next step in bringing the First Ministers' agreement to fruition lies with our federal and provincial legislatures. Unlike the 1982 constitutional amendments when only Parliament had to adopt a resolution before the amendment was passed by the British Parliament, the current proposed changes will be presented for debate and adoption in every provincial and federal legislative chamber.

I would expect that members of all Parties in their approach to the deliberations of the committee to be established by this motion, and in reflecting on the representations which are made before the committee, will not allow whatever concerns they may have with certain particular aspects of the amendment resolution to obscure the main goal which we all share, namely, the voluntary and complete adherence by the Government and the people of Quebec to the Constitution of Canada.

In considering proposals for changes to the amendment resolution or for additional elements which are not reflected in it, we should be mindful that the constitutional Accord itself provides for a subsequent and continuing set of constitutional discussions to address other constitutional issues at annual conferences of First Ministers on the Constitution. The first is scheduled to take place before the end of next year.

We must also not lose sight of the fact that if the amendment resolution is not approved by Parliament and all the legislatures, these subsequent constitutional discussions will not take place because Quebec will continue to decline to participate in them. Canada's constitutional development in these circumstances would be frozen, probably for many years to come, and it would be difficult to overstate the serious consequences to national unity if that were to occur, especially since we have progressed so far in recent months.

A final factor to consider in approaching the deliberations of the parliamentary committee is that by virtue of the amending formula contained in the Constitution Act, 1982, neither Parliament nor any of the other legislatures, nor Governments acting alone, can bring about alterations in the amendments proposed in the constitutional resolution. The amending procedure requires the approval of all legislatures. Thus, if Parliament or any other legislature moved to amend the resolution, the entire process of securing the approval of the various legislatures would have to be recommenced.

The constitutional Accord stands as a tribute to a shared vision of a revitalized and more harmonious federation—a better Canada, one where the Province of Quebec will play an integral part. Indeed, the constitutional Accord is a true reflection of the Government's commitment since 1984 to establish a new period of national reconciliation with greater harmony and co-operation between the two levels of Government.

With this Accord we are indeed a stronger and more united nation. The efforts of this joint committee will require the support and goodwill of both the House of Commons and the Senate. I am confident that the members of the joint committee will receive this support and be equal to their task. I have every confidence that their activities will be guided by the generosity and the openness which have characterized the constitutional deliberations of the House to date. The work of this committee will constitute an important step forward in the constitutional evolution of our nation.

Therefore I urge all Members of the House to support the motion before us today so that this important process can begin without delay.

Some Hon. Members: Hear, hear!

Mr. Murphy: Madam Speaker, it is not my intention to delay the debate, and I apologize to the Hon. Member for Windsor West (Mr. Gray) who I know would like to make a speech. However, I have a concern about the resolution before us. I would like an answer, perhaps not now, but some assurance from the Government House Leader and Deputy Prime Minister (Mr. Mazankowski) that the committee would be in a position to consider having hearings in the Northwest Territories and Yukon and perhaps in any province which does not set up its own public hearings.

Public participation was a main aspect of what was promised by the Prime Minister (Mr. Mulroney) in his speech to the nation on the Langevin agreement. I believe it is important, especially for the two Territories, that there be an opportunity for citizens who cannot afford to come to Ottawa to make public presentations on their concerns.

Mr. Mazankowski: Madam Speaker, the desire has been to try to focus this debate in the nation's capital, as was done before. I think to some extent we are the beneficiaries of some experience that took place in earlier years, where I think the focus of the constitutional process was clearly evident in Room 200 of the West Block. My sense is that there can be provisions made for people who want to travel, if the committee so desires to have certain representatives appear before it.

It is not the intention of the Government to allow the committee to travel, for a number of reasons. We think the logistics and the difficulties in organizing such travel would cause problems which would be almost insurmountable. However, certainly from the standpoint of accommodating people who may want to be heard, I think there can be arrangements made which would hopefully facilitate and satisfy groups such as the Hon. Member indicated.

Mr. Nickerson: Madam Speaker, my question is very much the same, but it is necessary to have it on record.

I am very pleased with the motion before us today. I hope that it receives speedy passage. I think the Deputy Prime Minister (Mr. Mazankowski) is quite correct when he says that it is not necessary to take this committee through the length and breadth of the country and that the debate should and ought to be centered in Ottawa. However, I would like him to give an assurance, on the record, that there is nothing in this motion that would prevent representatives of the Governments of the Northwest Territories and Yukon from appearing before this committee and stating their case. As we all know, before the Langevin Accord can be acceptable to the people in the north, there are certain changes which ought to be made.

• (1030)

Mr. Mazankowski: Madam Speaker, the short answer to that is, it is almost axiomatic that they would have the opportunity to appear, if they so desire.

Mr. Johnston: Madam Speaker, I understand that there are a number of provinces in which public hearings may not be held. If all provinces were to have public hearings, then the necessity of taking a committee across the country would seem to me to be entirely alleviated. Can the Deputy Prime Minister (Mr. Mazankowski) indicate to us at this time which provinces, to the best of his knowledge, will be holding public hearings? Would he entertain a suggestion that in those areas of the country where people will not have the opportunity to come forward and to speak to a level of elected representatives that one might contemplate a subcommittee at least of this committee travelling to that particular province?

Mr. Mazankowski: Madam Speaker, the Hon. Member, although well-intentioned, poses a bit of a hypothetical question. As he said, some provinces may not hold hearings. We are not sure of that. There have been discussions—

Mr. Murphy: How about Alberta?

Mr. Mazankowski: The preliminary indication is that that may not take place. But I am not sure that that is the final answer. So it is very difficult to make any assessment as to whether all provinces or some provinces will be holding such public hearings.

To some extent the committee will be the master of its own house. It has the opportunity of setting up subcommittees to do certain elements of work. Perhaps that might be something that may be considered further on down the road.

I want to repeat again that I think it is very important, given the importance of this issue, and to ensure that the focus is centred around a committee that is genuinely disposed of dealing with this issue, to have things concentrated in one area. As evidenced by the experience of the past, it worked quite well. There was a fair amount of accommodation and give and take. I am not sure whether there was any great outcry for the committee at that time to travel across the country, I know that it was suggested. I think that, generally speaking, it was felt that everyone who wanted to be heard during the course of that process was heard. That would be our intention in this particular case as well.

Mr. Johnston: Madam Speaker, if I may say so, I find that a rather garbled response.

Mr. Mazankowski: It was a garbled question.

Mr. Johnston: I do not think that it was especially garbled. The point is that when it is learned that there will not be public hearings in those provinces will the Deputy Prime Minister give his support to the concept of sending at least a subcommittee of this committee to those provinces? In this way those

Canadians who cannot afford to travel up to 3,000 miles to appear before this committee will have the opportunity to exchange their ideas with their elected representatives.

Mr. Mazankowski: Madam Speaker, the Hon. Member is a learned constitutional expert. He knows very well that this requires the deliberation of this House. The constitutional amending process has to be dealt with by this House. The constitutional amending process has to be dealt with in each and every one of the legislatures. Is he suggesting that we as a federal Parliament should be interfering with and interposing our will upon the people of the provinces who now, through their Premiers and Governments, may very well express a desire to hold public hearings or not? Why does the Hon. Member want to be so interfering? It is part of his centralist attitude, his centralist heritage. He continues to live in the dream world that father knows best in central Canada. Again, this is a clear example of the difference and division of Canada. He sees it through the telescope of that central vision. We see a more diversified and more decentralized Canada.

Some Hon. Members: Hear, hear!

Mr. Johnston: Madam Speaker, the only conclusion I can draw from the Deputy Prime Minister's remarks is that he does not think Canadians necessarily have a right to be heard. It has nothing to do with a centralized country. This is a big country. People would like the opportunity to make their views known to their elected representatives. If they are denied that right at the provincial level, it seems to me that this committee of Parliament would be perfectly justified in having a subcommittee travel to the regions to hear those views expressed.

Mr. Mazankowski: Madam Speaker, that is absolute nonsense. If the Hon. Member behaves he may very well be selected as a member of the committee and he can make that pitch before the committee. But, by the way he has been acting, I doubt very much that his Leader will put him on the committee.

The Acting Speaker (Mrs. Champagne): Resuming debate with the Hon. Member for Windsor West (Mr. Gray).

Hon. Herb Gray (Windsor West): Madam Speaker, I am rising on behalf of my Party to support this motion. As the Leader of the Opposition (Mr. Turner) has made clear, we are in support of the basic purpose of the constitutional Accord which is to have Quebec formally sign and accept the Constitution. Therefore we intend to vote in favour of the Accord. However, we believe that it can be improved upon. It is our intention to propose a number of amendments next fall, or whenever, after the proposed joint committee completes it work, the required resolution to amend the Constitution comes before this House for consideration and debate.

It is in keeping with our view that improvement is needed and possible, that we concur in the proposal to send the Accord for study and for a report to this House to a special joint committee. The procedure that was followed in 1980 and 1981 which resulted in the patriation of the Constitution, along with the establishment of a Charter of Rights, was initiated by the establishment of a special joint committee of the House and the Senate. That committee held televised hearings in Ottawa over a number of months. It heard scores of witnesses and it proposed a number of important improvements to the constitutional proposals at that time.

No one can deny that the special joint committee was a positive exercise in participatory democracy. It is my hope and expectation that having learned from that experience the presently proposed special joint committee will be permitted to proceed and its work will be looked upon with an open mind by the Government and by all sides of the House with similarly beneficial results. We expect that this committee will hear as broad a range of witnesses as its predecessor heard in 1980 and 1981.

We also support this motion in the expectation that if, as in 1980 and 1981, the committee should find that the time-frame set down in the terms of reference is too restrictive the Government will, as was done last time, look favourably upon a request for an extension of its life. I am referring in this case, of course, to the life of the special joint committee, not that of the Government.

It may be that this will not be required. But on an issue as important as the structure of our federal system there is no need—in fact it would be wrong—for the matter to be dealt with in undue haste. There is a definite need for due deliberation. After all, we are dealing with the basic law, the fundamental law of the country, the law on which all other law is based.

The Accord raises a number of issues that the committee will have to address and on which it will have to hear witnesses. We have already raised some of these in the House and we will raise others over the coming weeks.

As we have said, there are implications with respect to the Accord for the rights of our aboriginal peoples. The aboriginal peoples need assurances that this Accord will not mean any backward movement in the progress they expect in terms of their own hopes and aspirations. It should be possible to move these hopes and aspirations forward through the Constitution as it may turn out to be amended by the Accord.

• (1040)

The committee must carefully examine the implications of the Accord for minorities in our country. We believe that the aspirations of Canadians are, for a bilingual and a multicultural society, that while recognizing regional or provincial distinctiveness, especially the distinctive character of Quebec, it should also provide nation-wide guarantees of rights for all regardless of ethnic or national origin.

Similarly, Madam Speaker, we must examine the Accord in the light of the aspirations for eventual provincial status by our northern territories. The people of these territories will want assurances that the Accord does not spell an end to their

aspirations for eventual full participation in confederation as provinces.

We will also want to examine fully the implications of the Accord for the powers and the role of the federal Government. There is a national interest that our federal structures, our federal Government, must serve and that the public, that all Canadians, expect to be served by national institutions. To this end as well the committee will have to examine carefully the implications of the Accord for the developmental role of our federal institutions, our national Government. We must make certain that our national institutions, our national Government, remain able to serve the national interest now and as conditions change in the future.

These are but a few of the matters which the committee must address. In the interest of having this motion decided on by the House and in getting the committee going, I will not go into greater detail about the matters the committee must address at this time, but I wish to assure the House that my Party will participate actively in the committee in order to bring forward our views and proposals as to how the Accord could and should be improved.

I also want to say a word about the effect of the vote of the other place yesterday to have its own committee to consider the constitutional amendments arising from the Accord. It is clear that the decision of the other place does not preclude or prevent the other place from taking part in the joint committee being proposed today. There is a clear precedent for this which was established in 1978. The Government of the day at that time proposed a wide-ranging package of constitutional amendments, popularly referred to as Bill C-60. At that time the Senate agreed to take part in a joint committee with the House, proposed by the House, to study the Bill C-60 proposals, but at the same time it adopted a motion to have its own committee study of the matter. It was pointed out that Bill C-60 dealt with a wide range of proposals for constitutional change, including, among other matters, a Bill of Rights, but also including proposals for change in the method of appointment of the Senate and its form and role.

Bill C-60, as I recall, Madam Speaker, proposed that the provinces would have the sole power of appointment of half of the Senators who would be members of what would be called a "House of the Provinces". The Senators felt that since the changes in the form and function of the Senate were very much at issue, they should take part in the joint committee with the House, but also have their own committee.

This is similar to the situation today when the amendments proposed in the Accord would bring changes to the method of appointment and, also perhaps as a result, to the role of the Senators and the Senate as an institution, a result, as I have said, of the proposals in the Accord.

The situation in 1978 and the situation today with regard to proposals for constitutional amendment are very similar since they both touch on the method of appointment to and the role of the Senate. These proposals, I must say, are unlike those involving the resolution which led to the adoption of the 1982 Constitution because that resolution did not deal with the method of appointment to or the general role of the Senate. At that time the resolution for constitutional change was looked at only by a joint committee of the House and the Senate.

We have the clear precedent from the way the Senate agreed to deal with Bill C-60 in the motion it adopted in 1978. It was pointed out in the debate in the Senate in 1978 that there was no known instance where the Senate refused to join with the House in serving on a joint committee with it when requested to do so by the House, even when the Senate decided to have its own committee on the matter.

In my view, Members of this House of Commons and Canadians generally should be able to expect that the precedent of 1978 on Bill C-60 will be followed when it comes time for the other place to consider the request of this House in the motion that we are considering today for a joint committee.

I also want to say that the Constitution itself speaks only of the role of the House of Commons, the Senate and the provincial legislatures in amending that Constitution by resolution. It does not refer in any way and it does not recognize in any way, as a first step, binding on the House of Commons, the Senate and the provincial legislatures as a legal or juridical matter, the signatures of the provincial Premiers and the Prime Minister (Mr. Mulroney) agreeing to the content of a resolution to amend the Constitution. Also, there is the fact that the Accord itself says only that the Prime Minister and the First Ministers undertake to table the Accord before their legislatures and the House of Commons and Senate.

I mention all this, Madam Speaker, because I thought I heard the Deputy Prime Minister (Mr. Mazankowski) say in his remarks that there would have to be unanimity of the provinces and the federal Government in order to have any of the provisions of the Accord amended. That may be so in one sense, perhaps in a political sense, but in terms of the Constitution itself, all the Constitution says is that there are provisions for its amendment, in some cases requiring unanimity of the provinces and the federal House of Commons and Senate, and in other cases requiring only the formula of seven provinces and 50 per cent of the population.

I want to say in particular that I hope the Government House Leader, the Deputy Prime Minister, was not saying that because we have the signatures of the provincial Premiers and the Prime Minister on the Accord this means that the work of the parliamentary committee we are setting up by this motion and any debates in the House on the constitutional resolution once it is formally before us, will be only an empty exercise. I hope that is not the case. We must be in a position in this committee that we are setting up today, and in the eventual debate on the resolution, to amend the Constitution on the basis of the Accord to consider any amendments on their merits. This seems to have been and is very much the view of a number of the provincial Premiers who spoke to the press after the meeting in the Langevin Building a few weeks ago.

I want to address very briefly the question of the process of amending the Constitution. The bare bones of the procedure for amending the Constitution are laid forth quite clearly in both the existing amending formula and in the amended process proposed by the Accord. It is silent, however, on the procedure within each House of Parliament or provincial legislature. As well, unfortunately, our Standing Orders are silent on this matter.

• (1050)

Recently we became engaged in an extensive revision of our rules. During that process I said to my fellow House Leaders that I considered it a major omission that the rules did not provide for a set process for dealing with resolutions on important matters like amendments to the Constitution. For Bills which become ordinary statutes, and in some cases very minor statutes, we have developed a complex system of three readings, a committee stage to hear relevant witnesses and a report stage to consider complex amendments in an orderly and reasonable fashion. However, for amendments to our most important and fundamental law, our Constitution, only a resolution is required.

I must say that a resolution to amend our Constitution is as important as any Bill. Certainly, while it is called a resolution, it is in fact the equivalent of a Bill because it amends a statute, the Constitution Act, 1982. However, as I have said, we do not provide a system equivalent to that which already exists in the rules for consideration of a Bill, even one of a very minor and seemingly trivial nature. I believe our experience in the last few days has underscored the need for developing definite and fixed rules for such matters.

I must commend the Government for agreeing to the committee process we are about to undertake, but I must point out that in fact the Government was never compelled by our rules to do so, although it may well have been compelled by public opinion and by the merits of how such a constitutional resolution should be considered. The fact that the Government is able to give notice of a motion to actually amend the Constitution at the very time it gave notice of this motion to establish a committee to study that motion shows that it would indeed be theoretically possible to force upon the House a proposal to amend the Constitution with no committee study at all. I think this would be very wrong according to the expectations of the Canadian people and according to what is required to consider in a due and deliberate manner an amendment or a set of amendments to the very fundamental and basic law of this country.

Even with the committee study to which the Government has agreed, we have yet to work out an orderly system of dealing with any amendments to the actual constitutional motion itself. When the resolution itself comes forward for debate, we must have in place provisions satisfactory to all Parties to ensure that there is time and the method to properly consider and vote on all amendments to the Constitutional Accord set forth in the resolution that our Party and others will bring forward with a view to improving the resolution. This could well involve a committee stage and a report stage equivalent to those required for the consideration of a Bill.

By way of conclusion, I want to say that while we are taking a positive step in creating this joint committee, we must bear in mind that we must in the very near future address other important matters as well. In the short term, we must develop a method for dealing in an appropriate manner with amendments to the motion to adopt the resolution of which the Government is giving notice. Second, in the long term, we must provide for a suitable system in our Standing Orders for dealing with resolutions on important matters, and especially those to amend our Constitution, in a manner that is at least as complete and as thorough as the method by which we deal with ordinary laws.

Having said all of this, I want to repeat that it is the intention of our Party to support this motion. I think we have to get on with the work of giving to the Constitutional Accord the serious and deliberate study it requires and I hope that we will soon reach a positive decision to set up the joint committee proposed by the Government.

Mr. Murphy: Madam Speaker, I would like to ask some questions of the Liberal House Leader. If the resolution that is before us at this time passes and is accepted by the Senate, there may be two different committees studying the proposed constitutional amendment. How does the Liberal House Leader feel about the fact that the Senate appears to want to have it both ways? The Senate will have representation on a joint committee which will be listening to witnesses and perhaps proposing changes to the Accord and at the same time Liberal Senators will have their own committee, presumably listening to the same witnesses, and perhaps making completely different amendments.

Does the Liberal House Leader not believe that that is a recipe for deadlock? Does he not believe that there will be one set of recommendations coming out of the joint committee, perhaps with all-Party agreement, perhaps with the agreement of the Senators who serve on that committee, yet we may have a completely different set of amendments coming from a separate Senate committee? I think that could create real problems for us.

I recognize that in 1978 a similar situation did occur. Let us face, however, that those were different circumstances. Right now we actually have an agreement which has been signed by the Prime Minister (Mr. Mulroney) and by the 10 provincial Premiers. I believe that one committee representing both Houses is the best and most appropriate way of dealing with it.

My second question deals with the matter I raised with the government House Leader. I would like the response of the Liberal Party to the request that the joint committee of the House and the Senate that we are setting up should at least go to Yukon and the Northwest Territories so that residents of those two Territories will have an opportunity to have direct input. I raise that as a separate item because the government

leader in the Yukon, Mr. Tony Penikett, and his counterpart in the Northwest Territories, Nick Sibbeston, were not at Meech Lake, they were not at the Langevin Block. They do not have the right to have their territorial Governments meet and pass or not pass the Meech Lake Accord. I believe the residents of Yukon and the Northwest Territories are in a very unique situation and I believe it is very important that, since they were not part of the Meech Lake Accord, they do have the opportunity to be heard in their own Territories.

Mr. Gray (Windsor West): Madam Speaker, I am quite ready to accept the concept of having a joint committee of this House and the Senate consider the constitutional resolution as well as having a separate committee in the Senate itself. This was a concept that was worked out in 1978 when the constitutional proposals referred to as Bill C-60 were put before the House and Senate. I am not aware of any problem which came up at that time. I was not aware of any opposition to it by the NDP. I do not see the problems that my hon. friend sees.

Bear in mind that we are not formally considering the constitutional resolution at this time. We are considering in the context of a prestudy the contents of the constitutional resolution. A motion to adopt a resolution will then have to be formally put down on the Order Paper and that will have to be fully debated. It is in the course of considering the constitutional resolution itself that amendments will be considered.

I would think that my hon. friend should be willing to look upon the role of the Senate in this matter in the same positive spirit which led his Party to abandon its long-standing opposition not only to a role for the Senate but to the very existence of the Senate in any form and to support this motion. If the NDP is willing to support this motion, it is admitting that there can be a positive and constructive role for the Senate to play.

I see no reason why the Hon. Member should assume in advance that the Senate will not deal with this matter in a constructive fashion. I am sure he would reject any suggestion in the Senate that the House of Commons would not deal with this resolution in a constructive fashion. I do not think we should deal at this stage with that type of hypothetical question.

I would like to conclude by saying that I think we should be willing to examine the idea of the committee going to the Northwest Territories and Yukon. I for one would want to know first if those legislatures intend to have their own committee studies. This is something we can study. We are debating this today because the House Leaders of all three Parties, including the NDP, were willing to agree on behalf of their Parties to this form of motion. Having said that, I am still willing to consider this matter again.

• (1100)

The Acting Speaker (Mrs. Champagne): It being 11 o'clock a.m., pursuant to Standing Order 19(4) the House will now proceed to Statements by Members pursuant to Standing Order 21.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

THE CONSTITUTION

1987 CONSTITUTIONAL ACCORD—INCLUSION OF MULTICULTURALISM

Mr. Sergio Marchi (York West): Mr. Speaker, during Question Period yesterday I asked the Minister of Justice (Mr. Hnatyshyn) if his Department and the Government would be disposed to amending Clause 1 of the Constitutional Accord which would entrench, alongside the French-English linguistic duality, the multicultural dimension and reality as a fundamental character of Canada.

Not only did the Minister refuse to answer directly, but his response displayed an alarming disregard for and ignorance of this integral sector of Canadian society. Canadians who are neither English nor French in origin, despite the ineffective footnote of Clause 16, feel irrelevant in this Accord and believe that they have been ushered to the back of the constitutional bus.

To seek the inclusion of the multicultural character in Clause 1 is not an attempt to seek special rights, official status for a third language, or to deprive anyone or any group of any rights.

The amendment would simply ensure that Clause 1 would fully define and express the make-up of Canada and its people. Clause 1 overlooks 10 million Canadians who are neither English nor French in origin and relegates them to second-class citizenship. It is, therefore, an incomplete and inaccurate expression of Canada, and that needs to be amended.

How can the Prime Minister (Mr. Mulroney) and Premiers refuse to recognize the contribution and aspirations of one-third of its citizens? It is my hope that the Prime Minister and the ten Premiers will see fit to amend this clause accordingly. Otherwise it would be hypocritical for them to grandstand on multiculturalism before events and individuals of those persuasions.

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NORTHERN AFFAIRS

SUPPORT URGED FOR REINDEER HERDING TO ASSIST ECONOMY

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, noting that the life of many people in northern Canada is based on government hand-outs, Mr. Arkady Cherkasov, a Soviet northern studies expert, has recently suggested reindeer herding as a suitable and economically viable alternative. This

support is welcomed by those of us who have realized that when it comes to reindeer Canada is 3,000 years behind the times.

Unfortunately, the Canadian Government continues to take a rather negative attitude. Mr. William Nasogaluak, pioneer owner of Canada's only herd, has received nothing but grief at the hands of the Government which would unilaterally rescind his grazing rights. It is likely that he will be forced to kill off his animals or sell them abroad.

Public policy ought to encourage reindeer husbandry, not to destroy it as is presently the case.

* * *

REFUGEES

CALL FOR WITHDRAWAL OF BILL C-55

Mr. Dan Heap (Spadina): Mr. Speaker, through Bill C-55 the Government proposes to violate deliberately Canada's commitment to the United Nations Declaration on Human Rights. That UN Declaration in Article 14 says: "Everyone has the right to seek and enjoy another country's asylum from persecution".

Already democratic Chileans who have been imprisoned and tortured by Pinochet's police and try to escape Chile to find refuge in Canada with their relatives are routinely refused refugee status by our embassies in Chile and Argentina.

Now the Government goes further by twisting and changing Canada's laws to stop real refugees from even coming to Canada to state their claim. For example, Bill C-55 would empower the Government to punish an airline which brings a passenger to Canada who then claims refugee status here. It can punish the airline by seizing and selling its aircraft to enforce fines.

Shame on the Government for Bill C-55. Canadians from sea to sea are demanding: "Withdraw Bill C-55".

* * *

THE ECONOMY

EFFECT OF GOVERNMENT POLICIES

Mr. Barry Turner (Ottawa—Carleton): Mr. Speaker, Margaret Thatcher is back.

Some Hon. Members: Hear, hear!

Mr. Turner (Ottawa—Carleton): That is good for Great Britain because her policies and priorities are working, and so are ours. Her report card is a testimony to her foresight and her determination to do what is right.

Speaking of doing what is right, let us look at our own government record. In Ontario unemployment has dropped from 9.4 per cent in September, 1984, to 6.3 per cent. Housing starts in the first four months of 1987 are up 58 per cent compared to the same period last year. Tourists are flocking to Ontario. There is an 8 per cent increase from last year. People are coming to the nation's capital to see this great city.

The White Paper on Defence is a timely and long overdue initiative. President Reagan and the Prime Minister (Mr. Mulroney) reiterated their personal resolve in Vienna yesterday to sign an enhanced treaty agreement between our two countries.

The Meech Lake Accord is good news for Quebec. It is now a part of the family of Canada. Mr. Speaker, trying to unite this country without Quebec was like trying to ride a bicycle uphill without a chain.

The National Drug Strategy is more good news. The RCMP role has been enhanced. Yesterday the Liberal Opposition voted against increasing the RCMP budget. I cannot understand that as it is the best police force in the world.

Tax reform is coming next week. It will be fairer and more simple. It will address the problems of those in the greatest need. The poor and the seniors of the country will be very favourably looked upon in tax reform.

This is all good news, Mr. Speaker. Let us be happy. Let us have a good weekend.

George Bell and the Blue Jays are also good for Canada. They are going all the way this year!

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AGRICULTURE

EFFECT OF INTERNATIONAL SUBSIDIES—CALL FOR DEFICIENCY PAYMENT COMMITMENT

Mr. Maurice Foster (Algoma): Mr. Speaker, before he left Canada last weekend the Prime Minister (Mr. Mulroney) led farmers to believe that he would solve the grain trade wars at the Economic Summit meeting in Venice this week. This trade war between the treasuries of western Europe and the United States has driven grain prices in real terms to levels below those of the 1930s depression period and is driving thousands of Canadian farmers off the land.

We now know that the Prime Minister did not get agreement to reduce these subsidies during the next two years. We also know that the United States Congress is planning to increase its export subsidies during the next two years driving prices even lower, as it did with the recent sales of wheat to Russia and barley to Saudi Arabia.

Now that the Prime Minister has failed to get action on the grain trade wars for the next two years our farmers want to know what the Government is going to do to allow them to

survive. I call on the Prime Minister to stop stalling and to make a commitment now to Canadian grain farmers for a deficiency payment for the 1987-88 crop year.

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AGRICULTURE

VENICE ECONOMIC SUMMIT—PRIME MINISTER'S EFFORTS TO SECURE FAIR TRADING

Mr. John A. MacDougall (Timiskaming): Mr. Speaker, today I would like to congratulate the Prime Minister (Mr. Mulroney) on his success in bringing to the attention of the leaders of the G-7 the harm felt by our farmers due to the unfair subsidy practices of the European Economic Community and the U.S.

As any farmer across the land will tell you, there are no immediate cures for the problems facing the family farm. They will also tell you that government pay-outs do not solve the underlying problem. The crisis today is largely due to Governments around the world attempting to throw money at the problem. This does not work. This was the message which our Leader pressed at the Economic Summit meeting in Venice.

The real answer lies in a new set of ground rules for international farm trade. The Prime Minister and the Government have made fair trade in agriculture a top concern. I wish again to congratulate our Leader for making this point in Venice.

* * *

FISHERIES

1987 WEST COAST SALMON ALLOCATION PLAN

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, in January the Standing Committee on Fisheries and Oceans unanimously passed a motion urging the Minister to assure the Gulf trollers of British Columbia that the commercial troll industry in the Gulf of Georgia would be maintained.

The Minister responded: "The troll fleet is very selective in the species of salmon that they harvest and for that reason alone I consider them an ideal gear to be maintained in the Strait of Georgia".

On Tuesday the Minister of Fisheries and Oceans (Mr. Siddon) announced his long-awaited 1987 West Coast Salmon Allocation Plan. The Gulf trollers, a small group of 250 vessels, found they fared no better than last year. In fact, their situation was made worse by the Minister's decree that the season will start on July 1, two weeks later than last year, when the larger and higher quality salmon have already passed. Further, there was no mention of the 100,000 additional sockeye given in 1986 in recognition of the trollers' historical involvement in this west coast fishery.

• (1110)

The Minister, who praises the Gulf troll fleet, has done little to maintain the fleet. Many of those involved in the Gulf of Georgia fleet may be forced out of the industry because they cannot make a living because the Minister has not acted in accordance with his statements.

* * *

THE COMMONWEALTH

OTTAWA TO HOST COMMONWEALTH CONFERENCE FOR YOUNG LEADERS

Mr. Bob Brisco (Kootenay West): Mr. Speaker, I am pleased to announce to the House that a Commonwealth Conference for Young Leaders will be held this fall. This unique international event, initiated by the Ottawa Branch of the Royal Commonwealth Society, will bring together the Commonwealth's most accomplished young men and women to Ottawa, from September 6 to September 12, 1987.

Delegates will participate in an innovative program directed toward the creation of a generation of leaders equipped with the values, skills, and consensus formation techniques to address complex international problems. They will also focus on the potential for private and public sector co-operation in promoting economic and social development.

Canadian conference organizers are searching for dynamic young Canadians to represent our country. Young Canadians between the ages of 25 and 35 are welcome to apply before July 1. Twenty Canadians will be selected.

Along with providing young people with the opportunity to express their views on the Commonwealth and wider international issues, this event will allow them to make personal ties which will be of long-term benefit to the Commonwealth and Canada. This venture is also an important event in support of the Commonwealth Heads of Government Summit and will contribute to increasing Canadians' awareness of the Commonwealth.

The conference is being financed through a partnership of business, federal Government and voluntary sector contributions. The Government, for example, is providing financial assistance and in kind contributions through the Canadian International Development Agency, Employment and Immigration Canada, and External Affairs.

[*Translation*]

POLLUTION

WATER CLEAN-UP—QUEBEC MUNICIPALITIES' REQUEST

Mr. Gilles Grondin (Saint-Maurice): Mr. Speaker, I rise in the House today to comment on the Canadian Government position about water clean-up in Quebec.

Hon. Members know that under the terms of a federal-provincial agreement Ottawa has paid 16 2/3 per cent of the expenditures required to clean up lakes and rivers in that province.

They know as well that a number of Quebec municipalities are asking Ottawa to contribute to the funds needed to help them carry out their depollution projects.

In my opinion, the current water pollution situation is so urgent that immediate action on the part of the Canadian Government is required to assist Quebec municipalities.

Mr. Speaker, I believe that Quebec is entitled to the same kind of treatment as the other provinces to help its municipalities, and that a federal-provincial agreement should be negotiated at the earliest opportunity to correct the situation.

* * *

[*English*]

FISHERIES

SUPPORT PRICE FOR CAPELIN URGED

Hon. William Rompkey (Grand Falls—White Bay—Labrador): Mr. Speaker, a serious situation has developed in the Newfoundland fishery. The cod have refused to come ashore, the lobster have refused to show up, the Government has refused to pay unemployment insurance for fishermen after May 15, and now the Japanese have refused to pay a decent price for capelin. The boats are tied up and that is creating a very serious situation.

I am addressing this statement to all those Members opposite who are over 51 and who understand the importance of regional development in this country. The younger ones need not pay attention. For those who understand and care about regional development, let me state what must be done. The Japanese must be told that they have to pay a fair price for capelin. The Fisheries Prices Support Board has to be ordered to act on this immediately and support the price of fish. The Government should put in place a marketing agency to make sure that this does not happen again. That must be done immediately.

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ENVIRONMENTAL AFFAIRS

UNITED STATES CONGRESSMAN'S INTRODUCTION OF BILL TO HELP ABATE ACID RAIN

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, I was disappointed, as I believe were many Canadians who are concerned about acid rain, that when the Prime Minister (Mr. Mulroney) had an opportunity to take the President of the United States aside in Venice he only chose to discuss his concerns about the free trade pact, the one-way suicide pact he wants to sign with the United States. He did not take any time to discuss with the President anything concerning the President's commitment to a bilateral accord on acid rain.

Further, I recall the day in the House when the Prime Minister embarrassed all of us by making fun of Congressman Jerry Sikorski, deliberately mispronouncing his name and saying that he had not heard of him. I want Members of the House to know that this same Congressman yesterday introduced a Bill in the U.S. Congress which would have the effect of meeting Canada's demands with respect to acid rain abatement, as would a number of other Bills in the Congress.

I hope the Prime Minister and other members of the Government in particular will take this opportunity to write Congressman Sikorski and all members of the U.S. Congress to urge upon them the passage of either the Sikorski Bill or any other abatement Bills before the House that would have the effect of meeting Canada's demands. The Prime Minister should be the first on the list to emphasize that congressional vehicle as a means for meeting Canadian needs.

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[*Translation*]

VOLUNTARY ORGANIZATIONS

LA MAISON D'AMITIÉ—REQUEST THAT NATIONAL CAPITAL COMMISSION BE GENEROUS

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, this week the Canadian Advisory Council on the Status of Women released a report entitled *Battered But Not Beaten: Preventing Wife Battering in Canada*. As it happens, I have in my riding a shelter home, "*La Maison d'amitié*", a non-profit organization established more than 10 years ago to help distressed women and children. This home is partly funded by the NCC, the National Capital Commission, where the rent is geared to the financial resources of the organization. That is the way it is, people do have to seek assistance. Of course the rent and operating expenses constitute a financial challenge.

The meagre resources of *La Maison d'amitié* partly originate from certain levels of Government, but not the federal Government, and have enabled it to survive this far. However it has just been advised by the NCC that the annual rent, that was $1, will be increased, not to $500 as it was this year but to nearly $3,000 a month. Mr. Speaker, people like battered women and distressed children will no longer be able to find in my riding a place where they can be cared for and given at least a little attention, a little love and a little understanding.

Mr. Speaker, I would urge the NCC to continue to be generous and let the *Maison d'amitié* operate in my riding and carry out its worthy and meritorious work. Like a number of other Government agencies, the NCC should appreciate the fact that one preaches by example, and that the Government must give consideration and assistance to the *Maison d'amitié*.

* * *

REGIONAL ECONOMIC DEVELOPMENT

INQUIRY ABOUT WHO MAKES DECISIONS

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, yesterday, I mentioned the extremely serious situation in the town of Murdochville, following lay-offs of a number of workers.

This Government seems to be completely ignoring the priorities of regional development. Several billion dollars have been cut from various programs. The Department of Regional Industrial Expansion operations are being investigated, some of the decisions are being made in the Prime Minister's office, and others in the Deputy Prime Minister's office, so that people in the Gaspé are wondering who is making the decisions for regional development in the Gaspé. We have a development project in Matane for a paper mill. Decisions are still pending. Four hundred people lost their jobs in Murdochville, and no decisions have been made. Meanwhile, another Minister is visiting the Gaspé to prepare phase two of the eastern development plan. In 1983, there was a plan with a budget of over $250 million, but today, the Minister of Supply and Services (Mrs. Vézina) has been unable to convince her colleague at National Defence of the importance of regional development in allocating that department's budget, at a time when it is engaged in consultations for phase two.

I want to ask this Government: Who is making the decisions for regional development?

* * *

[*English*]

ENVIRONMENTAL AFFAIRS

ACID RAIN—ENVOYS' REPORT—RECOMMENDATION CONCERNING FURTHER RESEARCH

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, as time goes by it becomes more evident that it was a mistake on the part of the Government to accept the recommendations of the Envoys' Report on acid rain.

As a member of the Acid Rain Committee, and on the eve of our visit to Washington to meet with U.S. parliamentarians there, I must conclude that Canadians would be in a stronger position had the Prime Minister (Mr. Mulroney) rejected the envoys' recommendation of having five more years of research and demonstration.

At this rate of progress, in 1991 Canada will still be waiting for the outcome of U.S. research activities while Canadian officials and their successors will be engaged in smoke and mirror negotiations with their U.S. counterparts.

The Prime Minister did not say to President Reagan, right from the start, that we want the U.S. to cut the massive acid gas pollution which daily crosses the border into Canada. Against this background, while acid rain corrodes human health, water, soil, and forests, the Government looks inept, impotent and ineffective. What a sham!

ORAL QUESTION PERIOD

[*English*]

REGIONAL INDUSTRIAL EXPANSION

SPENDING ON NATIONAL DEFENCE—VIEWS OF MINISTER OF SUPPLY AND SERVICES

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, my question is directed to the Minister responsible for regional industrial expansion, whoever that is.

Less than a week after the Prime Minister announced the new Atlantic Opportunities Program in St. John's, Newfoundland, and proclaimed that all is right in the world of regional economic development, we now have the Minister of Supply and Services declaring that half of the country is crying and that the Minister of National Defence, who proposes a $183 billion defence budget, is too young to understand. The Minister's problems have less to do with his youth and everything to do with his tired old Tory philosophy. I ask the Minister of Regional Industrial Expansion whether he shares the views of the Minister of Supply and Services who believes that the Defence Department should be prepared to pay a premium on its contracts to encourage economic development in areas of high unemployment?

[*Translation*]

Hon. Michel Côté (Minister of Regional Industrial Expansion): Mr. Speaker, obviously this Party has no idea what regional development is all about. Since 1984, we have been stressing the need to ensure that regional development is done with far greater awareness of, and sensitivity to, the problems of the regions. Mr. Speaker, that is why last week we announced the creation of the Atlantic Canada Opportunities Agency. The agency will have a budget of over one billion dollars and thus create many jobs. In fact, this is the kind of initiative that not only the Premiers but the entire population of Atlantic Canada have been waiting for.

• (1120)

[*English*]

REQUEST FOR MINISTER'S RESIGNATION

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, the Minister of Supply and Services recognizes what this Minister and this Government refuse to see, that indeed half the country is crying and that the regional economic development policy is in utter and total shambles, sacrificed on the altar of free trade.

Will the Minister of Regional Industrial Expansion, who has presided over the financial mismanagement of DRIE, who has failed to speak out for Canada's regions, step aside and resign to allow the Minister of Supply and Services to take up the battle at the cabinet table against the Minister of Defence, the Prime Minister and all of those in Cabinet who believe that Canada's impoverished regions, its high unemployment, are a fact of life which ought to be ignored and hidden?

[*Translation*]

Hon. Michel Côté (Minister of Regional Industrial Expansion): Mr. Speaker, that is exactly what we are trying to achieve. According to our consultations, all the studies and reports are unanimous. Regional development should be initiated in the regions, and that is exactly the philosophy behind the Atlantic initiative which is getting a budget of one billion dollars, while nothing had been done by the previous government for twenty years.

[*English*]

Mr. Tobin: Mr. Speaker, the Minister of Regional and Industrial Expansion stands like a naked newt in this House. The Prime Minister's Office has left him with nothing but a chauffeur and limousine with which to hide his embarrassment.

DEPARTMENT'S EXPENDITURES

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): I ask the Minister, who now has Price Waterhouse, internal auditors and the Auditor General, all trying to track down $100 million of unaccountable expenditures, when he will do the honourable thing for the regions and for his Department and, for God's sake, man, go, resign?

Hon. Michel Côté (Minister of Regional Industrial Expansion): Mr. Speaker, I am not surprised at the amount of deficit this Government had to deal with when we took over in 1984. Members opposite do not even know what the hell is going on at DRIE, Mr. Speaker. They don't even know!

Some Hon. Members: Hear, hear!

Mr. Côté (Langelier): We have to deal with earlier commitments which date from 1975. We have to deal with almost $1 billion in commitments made prior to the time we came into power. We have to deal with that. My colleagues should know that these commitments have to be dealt with. Second, we have initiated both internal and external reports and we are going to get answers from that very shortly.

Some Hon. Members: Oh, oh!

Mr. Côté (Langelier): As well, the Auditor General will step in and we will find out exactly what happened there.

* * *

NATIONAL DEFENCE

EXPENDITURES—EFFECT ON REGIONAL DEVELOPMENT

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, my question is directed to the Associate Minister of National Defence. The fact that the Minister of Supply and Services and the Minister of National Defence cannot agree on the national interests of the country is deplorable. It was a Liberal Government which purchased 2,761 military trucks with regional development in mind, 81,000 small arms, 300 light armoured vehicles, new frigates for the navy, updated several other ships—

Some Hon. Members: Oh, oh!

Mr. Hopkins: —and purchased 138 CF-18 aircraft, and many other items, all with regional development in mind and in effect.

Some Hon. Members: Hear, hear!

Mr. Hopkins: When is the Government going to get its act together and have Ministers agree that, beyond a doubt, national defence and regional development go hand in hand, and both are in the national interests of Canada? If the two Ministers cannot agree, one or both should resign.

Hon. Paul Dick (Associate Minister of National Defence): Mr. Speaker, if the Hon. Member had been following the process in the purchasing of military equipment, he would find that the process has not changed from the days of the other Government, except we are buying more equipment for the Armed Forces than it did.

Mr. Hopkins: Mr. Speaker, that is a farce. They used our programs.

RESPONSIBILITY FOR POLICY

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): I have a question for the Deputy Prime Minister. What an utter shame and spectacle to see the two Ministers of National Defence flying around the country, talking about regional advantages of the White Paper on Defence while the Minister of Supply and Services—

Some Hon. Members: Oh, oh!

Mr. Hopkins: —who is responsible—

Mr. Speaker: Order. The Hon. Member has had, I think, quite a sufficient preamble and I would ask him to put his question.

Mr. Hopkins: —responsible for procurement of the White Paper. Will the Deputy Prime Minister, or some other referee, take charge of the Cabinet until it can agree on its aims and objectives relating to the national interests of Canada? The Ministers are obviously divided and do not know what is in the best interests of the regions of this country. The Minister of Supply and Services says it is a failure.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, there is certainly no curtailment on freedom of speech in this Party, and I notice the same thing applies to the Party across the way. The Liberals have certainly been expressing various points of view.

The fact is there is no difference in the points of view held by the Minister of National Defence and the Minister of Supply and Services.

Mr. Tobin: Who are you trying to kid?

Mr. Mazankowski: There is no question that the Minister of National Defence is as concerned about regional industrial development as the Minister of Supply and Services.

Mr. Rossi: You are bluffing, Don.

Mr. Mazankowski: The fact is that the Minister of National Defence is 37 years old and has spent his lifetime being concerned about regional development, and the Minister of Supply and Services has said she has spent 37 years being concerned about the welfare of the regions of this country. In total, that is about 74 years of deep concern.

* * *

REGIONAL INDUSTRIAL EXPANSION

ATLANTIC OPPORTUNITIES AGENCY—FUTURE OF DEPARTMENT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Deputy Prime Minister and concerns the Department of Regional Industrial Expansion. We have seen the extraordinary experience for the first time, to my knowledge, in Canadian history, that a Department has gone through its total fiscal allotment for one year in two months. It is an extremely serious situation.

The Prime Minister is announcing that a special Atlantic Opportunities Agency is being created for regional development in Atlantic Canada, and there is an unanswered rumour that the Department of Regional Industrial Expansion itself is going to be abolished this summer. People in Atlantic Canada, northern Quebec, northern Ontario and the West want to know about the future of this Department. Will the Minister clarify once and for all whether or not the Government plans to maintain a Department and Minister responsible for regional development and accountable to the House of Commons?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, as I indicated in the House earlier, and as the Minister responsible for DRIE has indicated, DRIE is in business. It is honouring its commitments. It will meet every single commitment it has made for this year, for next year, for the year after that and the year after that.

Mr. Rossi: You won't be there any more.

Some Hon. Members: Oh, oh!

Mr. Mazankowski: Insofar as the concern the Hon. Leader of the socialists has about the Atlantic Opportunities Agency, I regret very much he finds disagreement with the thrust of the agency. I think from his vantage point, sitting in Oshawa, he would probably take that kind of view, but I just simply report to him that *The Chronicle Herald* of Halifax had this to say about the establishment of the Atlantic Opportunities Agency, and I quote:

> At last, with the creation of the Atlantic Canada Opportunities Agency, this region will have a single body in place to deliver federal assistance to an eager business sector. The ACDA, with an annual budget of $200 million, will be based in, and controlled from, Moncton. It will be headed by a very senior civil servant, Donald McPhail, who will run his own show—that is, he will control the purse strings without having to consult bureaucrats in Ottawa.

• (1130)

That is what Atlantic Canadians want. That is what we support.

Some Hon. Members: Hear, hear!

Mr. Broadbent: I can tell the Minister that I was in Atlantic Canada yesterday. The people in Atlantic Canada are not at all impressed by this misleading Government that has already cut $1.5 billion on an annual basis from going into Atlantic Canada and expects the people there to think that the Government is being generous because it is only giving back $200 million. They can see that this is like a thief taking a thousand bucks and asking people to be happy if he gives $200 back. I can tell the Minister that the people of Atlantic Canada are tired of being conned by this Government. I tell the Minister to go down to Atlantic Canada where he will find that out.

STUDIES OF DEPARTMENT'S EXPENDITURES

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I want to ask the Minister to answer some questions about the future of this Department. The Hon. Member for Yorkton—Melville was trying to get answers here yesterday. He was told to go to committee, where he was stonewalled.

Will the Minister assure us that the internal study that is being done in the Department and the Price Waterhouse study

that is being done will be made available to Members of the House of Commons so that the people of Canada can see what is going on in this Department?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, what Canadians are concerned about, if they look very carefully, is the shallow, misleading rhetoric that is emanating from the Leader of the socialist Party.

Some Hon. Members: Hear, hear!

Mr. Mazankowski: He had the audacity, Mr. Speaker, in Question Period the other day to say, in reference to the billion dollars that was being earmarked for the Atlantic Opportunities Agency, that that is only a few cents per citizen.

Mr. Broadbent: I said no such thing!

Mr. Mazankowski: In other words, he is saying: "What's a billion?" Remember the expression of C. D. Howe when he said some time ago: "What's a million?" We have the new version here right now.

REQUEST THAT STUDIES BE MADE PUBLIC

Hon. Edward Broadbent (Oshawa): Mr. Speaker, neither the people in Atlantic Canada nor anywhere else will be impressed by this very shocking ignoring of the Minister's responsibility to answer a question. I want to ask him again, and I would like him to cut out his silly, misleading rhetoric—

Mr. Mazankowski: Cut out your silly, misleading nonsense.

Mr. Broadbent: —and answer a question.

Mr. Speaker: Order, please. The Hon. Member will put his question, please.

Mr. Broadbent: I want to ask the Minister a straight question again. I hope that he will give us a straight answer.

There is an internal audit being done in the Minister's Department. There is a study being done by Price Waterhouse of the profound bungling in the Department. Does the Minister not believe that the people of Canada have a right to see those studies? If he does, will he guarantee that they will be made public?

[*Translation*]

Hon. Michel Côté (Minister of Regional Industrial Expansion): Mr. Speaker, first of all, I would like to say that three investigations or examinations are being done at this time.

We have one internal investigation requested by the Comptroller General. There is a second investigation which we at the Department requested and which is being done by an outside firm, Price Waterhouse. The third investigation is being carried out by the Auditor General. So we have absolutely nothing to hide in this respect.

Today, I can assure Hon. Members I will do everything in my power to ensure that the truth comes out, that all the facts are clear and that a full explanation is given of what happened in the Department.

DECISION-MAKING POWER WITHIN DEPARTMENT

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, my question is to the Deputy Prime Minister and also deals with regional economic development.

We know, Mr. Speaker, that since 1984, regional economic development budget allocations have been cut by several billion dollars, and the Minister himself has now admitted, Mr. Speaker, that if we were to take into account the specific payments made in view of the situation in western Canada as a result of falling wheat prices, those cuts in the regional development funding would be even greater. Meanwhile, the Minister has just stated that not one, or two, but three enquiries are required to shed some light on the management of that department.

In view of this hodgepodge, could the Deputy Prime Minister tell us who is responsible for decisions in the present context at the Department of Regional Industrial Expansion?

Hon. Michel Côté (Minister of Regional Industrial Expansion): I am, Mr. Speaker.

INQUIRY CONCERNING GOVERNMENT'S INTENDED PROPOSALS

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, I wish to ask the Minister what action he intends to suggest to this House in particular, but mostly to the people of Gaspé, and more specifically to the people of Murdochville, in order to help those 400 jobless workers and families. Some of them have already been laid off, and the rest will be by the end of June. I ask the Minister if he could step up the implementation of the second stage of the development of eastern Quebec and implement immediate programs to help the people of Murdochville who are faced with an unbearable situation which actually prevails throughout the eastern part of the peninsula.

Hon. Michel Côté (Minister of Regional Industrial Expansion): Mr. Speaker, the first stage of the Eastern Plan, the first five-year stage, is indeed to be completed soon, and our Government believes in consultation. That is why we spent over the last weekend, with the Minister responsible for that region, more than 60 hours consulting with people in every district and area of the peninsula covered by the Eastern Plan.

What we have here therefore is concern, a consultation process and sensitivity on the part of the Government in that respect.

With respect to Murdochville, a consultation committee has already been set up, and it should be reporting by June 19. I therefore wish to assure people, Mr. Speaker, that we are deeply concerned. Although it is a matter of provincial jurisdiction, as my colleague for Energy mentioned earlier, we are always willing to listen to the needs of each and everyone of those areas.

[*English*]

REGIONAL INDUSTRIAL EXPANSION

AUDITOR GENERAL'S 1985 REPORT—ERRORS IN RECORDING DATA

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, my question is also for the Minister of Regional Industrial Expansion. I have in my hand a copy of Mr. Dye's report as Auditor General, from 1985. I want to ask the Minister in charge of DRIE why his Department did not follow Mr. Dye's advice when he stated:

> We also verified whether forecast cash flow patterns in the Resource Allocation Management System were accurate. There were errors in the data recorded in nearly all the approved projects. About half of these were serious errors—

In view of the fact that Mr. Dye waved a red flag some two years ago saying that there were very, very serious errors in terms of data, I want to know why the Minister continued to administer his Department in such a way that we now have an over-commitment of funds in this fiscal year of some $90 million. Will he now admit that he did not follow the advice of Mr. Dye despite the fact that he was warned? Why did he not follow that advice?

Hon. Michel Côté (Minister of Regional Industrial Expansion): Mr. Speaker, I would say that out of this Auditor General's report there were 21 recommendations that have been dealt with by my Department and answers have been supplied.

My colleague is completely misleading again. He does not know what is going on in this Department.

Mr. Broadbent: He knows more than you do.

Mr. Côté (Langelier): There is no over-commitment. I said that there was a possibility that there could be over-spending for the year 1986-87. We will find that out. Reports will tell us how it happened, when it happened, and how to correct it. That is why we have asked for such a report.

I also said that this over-spending could have an effect in the actual year. Why we want to be very cautious about it is in order to prevent anything else from happening once again.

It has to be remembered that we inherited such a mess from 1984 and we still have to live with it.

REQUEST FOR PUBLICATION OF EXPENDITURE STUDIES

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, my supplementary question is this. The Minister knows that right now, according to information released a couple of days ago, the over-commitment is around the $90 million mark for fiscal year 1987-88, not for three years ago. If that is not the case, then I challenge the Minister to get up in the House and deny it right now.

When he is doing that can he make a commitment to the House, since the Conservative Party promised openness of government and freedom of information, that he will make public the findings of the internal investigation of his Department, as well as the findings of the Price Waterhouse study? Will he do that today? Will he make that commitment? Will he also get up in the House to tell us that there is an over-commitment now approaching $90 million?

[*Translation*]

Hon. Michel Côté (Minister of Regional Industrial Expansion): Mr. Speaker, making that kind of suggestion denotes sheer irresponsibility and lack of maturity. To begin with, and I said so, the Department has to deal with more than 15,000 cases a year, and it is a fact that commitments were not made by this Minister over a two-month period in the current year. Commitments were made a number of years ago. For example, Mr. Speaker, since I became Minister in July 1986 we have made commitments of more than $1 billion and the money will be spent over the years, beginning in 1988-89. Before asking questions, Mr. Speaker, one should get the facts straight and inquire about departmental procedures.

As to the report, a moment ago I gave my colleague some explanations, and I stated that I would do everything I can to shed light on these incidents, Mr. Speaker.

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HOUSE OF COMMONS

PRESENCE IN GALLERY OF MR. ADRIEN LAMBERT, FORMER MEMBER FOR BELLECHASSE

Mr. Speaker: Order! I would like to draw the attention of the House to the presence in our Gallery of Mr. Adrien Lambert, former Member for Bellechasse and House Leader for the Parti créditiste.

Some Hon. Members: Hear, hear!

* * *

• (1140)

[*English*]

FINANCIAL INSTITUTIONS

FEDERAL-ONTARIO AGREEMENT—OBJECTIONS OF OTHER PROVINCES

Miss Aideen Nicholson (Trinity): Mr. Speaker, in the absence of the Minister of State for Finance and the Minister of Finance, my question is directed to the Deputy Prime Minister. It concerns yesterday's meeting with provincial Finance Ministers when there was failure to reach an agreement on the regulation of Canada's securities industry.

Nine provinces say that they do not want to be bound by the agreement between Ottawa and Ontario, on which they were

not consulted. The tenth Province, Ontario, is saying that it would consider joining the others in a constitutional challenge.

What does the Government propose to do now, bearing in mind that the Ontario-Ottawa agreement is set to take effect on June 30? Will the Deputy Prime Minister make a statement on motions today to clarify the Government's intentions?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, in reply to the question, I am advised by the Minister of State for Finance, who is away on government business, that the understanding reached with Ontario in April is a working arrangement in the regulation of securities activities in that province as it pertains to federally regulated institutions.

The federal Government has made it very clear that it has no intention of imposing any such arrangement on any other province unless it is otherwise agreed to.

There was some disagreement with the approach taken, I understand, at the meeting yesterday. However, the Minister of State for Finance has indicated a clear willingness to sit down and work this through with the provinces. He is prepared to meet with them at any time to try to work out a satisfactory arrangement to allow the federal Government and the provinces to work together in reaching agreements on this very important matter.

Miss Nicholson (Trinity): The Government is again being overtaken by events, because many large foreign investment houses are moving into Canada, including one which has assets more than double the entire assets of all financial institutions in Canada.

Mr. Garneau: That is the problem. We have raised it many times.

MINISTER'S POSITION

Miss Aideen Nicholson (Trinity): Mr. Speaker, the Minister of State for Finance had said that he expected the agreement with Ontario to be a model which the other provinces would follow. In response to their objections, he is now quoted as saying that he will not be "ambushed" by provincial "ultimatums".

I appreciate that the Deputy Prime Minister has been sounding much more conciliatory. Is the Deputy Prime Minister saying that the Minister of State for Finance was misquoted?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I am not saying that at all. I talked with the Minister of State for Finance last night, and he indicated to me in a telephone conversation that he in no way wanted to impose the Ontario agreement on other provinces.

He is ready and willing to sit down with each of the provinces to work out a satisfactory arrangement. In view of the fact that Ontario had taken the initiative in bringing this proposition to the federal Government—and it was agreed upon—it was assumed that that could very well serve as a model.

Obviously there are some differences of opinion in that regard. I think I can assure the Hon. Member that this matter can be proceeded with in a conciliatory and co-operative way. That is certainly the intention of the Minister.

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GOVERNMENT EXPENDITURES

EXPENDITURES MADE ON BEHALF OF WASHINGTON EMBASSY OFFICIAL

Mr. Rod Murphy (Churchill): Mr. Speaker, my question is also for the Deputy Prime Minister. As he is now aware, the Prime Minister's Director of Communications, Mr. Bruce Phillips, spent over $80,000 on various services when he was representing Canada in Washington.

According to the access to information legislation, he was provided by taxpayers with a 4,491-square foot home which included a bomb shelter, a pool, and a music room. In addition, $21,000 was spent on crystal, china, flatware, small appliances, and a vacuum cleaner. An additional $28,000 was spent on furniture. He was also given his firewood free of charge. He had his bedspread cleaned. A security system was installed and his food processor was repaired—

Some Hon. Members: Order!

Mr. Speaker: The Hon. Member has a fascinating list, but he should put his question.

Mr. Murphy: I apologize that the list is so long; I hope the Government does too.

Could the Deputy Prime Minister explain which of these services were essential and how they helped the Government fight the deficit?

Mr. Nystrom: Tory times are tough times, Don.

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the issue about the house provided for Mr. Phillips when he was appointed to Washington has been raised by the Hon. Member. I can simply state that the services provided in the acquisition of the house are fully consistent with the practices—

Mr. Broadbent: Of the Government.

Miss Carney: —for that particular class of post.

Some Hon. Members: Oh, oh!

Miss Carney: I can assure him that the costs involved are—

Mr. Rossi: Go back to Disney World.

Miss Carney: I am sorry, Mr. Speaker, they are not interested in my answer.

Mr. Murphy: Mr. Speaker, it is true that Tory times are tough times for some.

RESPONSIBILITY FOR EXPENDITURES

Mr. Rod Murphy (Churchill): Mr. Speaker, it is obvious that the Prime Minister's Director of Communications communicates well with the Prime Minister's lifestyle.

My supplementary question is directed to the Deputy Prime Minister. Who is looking after the interests of the public purse? Who is representing the taxpayers in making sure that real excessive, unnecessary expenditures are being curtailed by the Government?

Some Hon. Members: Hear, hear!

Mr. Benjamin: Give us some food to process.

An Hon. Member: Take away Broadbent's chauffeur.

Mr. Broadbent: You are getting about as low as you can get.

Mr. Speaker: The Hon. Member for Churchill has put a question, and I would ask Hon. Members to permit the Hon. Minister to respond.

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I can further add, in response to the Hon. Member's question, that the furnishings which were purchased for the house of course are the property of the Canadian Government and will be used by Mr. Phillips' successor.

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FORESTRY

DEVELOPMENT OF NATIONAL FORESTRY STRATEGY

Mr. John A. MacDougall (Timiskaming): Mr. Speaker, my question is for the Minister of State for Forestry. Over the past two years the Minister has had extensive consultations with all sectors of the forest industry, the aim being to develop a national forestry strategy.

I wonder whether the Minister could inform the House what is the status of this very important issue.

Hon. Gerald S. Merrithew (Minister of State (Forestry and Mines)): Mr. Speaker, the Hon. Member is absolutely right. The forest sector, including industry, provinces, labour, and academea, asked for a long time to have a national forest strategy developed.

They did not want one which was foisted on them by the federal Government as was done in 1981. They wanted to develop it from the grass roots up.

For that very reason the Canadian Council of Forest Ministers undertook to do that. It held forestry forums on widely represented sectors of the forest industry. Also, this was widely discussed in the National Forest Congress, the largest forestry congress in the history of Canada.

The task force which evolved from that has been working diligently and hopefully will be dealing with that in a major meeting in the Maritimes in July and perhaps having it ratified by the Canadian Council of Forest Ministers in September.

Hopefully we will have a new national forest policy developed from the grass roots up by the fall.

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GOVERNMENT EXPENDITURES

EXPENDITURES UNDERTAKEN FOR FORMER WASHINGTON EMBASSY OFFICIAL

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, my question is for the Deputy Prime Minister. Yesterday's episode in the lifestyle of "The Rich and Famous" saw Fast Freddy and his $35,000 kitchen in his office. In today's episode we have Loosey Brucey trying to spend taxpayers' money to the tune of $80,000 to fix up a house for him.

A few minutes ago the Minister responsible said that these expenditures were consistent with that kind of position. How does the Deputy Prime Minister explain the fact that the previous appointee was not afforded such luxuries? Why was it that the house which was appropriate for Mr. Gossage was inappropriate for Mr. Phillips?

• (1150)

Hon. Stewart McInnes (Minister of Public Works): Mr. Speaker, the expenditures were made in accordance with Treasury Board guidelines and in keeping with the status of the office.

Mr. Boudria: Obviously, Mr. Speaker, only the Prime Minister can top this kind of extravagance.

[*Translation*]

REQUEST FOR HALT TO CERTAIN EXPENDITURES

Mr. Don Boudria (Glengarry—Precott—Russell): Mr. Speaker, I have a supplementary. Now that we have another episode in the Conservative Party's ongoing spending spree, is the Deputy Prime MInister prepared to make a commitment to the House today that this kind of profligate spending is going to stop? We are hearing new examples every day. Isn't the Deputy Prime Minister himself fed up with this orgy of spending by his colleagues and the Prime Minister's cronies?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the Hon.

Member talks about expenditures. I simply remind him that this Government inherited a deficit mess of $38 billion and a national debt of $200 billion. If you want to talk about extravagance and expenditure, we are looking at it right across the way.

* * *

FISHERIES

CAPELIN—REQUEST FOR ESTABLISHMENT OF MARKETING AGENCY

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, my question is for the Hon. Deputy Prime Minister. Fishermen in St. Mary's Cove, Newfoundland, have voted 95 per cent not to take part in this year's Capelin fishery because the price offered by the Japanese is too low. It is not an economic fishery and it will not be an economic fishery so long as an unregulated market, a chaotic market, continues to play one fisherman off against another pushing down prices.

Will the Government finally recognize the seriousness of this situation and guarantee immediately a fair price for this year's Capelin and take action to establish a capelin marketing agency so that this kind of chaos will not happen in the future?

Mr. St. Germain: Buy a popcorn stand.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, on behalf of the Minister of Fisheries, without accepting the socialist solution—

Mr. Broadbent: Favoured by the fishermen.

Mr. Mazankowski: —I can only advise the House and those who ignore the realities of the market-place, such as the Leader of the socialists who is the great advocator of "what's a billion—"

Mr. Broadbent: Why don't you have a holiday?

Mr. Speaker: The Hon. Member. A short question.

Mr. Manly: Perhaps the Minister and the Government will recognize the necessity for marketing agencies before too long, Mr. Speaker.

REQUEST THAT FISHERMEN RECEIVE EXTENDED UNEMPLOYMENT INSURANCE BENEFITS

Mr. Jim Manly (Cowichan—Malahat—The Islands): I have a supplementary question, Mr. Speaker. Will the Government extend unemployment insurance benefits for fishermen since they expired May 15? The waters off the northeast coast of Newfoundland are too cold, the cod are not appearing, fishermen are not earning any money. Will the Government extend unemployment insurance benefits for these fishermen?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Again, Mr. Speaker, without accepting the socialist solution, I can assure the Hon. Member that the Minister is seized with this very important matter, he considers it a priority and is working toward a solution.

FISHERIES PRICES SUPPORT BOARD—REQUEST FOR CAPELIN PRICE SUPPORT

Hon. William Rompkey (Grand Falls—White Bay—Labrador): Mr. Speaker, my question is for the Deputy Prime Minister in the absence of the Minister of Fisheries on the same topic of the capelin fishery and the fact that, because the Japanese have refused to pay a fair price, Newfoundland fishermen, rightly so, have tied up their boats. Unemployment insurance is cut off, the cod fish fishery is a failure, and so is the lobster fishery.

The Deputy Prime Minister is a Minister over 50 who understands the importance of regional development, unlike the younger Ministers. He has an opportunity to act here. There is such a thing called the Fisheries Prices Support Board. It exists. It is a government agency. He has the power to approach that agency. Will he do that and will he ask it to support the price of capelin this year to make sure that there is a decent price for Newfoundland fishermen?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, as usual the Hon. Member in his very constructive way poses a very sensible question and probably a solution that might be considered. I will certainly take that as a representation and convey it to the Minister. I thank him for his suggestion.

REQUEST THAT MARKETING AGENCY BE ESTABLISHED

Hon. William Rompkey (Grand Falls—White Bay—Labrador): I appreciate the Deputy Prime Minister's answer, Mr. Speaker. I want to make sure he understands the seriousness of this situation. He has to act for this year, but for next year will he make sure that there is a Canadian marketing agency put in place to make sure this situation does not happen again?

Mr. Broadbent: A socialist answer.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, without accepting the socialist solution, but also accepting the fact that I do take the Hon. Member's question seriously because he is very knowledgeable and I accept that—certainly more knowledgeable on the issue than I am—

Mr. Broadbent: Pretty socialist, though.

Mr. Mazankowski: —I will take his considerations into account, convey them to the Minister, and assure the Member that this matter will be looked into. In spite of his earlier comments about age and what not, I think that between the two of us we can probably find a solution.

Oral Questions

SCIENCE AND TECHNOLOGY

RECOMMENDED ADOPTION OF NEW TECHNIQUES

Mr. Bob Brisco (Kootenay West): Mr. Speaker, yesterday the Economic Council of Canada in a policy statement indicated that there must be a national commitment by government, industry and labour to adopt new technologies more rapidly. Failure to act would mean a loss of prosperity and jobs for Canadians.

Will the Minister indicate the nature of his Ministry's response to this urgent national issue, drawn to the attention of Canadians by the Economic Council of Canada? Has the Advisory Council on Science and Technology, chaired by the Prime Minister, apprised itself of this circumstance and is the council addressing it?

Hon. Frank Oberle (Minister of State for Science and Technology): Mr. Speaker, the report of the Economic Council of Canada and its advice are entirely consistent with advice that we have received from other sources, which is the advice on which we have structured the new national policy, the new national strategy. We have made the necessary intramural re-organization and re-arrangements to make sure that federal resources are targeted into the areas that are identified by the council. It also points out that the main components of the national policy and strategy are precisely on target and I am pleased with that finding.

* * *

TAX REFORM

BRIEFINGS FOR JOURNALISTS

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, my question is for the Deputy Prime Minister. Over the last few weeks the Prime Minister's Office has held a number of lengthy and confidential briefings for journalists that included the subject of tax reform.

Is the Prime Minister's Office aware of the dangers of breach of confidentiality that exist in this area on a subject which is every bit as important as a Budget? Did any breach of confidentiality take place or was this simply an effort by the Prime Minister's office to manipulate the press and to persuade journalists to report that Canadians are getting tax cuts while ignoring the fact that these same Canadians will be paying major increases in sales tax?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): No, Mr. Speaker, I am not aware of any breach in security.

[*Translation*]

INQUIRY WHETHER TAX WILL BE IMPOSED ON FOOD

Mr. Mike Cassidy (Ottawa Centre): My supplementary is as follows: We wonder whether it is fair to arrange for these confidential briefings with the media, when the Government is doing everything it can to inform Canadians there will be a reduction in income tax but refuses to tell the House whether food is going to be taxed or not.

Could the Deputy Prime Minister inform the House whether food will be taxed or whether the Government intends to go on hiding its true colours?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, if the Hon. Member is patient on Thursday, the document will be unveiled and I hope he will have the capacity to digest it.

Mr. Cassidy: You are telling journalists now.

* * *

IMMIGRATION

PETITION SIGNED BY DEPARTMENTAL EMPLOYEES

Mr. Sergio Marchi (York West): Mr. Speaker, my question is for the Minister of State for Immigration. Yesterday the standing committee received a petition signed by over 7,000 employees of the Department of Immigration which stated: "Contrary to what the Minister wrote to all MPs, position cut-backs have had a negative impact on the quality of service to clients. It also testifies our indignation with the Deputy Prime Minister, and we denounce the lack of respect shown to us and the public we serve".

Given this unprecedented vote of non-confidence in the Minister and in the Government and given the confusion in immigration policy that we have witnessed over the last two and a half years, how can Canadians possibly have any confidence in the Department and the Government when over one-third of his employees are denouncing his policy and direction? How will he rectify the mammoth revolution that is taking place in his Department? What solutions is the Minister proposing to get a Department working on behalf of all Canadians?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, we are down-sizing by 15,000. That was a government announced policy under Treasury Board. CIC participates. Eight hundred and twenty jobs are being affected, most by attrition. Only a handful of people have been laid off as a result of being unwilling to accept alternative employment opportunities.

Mr. Marchi: That is simply not true, Mr. Speaker. There have been over 1,500 jobs lost in the Department.

• (1200)

QUALITY AND DELIVERY OF SERVICE

Mr. Sergio Marchi (York West): Mr. Speaker, given that the Minister's own employees are telling him and the Government through this unprecedented petition that the service to the public is being jeopardized, will he immediately order an independent investigation to develop standards to ensure that an adequate quality of service to all Canadians will be re-established and that an appropriate and sufficient number of staff members will be employed in order to deliver the quality of service that all Canadians rightfully expect and demand?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, the down-sizing is being achieved with the utmost consideration for employees and client service. I do not need my hon. friend to tell me about the need to improve, or anything about quality of service. He may not be aware of this, but for the last year we have had in place a program to improve quality of service and I can say that we have made dramatic strides in improvement right across the country. Our offices are more accommodating and our officers are more accessible and are giving services that clients want, need, and understand.

Some Hon. Members: Hear, hear!

* * *

POINT OF ORDER

ALLEGED STONEWALLING BY COMMITTEE

Mr. Bob Brisco (Kootenay West): Madam Speaker, I rise on a point of order. Earlier this day, the leader of the socialist party, during Question Period, alleged that the standing committee on the Department of Regional Industrial Expansion stonewalled the Hon. Member for Yorkton—Melville (Mr. Nystrom) when he sought information on the Department at yesterday's Standing Committee meeting. I simply want to ensure that the facts are straight. An allegation is one thing; the truth is another.

The fact is that the Hon. Member for Yorkton—Melville is not a regular member of that Standing Committee. He was parachuted in yesterday, as was the Hon. Member for Saint-Maurice (Mr. Grondin), but at least the Hon. Member for Saint-Maurice had the courtesy to indicate that he was not a regular member and therefore was not fully conversant with matters before that Standing Committee.

The standing committee on DRIE has for several months been examining matters relating to tourism and matters relating to the IRDP program. The Hon. Member for Yorkton—Melville endeavoured yesterday to take us right off that agenda by going after senior staff members from the Ministry who were present to respond to the mandate laid down by the Standing Committee and not to policy questions asked by the

Hon. Member for Yorkton—Melville. In other words, the Hon. Member for Yorkton—Melville sought to divert the business of the Standing Committee which it had been addressing assiduously and vigorously week after week, month after month.

I want that allegation altered, amended and withdrawn by the leader of the socialist Party.

Mr. Lorne Nystrom (Yorkton—Melville): Madam Speaker, I would like to respond to the member of the capitalist Party across the way. He has referred to me as being parachuted into a particular committee. I suggest that if you were to check with the Clerk of that committee, Madam Speaker, you would find that I am a bona fide member of the committee. I was there with the proper papers containing the signature of the Whip and I was not parachuted in.

Second, if you would check the records of yesterday, Madam Speaker, you would find that the Deputy Prime Minister (Mr. Mazankowski) suggested, when I asked him about this issue, that I go to the committee to ask my questions. He was not opposed to me doing that and I tried to do that but was stonewalled.

I say I was stonewalled because the witness at the committee yesterday, Mr. Salley, is a Deputy Minister of the Department in charge of policy and one important policy is how one's books and accounts are administered.

In addition to that, as my friend from Kootenay has said, there were people present at the committee yesterday who were responsible for the Industrial Regional Development Program, the major ticket item in DRIE. I asked questions about over-commitment possibilities within IRDP. Those questions were ruled in order by my friend from Cape Breton, the Chairman of that particular committee.

I would suggest with respect that on both counts my friend from Kootenay is strictly out of order. He is only crying sour grapes because the Minister has bungled through an over-commitment in that Department which is without precedent in the history of Canada.

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Madam Speaker, I am also a member of the DRIE committee and my colleague from Saint-Maurice (Mr. Grondin) was there on my behalf yesterday because I could not make yesterday's meeting.

I need to say as a full-time member of that committee that Members of Parliament, be they Members who come in occasionally or regularly, have every right and privilege to design their own questions when they appear before a committee. I would suggest to my hon. colleague who I normally find to be a reasonable member of the Conservative caucus and the committee that it is not good enough, it takes all the nerve of a toothache, to suggest that the majority of Conservative members on the committee can dictate and in fact can sanction one way or the other the questions that are allowed to be asked.

Although I am not a frequent defender of our socialist colleagues in the corner, I say that Members have a responsibility, not just a right, to ask questions, particularly when there is a glaring example of a Department in a shambles. This point of order is not only inappropriate but it is an embarrassment to the mind that dreamed it up.

Mr. Langdon: Madam Speaker, I rise on the same point of order—

The Acting Speaker (Mrs. Champagne): This point of order was raised and one person from each Party has had an opportunity to offer his opinion and the Chair has listened very carefully. It seems to the Chair that it is obviously a point of disagreement and a point that could be debated between the different Parties but it is certainly not a point of order. The Chair would like to move on to Routine Proceedings.

ROUTINE PROCEEDINGS

[*English*]

HOUSE OF COMMONS

MOTION TO EXTEND HOURS OF SITTING

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Madam Speaker, there have been discussions between Parties and I believe you would find that there is unanimous consent to the moving and passing of two motions. I will deal with them individually. The first motion is as follows:

That, during the period commencing Tuesday, June 16, 1987 up to and including Tuesday, June 30, 1987, the House shall meet at 11 o'clock a.m. and continue to sit without interruption until 10 o'clock p.m. on Mondays, Tuesdays and Thursdays, and the House shall meet at two o'clock p.m. on Wednesday, June 17, 1987, and continue to sit without interruption until 10 o'clock p.m., for the purpose of considering Government Orders;

Provided that:

1. Standing Order 9(2) respecting the mid-day interruption, Standing Order 19(3) respecting Routine Proceedings and Standing Order 19(4) respecting Members Statements and Oral Question Period shall continue to apply;

2. For the purpose of Standing Order 19(7) Private Members' Business shall be taken up and considered from 6 o'clock p.m. until 7 o'clock p.m. on Mondays, Tuesdays and Thursdays;

3. For the purposes of this order the adjournment debate shall be suspended and the Speaker shall adjourn the House not later than 10 o'clock p.m.

4. Following the adoption of this motion, no motion under Standing Order 10(1) shall be receivable on Monday, June 15, 1987.

• (1210)

The Acting Speaker (Mrs. Champagne): The House has heard the terms of the motion. Does the Hon. Parliamentary Secretary have the unanimous consent of the House to move this motion?

Some Hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

STATEMENT BY MINISTER OF FINANCE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Madam Speaker, the following motion has also been considered by the Parties. I move:

That, notwithstanding any Standing or special Order of this House, in relation to the hours of sitting in effect on Thursday, June 18, 1987, at 8 o'clock p.m. on that day the House shall revert to Statements by Ministers for a statement by the Minister of Finance (Mr. Wilson) and the tabling of any Ways and Means Notices of Motion and other documents related thereto; and

That following replies pursuant to Standing Order 19(6)(a), the Speaker shall adjourn the House until the next sitting day.

The Acting Speaker (Mrs. Champagne): The House has heard the terms of the motion. Does the Hon. Parliamentary Secretary have the unanimous consent of the House to move the motion?

Hon. Herb Gray (Windsor West): Madam Speaker, we are ready to give consent to this motion being moved and adopted as we did for the previous motion. I only want to observe that these two motions, particularly the one just moved for extended hours, show that our rules make it possible for accommodation to be given when the Government wants to have its programs considered in a timely fashion without departing from the system of meeting within a fixed calendar to do parliamentary business. The rules accommodate that now as they did before.

I think it should be on the record that these motions, particularly the latter one, enable us not to give up our roles as parliamentarians and members of opposition Parties while, at the same time, enabling the Government to put forward for consideration its business without using measures which undermine the basic concept of the rules that we meet within fixed dates.

Mr. Rod Murphy (Churchill): Madam Speaker, I would like to add my comments to those of the Hon. Member for Windsor West (Mr. Gray). It is interesting to note that both of these motions have been agreed to by the House Leaders and will be accepted by all members of this House.

With regard to the Government talking about sitting in the summer or requesting extended hours, it is important that in the future the Government introduce legislation which it believes to be important early enough in the session that the public will have a chance to know what legislation is before the House and that we will not be forced to pass legislation through all stages, quite often within one half day.

I believe that such situations deny the public its right to participate and involve itself in the legislation which is brought before this House and passed by it in the last few days before the end of June.

Mr. Lewis: Madam Speaker, I think it is fair to say that most of the items we are and will be dealing with in the month of June have been on the Order Paper for some time. On those that have not there has been sufficient discussion, either at committee level or among the Parties and the critics.

In response to the comments of the House Leader for the Official Opposition (Mr. Gray), I think it is fair to say that the achievement of the government business during the month of June has been as a result of co-operation from both the Official Opposition and the New Democratic Party. The package is coming together nicely due to the co-operation we have received.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

* * *

PETITIONS

OPPOSITION TO RESTORATION OF CAPITAL PUNISHMENT

Mr. Aurèle Gervais (Timmins—Chapleau): Madam Speaker, it is my duty to table a duly certified petition which was forwarded to me by Reverend Jackson Strapp, Pastor of the First United Church in Timmins. The petition is signed by Reverend Strapp and 46 members of his congregation including residents of Timmins—Chapleau.

The petitioners humbly pray and call upon Parliament to defeat the motion introduced in the House of Commons on February 16 supporting in principle the restoration of the death penalty in Canada.

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Dan Heap (Spadina): Madam Speaker, it is my duty and privilege to present a petition from approximately 100 residents of Spadina in the City of Toronto who point out that there are many people who are in need of refuge in the world and that while Canada has had a fairly good system for considering their claims, the system has broken down and that a new one has been proposed by the Standing Committee which has wide public support. However, recent government actions in turning away refugee claimants from our borders are putting real refugees at risk.

Therefore, the undersigned, your petitioners, humbly pray and call upon Parliament to enact legislation which will embody the principles of fair and complete oral hearings of claimants before a refugee board independent of the Immigration Commission, universal access to such hearings for every claimant in Canada, and a fair chance to arrive in Canada to present this claim. As in duty bound, your petitioners will ever pray.

LOW-LEVEL FLIGHTS AT ARMED FORCES BASE AT GOOSE BAY

Mr. Dan Heap (Spadina): Madam Speaker, I have a petition from a number of residents of Victoria, B.C., who are concerned that the low-level flight training of NATO pilots at the Canadian Forces Base in Goose Bay, Labrador, not only disrupts the way of life of the native people there but also that the training of pilots to fly under radar into eastern Europe constitutes a provocative and aggressive war-fighting action which tends to endanger world peace.

Therefore, the undersigned, your petitioners, humbly pray and call upon Parliament to ensure that the Prime Minister (Mr. Mulroney) end all low-level flight training at the Goose Bay Canadian Forces Base and cease negotiations with NATO for establishment of a larger base there. In duty bound your petitioners will ever pray.

[*Translation*]

CANADA POST—OPPOSITION TO CORPORATE PLAN

Mr. Fernand Robichaud (Westmorland—Kent): Madam Speaker, it is my duty to table a petition from residents in my riding from Notre-Dame, Cocagne, Grande-Digue, Saint-Antoine and Buctouche. Your petitioners are concerned about the Canada Post Corporation's new corporate plan that will create two classes of citizens, and your petitioners humbly pray that Parliament reject Canada Post's plan.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, Question No. 118 will be answered today.

[*Text*]

SHARED TIME AT TEST RANGE, NANOOSE BAY, B.C.

Question No. 118—**Mr. Manly:**

Does an agreement exist between Canada and the United States with respect to allotted sharing of time at the test range at Nanoose Bay in British Columbia and, if so, in 1986 (*a*) what percentage of time did Canada use (*b*) what percentage of Canada's unused time was taken by the United States and what compensation did Canada receive for unused time?

Mr. Bud Bradley (Parliamentary Secretary to Minister of National Defence): Yes. (a) 11 per cent; (b) 3.15 per cent—$771,509.

*Canadian usage in 1985 was over 30 per cent. The Canadian usage figure for 1987 will be above the low usage rate for 1986.

[*Translation*]

Mr. Lewis: Madam Speaker, I ask that the remaining questions be allowed to stand.

The Acting Speaker (Mrs. Champagne): The question mentioned by the Parliamentary Secretary has been answered. Shall the remaining questions stand?

Some Hon. Members: Agreed.

• (1220)

GOVERNMENT ORDERS

[*English*]

1987 CONSTITUTIONAL ACCORD

ESTABLISHMENT OF SPECIAL JOINT COMMITTEE

The House resumed consideration of the motion of Mr. Hnatyshyn:

That a Special Joint Committee of the Senate and of the House of Commons be appointed to consider and report on the "1987 Constitutional Accord, signed in Ottawa on June 3, 1987, by the First Ministers of Canada", copies of which were tabled in the Senate and the House of Commons on June 3, 1987;

That twelve Members of the House of Commons and five Members of the Senate be the Members of the Special Joint Committee, such Members on the part of the House of Commons to be designated no later than seven sitting days after the adoption of this motion;

That the Committee have the power to appoint from among its Members such sub-committees as may be deemed advisable, and to delegate to such sub-committees all or any of their powers except the power to report directly to the House;

That the Committee have power to sit during sittings and adjournments of the House of Commons;

That the Committee have power to send for persons, papers and records, and to examine witnesses and to print such papers and evidence from day to day as may be ordered by the Committee;

That the Committee be empowered to authorize television and radio broadcasting, as it deems appropriate, of any or all of its proceedings or of proceedings of its sub-committees, pursuant to the principles and practices governing the broadcasting of the proceedings of the House of Commons;

That the Committee submit its report not later than September 14, 1987, provided that, if the House is not sitting, the report will be deemed submitted on the day such report is deposited with the Clerk of the House of Commons and with the Clerk of the Senate;

That substitution be authorized, for Members from the House of Commons, from a list of alternates to be provided to the Joint Chairmen of the Special Joint Committee by a representative of each party at the first meeting of the Committee, such list of alternates to contain no more than twice the number of Members of the House of Commons who are Members of the Special Joint Committee representing each party in the House;

That the quorum of the Committee be eight Members, whenever a vote, resolution or other decision is taken, so long as both Houses are represented, and that the Joint Chairmen be authorized to hold meetings, to receive evidence and authorize the printing thereof, when six Members are present so long as both Houses are represented; and

That a message be sent to the Senate requesting that House to unite with this House for the above purpose, and to select, if the Senate deems it to be advisable, five Members to act on the proposed Special Joint Committee.

Mr. Lorne Nystrom (Yorkton—Melville): Madam Speaker, it is with pleasure that I rise on behalf of our Party today to support the motion before the House to establish a Special Joint Committee of the Senate and of the House of Commons to hold public hearings this summer on the Meech Lake Accord.

[*Translation*]

It is with pleasure, Madam Speaker, because we endorse the Meech Lake Accord, as do the Leader of the Opposition (Mr. Turner) and the Prime Minister (Mr. Mulroney) and his Party. It is good to have the consensus of the three Parties here in the House in the case of such an important process. I support the resolution before the House for two reasons.

[*English*]

First, I support the motion before the House because it will give us an opportunity as Members of Parliament to explain the Meech Lake Accord and promote a better understanding of the Accord to people across the country. I think that is important because it is a complicated document which has ramifications that will affect the lives of Canadians, not just today but for many years to come.

Second, and even more important, I support the resolution before the House to establish a Special Joint Committee because I believe that the people of Canada need some input into constitution-building. Constitutions are not just for Prime Ministers, premiers, Members of Parliament or members of Legislative Assemblies. They are for the people of Canada from all the provinces that make up this great nation.

I want to see as much positive input as possible in suggesting some positive changes to the Accord that is before us. I also hope that all 10 provinces will hold hearings, as the Province of Quebec has done and as I understand the Province of Manitoba is obliged to do so that we may have a provincial and national perspective and the resolutions of the House of Commons and Senate, and the resolutions from the provincial legislatures will be the result of input from all Canadians in this diverse country. We will have a constitution about which we will feel proud as we take this country into the 21st century.

[*Translation*]

Madam Speaker, I remember very well that five or six years ago we had another special joint committee of the House and the Senate of Canada studying the Canadian Constitution. I sat on that committee with the Hon. Member for Burnaby (Mr. Robinson) and I remember quite vividly that we had hearings during two or three months in late 1980 and early 1981. It was a good committee. There was good participation not only by Members of the House, like co-chairman Serge Joyal, but also by senators, particularly Conservative Senator Arthur Tremblay and Liberal Senator Jack Austin.

We had another experiment with a joint committee of the House and the Senate two years ago. Yesterday I spoke with my colleague the Member for New Westminster—Coquitlam (Ms. Jewett) and she told me the sittings took place in the summer of 1985, the joint committee on Star Wars and bilateral trade between the United States and Canada. Again it proved to be an enlightening experience for Canada and for Hon. Members.

[*English*]

One thing that has happened that I do not like is the passing of a resolution in the Senate yesterday by which the Senate will conduct its own hearings. It is very unfortunate that the Senate would want to conduct its own hearings at the same time as a joint committee is holding hearings.

Members of the House are elected by the people of Canada. As a New Democrat, with my belief about the Senate being a house of patronage comprised basically of political hacks, it is even somewhat difficult to accept a joint committee. As I said in French, experience has shown me that there has been some good contributions from joint committees in the past. However, I do not like the idea of a group of appointed politicians in the other place pretending to speak for Canada when it comes to constitution-building.

Furthermore, this is basically a non-partisan debate and let me say that I do not like the way they are defying the Right Hon. Leader of the Opposition. He has taken a strong and courageous stand on behalf of his Party but is now being undercut by people in the other place who were appointed by Pierre Trudeau, who represents a different vision of this country. They will simultaneously hold their own hearings, call their own witnesses, and try to present their own point of view which may result in a deadlock for Parliament itself.

The other place really is a house of patronage and if there ever was an argument to abolish the Senate as it now exists, I believe this is it, and this is the time. The Senate should either be abolished or reformed. There is no place in the 20th century for a House that is not elected but has legislative power. The action of the Senate yesterday is another example of that abuse of power. The Senators, who make up a Liberal majority, are serving another master, Pierre Elliott Trudeau; he appointed most of them to the Senate. Those very senators who are serving Pierre Trudeau are trying to undercut the present leader of the Liberal Party, the Leader of the Opposition.

I suppose they will also put in a bid to have access to the parliamentary channel in order to televise their hearings. I believe that all Members of the House agree that the parliamentary channel should exist for the elected Members of Parliament so that our hearings may be televised and the people of this country can see who is coming to talk to their elected representatives about the Constitution. It should not be there for appointees from yesterday's Canada.

I have talked about the new and old Canada. The old Canada was represented by Pierre Elliott Trudeau, rigid centralism and confrontation across the country. As a Member of Parliament from Saskatchewan, I know about the alienation that such a vision created in Saskatchewan. That is not the kind of Canada I want, nor do I think it is the kind of Canada that any political Party in this House wants today.

We have a new Canada of co-operative federalism that was talked about years ago by Tommy Douglas, Robert Cliche, Lester Pearson and Bob Stanfield. We have a new Canada of co-operative federalism that is now being promoted by the Prime Minister, the Leader of the Opposition, and the leader of my party, the Hon. Member for Oshawa (Mr. Broadbent). That is the kind of Canada about which I have always dreamed. Pierre Elliott Trudeau's Canada is the Canada of yesterday. That is why I am worried about the hearings the Senators are undertaking and promoting in the other place.

My vision of this country involves a strong central Government that is able to equalize conditions among people, regions and provinces. However, my vision of this country also is one in which there must be equality of provinces. There must be strong provinces that can legislate and reflect their legitimate differences.

We must recognize the diversity of this country and have flexibility so that there can be programs in the Town of Kamsack, or the Village of Buchanan that are different from programs in Newfoundland, Montreal or Vancouver. At the same time I see a government that can meet the national objectives and programs that are so important to deliver services across the country.

[*Translation*]

Also in Canada I believe it is fitting that Quebec be considered as a distinct society because Quebec is different, Quebec needs a different status. It is the reality in Canada. My God, Madam Speaker, it was Lester Pearson who led the way with the Canada Pension Plan and the Quebec Pension Plan. It was Mr. Pearson who led the way, believing as he did in co-operative federalism. Messrs. Tommy Douglas and Bob Stanfield as well as the Right Hon. Secretary of State for External Affairs (Mr. Clark) also took that direction, and now it is the direction taken by the three Parties here in the House. It is the reality in Canada. Quebec is different, and if we want unity in this country we must acknowledge this reality in the Canadian Constitution.

Coming from Saskatchewan and western Canada, I am proud that the Premiers have recognized that Canadian reality. I am convinced that almost all Members of this House agree with me on that.

[*English*]

My vision of Canada also includes the aboriginal people as a distinct and unique people who need more constitutional protection. I hope that through these hearings we can mobilize public opinion and convince legislatures, primarily in Saskatchewan, Alberta and British Columbia, that they should include in the Accord recognition of Indian rights to self-government in Canada. That was something which was accepted in principle, certainly by the federal Parliament and by six other legislatures and, I am sure, by the National Assembly in the Province of Quebec.

• (1230)

I appeal to the Premiers of this country to recognize that in order to complete the circle of a strong federal Government and provinces, and the diversity and uniqueness of Quebec, we must also include the uniqueness of our native Indian people with an appropriate amendment which recognizes aboriginal self-government in Canada. We may already have had that, were it not for the intransigence of Premier Devine, Premier Getty and Premier Vander Zalm. I appeal to them once again to reconsider their position and to establish public hearings in their provinces so that aboriginal people have a chance to have some input in terms of constitutional building.

As someone who has a name which is neither French nor English, though half English in ancestry, I want to to go on record on behalf of our Party as speaking out as strongly as possible to ensure that we have multiculturalism recognized in the Constitution of Canada. I am very happy to see in the final Accord, which came out of the Langevin Block, a change to the original Accord, that nothing in the Accord will derogate from the existing rights of multicultural groups in this country. I think that is a very important thing which should be noted and explained to the people.

In this country we have a lot of differences, but I do not think that we should let those differences divide us. I think those differences are what makes this country unique. I come from a riding where there are people of many national backgrounds, such as Ukrainian, Chinese, Russian, native Indian and the odd Scandinavian like myself. We have people of British background, and a few of French background, although not many. In my kind of province we have a cultural mosaic. It is really great to go to a non-Ukrainian wedding in my riding and find that many of the customs are Ukrainian because they have picked up some tremendously interesting and vital customs from the Ukrainian culture. I think we have done that right across this country. We are not the same melting pot as we see south of the border in the United States. Because of those differences I think we are richer and I feel these differences will unite this country in an even greater way.

It is very important that we support this Accord because it is very important to change the Constitution to include Quebec.

[*Translation*]

And as I said, it is important to recognize Quebec as a distinct society and to have our Constitution recognize that Quebec is different. It is not only a matter of the different language spoken by the majority of Quebecers. They have a different culture. They have the Civil Code. There are many differences.

[*English*]

Second, I want to comment on the spending power and the powers of central Government. I think Pierre Trudeau has exaggerated to its utmost limit some of the dire consequences which could happen to the central authority or the spending power. I think he has taken the worst case, exaggerating as much as possible.

My colleague, the Hon. Member for New Westminster—Coquitlam pointed out that she was in this House when Lester Pearson was Prime Minister and when he talked about co-operative federalism. The Right Hon. Lester Pearson tried to get recognition of spending power by the federal Government in the Constitution and he could not. Now it is part of the Meech Lake Accord. In fact, there is a reference to the Government of Canada in terms of spending power which was not there before. There is also a recognition in the Accord of national objectives, which was not there before. I suggest that some of the things which were fought for by Lester Pearson back in the 1960s are now coming to fruition.

With respect to the federal spending power and the amending formula, I think in many ways we now have less of a strait jacket, because all we need are seven provinces out of 10. If we look at the history of medical care, unemployment insurance and the Canada Pension Plan, we find that in all those cases we built a consensus for the unanimity of the provinces with the federal Parliament before we went ahead. Now if we have a province such as Newfoundland, Saskatchewan, Ontario or British Columbia, which is intransigent and says, no, it will not necessarily hold back the rest of the country.

We talk here about the federal spending power and we are talking about it in areas of exclusive provincial rights. Those are the rights of the provinces. They do not get compensated for a national program unless their own programs are compatible with national objectives. What is wrong with that? If the program is not compatible with national objectives they will not receive compensation, and if it is a proper and popular program they will suffer the consequences in the next provincial election.

Mr. Caccia: What will you do with the extra billing?

Mr. Nystrom: Extra billing does not fit into this example at all. If there is any Party which knows something about medicare it is the Party of Tommy Douglas which fought for medicare in North America from Saskatchewan some 25 years ago come July 1.

With respect to the Supreme Court and the Senate, I wonder why some people such as Pierre Trudeau and the Hon. Member for Saint-Henri—Westmount (Mr. Johnston) and a few others, think the federal Government should have the unilateral right to appoint the Justices of the Supreme Court. This is a federal country. We have two orders of government which are equal.

In Saskatchewan we have had problems with Supreme Court decisions. In our province the Supreme Court struck down legislation by the Blakeney Government to tax foreign multinational oil companies. That was done because there was no input from the provinces in the selection of those judges.

I say in a federal state that both the provincial and federal Governments should co-appoint the Justices of the Supreme Court, and that is what is being done in the Meech Lake Accord. That is co-operative federalism. That is the kind of thing we want in our province. I suggest that the overwhelming majority of Canadians want it as well.

With respect to the Senate, we saw what happened yesterday in that House. In defiance of the Leader of the Liberal Party, it passed a motion to have a study of the constitutional Accord. If we are not going to abolish the other place, if we are not going to have an elected Senate, the least we can do is to ensure that the provinces have some input into the selection of Senators so that the Senators are not obedient to an old master like Pierre Trudeau but will have some responsibility to represent their provinces and their regions in a truly federal state.

I also want to mention the north. There is perhaps one glaring omission in the Constitutional Accord, and that is that northern Canadians become, in a constitutional sense, second-class citizens. Other residents of other provinces have an input through their legislature and in the nomination of judges and Senators. However, citizens of Yukon and the Northwest Territories do not have the same right. I do not think that is fair. I know an important case is being launched, but I think we are going to have to look very hard to find some kind of amendments so we do not create second-class citizens in a constitutional sense in northern Canada.

I am also concerned that the amending formula for the creation of new provinces has been changed requiring unanimous consent. I think we can hopefully all unite in this House to build up some kind of public feeling among the provinces to agree to revert back to the existing amending formula, which is seven provinces out of 10. Because of this glaring oversight, I want to move an amendment which I hope is acceptable to all Members of this House.

I move, seconded by my friend, the Hon. Member for Regina West, (Mr. Benjamin), who has been pushing for the idea:

> That the motion be amended by striking the word 'and' at the end of paragraph 9 and substituting the following therefore,
>
> That the Committee, or a sub-Committee, have power to travel to, and hold at least one public hearing in, each of the two Territories;
>
> That the Committee be empowered to retain the services of advisors to assist in its work, and that it also be empowered to retain the professional, clerical and stenographic help as may be required;
>
> That a message be sent to the Senate requesting that House to unite with this House for the above purpose, and to select, if the Senate deems it advisable, five Members to act on the proposed Special Joint Committee.

In closing, I appeal to the Deputy Prime Minister and to the Liberal Party to seriously look at the possibility of giving this committee the right to travel in northern Canada. I think this is a really special case because they do not have provincial Governments. They were not part of the Meech Lake Agreement. They did not have a Premier sitting down at the table for them. The federal Government represented them, I know, but citizens of other provinces had both the federal Government and their premier, and there is a difference. With the amended formula, they do not get a chance to help select the judges of the Supreme Court or the Senators. There is a guarantee for a Senator, but the federal Government would appoint the Senator from the Yukon or the Northwest Territories. So in that sense I think there is a constitutional double standard.

• (1240)

The other point I want to make is that they may never become provinces if unanimous consent is required. There is a difference when it comes to the north. I think the committee should have the power to travel to the North or to send a subcommittee to the north. If the committee, through consultation, deems it unnecessary, then the committee does not have to travel. We do not say that it has to travel. We are saying that if it wishes to travel then it should have the funds available to do so.

I am sorry that my time is running out. I would like to have made one or two more comments.

Some Hon. Members: Hear, hear!

The Acting Speaker (Mrs. Champagne): Hon. Members have heard the terms of the Hon. Member's amendment. Are there questions or comments?

Mr. Johnston: Madam Speaker, this is a sad time for Canada, not necessarily because of differences of opinion, on this constitutional Accord, but when we see a Party once regarded as a Party of principle become purely a Party of political opportunism—

Mr. Mazankowski: Exactly right.

Mr. Johnston: —we all know that power corrupts. The NDP has now proved beyond the shadow of a doubt that even the fleeting sniff of power corrupts.

That being said, I wish to ask the NDP spokesperson, the Hon. Member for Yorkton—Melville (Mr. Nystrom), a question with regard to process. He mentioned the constraint on the spending power that is found in the proposed new section 106A(1) of the Accord, which he views very favourably. He says that to withdraw, provinces would have to meet national objectives in carrying on their own programs. At the present time we know that the spending power as it is generally used requires the delivery of funds to the provinces for them to spend in accordance with certain national criteria, otherwise the funds are not forthcoming. I suggest that this section clearly creates a new situation and the term "national objectives" must mean something. It is a very important consideration, what it means. That is a legal issue. Who establishes those national objectives is another legal issue. We have already heard a number of interpretations.

I would like to advise my friend from Yorkton—Melville and the House that I have written a letter to the Prime

Minister of Canada (Mr. Mulroney) and to each of the provincial Premiers, including the Premier of Saskatchewan, Premier Devine. In this letter I have suggested that it would be very helpful if a number of these ambiguities, such as the ones surrounding the spending power, were cleared up by the courts before the resolution is adopted, either here or in the provincial legislatures. That cannot be done through committee hearings. Committee hearings are important in order to have views expressed.

But there is a mechanism for doing this. In the case of the federal level it can be done by reference case under Section 55 of the Supreme Court Act; and at the provincial level, in the case of Saskatchewan, for example, it can be done under Section 2 of the Constitutional Questions Act, Revised Statutes of Saskatchewan, 1978, Chapter 29. This clause, which we are told was of particular concern to the Premier of Manitoba, Mr. Pawley, who shares the same political affiliation as the Hon. Member for Yorkton—Melville, can be dealt with by a similar reference made under Section 1 of the Constitutional Questions Act of Manitoba, Revised Statutes of Manitoba, 1970, Chapter 180.

I would like to ask the Hon. Member whether or not he would support that idea, which should not in any way delay the parliamentary timetable but would enable us to determine before we do something to the country and to the Constitution what the impact of it will be by definitive, legal interpretation in some of the obvious areas in which there are concerns. Obviously, the court cannot comment on everything in the Accord, but it certainly can take on the interpretation of these specific ambiguities so that parliamentarians and Members of provincial legislatures will know on what they are voting. That is the question.

Mr. Nystrom: Madam Speaker, I thank my friend from Montreal for his suggestion. I think it is an example of why we need public hearings. His suggestion is worth looking at and studying. I cannot answer his question off the top of my head. It is one of those things about which one would have to think. I think it is well worth studying. Hopefully, over the summer we will have all sorts of other ideas that will come before the committee and we can build up some kind of national consensus. There are ambiguities. But there are also ambiguities in the Constitution which we patriated in 1982. A great many items in the Charter of Rights are left to the interpretation of the courts. So I say to my friend that his suggestion is worth taking a look at.

I wish to make one more comment about his comments concerning our principles.

Mr. Johnston: Which ones?

Mr. Nystrom: On the Constitution. I challenge my friend from Saint-Henri—Westmount to go back over any speech I have made on the Constitution back in 1981, 1982 or 1983. I have always spoken about my vision of the country in a similar way to which I did today. I have not changed my spots. I am not a leopard which changes its spots. We have always believed in a very strong co-operative federalist state. Tommy Douglas spoke about that. Robert Cliche—

[*Translation*]

—who was well-respected in that province often referred to the federalist system of those provinces and perhaps Mr. Cliche had much influence on the Prime minister, Mr. Mulroney, because he began his political life with him. And Mr. Cliche was not alone, there were also Mr. Tommy Douglas, Mr. Allan Blakeney and many other New Democrats who dealt with the necessity of having a co-operative system in this country.

[*English*]

I find my friend's comment, that we do not have principles now because we are becoming very strong, to be rather strange.

The final point I wish to make is that since I am being so co-operative about taking a look at his suggestion, I wonder if he can tell me whether or not he will now support our amendment to have this committee or subcommittee travel to the North. I do not think that our northern citizens, in the constitutional sense, are being treated the same as his constituents or mine.

Mr. Benjamin: They are being snubbed.

[*Translation*]

Mrs. Mailly: Madam Speaker, I am delighted to hear my friend the Hon. Member for Yorkton—Melville (Mr. Nystrom) refer to Pierre Elliott Trudeau as the man of yesterday. For once, I can agree with him. I find it very difficult to agree with most of his ideas, but that is one on which I can agree. The same is true of the Hon. Member for Saint-Henri—Westmount (Mr. Johnston). I do not often agree with him, but today I do although I find it somewhat surprising, something akin to a Damascus road conversion for the New Democratic Party, because I, personally, have always been consistent.

Why did I get involved in politics? Because I felt that the Liberal approach was one of confrontation and division, and I wanted one of reconciliation. I decided to join a party which was going to address this problem. Today, we are solving the problem, and I am very proud of it. But I wonder where the Hon. Member was when he should have supported Mr. Clark, a man with a deep belief in provincial rights who worked very hard to get a foothold in the province of Quebec because he was determined to defend the provinces' rights. What did the New Democratic Party do, Madam Speaker? It sought Mr. Clark's defeat. It even moved the motion which defeated Mr. Clark's Government. I do not see any consistency there, and I wonder also where the New Democratic Party was when Mr. Stanfield, before Mr. Clark, promoted the same approach of respecting the provinces and decentralizing the Canadian Government because it failed to recognize our regional disparities. The Government did not recognize the rights of Quebecers, for instance, who make up a distinct society while being proud Canadians. Where were they? That is why I agree

for once with the Hon. Member for Saint-Henri—Westmount. This looks very much like a conversion and smacks of political expediency. I hope such is not the case, because it would be very sad that a man should have all the right principles for the wrong reasons.

I would like to ask him two questions.

Here is my first question. He was saying a while ago that the new spending powers under the Accord would not weaken Canada. Is he planning to encourage Mr. Pawley to keep his mouth shut when the time comes to deal with this aspect, since the NDP leader in Manitoba was apparently the one who created problems and almost caused the Meech Lake Accord to fail?

Here is my second question. He mentioned the amendment aimed at protecting the multicultural dimension of Canada. He said that we are a mosaic and not a melting pot, like the United States. The Quebec federal NDP leader, Mr. Harney, seems determined to create division and conflict again, saying that the linguistic rights—

• (1250)

[*English*]

What is going to happen to the minorities in Quebec if Mr. Harney, the federal leader of the NDP in Quebec at the moment—

Mr. Benjamin: You have everything wrong.

Mrs. Mailly: His approach is that he does not care about the rights of minorities because he wants language matters strictly under provincial jurisdiction. What are you going to do about that?

These are two questions that I think have to be answered if you are going to make yourselves the defenders of a distinct and proud Quebec society.

Mr. Nystrom: First, Mr. Harney speaks for himself, I am sure, like the Hon. Member for Annapolis Valley—Hants (Mr. Nowlan) will speak for himself.

The Hon. Member asked about spending power. Mr. Pawley signed the agreement, and partly because of his insistence the wording was strengthened with respect to the federal objectives. He made a very useful contribution towards strengthening the federal objectives, making sure they were compatible with the federal Government. We can all be proud of his contribution. I certainly am. I am also surprised that the Hon. Member would make that rather partisan remark.

As to Quebec, this is not a new-found interest in that province. I and the Hon. Member for Churchill (Mr. Murphy) can give the Hon. Member our policy books and she will find that, with Robert Cliche and Tommy Douglas back in the sixties, there was a recognition that Quebec was a unique and distinct society.

Mr. Benjamin: Go back to the 1940s and Thérèse Casgrain.

Mr. Nystrom: My colleague refers to the 1940s. I was not around the conventions in those days, but Madam Casgrain, a respected woman in Quebec, talked about the uniqueness and difference of Quebec. It is not a sudden discovery by the NDP that Quebec is different.

Mrs. Mailly: You supported the Liberals who were against all these principles.

Mr. Nystrom: Just a last comment, Madam Speaker, please?

[*Translation*]

The Acting Speaker (Mrs. Champagne): The time for questions and comments is over. The Hon. Member for Annapolis Valley—Hants (Mr. Nowlan) has the floor.

[*English*]

Resuming debate.

Mr. Pat Nowlan (Annapolis Valley—Hants): Madam Speaker, I know other Members want to speak and our time is limited, so I will do something I usually do not do, stay fairly close to my notes.

I listened with a great deal of interest to my friend, the Hon. Member for Yorkton—Melville (Mr. Nystrom) who always speaks with eloquence and passion. I agree with much of what he said. I am not going to touch on some of the things I fully agree with, especially what he said about the North. However, I want to deal with some of the other items that he mentioned.

This is either the beauty, the challenge or the curse of this debate. In listening to his logic in interpreting the Meech Lake Accord I am almost reaffirmed in my concern about some of the very things he sees so positively, but which I think create real problems. He talks quite rightly about the Machiavellian politics going on in the other Chamber by that muse from Lake Ainslie in Nova Scotia, MacEachen Incorporated. He has come out of his cave of hibernation and is trying to impose himself in the parliamentary process by playing monopoly with the concerns of the citizens of this country.

I said, along with Stanley Knowles, many years ago that I am for abolition of the Senate. One of my first essays in political science dealt with the reform of the Senate. However, what I cannot accept from my hon. friend who just spoke so well is that he laments the hacks, flacks, and all the political patronage in that Chamber down the hall, yet does not raise any questions about how the new method works. There is still going to be appointments of hacks, flacks, and good people, but instead of being appointed only by a Prime Minister after consultation, the appointments will now come from a list provided by the provinces. The form has not been changed.

If my hon. friend, who has been around here for a few years, along with some Premiers who are a little newer to the political game, really believes, given the unanimity rule for amending federal institutions, that there is a snowball's chance in that place down below of making any fundamental reform to the Senate, he is wrong. Triple E goes out the window. Instead of

equal, effective and elected, it will be echo chamber, eternal, and ineffective. It is as dead as a dodo bird. Senate reform is as dead as the dinosaurs in Drumheller. Yet my friend waxes eloquently and quite passionately about what is going on down there and how they are becoming very partisan in their deliberations on this very fundamental document.

Quite frankly, I am not going to be partisan today because this document cuts across Party lines and there is real concern in all Parties about the Meech Lake Accord. I agree that the Prime Minister (Mr. Mulroney) brought a tremendous feeling of national reconciliation to this country after the election of 1984. We do not have the confrontation we had before. He deserves a lot of credit for getting the 10 Premiers around the table and coming up with an agreement. That is very rare. Yet we cannot be completely blind to the way some people interpret the implications of that agreement. We can all have visions of national reconciliation but we have to know if this constitutional document is going to stand the test of time; not when everyone is feeling very good and very co-operative but when there is stress and strain on the federation, as there is from time to time.

Do not bring the dragon of Pierre Trudeau out and say that is the man of yesterday. He was Prime Minister for 16 or 18 years, and in that sense he is the past, but some of the questions, if not the way he raised them, are very legitimate. I am glad Canadians are going to have a chance to assess those questions now that we have this motion to send the matter to a joint committee. I will not get into that, but I compliment my House Leader for doing that. They will have their chance if the committee gets input from the public, and hopefully the provincial legislatures will have their public input as well.

The amendment suggested by my friend from Yorkton—Melville is interesting and constructive, but the fact is we have to decide whether it is co-operative federalism or whether it is going to be fractured federalism. I am going to refer to something which is central to that question, and that is the spending power. Before I do I want to read into the record a letter I wrote to my Prime Minister on May 12. The Hon. Member for Saint-Henri—Westmount (Mr. Johnston) had spoken out, but this was before Mr. Trudeau spoke out. I talked about vision and my basic instinctive concern about what Meech Lake would do. It reads:

> My Dear Prime Minister,
>
> Notwithstanding your eloquent and sensitive speech yesterday, it is with regret and after much wrenching introspection that I am duty bound to inform you that in all conscience I cannot agree to the Meech Lake Accord. I sincerely believe that in the laudable desire to get Quebec "in", we are so fundamentally changing the future character of Canada that the "one Canada" I believe in will become too loose a Confederation with the Federal Government no longer being first among equals but merely one among equals.
>
> I am not too disturbed about Quebec's justified claim of being a "distinct society"—but with the opting out process along with compensation, there is no doubt in my mind that in time, and soon, there will be a de facto "deux nations", let alone sovereignty-association status in that Province. Accordingly, I can appreciate why the Bourassa position has been positively received in Quebec, while unfortunately, and dangerously, in a political sense, the rest of Canada is so numb (and bored) over the constitutional process, that the fundamental implications of nation building at Meech Lake are not receiving the proper attention they deserve.
>
> Therefore, in my view, a one day debate in the House, while commendable, is not sufficient. However, I appreciate that the fine print of the necessary legislation will provide an opportunity for a further debate of the principles of the Accord. Nevertheless, recognizing the reality of the parliamentary and political process and the limitation of time for government business, I feel these principles should be debated now—and surely if these suggested constitutional changes are to stand the test of time, then they should now be able to withstand public and parliamentary scrutiny.
>
> At a minimum, a parliamentary committee of both Houses should be given an opportunity to seek and hear the public's view.
>
> This would provide a vehicle for meaningful public input on the principles of the Accord to assess whether the opting out clause might adversely affect the leadership role of the federal Government let alone the provincial veto on national institutions which surely consigns Senate reform to the perpetual backwater of a constitutional strait-jacket.
>
> Furthermore, the institutionalizing of annual federal-provincial conferences on the Constitution and the economy, with possibly the real agreements being made (necessarily) behind closed doors, will surely render the parliamentary process somewhat redundant and hence the House of Commons, for at least the important national issues, will become a mere rubber stamp.
>
> I have no doubt, Mr. Prime Minister, of the intensity and passion of our Francophone colleagues in all Parties with respect to their support for the Accord.
>
> I recall when Premier Bourassa said that Quebec could not agree with the Victoria Amending Formula, he eloquently emphasized that his position was not anti-Canada but pro-Quebec. Likewise, I am not anti-Quebec but pro-Canada and Mr. Prime Minister, I hold my position with as much passion and intensity as do our Francophone colleagues.

• (1300)

The reason I read the letter was to indicate that that was my instinct at a time long before others who had more responsibility in running the country spoke out.

Why is there such concern in terms of the powers of the federal Government? I will not repeat what I said about the Senate. However, we can forget about reform in the Senate and Triple E. Anyone who thinks that there will be fundamental reform of the unanimity rule is whistling Dixie.

I should like to refer to the American experience. They are celebrating the two hundredth anniversary of their Constitution. They started with 13 little States, and they had an amending formula which required unanimity. The whole system bogged down in that more simple day. They had to reframe their Constitution and provide the amending formula which they now have where there is some flexibility.

It is ironic that we took so many years—a hundred or so—to get our Constitution back into the country where it properly should be. It had an amending formula and then, almost out of the blue—although I admit that there was a year-long negotiation behind closed doors—we are to put federal institutions into a constitutional strait-jacket from which they will never be changed.

In terms of the spending power, I should like to say that this is a very complex, complicated situation. I agree with the suggestion of the Hon. Member for Saint-Henri—Westmount that perhaps some of these matters should be considered by

stated case in the Supreme Court to get some judicial direction before we put the Constitution into constitutional stone.

This matter is different from the bilateral agreements with provinces. The Cullen-Coutre immigration agreement is a bilateral agreement between Quebec and Canada on immigration. There are many bilateral agreements between the federal Government and the provinces from time to time, which are not frozen in constitutional stone.

The problem with the Meech Lake Accord is that we are taking some of those *de facto*, *ad hoc* bilateral situations which require flexibility from time to time and we are putting them into a Constitution which is much more difficult to change.

Let us look at the spending power. The spending power is tremendously different. I know there are different types of arrangements now in the different social plans in the country and that each province must have some variation. However, that is much better than the present document which we are considering. Those who have been seduced by the semantic changes which occurred in a 20-hour session in the Langevin Building illustrate the danger of our moving too fast down the constitutional road without some judicial assessment of the real interpretation.

I can understand; I have an Indian community in my riding. They were here for the constitutional debate on aboriginal rights. Talk about second-class Canadians which members of the NDP mention in rhetoric yet do nothing about in reality!

What if you were one of the aboriginals, Madam Speaker, who came to Ottawa several months ago and found the constitutional conference floundering because the participants would not or could not define aboriginal self-government or aboriginal rights? It is a legitimate question; it is a very difficult thing to define. However, that conference failed because they could not define it. Yet, you got something else—a "distinctive society" with opting out features with compensation. Somehow the Premier of Ontario admitted in Queen's Park that the courts would define that. Don't you think you would have been a little hard done by? Don't you think that that is one of the reasons there is some irritation and quite proper irritation?

We are prepared to leave things to the court on one hand—the Meech Lake Accord. However, on other matters which affect people and their rights, we shy away from them and say that we cannot come to an agreement. I tell you, Madam Speaker, that is hypocrisy of the highest order.

Let me refer to something else which is not on record. Quite frankly, I think the press have been lazy laggards in really assessing the implications of the Accord, the rat-pack journalism which goes on around here. They get mesmerized by Trudeau and they do not do their homework.

I will read another document into the record. It is only one of many which I have. I hope someone follows through on it, so that when we get to the committee, those who appear before the committee to give evidence can be examined.

I should like to quote from a Canadian Press story dated May 11, 1983 concerning the Conservative leadership campaign. It is one of the softest ones. There are others which have much more pejorative terms about what candidates were saying about each other and about the positions of their fellow colleagues running in the race to be leader of my Party. It is part of the confusion.

Four years ago, very responsible, competent, conscientious, serious politicians had something to say about the opting out formula. There is a complete change today. Surely they must come before the committee to be examined on why it was so bad four years ago and is most acceptable today.

I will read one of many clippings; I am not going to bore you, Madam Speaker. The May 11, 1983, CP story reads as follows:

> Joe Clark is playing "fast and loose with the historical truth" when he claims his proposed constitutional concession to Quebec is official Progressive Conservative policy, says leadership candidate David Crombie.
>
> Crombie says the proposal, supported by the Tories during the 1981 constitutional debate and now opposed by all leadership candidates but Clark, was merely a last minute political ploy designed to embarrass the Government by attracting support from Quebec Liberal Senators.
>
> The Tories argued then—as Clark does now—that up to three provinces should get full financial compensation if they opt out of a constitutional change that transfers provincial powers to Ottawa.
>
> Crombie, a member of the all-Party constitution committee, said he and others opposed the idea but voted for the unsuccessful Tory amendment because of pressure from Clark to show caucus solidarity.
>
> Jake Epp, the top Tory constitutional spokesman at the time, says Crombie is rewriting history to justify why he, John Crosbie and Michael Wilson have changed their minds on the issue.
>
> "Obviously it is Party policy—caucus voted for it", Epp said Wednesday. "I don't understand the flip-flopping".
>
> The complicated issue of fiscal compensation may now be, as Crosbie says, "a pretty academic question."
>
> Yet it reflects a tougher Tory attitude toward Quebec's demands and has added some weird twists to the leadership race:
>
> —Clark was booed at a Toronto debate, accused of selling out to separatists and criticized by Anglophone editorialists for defending a position held in 1981 first by eight Premiers and then by his caucus.
>
> —In the heat of the race, three former cabinet Ministers have suddenly revealed a change of mind. Crombie admits he voted for something he didn't believe in. Crosbie was surprised when reminded he once voted for it. Wilson confused compensation with another issue during the Toronto debate . . . Brian Mulroney, who has also savaged Clark's position, says he has his own nine-point constitutional plan but aides can't produce a copy or say exactly what it is . . .
>
> Ironically, Clark's opponents have landed squarely in the camp of their chief enemy, Prime Minister Trudeau, who says fiscal compensation would amount to "incremental separatism."
>
> Trudeau said in an interview published last weekend: "I note with a bit of amusement that the people who supported him (Clark) then and booed the Government . . . now are taking our side against Mr. Clark."
>
> Clark argues his position is consistent with a more decentralized view of federalism and aids all provinces, not just Quebec.
>
> Crosbie, Crombie and Wilson say they have reassessed their position.

• (1310)

This is another CP story of May 4 which ties in with what I have just read:

Constitutional Accord

Conservative Leadership candidate Brian Mulroney accused the Party Quebecois government Tuesday of preventing Quebec from reaching a constitutional understanding with the rest of Canada.

This is a compliment to the Prime Minister about more or less what happened, but it does not really answer the question about physical compensation. It continues:

"Get rid of the PQ, and as Prime Minister of Canada, I'd negotiate constitutional peace with the people of Quebec just like that," Mulroney said while visiting Tories in northeastern Quebec.

He said it is "practically impossible" to improve relations between Quebec and Ottawa as long as the PQ is in power.

Mulroney has been criticizing his leadership rival Joe Clark for playing into the hands of the PQ by promising to insert in the Constitution a formula allowing the provinces to opt out of amendments with financial compensation.

The Montreal businessman has refused to specify his own views on Quebec's constitutional discontents, saying it would be bad strategy for a future Prime Minister to tip his bargaining hand to Premier Rene Levesque.

Mulroney announced a nine-point "formula for rekindling the kind of alliance between Canadians which Sir John A. MacDonald spoke of more than 100 years ago."

I took the time to read that, Madam Speaker, because that just shows you the difficulty and the complexity of this opting out formula. Does it strengthen Canada or does it make a French Canada?

My friend from Yorkton—Melville can quote Tommy Douglas. Tommy Douglas who started medicare in Saskatchewan never would have had medicare as a national program if this opting out compensation formula were in place. We all know the history.

Premier Robarts of Ontario was dragged into the plan because Prime Minister Pearson said, "you will have four criteria and if you get four criteria you will be part of medicare. If you don't get into the plan, we will test you anyway". That is really political blackmail in provincial jurisdiction, admittedly, but that is what got the medicare plan launched. It would not have happened, in my submission, if we had the present opting out compensation formula that is in the Meech Lake Accord.

I think you are indicating that my time is almost up, Madam Speaker. I will leave the Accord but I would like to touch on one other thing which reflects on Parliament and which bothers me. I do believe in Parliament. I understand there is a *de facto* form of Government, that is, federal-provincial conferences. They have become very important. To institutionalize them into the Constitution on a yearly basis really makes this place rather redundant. Put a Member on the government side in my position, something that I have nothing to do with, understandably, because I was not there in the negotiations, yet there is a hosanna and a euphoria about an agreement because everyone comes together. Yet if I voice objections to what I have been no party to and on which I never ran an election, I become, in effect, an implied traitor to the cause.

I agree completely with my colleague, the Hon. Member for Windsor West (Mr. Gray), and, I hope, my House Leader, for whom I have the highest respect who made a light remark about me, about my seniority. Perhaps my seniority will be the only thing I will have left when I sit down.

Some Hon. Members: Oh, oh!

Mr. Nowlan: These things will come on a yearly basis. We have to change the rules, as the Hon. Member for Windsor West said, so there can be some provision to trigger a debate, such as there is in Manitoba, when constitutional accords are made.

In conclusion, and this is a conclusion, I admit, this stuff all started in recent times with Premier Robarts calling Premiers together for the Confederation Conference of Tomorrow in Toronto in 1967. I just want to say one thing, something that I will never forget because I was then a brand new Member. I would not have even suggested participating in any meaningful debate but it never really came on to the floor of the House. The Attorney General of Ontario, Arthur Wishert, said, in defining the problems of entrenching rights and having a written Constitution, that in the civil law the only rights you have are what is written down, whereas in the unwritten common law they are wide open unless they are taken away.

Just to divorce myself from Pierre Trudeau, I say we have the worst of both worlds unless there are some meaningful amendments to this matter. We have the Supreme Court of Canada *de facto* legislating on a Charter of Rights, which no one fully understands—that is arguable—it may be good or bad. Now with this Meech Lake Accord institutionalizing constitutional agreements and no one knowing what the Accord really means, we will have the Supreme Court again legislating, doing our work, telling us what we should have written, and I say that is the worst of both worlds.

I am so glad that we have at least got this thing launched in a committee. I really do hope that Members from all sides over a period of time will have a chance to contribute. If we can spend days on capital punishment and days on the Patent Act and drugs, surely Members of Parliament should take the responsibility and in the right place and at the right time speak out on this—whichever way they feel—because constitutions, as someone said earlier, are for people, not just for the leaders of the land.

Mr. Johnston: Mr. Speaker, I would like to say to the Hon. Member for Annapolis Valley—Hants (Mr. Nowlan) that now that he has sat down he has his seniority but he also has his self-respect, and that is terribly important.

My question arises out of his comments that the courts will tell us what we have done. He referred, I think, to a comment of Premier Peterson and he also referred to the over-all thrust of the Accord which will place even greater legislative power, if you like, in the hands of the courts.

I am not sure if the Hon. Member was here earlier when I mentioned that I had written to the Premiers and to the Prime Minister (Mr. Mulroney) and suggested that a number of the ambiguities in this Accord could be cleared up by reference cases, provincially and federally. Would he comment on that

as an appropriate procedure, given that some of these issues, not some of the fundamental ones which he raises, such as the institutionalization of First Ministers' conferences—we all know where that could lead, as he has pointed out—but some of the ambiguities in specific sections, whether it be on spending power, distinct society versus distinct identity, or the issue of whether that provision in turn overrides the Charter and so on, it seems to me, Madam Speaker, not only could be but should be put to the courts so they can tell us now, when we look at this resolution and debate it in the House, what those provisions actually mean.

Mr. Nowlan: Madam Speaker, I think the Hon. Member was momentarily out of the House. I did comment on that and I thought it was a good idea.

Mr. Murphy: Madam Speaker, I would like to comment on the speech of the Hon. Member for Annapolis Valley—Hants (Mr. Nowlan). He had a lot of concerns and believed that there are many questions regarding this Accord. I believe those are legitimate concerns and I share some of them. I hope, as a result of the committee process, that we will have a number of people not only addressing those concerns but addressing a number of others which many people across the country have as to the exact wording and meaning of the Accord.

When the Member says that this Accord weakens Confederation—and that is the implication he left—he should also recognize that the constitutional package of 1981, for which I believe he voted, also was a vague package, a package going to the courts which enshrined a Charter of Rights the exact implications of which even at this stage many of us do not know when we passed it in those days. This is not something new. His Prime Minister and the Premiers did not do something new this year. This is an ongoing process and it will always be a problem when we deal with constitutional changes. The Member accepts and agrees with the suggestion of the Hon. Member for Saint-Henri—Westmount (Mr. Johnston) that that is a valid position. He is probably quite sincere in his opinion, but he must admit that those are not the same reservations that he himself had in 1981.

The Hon. Member referred to the New Democratic Party and our position on aboriginal rights. He inferred from the motion we have before us, which the Hon. Member for Yorkton—Melville (Mr. Nystrom) put forward, that we are concerned about the Yukon and the Northwest Territories being left out. He also somehow inferred that we are not concerned that aboriginal people were also left out. That can hardly be true. The Member has heard us speak on this issue. He knows that on Monday of this week the New Democratic Party had a motion calling for another First Ministers' meeting on aboriginal rights. In that same motion we again referred to the need to recognize the existing rights of the people from the Yukon and the Northwest Territories and the aboriginal people. That motion which was put to the House was not a motion of confidence in the Government. We explained that in the first speech that was made by a member of the NDP. The Hon. Member for Annapolis Valley—Hants voted against that amendment. I think there is a contradiction there, and before he criticizes us for putting forward these amendments on a consistent basis, twice this week, he should at least admit that we have been trying but sometimes he has not supported our efforts.

• (1320)

Mr. Nowlan: Madam Speaker, I was very brief in replying to the Hon. Member's first intervention and I appreciate the remarks of the Hon. Member in a sense. However, let us not kid ourselves and play games. I was in opposition for 18 years. We used to think up dream motions that we knew would be turned down.

The Hon. Member is correct. Because of the questions in the Meech Lake Accord over aboriginal rights and the north, I suppose, to be logical, I would vote against it, and a couple of Members did so. However, the Hon. Member knows as well as I do that that was a Supply motion. He may say that it is not a confidence motion, but the fact is that it dealt with one of the most integral parts of the whole parliamentary process, and that is Supply.

There is another rule that indicates that such a motion was not a motion of confidence, and the Hon. Member has said that it was not, but I have my interpretation. I used to sit on that side of the House and plot motions that would embarrass the Government. The Government would be caught between a rock and a hard place because the motion would be for motherhood. Yet the reality is that it is a vote of confidence.

I had no hesitation in voting with my Party on a confidence motion. While I may have some reservations about the interpretations of the Accord, I hope that the joint committee does resolve some of them and I hope that my fears are unfounded. That is a heck of a lot different from voting against a Government on a confidence motion.

I say to my friends in the NDP that I have the greatest respect for the Hon. Member for Yorkton—Melville (Mr. Nystrom). He is one of the most active speakers in the House. I do not want to be too partisan because I hope that this matter can be debated in a political but not a partisan way. That is what I resent so much about the Senate.

When the Hon. Member said that he was a leopard that did not change his spots, I had a little dirty thought. I thought, yes, sometimes that fellow is pretty strong and perhaps has some spots. However, in this case, given the history of his Party with the Regina Manifesto, Woodsworth, Coldwell and Lewis, he is a tabby-cat. That Party is a tabby-cat. NDP used to mean "New Democratic Principle". Some of us thought it meant "No Damned Principles", but now it means "No Disturbing Polls". They want to ensure that they do not rock the boat and perhaps they will slip through.

Mr. Marchi: Madam Speaker, the Hon. Member for Annapolis Valley—Hants (Mr. Nowlan) has spoken passionately about a Constitution that needs to reflect the essence of

Canada and of Canadians. He has said that a Constitution needs to address the aspirations of the country's people and not necessarily of the country's political leaders. He also spoke very passionately about how the Accord treats and addresses the first citizens of Canada, the aboriginal people. I appreciated his passionate plea for bringing down to earth what a Constitution is supposed to be. In essence, a Constitution is supposed to define its country and its people.

Toward that end, I would like to ask the Hon. Member a question. Having spoken to the people, having recognized the aboriginal fact of Canada, and acknowledging the fact that there is both a French and an English heritage in Canada, would the Hon. Member be supportive of an amendment that would add in Clause 1 the fourth indisputable reality of Canada, which is its multicultural nature?

Multicultural Canadians have made contributions to Canada, not only in contemporary times but in fact in history. The aspirations of that sector of society for their children in years to come should be recognized. There is a belief in Canada that Canadians who are of neither French nor English origin have somehow been relegated to a second-class status. These people have been included in the Constitution as a footnote in Section 16. However, Clause 1 at the beginning of the Constitution basically sets out what Canada is. Would the Hon. Member support an inclusion of the concept of Canada being made up of four fundamental characters, the French, the English, the aboriginal and the multicultural people?

The Acting Speaker (Mrs. Champagne): The Chair would appreciate a short answer from the Hon. Member for Annapolis Valley—Hants (Mr. Nowlan).

Mr. Nowlan: It is a very fundamental and important question, Madam Speaker, but my answer can be short.

Just as an aside to my friend from Yorkton—Melville who spoke of the Constitution and of Trudeau and the worst events let me say that the Constitution must cover all events and it must be for good times and for bad.

I think my hon. friend has just raised one of the real questions that must be resolved. I know what he is getting at in the abstract. I will wait and see what will be done through amendments.

I am a political realist and I think the Hon. Member is as well. When 10 Premiers and a Prime Minister (Mr. Mulroney) put their signatures to a document, it will take a lot of public persuasion to ensure that these are the necessary changes to reflect the reality of Canada, which I think is what the Hon. Member has suggested that it is.

Hon. Chas. L. Caccia (Davenport): Madam Speaker, the Deputy Prime Minister (Mr. Mazankowski), on behalf of the Minister of Justice (Mr. Hnatyshyn), has put before us a very important matter that requires some comment. As you know, Madam Speaker, the people who will be appointed to the special joint committee to examine the Accord will have a very noble and important task ahead of them. They will be examining an extremely important, significant and historical document.

What distresses me about the proposal of the Minister of Justice is that he has set out in the rules for this committee a deadline for reporting back to the House of September 14. I find that extremely difficult to understand and actually unacceptable.

The House of Commons can debate for over a year the question of capital punishment. It can debate for six months the question of pornography. It can debate for months and months the question of the cost of prescription drugs and medicine. Yet when it comes to this fundamental, basic document, the super-law of Canada, the Government has set a time limit of three months, including the summer months, for deliberation and examination of such a fundamental document. That I wish to raise in the strongest possible terms as being a ludicrous way of dealing with the Canadian Constitution.

A time limit puts undue and unnecessary pressure on members of the committee to report back to the House on a matter that is extremely difficult and which must be explained. Some of us have enormous difficulties understanding it, and I will mention that again in a few moments. As well, the public needs the time to absorb the issue.

I thought that a columnist here in Ottawa put it very well a few days ago when he wrote that the Accord can be examined not as a sacred text from Mount Sinai but as the flawed work of 11 politicians burning the midnight oil and jockeying for advantage, and that it can be held up to the light to check for cracks. I think that is a good way of describing the substance of this document. It needs a very thorough examination, and the time limit on that process is unacceptable.

• (1330)

As presently written, the Meech Lake Accord, as you must have noticed from Question Period, editorials and articles, raises many questions. I will deal with only a few of them. First, Clause 1 does not really reflect the composition of today's Canadian society. That matter was raised in Question Period by my colleague, the Member for York West (Mr. Marchi), only a few minutes ago. The description of Canadian society in Clause 1 must definitely be amended in order to provide for recognition of the existence of Canadians whose language is neither English nor French but who are Canadian citizens and make daily substantial and phenomenal contributions to the fabric and substance of this society.

Second, and of equal importance, as has been raised by others, in particular the Member for Cochrane—Superior (Mr. Penner), is the importance of recognizing, not as an afterthought at the end of the document but in Clause 1, the existence of the aboriginal peoples. I congratulate and salute my colleagues for having raised that so forcefully, intensively and repeatedly in the House of Commons in preceding days.

Therefore, it is absolutely necessary to deal with Clause (2)(1)(a) to include the real composition of Canadian society and to describe it in today's reality rather than in historical recollection of the past.

Another aspect which raises many questions is the reference to a distinct society. What on earth does "distinct society" mean? What is a "distinct society" in the Canadian context? I do not know. You must have been to Newfoundland, Mr. Speaker. It strikes me that that society is a distinct society, too, for different reasons. If you go over the mountains to the west you will find that British Columbians as well consider themselves to be a distinct society in sociological, collective, regional and geographical terms. One must then ask oneself whether New Brunswick is not also a distinct society. It recognizes bilingualism in its statutes and has a distinct character. The same can be said of Ontario. Before you know it, you will come to the conclusion that there are actually many distinct societies in this country. Therefore, why should we single one out in this process?

On the same subject I must ask what powers a province which has a distinct society within it would have. I do not know but it is evident that this distinction can lead to a number of powers which have not yet been examined or spelled out. For instance, does a provincial Government, which is a distinct society under the Constitution, have the power to override citizens' rights under the Charter? If it does, should it have those powers? We must clarify this question and many others which flow from the Accord.

As you must have noticed from newspaper articles, Mr. Speaker, there are people like Pierre-Marc Johnson who say that the constitutional Accord will spur sovereignty. The Minister of International Relations in Quebec, Gil Rémillard, says that the Meech Lake Accord will confirm a special status for Quebec in international relations. Is that what was intended by the Premiers and the Prime Minister (Mr. Mulroney)? Is that what we are heading for? Is that what we want to have in this country? I do not see that that will be to the advantage of Canada or will make Canada stronger, as the Deputy Prime Minister said when he introduced his motion earlier this morning. This will not make Canada stronger at all.

In many passages the words of the Accord have been left vague. That is another aspect which needs attention. When there is vague terminology in any piece of legislation responsibility is shifted to judges to make political interpretations. Why should we saddle the judges with the task of second guessing what the politicians meant? That is not a good practice for writing legislation, particularly a piece of legislation of this importance. The consequences for the future of Canada of recognizing a distinct society are fundamental and have to be explored in detail and, in the long term, for the reasons I gave a moment ago.

With regard to other aspects of the legislation, I have grave reservations about how it affects immigrants. Immigrants can come into Canada under two sets of rules. Will an immigrant who has been pre-selected to go to Quebec have freedom of mobility? If, two or three days after arrival, an individual decides that he would like to move to another francophone region of the country for personal reasons, will he be bound to remain a permanent resident of the province for which he was selected?

What will happen to an immigrant who comes in under the other set of rules, chooses an English-speaking part of Canada, and decides after a short period of time to move to a French-speaking part of Canada? How will the mobility rights of that individual be affected by the executive proposal in the Accord?

What happens to other rights which are presently in the Charter but are not referred to in the Accord? I am told by people with legal training that courts have a tendency to give precedence to parts of the Charter which may be singled out in the Constitution because of a convention that ordains that parts of the Charter which are not specified are not protected, are less protected. This is an item of extreme importance. Will the Charter be gutted by the fact that certain aspects of the Charter have not been mentioned or singled out in the Accord?

One must inevitably ask oneself whether the nation will be stronger as a result of the measures which the Government is proposing if the proposal is implemented and some of the consequences upon which I have elaborated come into being.

The point with which I will conclude has to do with appointments to the Senate and the Supreme Court. Will the nation become stronger through the appointment procedure put forth in the Meech Lake Accord? Would the nation be stronger if Senators and judges were appointed through a process that was initiated by the provinces? I can only state my opinion, that it has a very uneasy impact on me as a citizen because I still believe that while consultation is desirable, the shift, onus and initiative in appointments to national institutions should rest with the national Government and not be devolved or transferred to the components of Confederation.

• (1340)

I hold this belief for the very simple reason that there is an element of accountability. Inevitably, if one is appointed by the national Government, one's major responsibility and accountability will be to the totality of the nation rather than to a region in which one resides. This subtle shift in that accountability is one that I do not like.

Finally, the fact remains that we are witnessing in this Accord a gradual process of decentralization. There are appointments to the Senate, appointments to the Supreme Court, the distinct society and the spending power element which is very important. There is the immigration aspect as well. All of these are wrapped up into a unanimity clause. All of these small elements of decentralization combine to mean much decentralization.

This brings me to the important point concerning spending powers. While Parliament was included in the first Accord, it has been left out in the second Accord. The word "compatible"

is so vague that no one really knows how to interpret it. No one knows according to that clause who is to set the national objectives.

One would hope that it would be the national Government, but it is not spelled out in that clause. It does not state clearly and unequivocally who is to set the national objectives. I would not want the Supreme Court of Canada to be faced decades from now with making a decision on this particular point.

Furthermore, I am not definite, but I have spoken to many people about the process of transferring powers which may make it impossible for the federal Government to stop payments to provinces which may decide in the future to introduce extra billing. Presently, the Government can stop payments, as we saw in a press release last week which stated that Ottawa refunded several million dollars to New Brunswick since it stopped extra billing. The federal Government must protect and retain that kind of power.

I do not know what will happen to universality as a result of this particular clause, but I know that it is a clause that is vague and unsatisfactory. It puts to shame those in the House who have fought hard for universal programs, national programs and social security of the same quality and strength from coast to coast.

I want to conclude by putting forward a subamendment as a result of the very unsatisfactory answer given by the Deputy Prime Minister in reply to questions posed by the Hon. Member for St. Henri—Westmount when he asked what will happen in provinces where the provincial legislature will not hold public hearings in that province.

The Deputy Prime Minister sloughed the question off as a kind of superficial question that has no relevance to the debate today. I submit that the question is very relevant and important, in light of the fact that only last week Premier Getty of Alberta was reported to have said that there will be no public hearings in Alberta. I hope he will reverse his decision and hold public hearings, but in case some provinces do not do so in their respective areas, it seems that this committee or a subcommittee of the joint committee ought to hold public hearings in that particular province.

Therefore, I move the following subamendment:

> That in provinces where the Legislature does not hold public hearings or has not officially committed itself to hold public hearings, a sub-committee of the Joint Committee be given powers to travel and hold public hearings in such provinces.

There may be situations in which a province will not be able to hold hearings in the summer. Therefore, the subamendment is written in such a way as to take into account those provinces that will not hold public hearings in the summer months, but will make a public commitment to Canadians that their legislatures will hold public hearings. Thank you.

The Acting Speaker (Mrs. Champagne): The Chair will reserve for a few minutes on the admissibility of the amendment. In the meantime, we will proceed with the question and comment period.

Mr. Johnston: Madam Speaker, I want to congratulate the Hon. Member for Davenport (Mr. Caccia) for being able to raise so many important questions in such a short period of time.

At the very outset he questioned the motion on the basis of the time frame within which the public hearings are to be held and report back, as I recall, by September 14. He, like many of us, feels that that time frame is inadequate.

Having had considerable experience in committee work over the years, could he suggest what might be an adequate time frame, so that we do not simply leave it open-ended, but perhaps discuss among ourselves what time frame would be appropriate? Should we wait until we see the representations that people wish to make on the basis of the fundamental principle that as many Canadians as possible should be heard?

I am glad the Deputy Prime Minister (Mr. Mazankowski) is here to witness the concern of parliamentarians that this is too short a time frame. Again, I would urge the Deputy Prime Minister to support this subamendment which will ensure that people from coast to coast will have access to that committee, without having to travel across the country to Ottawa at their own expense.

Mr. Caccia: Madam Speaker, I can understand the necessity and the desire of the Government to set a time frame. However, we should consider the length of time it takes us to examine other pieces of legislation. For example, we have been studying pornography for six months and we do not know how much longer we will be studying it. The House knows how long we could be studying capital punishment.

In light of that, on a fundamental piece of legislation like this, there ought to be an opportunity for ample hearings without such a limited time frame. I do not know whether a time frame should be set in this resolution, although I can understand the anxiety on the part of the Government to set a time frame. It has to be one that is practical. It seems to me, however, that as a minimum, there should be an examination of the Constitution, which is to last in its new proposed form—and I really hope there will be substantial fundamental amendments to the way it stands now—in order to give the public the time to absorb what is being proposed. We ourselves, who ought to understand it quickly and readily, have enormous difficulties. It should be given a time frame of six or even eight months and if, in the judgment of the members of the committee, that period of time turns out to be not adequate, then the time could be extended according to the best judgment of the members of that committee.

• (1350)

Since government Members would have the majority on the committee, they would be quite able to determine when that process ought to come to an end. It seems to me that it is not realistic and that it is—I hate to use such a heavy word but I cannot find a better one—undemocratic not to allow this examination. I know that the Deputy Prime Minister has his

heart in the right place and he is a democrat, but he does not seem to be consistent with the image I have of him when he imposes a time limit which is so restrictive.

I am sure that if the Deputy Prime Minister were in the Opposition, he would make a more passionate speech, because he is more of a passionate speaker than I am myself, if not to keep it open-ended, at least to give it a breathing space, and three months is not enough.

Mr. Berger: Madam Speaker, I wish to support the sentiments expressed by the Hon. Member for Davenport (Mr. Caccia). I want to say I also feel that the amount of time given to this committee is insufficient, given the importance of the questions with which we are dealing. After all, we are dealing with amendments to the Constitution of Canada. I think it is particularly important, in light of the fact we are really travelling in many respects through unchartered territory. There are provisions in the Constitution, as has been pointed out by the Hon. Member for Davenport, which are very ambiguous. I can refer to the opinion of a respected member of the legal profession, J. J. Robinette, who, a week or two ago said he felt that the courts and lawyers would have to deal with these ambiguities and suffer through the consequences of them for many, many years to come.

I think it is important to note that also because there were people who objected to the inclusion of a Charter of Rights in 1981 on the grounds that this would transfer power to the courts, that it would be the courts which would decide what the law of the land was, in the final analysis, and not the legislatures and the Parliament of Canada. I think there is an important distinction to be made between the Charter which was introduced in 1981 and the terms of the Meech Lake Agreement, and that is, that the rights set out in the Canadian Charter of Rights and Freedoms are rights which have already been subject to hundreds of years of interpretation, in many cases. It is true that the freedom of conscience and religion have to be refined from time to time in light of changing circumstances, mores, practices and habits in society. But can anyone deny that the freedom of conscience and religion are rights and freedoms which have formed the basis of legal decisions, interpretations and writings for hundreds of years? The same thing applies to the right to life, liberty and the security of the person. The same thing applies, although to a somewhat lesser extent, to the equality rights under Section 15 of the Charter.

Of course, the Charter contains minority language educational rights under Section 23, and those rights were framed fairly precisely. But even the provision such as the one, where numbers warrant, under which minority language groups would have the right to education in the minority language, was criticized precisely because it was said to be ambiguous. Nonetheless, in that case, there was some good evidence and a number of precedents to indicate what such a clause would mean in the final analysis.

Therefore, I would submit that it is incorrect and illogical for those who are advocating changes to the Meech Lake Agreement, and some of the ambiguous changes, to say that this was the precise reason we were objecting to a Charter in the first place in 1980 or 1981. The rights and freedoms set out in the 1981 Charter are rights which were the subject of many years of interpretation, and I would suggest that it is entirely different now to propose concepts which are very ambiguous and many people do not know the meaning of them. Indeed, there are great differences of opinion as to the interpretation of certain clauses of this agreement.

Therefore, prudence dictates that this agreement, and certainly the ambiguous aspects of the agreement, be given full study by a committee of this House and by Parliament. If the Hon. Member for Davenport cares to respond, I would ask him if he does not agree with the distinction I am trying to make, namely that it is a far cry between the rights which were set out in the 1981 Charter and some of the very ambiguous provisions in the Meech Lake Agreement which, again, are subject to radically different interpretations?

Mr. Caccia: In the limited time available, Madam Speaker, because the Hon. Member for York West (Mr. Marchi) wants to participate in the debate, I would like to give a very brief answer, namely, that I do agree with the question which has been put to me.

The Acting Speaker (Mrs. Champagne): The Chair is now ready to rule on the subamendment which was submitted by the Hon. Member for Davenport.

The Chair will have to rule this subamendment out of order. We refer to the Fifth Edition of Beauchesne, Section 438(1) which states that if an amendment is intended to bring up matters foreign to the amendment, the Member should wait until the amendment is disposed of and move a new amendment.

The Chair feels that having hearings in provinces not officially committed to holding public hearings is bringing up a matter which is foreign to the amendment. Therefore, the subamendment is not admissible.

Mr. Caccia: On a point of order, Madam Speaker, I would like to put forward a argument on this ruling if—

Mr. Mazankowski: If he wants to challenge the Chair, he should stand up and say so.

Mr. Caccia: Then I am glad to challenge the Chair, if that is the procedure the Deputy Prime Minister wishes me to follow. I thought we could argue the ruling, but if it is the wish of this House that I challenge the Chair, I am prepared to challenge the Chair, and I will do so.

The Acting Speaker (Mrs. Champagne): As I said a few moments ago, the Chair feels that once the amendment now before the House has been disposed of, the Hon. Member could certainly propose, as an amendment, what he has

proposed to the House now. However, at this time, as a subamendment, the Chair feels it is not admissible. It is out of order.

• (1400)

It being 2 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*English*]

CONSTITUTION ACT, 1982

ABORIGINAL PEOPLES—SELF-GOVERNMENT

Mr. Keith Penner (Cochrane—Superior) moved:

That, in the opinion of this House, the Constitution Act, 1982, should be amended in order to recognize explicitly the right of Canada's aboriginal peoples to self-government, thereby making them partners in Confederation, and that this House further urges the Governments of Canada, the provinces and the territories to acknowledge that self-government requires a viable economic base, and calls upon these governments to constitutionally commit themselves to negotiate with the aboriginal peoples an equitable sharing of lands and resources.

He said: Madam Speaker, the motion now before the House follows rather closely the debate which has preceded it. The motion could very well have read: "That, in the opinion of this House, the recently agreed to Accord should be amended in order to recognize the right of Canada's aboriginal peoples to self-government". However, that is a fine point.

It is the Constitution Act, 1982, which the First Ministers' conferences on four different occasions have attempted but failed to amend.

In many parts of the world today very serious thought and consideration is being given to the problems and the rights of indigenous peoples who live in settled states or already-established nations. Frequently, the indigenous people to whom I refer live in underdeveloped or isolated parts of the particular country in question. Sometimes, even if they live where there is a population, that is, in an urban environment, they continue to live on the fringes of society. Recently, a very significant world report was presented on the environment and development. It is referred to as the Brundtland report. To its credit this report did not ignore the concerns and the problems of aboriginal peoples. For example, in reference to aboriginal peoples, it states in one of its sections:

Growing interaction with the larger world is increasing the vulnerability of these groups, since they are often left out of the processes of economic development. Social discrimination, cultural barriers, and the exclusion of these people from national political processes makes these groups vulnerable and subject to exploitation. Many groups become dispossessed and marginalized, and their traditional practices disappear. They become the victims of what could be described as cultural extinction.

I am sure, Madam Speaker, that in hearing that you must believe as I do that the people who put together the Brundtland report visited Canada or that they heard from expert witnesses from Canada.

Often for these very same people, no matter where they live—and they live in many parts of the world, not only in North America but also in Australia, the Amazon Basin, Central America and in the forests and hills of Asia—isolation has meant that few of them have shared in national economic and social development. That is reflected in the poor quality of life in many of their communities in terms of housing, economic development and opportunity, educational facilities, and even in terms of nutrition and health.

Strangely enough, if that situation were not serious enough, if a resource is discovered where they happen to live, if there is some opportunity to exploit the environment for material gain, then these people find themselves once again pushed aside and pushed out to make room for the developers. In the United Nations Organization today there is a Working Group on the Rights of Indigenous Populations. The group is chaired by a very remarkable woman, Dr. Erika Daes of Greece. She was an observer at the First Ministers' Conference that was held recently here in Ottawa which dealt with aboriginal rights in the Constitution.

Dr. Daes, after long and very careful research, has concluded the following about the right of self-determination. Self-determination is a term that goes back at least to the days of Woodrow Wilson, and perhaps even earlier than that. We certainly became familiar with the term on a world-wide basis at the time that the League of Nations was created. She said that the right of self-determination as we understand it over that period of time applies equally to indigenous peoples. She adds, however, that it does not mean the right to secession.

During the past 10 years Canada has given some very important, and I would say effective, leadership in recognizing aboriginal rights. It is now generally regarded that our federal system here in Canada is quite capable of accommodating native self-rule. I think most of us in the House realize that all that is really needed in order to accomplish this is some political will, a conviction that if we did so natural justice would be served.

In the Constitution of Canada today aboriginal rights are recognized in Section 35. That section states, among other things: "The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed." Did you know, Madam Speaker, that there are some people, who regard themselves as knowing something about the Constitution, who say that that is nothing but an empty box? They say that there is really nothing in it. Others, for whom I have a greater respect and whose views are more considered, believe that Section 35 is a full box of rights and that what we are undertaking to do at First Ministers' conferences is to draw from that full box of rights certain definitions, certain specific rights and, in particular, the right

of self-government or the right of self-determination within the Canadian Confederation.

This process of definition to which I have referred was, in fact, an obligation that was laid upon the Government of Canada and the provinces by the Constitution Act, 1982. Section 37 requires that there should be a number of these conferences in order to define with precision and exactness what are aboriginal rights. More and more the concentration has come to be the right of self-government.

My motion speaks to that very process, the process of recognizing the right to self-government within the Confederation of Canada or, to put it in another way, the process of completing the circle of Confederation. Until we recognize the rights of aboriginal people in Canada to control, to direct and to manage their own affairs within the Constitution and within our Confederation, we have a situation which is incomplete.

• (1410)

There have been a series of these conferences under the glare of television lights with a great deal of rhetoric exchanged among the Premiers, more than one Prime Minister, and the aboriginal leaders. So far we have not succeeded, but the Prime Minister (Mr. Mulroney) and the Minister of Justice (Mr. Hnatyshyn) have clearly indicated that we must not give up on this endeavour. I agree with both of them. The purpose of my motion is to say that this House agrees with and supports the notion that the endeavour must be continued. Listen to what the Prime Minister said following the last conference:

> I deeply regret that we did not succeed, but I give my hon. friend the assurance that we shall try again to make sure that justice comes about for the native peoples of Canada.

He went on that same day to say:

> —we are still looking for a formula that will make it possible to enshrine the rights of aboriginal peoples in the Constitution of Canada. We did not succeed last week, but the federal Government's obligation is clear. I think the responsibility is equally shared by the provinces, and we intend to examine with them and the leaders of the various aboriginal groups the various alternatives available, in order to try and develop another formula that would meet with the requisite consent of various groups so that this right can finally be enshrined in the Canadian Constitution.

He also said:

> I said with the greatest sadness that this was a moral obligation that has been unfulfilled by Canada, by the federal Government, by the provinces—

I quoted the Prime Minister because I want Members of the House to know that the motion I am putting forward today supports the desire by the Government of Canada, the Prime Minister, and a large number of Premiers, not enough but certain of them, to fulfil the unfulfilled obligation and complete the incomplete task. The motion now before us calls upon this House to lend its support to this endeavour which the Government of Canada has stated is a priority.

On May 28 in the House of Commons the Prime Minister, following the signing of the Meech Lake Accord and responding to questions about aboriginal people, said we have to:

> . . . try to create a climate wherein it is generally recognized and accepted that a sense of justice and equity is required for the aboriginal peoples of Canada so that there can be a constitutional accord on this vital issue.

Through this motion I want to contribute positively to the favourable climate to which the Prime Minister referred. I have to say that that climate does now exist among a large number of Canadians. Some polling has been done to test their attitudes about recognizing aboriginal self-government. Some of our Premiers have been leading spokesmen on this yet unresolved issue. There are other Premiers, however, who remain apprehensive, fearful and hesitant. The Prime Minister said it is important that we try to create a climate so that the next time the First Ministers meet, a degree of success is attainable. Therefore, I submit that if today the House were to see its way clear to approve my motion, we would not be placing an obligation of any kind on the Government or on any province, but we would be helping to create the climate for which the Prime Minister has said there is a distinct need.

I believe this House should be making some effort to help ensure success in the future. On June 8 the Minister of Justice said:

> I share the disappointment. I think all Hon. Members of the House felt that we were unable to strike an arrangement on aboriginal constitutional amendments at the last First Ministers' meeting.

The Minister of Justice went on to say:

> However, that was not the end of it. The Prime Minister (Mr. Mulroney) indicated at the conclusion of the First Ministers' meeting that it was not the end of it—

He said another meeting would depend upon an indication that progress could be made. I believe this House can play a role by approving this motion to help create the climate in which progress could be made. We are saying as Members of Parliament that we want and expect significant progress when the Prime Minister, the Premiers and the aboriginal leaders meet once again.

On that same day the Minister of Justice spoke of the need to maintain the priority to move toward the ultimate constitutionalization of the concept of self-government and aboriginal rights. That is the first time in my recollection that a senior member of the Government regarded this as a priority. They have always said it is important. They have always said it is a matter that has to be given full and undivided attention. Now the Minister of Justice has established it as a priority.

That being so, it is important that the House of Commons also express itself on this matter so that it remains a priority and in order to provide support to the active endeavours of the federal Government and encourage those provinces which still need further assurances.

Members who have taken the time to look at the motion will realize that I have gone a little further than to simply recognize within the Constitution the right of self-government. That is an essential starting point, but the motion goes on to talk about the need for a viable economic base for aboriginal self-government. It also refers to the equitable sharing of lands and resources. In that regard I want to share with the House a

little more from the Brundtland report, the World Commission on Environment and Development. In one of its sections it says:

> Tribal and indigenous peoples will need special attention as the forces of economic development disrupt their traditional life-styles—life-styles that can offer modern societies many lessons in the management of resources in complex forest, mountain, and dryland ecosystems.
>
> Some are threatened with virtual extinction by insensitive development over which they have no control. Their traditional rights should be recognized and they should be given a decisive voice in formulating policies about resource development in their areas.

I indicated earlier that this report has so much to say to Canada that one would have expected that some important witnesses from Canada had contributed to it. Sure enough that is the case. Louis Bruyere, President of the Native Council of Canada, is quoted in the report as follows:

> Indigenous peoples are the base of what I guess could be called the environmental security system.
>
> We are the gate-keepers of success or failure to husband our resources. For many of us, however, the last few centuries have meant a major loss of control over our lands and waters. We are still the first to know about changes in the environment, but we are now the last to be asked or consulted.
>
> The most we have learned to expect is to be compensated, always too late and too little. We are seldom asked to help avoid the need for compensation by lending our expertise and our consent to development.

• (1420)

My motion would be incomplete if I did not talk about the need for sharing of land and resources and for an active say in the policies which lead to the development of those resources.

Mr. John A. MacDougall (Timiskaming): Madam Speaker, I should like to address the second part of the motion of the Hon. Member for Cochrane—Superior (Mr. Penner) which "urges the Governments of Canada, the provinces, and the territories to acknowledge that self-government requires a viable economic base and calls upon these Governments to constitutionally commit themselves to negotiate with the aboriginal peoples an equitable sharing of lands and resources".

The recent First Ministers' Conference on aboriginal constitutional matters in March, 1987, did not result in an amendment. Nevertheless, my Government has taken a number of positive steps over the last several years which have resulted in significant actions in relation to lands and resources for aboriginal peoples.

The new comprehensive land claims policy announced by the Hon. Minister of Indian Affairs and Northern Development (Mr. McKnight) in the House on December 18, 1986 was the culmination of a broad review.

This review was begun in 1985 when the then Minister of Indian Affairs and Northern Development, the Hon. Member for Rosedale (Mr. Crombie), established a task force under the able chairmanship of Murray Coolican which reported in March, 1986. This report and the subsequent consultations with aboriginal groups have been important to the development of this new policy.

Let me say at the very outset of my remarks that the Government of Canada, by bringing forward this new policy, has affirmed that the resolution of claims arising from aboriginal title is a major priority, a priority shared with Canada's aboriginal peoples. My Government is committed to the settlement of these claims by direct negotiations.

Some highlights of these changes to the comprehensive claims policy are directly related to aboriginal self-government and the equitable sharing of land and resources.

The federal Government acknowledges that self-government and claims policies are related. The management of settlement benefits and the administration of lands and resources are governmental matters. Changes to claims policy will allow for the negotiation of a broader range of self-government matters concerned with the authority and control over aboriginal lands.

Self-government is often spoken of as the exercise by a community of responsibility for its own members and of authority over the affairs of the community. Another aspect to self-government affecting aboriginal groups is participation in the exercise of powers within the broader framework of public government. This aspect sets self-government in the claims process somewhat outside the community-based self-government negotiations. As a result of the changes in claims policy, it is expected that settlements will recognize a specific aboriginal managerial interest in relation to a number of environmental matters such as water, land use, and wildlife management.

It is not proper, on the one hand, to recognize special harvesting rights for an aboriginal group and, on the other hand, to exclude the harvesters of the resources affected from responsibility for their management.

Under the policy, therefore, aboriginal groups will be able to negotiate membership on a variety of management boards and other agencies with decision-making powers, as well as representation on advisory committees as was possible under the previous policy.

These arrangements must not only acknowledge that public governments have a responsibility to protect the interests of all users of resources, to ensure resource conservation, to respect international agreements, and to manage renewable resources within their jurisdiction. However, such arrangements will also recognize aboriginal groups as having a unique interest in the governance of the resources.

In speaking of environmental and renewable resources, I include marine areas traditionally and currently utilized by aboriginal groups. This is an important matter which has required clarification. The Inuit, in particular, have been concerned that much of their hunting has been traditionally carried out on what is called land-fast sea ice in certain seasons and by boat at other times. Similarly, Indian groups in coastal areas have traditionally relied heavily upon the harvesting of marine resources.

The federal Government is now prepared, in recognition of this use, to negotiate with aboriginal groups matters relating to the harvesting and management of renewable resources in marine areas, not only on land.

My remarks thus far have demonstrated my Government's firm position on the matters of lands, resources, and self-government which have been raised in the Hon. Member's motion. In addition, the motion made reference to "a viable economic base" for aboriginal self-government.

The changes to the claims policy relating to economic benefits have been of particular importance to aboriginal groups. Under the former policy, sub-surface land rights in defined areas could be granted to aboriginal groups, in some instances in order to avoid land use conflicts in key areas and, in other instances, as a means to provide aboriginal people with the opportunity to obtain revenue from the development of such sub-surface resources. This option will continue to be available to claimant groups.

In addition, and under the new policy, my Government is prepared to provide to aboriginal groups a percentage of Crown royalties derived from the extraction of resources in the entire settlement area. I would stress that this option will include not only royalties from sub-surface resources but will also include non-renewable resources extracted from offshore areas which form part of the claims settlement area.

It is my belief that this option will be of special interest to aboriginal groups, as it will assist in providing the tangible means to build the economy not only of the particular aboriginal groups but of Canada as a whole. This policy is proof of our commitment to equitable sharing and our support for a viable economic basis.

My Government believes that commitments are empty without action. The policies of my Government go beyond mere commitments and will result in concrete solutions to the very real economic issues the Hon. Member has raised in his motion. I am optimistic that over the next several months we will begin to see meaningful results flowing from these policy changes.

The agreements resulting from comprehensive claims settlements will be entrenched in the Constitution as existing treaty rights, as provided in Section 35(1) of the Constitution Act, 1982. The key points I would emphasize are referred to in the motion. My Government is committed to negotiate and to protect constitutionally agreements concluded pursuant to negotiations.

In closing, I want to say that it was an honour for me to speak on the Hon. Member's motion today.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Madam Speaker, I should like to express appreciation to the Hon. Member for Cochrane—Superior (Mr. Penner) for bringing forward this very important motion. It is important, not because we need to hear more speeches on the question of aboriginal self-government, but because it gives the House an opportunity to express its will and intention with regard to aboriginal self-government. In part the motion reads:

> That, in the opinion of this House, the Constitution Act, 1982, should be amended in order to recognize explicitly the right of Canada's aboriginal peoples to self-government—

This position is supported in principle by all three Parties and has been for some time, at least since 1983 when the report on Indian self-government was tabled in the House of Commons by the Hon. Member who introduced the motion.

As I said, the report was endorsed by all three Parties in the House. It was the result of travel across Canada by a committee to hear the considered opinion of aboriginal leaders. Then we sat down and thought about it very seriously among ourselves and expressed different partisan points of view. We came to a consensus that what we needed was a fundamental change in the relationship between Canada and its aboriginal peoples, and that the basis for that change should be a recognition of the rights of these people to govern themselves, a right which they had in the past, a right which they never surrendered, and a right which needs to be empowered so that it can become meaningful in the last half of the 20th century. This is not simply a frill, not simply a constitutional nicety, or something that would be desirable if all other things were equal. This is something that is basic to the future of the aboriginal peoples as a people. Without that kind of provision, aboriginal peoples face a form of systemic discrimination, which is unacceptable in Canada in 1987. I want to give just one example which is taken from yesterday's paper. This article reads:

> Natives are denied parole more often than non-natives, in part because of a lack of parole supervisors in rural areas, says a spokesman for the National Parole Board. In Alberta, from January 1, 1979, to December 31, 1985, full parole was granted to 43 per cent of non-natives, but to only 20 per cent of natives, board member Ken Howland said Tuesday.

• (1430)

Here we have a situation where our Government, which is supposed to be looking after the interests of aboriginal peoples, does not provide the kinds of facilities in rural areas which allows Indian prisoners to have the right of parole in the same way that non-native prisoners would have. That is a form of systemic discrimination which could be overcome if there were a form of self-government in place whereby Indian people would be responsible for that kind of service themselves.

As long as we maintain that, we will continue to have native people in our prisons. We will continue to have discrimination showing up in all kinds of ways, in health, education, job opportunities and so on. This, I want to emphasize, is not a frill. It is not something that we can take or leave. It is absolutely essential if we want to see basic justice for the aboriginal peoples of Canada.

Over the past few weeks there has been a great deal of congratulation over the very significant achievement reached in the Meech Lake Accord between the Prime Minister (Mr. Mulroney) and the First Ministers. It is significant because it overcomes a very key flaw in the 1982 Constitutional Accord

where nine provinces and the Government of Canada agreed on certain constitutional changes that the Government of Quebec was not able to agree to. In a sense, Quebec was left out even though legally it was still part of the Canadian Confederation.

The significant thing about this constitutional Accord is that now for the first time a democratically elected Government of Quebec is able to sign that paper and say, "Yes, we are part of the Canadian Confederation", a very important and significant achievement. Some people question whether or not the price is too high. Every concerned Canadian recognizes the importance of Quebec being a part of that Accord. It was possible because there was a commitment across Canada to seeing that happen. There was a commitment on the part of the Prime Minister and on the part of a significant number of the provincial Premiers so that other Premiers were carried along. Bill Vander Zalm a few years ago said he would be just as happy if Quebec separated because then he would not need to read French on his corn flakes box. He is rather a flaky Premier, Madam Speaker.

Some Hon. Members: Oh, oh!

Mr. Manly: Even Bill Vander Zalm went along with the Accord because there was a sense that this was the will of the Canadians in 1987.

We need that kind of commitment to the question of aboriginal self-government. We do not have it. We have had a series of constitutional conferences involving the Prime Ministers and the Premiers. Every one of them has failed. Every conference has ended, sometimes with the hope that we will meet again in two years. This last one met without even that. The last constitutional conference called for in our present Constitution has come and gone, and there is nothing to replace it. Now we have an opportunity in this motion this afternoon to declare ourselves as a House of Commons, to say, yes, we want to see the aboriginal peoples of Canada brought willingly into Confederation. The way in which that will happen is if we say yes to their inherent right to aboriginal self-government.

I urge all Members not to talk this motion out. The importance of this motion is not that it gives a chance to debate this issue, we have debated it *ad nauseam* in the House before. We have a chance to vote on it. I urge all Members to make sure that we take advantage of that opportunity and that we vote.

• (1440)

[*Translation*]

Mr. Jean-Guy Hudon (Parliamentary Secretary to Secretary of State for External Affairs): Madam Speaker, I welcome this opportunity to take part in the debate and address the subject of self-government by our aboriginal peoples, especially since in the riding of Beauharnois—Salaberry we have the Saint Regis Indian Reserve. I am sure the name is familiar to many of you. They were champion lacrosse players, which led to some interesting games between people on either side of the border and even between Ontarians and Quebecers, but there were also some good fights as well.

I have always enjoyed my visits with these people and every time I go back, I find that, deep within myself, values that are sometimes hard to define surface in conversations with Indians, because of their attitude, philosophy and tradition. I feel privileged and proud to be able to visit and, in fact, to have in my riding a substantial part of this segment of our Canadian population.

The vast majority of native people are economically disadvantaged. Over the years, unlike other Canadians, they have not been able to take advantage of the opportunities offered by our economy, and to a great extent, they are unable to do anything to remedy the situation.

Today, they are demanding self-government so they can be masters of their own fate and become full-fledged citizens.

Since the first Conference of First Ministers on constitutional questions concerning native peoples, held in 1983, a number of questions have been addressed which are of crucial importance to native peoples and to the way they see their place in Canadian society, today and in the future.

As Hon. Members are aware, aboriginal self-government has been one of the major items on the constitutional agenda as it concerns native peoples.

In this regard, I would like to point out that the federal government has played an important role in responding to the desire of native peoples for self-government. At the First Ministers Conference in April 1985, the Prime Minister (Mr. Mulroney) tabled a draft political agreement which provided for constitutional recognition of the right of native peoples to self-government, rights that would be defined and their implementation laid down in agreements between the governments and the native peoples.

Governments also would agree to negotiate with native communities with a view to reaching the accords involved.

At a later meeting, Madam Speaker, between federal, provincial and territorial ministers and native representatives, the Canadian Government announced it was ready to enter into negotiation with native groups and provincial governments in order to set down in concrete terms what self-government would be at the regional and community levels. Those negotiations were aimed at setting down the form and content of self-government. That grassroots approach opened up the possibility of tapping, through the transfer to the natives of federal and provincial powers, a wide range of native institutions and service delivery mechanisms in the areas of education, training, culture, economic development, social services and housing. For the first time a Canadian Government was proposing the establishment of a trilateral body to deal with the real problems of Metis and non-status Indians. For the first time also both levels of government were talking with Metis and non-status Indians about their aspirations and special needs.

Further to the invitation sent by the Canadian Government in June 1985, trilateral talks were started in Saskatchewan, Manitoba and Prince Edward Island. For their part, Ontario, Alberta and New Brunswick also stated they were interested in giving it a try.

Over the last 12 months, the Canadian Government paid almost $0.5 million to help Metis and non-status Indians participate in those trilateral talks. This is our own way of viewing the implementation of the self-government concept. Our responsibility does not consist in holding theoretical discussions on the totally abstract notion of an inherent right.

For its part the Official Opposition seems to prefer that native rights be defined by the courts rather than through negotiated agreements.

I should like to refer to the opening statement of the Metis National Council at a multilateral constitutional meeting held in Ottawa on November 13, 1986. I quote:

> This judiciary proceeding differs from the political process of constitutional negotiations preparatory to the First Ministers Conference on constitutional matters of interest to native people which is scheduled for Ottawa in April 1987. However we would like to emphasize that the approach we favour is one which will lead to a political solution within the process of the First Ministers Conference.

That is indeed the way the Government intends to follow, the political solution rather than the judiciary solution, for that is the way things are done in Canada.

Therefore, negotiating agreements on self-government is indeed the preferred mechanism for defining the structure and powers of native administrations. Proposals for a constitutional amendment aboriginal self-government should provide that the conditions for self-government will be defined in agreements between the federal Government, the provincial governments and the native peoples. The commitment to negotiate such agreements would be enshrined in the Constitution, while the agreements themselves would be constitutionalized by ratification by the federal and provincial legislatures. These agreements have the advantage of providing a mechanism acceptable to all parties for defining the powers of native administrations.

Enshrining in the Constitution the commitment to negotiate agreements on self-government has the advantage of letting provincial Governments and the federal government play a role in defining the forms of self-government.

Furthermore, native peoples would have the assurance that they would have their say about the way self-government will affect their lives. The negotiating process provides a flexible mechanism for the transfer of powers to native administrations.

Madam Speaker, we must accept the principle that achieving aboriginal self-government should be a flexible process, adapted to the situation, needs and aspirations of the various native communities and regions. Consequently, we must also accept the principle that it must be done through agreements negotiated by the governments and the native peoples concerned.

Perhaps I may quote at this point from a statement made by the Prime Minister at the Conference of Canadian First Ministers in 1985, which is still very apt today:

> Canada's native peoples will be asked to make some difficult choices in the years to come. They will have to find the right mixture of traditional and modern views to suit their needs. That is the compromise they will have to make to define the place that is theirs in Canadian society. And they alone will be able to strike that difficult balance between the old and the new.

Those were the words of the Prime Minister of Canada, the Hon. Brian Mulroney.

Mr. Charles-Eugène Marin (Gaspé): Madam Speaker, first I should like to remind my colleagues in the House that the federal Government has always clearly led the way in this field. Here are the facts. Since the 1985 First Ministers' Conference we have had five multilateral ministerial meetings and five meetings of senior officials, not to mention countless bilateral discussions on a one-to-one basis with the interested parties. These meetings were held from the beginning of discussions until the First Ministers' Conference in March this year. We are responsible for organizing these meetings, drafting proposals, keeping the list of options and proposals up to date, gathering the documents required and, finally, keeping the dialogue going. Nobody, and I mean nobody, can honestly accuse the federal Government of having been partisan or negligent in anything at all in this respect.

Specifically, the federal Government proposed a wide-ranging acknowledgement of the right of peoples, of native peoples, to self-government, far broader than anything the previous Government was ever prepared to consider, let alone to propose.

Here is what Global Network Peter Trueman had to say during the *World Report* broadcast on March 9, 1987, and I quote:

> Few Canadian Prime Ministers have stood up so firmly for the rights of native peoples nor worked so hard to guarantee them such rights. Criticizing a Prime Minister—any Prime Minister—for failing to bring his provincial counterparts to their senses is about the same thing as denouncing him for being unable to convince rivers to flow upstream.

I would remind Hon. Members that the negotiations concerning the constitutional question as it relates to native people involved no fewer than 17 interested parties. Regardless of what the federal Government is prepared to accept, it still has to expect a minimum of support from the other participants. As it happened, the Government concentrated all its efforts on the quest for a solution which would be acceptable to all.

I should also like to remind Hon. Members of the position taken by the Right Hon. Leader of the Opposition (Mr. Turner) on the question of native people self-government. In his March 11, 1987 address to the native peoples gathered before Parliament, Mr. Turner stated in general terms that he was in favour of an explicit acknowledgement of the right to self-government, and he made it quite clear that the right to self-government should be defined and specified through negotiations. Well, Madam Speaker, that is exactly and precisely what this Conservative Government advocates.

The real question Canadians must ask themselves is whether they want their elected representatives and representatives of the federal Government, the provincial Governments and the native peoples' associations to negotiate agreements acceptable to all parties or whether they would prefer to let the courts define the concept and scope of the right to self-government, without considering the wishes of governments and native leaders. In other words, Madam Speaker, we must decide whether we want to proceed by means of negotiation or court challenges. On this particular point, that of the final and binding aspect, the federal Government has spoken out in favour of negotiation to define the scope and substance of the right to self-government. We do not doubt the integrity or fairness of the courts, but we, on the federal side, are convinced that this kind of right should be defined by the Governments, that is, by the federal government and by the provincial Governments, as well as by the native peoples themselves. It should not be left up to the courts. We have taken this position because the self-government negotiations we have in mind will fundamentally alter the relationship between the Crown and Canada's native peoples.

Some people reacted to our willingness to negotiate this major constitutional reform with the provinces and the native peoples by saying that the federal Government was seeking the lowest common denominator. In fact, we are seeking the highest common denominator, and I hardly think anyone would question that, considering the efforts made by the present Government and other Governments in this respect in recent years.

The Minister of Justice (Mr. Hnatyshyn), in his opening address to the meeting of Ministers responsible for constitutional questions concerning native peoples held in Toronto on February 19, 1987, said the following: "Negotiating is not constantly asking for more, but knowing how to manage the give and take process so that all parties are satisfied and everyone wins."

By negotiating, the present Government wanted to avoid what has now apparently become a fundamental and irreconcilable difference of opinions. We are still determined to see this through and to meet the challenge referred to by Jean-Claude LeClerc in an editorial on constitutional change and native peoples, published in *Le Devoir* on February 6, 1987, and I quote:

> By taking the initiative of a major change at home, Canada not only would redress historical wrongs and preserve its international credibility, it would also change the dominant culture and make easier the strained if not explosive relationships among other cultural communities in its most populated provinces—it would forge a political model for the whole planet.

Madam Speaker, on this side of the House we feel that goal would best be reached through negotiations between the Crown and Canada's native peoples. New agreements should be negotiated on self-government. The negotiations would deal, as we have proposed, on the following items: first, an express recognition of the right of Canada's native peoples to self-government within the Canadian Federation; second, defining that right through negotiation rather than judicial process; third, a constitutional commitment by governments to negotiate self-government agreements; fourth, the constitutional enshrinement of those agreements, once ratified by the Canadian Government and the provincial legislatures involved; and fifth, a non-escape clause guaranteeing the negotiations will in no way infringe upon treaty rights of native peoples.

Therefore, Madam Speaker, it is clear from the foregoing that this Government is not opposed to recognizing the right of native peoples to self-government. Quite the opposite, we have insisted and will keep on insisting for that right to be recognized in any eventual amendment.

Also, we have insisted and will go on insisting that the Canadian Government, provincial Governments and also Canada's native peoples make a commitment in the Constitution to negotiate self-government agreements.

Finally we have insisted and we will go on insisting that such constitutional agreements in no way infringe upon native ancestral rights nor treaty rights.

All this is a matter of record, and this government stands very proud of it.

We have insisted and will go on insisting, Madam Speaker, that any new basic amendment to the constitutional relationship between Canada's native peoples and the Crown be defined through negotiation.

In short, this is the very definite position which this Government has constantly maintained and will continue to maintain on this important issue.

To conclude, I would like to say that, although it was not possible to reach an agreement at the First Ministers Conference, this Government is as determined as ever to continue its efforts until our aboriginal peoples are provided with the means to take their place within Canadian society. As the Prime Minister expressed it so well at the end of the conference:

> My Ministers and I will remain in close contact with the Premiers and with all aboriginal leaders.
>
> If I come to the conclusion, as our society and conversations develop, that a new meeting or conference might be useful and prove successful, I shall not hesitate to call one.
>
> Rest assured that I remain determined to settle with you as we must this issue of human rights and basic dignity for our aboriginal fellow Canadians.

• (1450)

[*English*]

Ms. Margaret Mitchell (Vancouver East): Madam Speaker, it is not my intention in rising to make a speech. I would

merely like to say that from the remarks of my colleagues on all sides of the House it is very evident that all Parties support this motion. I very strongly urge everyone in the House, in very good conscience, not to talk this motion out but to put it to a vote now.

[*Translation*]

Mr. Gérin: In my opinion, Madam Speaker, it would be wrong for us to vote immediately, when so many Hon. Members have indicated their intention to continue to deal with this motion, and I suggest that you should allow all of those who want to speak to express their opinions freely.

[*English*]

Mr. Jack Scowen (Mackenzie): Madam Speaker, it is with pleasure that I speak to the motion put forward by the Hon. Member for Cochrane—Superior (Mr. Penner) which calls, in the first part, for the Constitution Act, 1982, to:

> —be amended in order to recognize explicitly the right of Canada's aboriginal peoples to self-government, thereby making them partners in Confederation—

This is a principle to which the Government has been committed since coming to office in 1984. It has, indeed, been a subject of a constitutional process since 1983. It is therefore fitting that I begin discussion of this motion by reminding the Hon. Member and other Members opposite of that constitutional process.

A review of the events leading up to the recent First Ministers' Conference on aboriginal and constitutional affairs will demonstrate the considerable progress which the Government has made in furthering the goal of aboriginal self-reliance.

The constitutional talks on native self-government were set in motion by the Constitution Act, 1982, which provided for the convening of a First Ministers' conference on aboriginal matters to which aboriginal representatives were to be invited as participants. That conference was held in Ottawa on March 15 and 16, 1983, the outcome of which was the signing of the constitutional Accord which provided, among other matters, for another aboriginal constitutional conference to be held in 1984.

For the purposes of the motion before us, other important provisions of the Accord were proposals for the following constitutional amendments: at least two constitutional conferences on aboriginal constitutional matters to be held, the first by April 17, 1985, and the second by April 17, 1987, and that no amendment directly affecting the aboriginal peoples of Canada would be made to the Constitution without first inviting aboriginal leaders to participate in a constitutional conference to discuss the proposed change. These constitutional amendments were passed by Parliament and the legislatures of the provinces and proclaimed in force on June 21, 1984.

In the meantime, however, a First Ministers' conference on aboriginal matters had been convened, once again in Ottawa, in March, 1984. The main focus for this conference was aboriginal self-government. However, the Government of the day put forward a proposal which was met with a less than enthusiastic response from both aboriginal and provincial representatives.

The Liberal Government's 1984 proposal did little to recognize an "explicit right" of the aboriginal peoples to self-government or to make them "partners in Confederation", as is being called for by the Hon. Member for Cochrane—Superior in the motion to which I am speaking. Indeed, the 1984 Liberal proposal merely provided for self-governing institutions and contained no guarantee that self-government arrangements would be constitutionally protected. Thus, by this proposal, the power of the aboriginal governments could have been revoked at will by Parliament and the legislatures in question.

• (1500)

The Acting Speaker (Mrs. Champagne): It is with regret that I must interrupt the Hon. Member.

[*Translation*]

The hour provided for consideration of Private Members' Business has now expired. Pursuant to Standing Order 42(1) the order is dropped from the Order Paper.

It being 3 p.m., the House stands adjourned until 11 a.m. on Monday, pursuant to Standing Order 3(1).

The House adjourned at 3 p.m.

HOUSE OF COMMONS

Monday, June 15, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*Translation*]

EXTERNAL AFFAIRS AND INTERNATIONAL TRADE

PRESENTATION OF SECOND REPORT OF STANDING COMMITTEE

Mr. William C. Winegard (Guelph): Mr. Speaker, I have the honour of tabling the Second Report of the Standing Committee on External Affairs and International Trade.

[*English*]

This report makes some comments upon, and some recommendations about, the trade development activities of the Department of External Affairs.

* * *

PETITION

OPPOSITION TO CHANGES TO PATENT ACT

Mr. Rod Murphy (Churchill): Mr. Speaker, I have the honour to present a petition signed by many people in southern Manitoba who are presently represented by Conservative Members of Parliament in the House of Commons, but only until the next election.

The petitioners are concerned about the Government's intention to change the Patent Act with regard to the purchase of prescription drugs. They believe this will result in higher costs to provincial Governments through their drug plans. They also believe it is unfair to Canadians whose health needs require the purchase of prescription drugs on an ongoing basis and this is being done at the expense of average Canadians because of the Government's wish to accommodate the United States in the free trade negotiations.

Therefore, the petitioners humble pray and call upon Parliament to reject these proposals which will increase prescription drug prices for Canadians.

QUESTIONS ON THE ORDER PAPER

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I ask that all questions be allowed to stand.

GOVERNMENT ORDERS

[*English*]

Mr. Lewis: Motions?

Mr. Speaker: The Chair may have moved too quickly. I understand the Government wishes to proceed on a motion. I am sure there will be consent for that.

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, if the Government wants to proceed on Motions, I must say that we have already had Petitions which follow Motions. I do not want to create any difficulties here, but I know that if we wanted to revert back to some stage in the proceedings we would not be allowed to do so. I do not see any reason why we should do so at this time.

• (1110)

Mr. Speaker: The Hon. Member for Ottawa—Vanier has raised a caveat on this matter. However, I have considered it. The motion does not require consent and can now be moved on Orders of the Day. I think this is a situation which arises as a result of the new orders.

Mr. Gauthier: Under Orders of the Day?

Mr. Speaker: Yes, I had called Orders of the Day. Perhaps I created a problem because I did not realize what motion it was. I thought that the Government wanted to revert back to Motions. I have taken the Hon. Member's caveat as notice.

* * *

NATIONAL TRANSPORTATION ACT, 1986

ALLOCATION OF TIME TO CONSIDER REPORT AND THIRD READING STAGES OF BILL C-18

Hon. Ray Hnatyshyn (for Mr. Mazankowski) moved:

That, further to the notice given on Thursday, June 11, 1987, by the Deputy Prime Minister and President of the Privy Council, and pursuant to the provisions of Standing Order 117, in relation to Bill C-18, An Act respecting national transportation, four further hours be allotted to the consideration of

the report stage and four hours to the consideration of the third reading stage of the Bill; and

That fifteen minutes before the end of the four hours allotted to the report stage consideration and to the third reading stage consideration of the said Bill, any proceedings before the House shall be interrupted, if required, for the purpose of this Order and, in turn, every question necessary in order to dispose of the stage of the Bill then under consideration shall be put forthwith and successively, without further debate or amendment.

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Mr. Speaker, I rise to begin the debate on the two-hour time allocation motion with respect to Bill C-18. While I have only recently come to the transport dossier I do not think that in my entire eight years here on the Hill have I seen a Bill that has had more consultation and had more evidence given about it by witnesses than Bill C-18. In my entire eight years I have never seen a Bill that has been so well briefed. I would like to pay a compliment to the members of the Standing Committee on all sides of the House who worked very hard on this Bill.

I wish to emphasize that the Government places a high priority on transportation. Bills C-18, C-19 and C-21 reinforce that high priority. The over-all objective of Bill C-18 is summarized in Clause 3 of the Bill. It is to create the conditions necessary for a safe, adequate, effective and efficient transportation system that best serves the needs of shippers and travellers. The promotion of greater competition among carriers will improve efficiency and effectiveness in the transportation sector. This will make Canadian products more competitive in both domestic and international markets.

I am sure that most Canadians do not appreciate that, on average, our cost of transportation is 1 per cent to 2 per cent higher than costs in other countries and that, on average, the cost of transportation across the country is about 6 per cent. However, in some industries such as potash and other resource industries the cost can rise to as high as between 20 per cent and 30 per cent. I know that in the case of certain types of coal the cost of transportation can be as high as 50 per cent. Thus while we live in a huge country and cannot get away from such costs the fact of the matter is that we can reduce them so that the over-all effectiveness of our system is maximized.

Since I only have 10 minutes I want Hon. Members to appreciate the extent of consultation that has gone into Bill C-18. The reforms were forged as a result of extensive consultation with shippers, carriers, labour, the travelling public and other levels of government. This process commenced in early 1985. The previous Minister of Transport, now the esteemed Deputy Prime Minister (Mr. Mazankowski), set in motion a two-pronged process, that is, a policy review and consultation with those interested in transportation.

The result of that long consultation was a position paper entitled *Freedom to Move* which was released in July, 1985. That paper proposed a comprehensive set of reforms of economic regulation of each mode of transportation. The document was widely distributed. It provoked many critical but thoughtful responses. The Minister and his officials continued to meet with as many people as possible to clarify viewpoints and suggestions. In addition, the *Freedom to Move* paper was referred to the Standing Committee on Transport.

The Standing Committee heard the views of many witnesses, both in Ottawa and across the country. It produced a report recommending modifications and improvements to the White Paper *Freedom to Move*. Because of the concerns about the regulation of air services for our northern and remote communities the committee subsequently visited the North and produced a further report on that part of transportation. Based on all of this feedback in over 500 individual meetings, innumerable briefs and the committee's report, the Bill was drafted as Bill C-18 and was tabled in the House last June.

The extensive round of consultations was repeated and, after second reading approval in principle, the Bill was sent to the Standing Committee which again entered into a broad process, including hearing from witnesses across the country. Over 400 witnesses who made their views known with respect to this legislation appeared before the Standing Committee. Then, during clause-by-clause study the committee introduced several significant improvements.

As a result, I am personally convinced that this Bill represents a balanced package of reforms. The needs and interests of both the users and providers of transportation services will be well served by this Bill because they have had an opportunity to contribute at each and every stage of its development.

No Bill is ever perfect for all times since the economy and the Canadian way of life are constantly changing. I think one of the greatest additions to the Bill is that there will be annual reports on how the Bill is progressing and how the economy is adapting to it. There will be a comprehensive review at the end of four years. Personally, I think that is all we can do as legislators.

The Bill had enormous consultation before a White Paper was produced. The White Paper was then widely distributed and consulted upon, after which the Bill was introduced. The Standing Committee crossed the country again, heard all the views that were to be heard and then made some significant changes. Surely that is sufficient for the Bill. I think that this time allocation motion will pass. I hope Members will agree with me that the Bill has had sufficient consultation so that we can get on to finish report stage and third reading and get it out as the law of the land. As a result of the annual reports during the first four-year comprehensive review we can make whatever changes are necessary.

As I reflect on these regulatory reforms in transportation I see five or six guiding principles. Safety is the first priority. The committee in all its deliberations directed that safety regulations be improved. Second, transportation exists to serve the needs of shippers and travellers. In the past the nation has succumbed to the temptation that transportation is an end in itself as opposed to merely a service to shippers and travellers, to more efficiently ship goods across the country so that we

can put our products at tide water at a price level that is competitive with other countries.

We must never forget that over 30 per cent of our GNP comes from trade with other nations. Every time we spend $10, $3 of it has come from other countries. If we do not remain competitive with those other countries we will lose that $3 and our standard of living could drop by 30 per cent to 50 per cent practically overnight if we do not keep our transportation system running efficiently.

• (1120)

The third principle is that we need greater reliance on market forces and less reliance on economic regulation, a situation that will lead to more innovation and more enterprise, and a more competitive transportation system, both intramodally and intermodally. As a result of past regulation, competition within the various modes and certainly between the various modes has been distorted. This Bill would go a long way toward lessening that regulation-caused distortion.

Another principle is that, whenever necessary, the public interest must be protected through continued economic regulation. That is truer in the North than anywhere else, where there is a much smaller population, and more fragile markets. The Government has accepted the principle that we need to continue regulation in the North.

Wherever there is going to be regulation, another principle of the Bill is that it should be open, accessible, and not costly. All of us have had the occasion to talk to companies which have almost gone bankrupt as a result of bringing applications before the CTC in an effort to bring about more efficient and wider-ranging operations. That is just not the way regulation should operate. Under this Bill, the cost of regulation will be very much reduced.

Widespread consultation with all interested parties has produced a balanced package of reforms, a package which will best serve the needs of shippers and travellers while at the same time providing a good economic climate for efficient well-managed carriers.

Under this Bill, there are no losers. This Bill is clearly a win-win situation.

[*Translation*]

Hon. André Ouellet (Papineau): Mr. Speaker, once again, the Government has taken the easy way out. Once again, it has preferred to cut short debate instead of facing the widespread criticism of this Bill. Once again, it has decided to gag the Opposition. The Government has made a nasty habit of this. It imposed closure to pass a Bill that would benefit the oil multinationals. It imposed closure to pass a Bill that would benefit the multinational drug companies. And now, it is imposing closure for a Bill that is definitely biased towards this country's major shippers.

Mr. Speaker, I maintain that because we are talking about deregulation of our transportation industry, the Government's decision is entirely unacceptable. I agree that the transportation industry is of vital importance to the development of the Canadian economy. That is why we say the Government should have consulted more and listened to those who testified against this Bill before the various parliamentary committees, instead of listening only to associations controlled by the big rich shippers, as the Government did. It should listen to the small shippers from the Maritimes and Western Canada who told us, for instance, that confidential contracts on domestic traffic might make them go out of business.

The Government should have listened to the unions that pointed out how many jobs would be lost in the industry if the Government persisted in its single-minded pursuit of deregulation.

The Government should have listened to professionals in the aviation industry, included pilots and others, who testified before the Transport Committee and told us in no uncertain terms that deregulation would unavoidably lead to a reduction in the quality of service and, even more important, in safety.

Representatives of the railway sector—both Canadian National and Canadian Pacific—told the Government that Bill C-18 was a threat to their survival.

[*English*]

The railroads told us that by opening up the Canadian market to competition from the American railways we would be reducing revenues, and investment in equipment and plant would suffer, leading in turn to a reduction in service and safety.

Did this Government listen? No, not at all.

[*Translation*]

Instead, he decided to set totally unrealistic deadlines, both for the Committee when it was considering the White Paper "Freedom to Move" and during consideration of Bill C-18 itself. Even now, at the report and third reading stage, we are still being saddled with absolutely unacceptable deadlines. The Government has systematically opted for closure just to please a few big Canadian shippers.

This Government has no regard for the democratic consultation process. Even worse, the transportation industry and thousands of Canadian workers will pay dearly for the Conservative Government's total lack of concern.

Mr. Speaker, when revising a general act that is so fundamental to the socio-economic well being of this country, the Government should have taken a more thoughtful approach.

During the debate on second reading, we in the Official Opposition, we in the Liberal Party said that considering the changes being sought, the Government could at least have taken steps to measure the impact of deregulation on such areas as: traveller safety; consumers, especially in connection with air transportation rates; employment in the industry; acceptable levels of foreign control; and finally, impact on regional development.

In all five areas, the Government has not budged an inch. We hoped it would use clause-by-clause consideration in committee to make some changes. We on our side suggested a number of amendments to improve the Bill. Unfortunately, the Conservative majority on the Committee, obeying the signals from the Parliamentary Secretary to the Minister of Transport, systematically refused any changes that made sense in social and economic terms.

On the subject of regional development, for instance, the Government rejected an amendment by the Hon. Member for Westmorland—Kent (Mr. Robichaud) which would have given some political clout to the statement of principles contained in Clause 3 (d) of the Bill.

As for employment, a measure aimed at protecting workers, which I proposed, was rejected. Regarding confidential contracts, I think we should listen to what was said by Prairie Malt Limited, a small Saskatchewan shipper, when he appeared before the Committee, and I quote:

[*English*]

> We are of the opinion that the suggested confidentiality in rate setting will work out to the serious detriment of small and medium companies competing within a given industrial sector with large and more powerful conglomerates. Confidential rate negotiations on contracts will almost surely enable physically well-situated and financially flexible industrial entities—especially those with more than one plant site—to utilize transportation contracts, and through them the railways themselves, to serve as marketing tools—or, to say it stronger, as accomplices in power-plays—against smaller competitors.

We tried to deal with that concern, Mr. Speaker, by ensuring that confidential contracting could only occur on transborder traffic. The Government refused.

The Government has been totally inflexible in crafting this legislation, legislation which is totally and unequivocally biased toward the large conglomerates in Canada.

It is a disgrace that this Government has not taken into account the over-all interests of Canadians, whether involving small, medium or large expenditures, taking into account an industry that has, throughout the years, been prosperous.

The transportation industry in Canada is a good industry. It is an industry that provides well-paying employment. Bill C-18 is a threat to the prosperity of the transportation industry. That is a point that has been made by the railways, by the trucking associations, and observers of the airline industry.

• (1130)

Why is the Government moving so rapidly and vigorously in this direction? It is incredible. There is no possibility for us in the Opposition to stop the Government. We are awaiting the result of this catastrophe a few years down the line. When we have another chance to form the Government, we will certainly amend legislation which already will have been very bad for the workers, the transportation industry, and the Canadian public at large.

[*Translation*]

Madam Speaker, the Government's decision—I bow to the Chair, I see that you have taken over from your colleague, Madam Speaker—the Government's decision to introduce time limitation is the logical result of a process that reflects the lack of courage and political maturity of a Government that is practically hand in glove with the "big guys" in our society.

[*English*]

Mr. Les Benjamin (Regina West): Madam Speaker, the whole effort by the Government to deregulate transportation for the past 2.5 years has been nothing but a litany of intransigence. The past and present Ministers have said that the Bill was not engraved in stone, that they would be flexible, that they would listen, and that they were open to amendments, et cetera. As far as I can recall, I think they have accepted one amendment in the House and two amendments in committee.

It all started with *Freedom to Move*, the government White Paper on transportation. The Government did not want the committee to travel. It took a lot of pressure from scores of organizations and Members of the House to get the Government to agree to committee travel.

The committee went to four places in Canada—Vancouver, Winnipeg, Halifax, and Ottawa. It left out the villages of Montreal and Toronto! It left out all the northern territories and all northern parts of the provinces. It did not go near southwestern Ontario.

It makes one wonder why the Government is in such a hurry. It brought in a Bill in the previous session which remained on the Order Paper for some 13 months. Then, in the next session of Parliament it was given a new number and was placed on the Order Paper again. The Government called it for debate, and we had four partial days at second reading in principle, on closure. It then went to the standing committee, and we had to fight, argue, and plead continually—not only us but scores of organizations, companies, and individuals—for the committee to travel to a number of locations.

The committee went to nine locations—Vancouver, Edmonton, Regina, Winnipeg, St. John's, Halifax, Moncton, Montreal, and Ottawa. At least 36 places were worthy of consideration to hold parliamentary hearings and hear witnesses. I submitted a list of locations and thought if we could get to at least 16 or 20 of them that would suffice.

Again the Government refused to allow the committee to go to Yellowknife or Whitehorse. It wouldn't go to Labrador or to any of the northern parts of the provinces. The municipalities, the trade union movement, and the forest industry wanted hearings in Prince George and Prince Rupert in northern British Columbia and got none. The southern half of the Province of Alberta was left out, and I think the committee heard from one witness from the Peace River country. There should have been a hearing in Dawson Creek, British Columbia to cover the Peace River country. The committee should have gone to Dauphin or Thompson in northern

Manitoba. It should have at least gone to Thunder Bay and Sudbury in northern Ontario.

There have been at least five dozen requests from boards of trade, city and town councils, and trade union groups in southwestern Ontario asking for hearings. They did not get them.

The Government put a time limit on when the committee had to report. It reported within the time limit ordered by the House, and the report sat for six weeks before the Bill was called for report stage consideration. Suddenly the Government is in a big hurry.

The Parliamentary Secretary said that the legislation would increase competition, competitiveness, et cetera. When the *Freedom to Move* hearings started, there were six relatively large regional airlines and two national carriers. Now we have two, and the Government says that there will be more competition. Those two carriers will control something in the order of 80 per cent to 90 per cent of all airline traffic through their major national networks as well as the operating and licensing agreements for a bunch of little feeder airlines all over Canada. They control it, and the Government tells us that there will be more competition. Competition has been reduced by two-thirds.

The Government talks about confidential contracts and confidential freight rates. If there were anything more anti-competitive than secret deals between large corporate shippers and one or two railroads, I do not know what it would be. No one is about to build another railroad; there are only two of them in Canada.

The trucking industry asked for a delay of at least one year until all things were in place. The Parliamentary Secretary said that safety was a number one priority and that there would be no compromise on safety. We have heard that from both Ministers; we have heard it *ad nauseam*.

Where is the railway safety board? Where is the rail safety Act? Where is the board on highway trucking safety? Where is the legislation, the regulations, and rules for that? All those things will take at least a year to implement.

The aviation safety board has just been established for a year. It is still setting up, and we do not have all the regulations governing it.

The Canadian Trucking Association pleaded with us not to proceed until all these things were in place—safety, security, proper regulations, and the people necessary to enforce them, such as inspectors and what not.

We have three amendments on the Order Paper, and the Government does not want us to get to them. There is one it will not be able to avoid. I call them the Fred Turner amendments. They would guarantee that never again could the new transportation agency, the air safety board—whoever will administer the Aeronautics Act, or whoever inherits the duties of the air transport committee of the CTC—do what was done to Fred Turner, bankrupt his airline because he was late filing his statistical reports. The Government admitted that there had been 1,600 occasions when airlines or aircraft operators were late filing their reports.

We are anxious to have these matters dealt with in the House, but the Government does not want to deal with them; it is afraid. It refuses to listen to witnesses. It said that it would be open and that it would consult. It heard witnesses but it did not listen.

We want the legislation to establish appeal procedures so that operators have some protection and some rights, so that they cannot be victims of bureaucratic overkill or the Government ignoring them. Even the Prime Minister (Mr. Mulroney) became involved in this one. Mr. Turner has been haunting the House of Commons for almost four months. Members of Parliament from all three Parties support him, but the Government refuses to act. It offered a $15,000 payment without prejudice. It bankrupted the man. He lost five aircraft, his hangar, and all his equipment. He is scheduled to lose his house next month. The Government offers $15,000, which in itself is an admission of guilt. It is a pittance. All Mr. Turner is asking for is an independent arbitrator to hear his case and the government side of the story and make a decision. Mr. Turner has filed a lawsuit in the courts. The Government is now saying, "Well, you can't sue us". First the Government said "Go ahead and sue". Mr. Turner cannot afford a lawyer for one day, let alone the months and months a lawsuit would take. I am confident that with a reasonable settlement put forward by an independent arbitrator there will be no court case. The Government can afford to spend hundreds of thousands of dollars and can spend months and years in court at the expense of an innocent individual Canadian citizen.

• (1140)

It is patent nonsense that all of a sudden the Government is in a big hurry. Three full days on report stage would have finished all the amendments and half a day would have been sufficient on third reading. That would not be unreasonable. We were proceeding with all dispatch dealing with amendments during the one day we have had so far. We have had a dozen or 14 motions dealt with and out of the way. It would take two more days to deal with each one of them. Why will the Government not let us have that time, Madam Speaker? Why did the Government take so long to get to work on the Bill? Why is the Government all of a sudden in a big hurry? It is bludgeoning Parliament into accepting bad legislation while we have amendments trying to make a bad Bill less bad.

Mr. Jim Edwards (Edmonton South): Madam Speaker, it is a privilege to speak today on the subject of Bill C-18. I feel that the issue of this Bill will have a favourable impact for the shippers and for the citizens of my province of Alberta and western Canada generally.

I listened with interests to the remarks of the Hon. Member for Regina West (Mr. Benjamin) and I found it hard to believe that he indeed was a westerner speaking the way he did. This Bill is to the ultimate benefit of ordinary citizens, to small and

medium businesses and to the people of western Canada generally. It is about competition and fairness and the restoration of justice. It goes a long way to cap the well known well-springs of discontent in western Canada and it leads toward that noblest of all goals, national reconciliation. I believe that the socialist alliance with the CPR will result in some electoral bringing into account come 1989.

I have received voluminous correspondence from the citizens of Alberta on the subject of this Bill. A typical example is one received recently from an employee of Alberta Gas Chemicals in Medicine Hat, which letter in part reads:

> —we currently ship approximately 90 per cent of our product by rail. As I am sure you are aware competition is the essence of good business. Without competition there is no need to be efficient and you can demand whatever the traffic will bear for your product or service.
>
> With Competitive Line Rates we will be able to be more competitive on pricing of our Methanol which should allow us to sell and ship more product.
>
> If Bill C-18 does not pass, we are in a position where without fair competitive freight rates we could go out of business. If we are forced out of business, it will mean a loss of approximately 100 jobs at AGCL in Medicine Hat for a starter. If we go out of business, that means the CPR, locally, will probably also have lay-offs as there will be approximately 400 to 800 fewer rail cars to ship each month from Medicine Hat.

It is employment we are talking about, Madam Speaker. It is also justice in terms of freight rates.

I have a letter from a constituent in Edmonton:

> I have been involved on more than one occasion with respect to encouraging incoming businesses. After the second look at expenses at the freighting end of production the early enthusiasm pales and we are again losers.
>
> I believe that it is imperative that we have a drastic change in the freight rates for western Canada.

I have a note from the Alberta Government:

> Rail provides the life-force for many landlocked Alberta manufacturers and producers. Their products and distance from markets make them dependent on rail.
>
> In 1985, Alberta generated 48 million tonnes of freight for CN and CP, 20 per cent of their total business. Sixty per cent of this came from producers that are captive to rail and in most cases captive to one carrier.
>
> Under existing legislation, rail carriers are comparatively free from market competition. The rates they choose can create winners and losers in Alberta's major commodity industries.
>
> The results of this are clear. In 1982, Alberta related shipments generated 28 per cent of the total system of traffic that paid over 70 per cent of the total contribution to railway constant costs for Canada.
>
> The rates applied to Alberta rail shippers for the past several years have been increasing faster than railway costs. Rates offered to captive shippers have received a disproportionate share of this increase.

I will continue with a note from the Hinton, Alberta District Chamber of Commerce:

> We are very concerned, at this time, because it is our understanding that CN, a Crown corporation, and the CP whose relationship within this country parallels the CNs are both amassing a fierce lobby against the competitive line rates provisions of this Bill.
>
> We are a resource-based community depending on pulp, paper and coal; a western Canadian community whose welfare and survival is dependent upon exporting our goods to national and international markets. Because our community is located in western Canada, we are disadvantaged in our ability to compete due to this fact. The transportation component in exporting our goods to those market does not and will not reflect market conditions as long as the CN and CP have for all intents and purposes a monopoly. Subsidies are not our forte, however, we cannot and will not stand by and see our only hope to enhance our ability to compete in the market-place dashed by a Crown corporation and, if I may say, "A semi-Crown Corporation".

The whole concept of this Bill is to assure employees and shippers that safety will be maintained and that the benefits of deregulation will redound and that the disadvantages will not prevail. Safety we know is a major priority for all those involved in transportation. This legislation is a product of the viewpoints and ideas advanced over a very extensive cross Canada consultative process over the past two years involving contact with over 450 groups and organizations.

I would venture to say that the reverse is the case of that painted by the Hon. Member for Regina West. Consultation has been of the essence in the drafting and in the amendment of this Bill. Those consultations involved labour, users, business, transportation companies, the travelling public and provincial and territorial governments. In addition, of course, there were the hearings of the standing committee to which the Hon. Member referred.

I would like to touch on a submission from Sultran Ltd. based in Calgary. This is not a minor player.

> —Sultran ships up to six million tonnes of sulphur per year from 14 Alberta plants and three northeastern British Columbia plants to Vancouver for export. This volume generates about $200 million a year in rail freight.
>
> Because of its relatively low value and long distances to tidewater, sulphur is effectively captive to rail transport, and generally captive to one carrier.
>
> Since there is neither an effective transport alternative nor effective economic regulation control over railway rates, the railways are, at present, free to engage in monopoly pricing. Bill C-18 remedies this condition by introducing competitive provisions which attempt to limit the monopoly power of railways over captive commodities and at locations served by only one carrier.

This new policy statement in the Bill provides that all carriers must meet acceptable safety standards, that competition and market forces are to be the prime agent in determining price and service levels, that government intervention will occur only when necessary to protect the public interest, but carriers are to be fairly compensated for any imposed public duty, and carriers pricing policies are not to be discriminatory.

Canadians have imbued within them an innate sense of fairness and Canadians react in a rather forceful manner when they feel that they are being discriminated against. This piece of legislation responds to that sense of discrimination which has bedevilled western Canadians, and I submit, other Canadians for the past century. It gives, for the first time, to western Canadians the opportunity to compete on a level playing field with their brothers and sisters in central and eastern Canada. Thus, I am saddened when I hear Members opposite decrying this legislation. The Minister has responded to Members opposite and has agreed to a number of amendments. These amendments have accommodated the major objections that were raised when the Bill was first introduced.

• (1150)

This piece of legislation will bring to Alberta and to western Canada a response to the needs of users of transportation services. Our ability to expand markets will depend upon our

ability to produce goods and services at the lowest possible costs.

Of particular importance to my province are the provisions of the legislation relating to railway freight transportation. The long distances to markets for exports and the dominance of one major carrier in the northern part of the province and another in the south has limited alternatives available to shippers for transporting products. The current National Transportation Act provides rail carriers with considerable pricing freedoms and little incentive to compete while provisions to protect shippers against excessive rail rates have proven ineffective. As a result, the province incurs a significant freight rate burden.

If Alberta is to maintain its position in increasingly competitive world markets, this burden must be reduced. The provisions of this Bill to increase competition between carriers and to provide shippers with more effective mechanisms for resolving rate disputes with carriers go a long way toward allowing this to be accomplished.

In view of the criticism the Bill has received from railways, labour unions and the Hon. Member for Regina West (Mr. Benjamin), there are a few points that I would like to address in concluding. First, there is no direct causal relationship between deregulation and safety in the Canadian context. Regulations pertaining to safety are not changed adversely in this Bill. In fact, they are augmented. Recent changes to strengthen aeronautic safety and the proposed new rail safety Bill should address safety concerns.

Second, there is the principle of the railway's desire to reduce costs. However, with the exception of branch lines which are covered in the new legislation, the railways have not been specific on what legislation or regulation they believe should be changed.

The legislative package contained in Bill C-18 addresses concerns of westerners expressed since the time of the 1973 Western Economic Opportunities Conference. We in the West believe that the quick passage of this legislation is vital. A key provision in the legislation for many shippers in Alberta and indeed in the rest of Canada is the mechanism for competitive line rates. This provision will allow shippers who are now captive to a single carrier to gain access to a competing alternate carrier for the movement of goods. Removal of this provision from the Bill would have eliminated a large part of the industry's support of the legislation and removal of such a proposal from the Bill as suggested by Members opposite would have gutted this piece of legislation.

In conclusion, I submit that this Bill should pass swiftly through all stages. The people of the West are waiting to see how the the House disposes of the Bill and are watching with great care to see how Members on all sides vote on this vital piece of legislation which will go a long way toward realizing the destiny of western Canada.

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Madam Speaker, I am pleased to be able to offer some comments at this point in the debate on Bill C-18. I have something more than a passing interest in the initiatives that are proposed because I do believe that the strengthening and augmenting of the transportation system of Canada is one of the primary responsibilities of any national Government.

Because of our geography and the peculiar nature of our economic system, it is very important that a national Government maintain a clear and overriding responsibility for the way we move people, goods and services across Canada. This should be done in a way that not only maximizes efficiency but also ensures that there is a maximum of service. That is why I find it so dismaying that the Government would impose a closure motion on this very important topic. This is a matter that requires a continuing and ongoing examination by Parliament in order to ensure that the legislation is right. It should not be approached in a way that would simply ensure that it meets the parliamentary timetable, but in a way that would ensure that the vast array of important interests across Canada are properly and effectively reflected in the legislation.

We do not change the Transportation Act that often, so when we do it we had better make sure that what we are doing is carefully conceived and integrated into a package that will respond, not only to contemporary needs but to future needs. That is why we object so strenuously to the fact that the very important evidence that was brought forward during the hearings of the Transport Committee was ignored in the Bill. We were not given the time or effort required to reconsider, re-examine and redefine the legislation.

Let me tell the House of one example of this that comes to mind. Three or four weeks ago I had the opportunity to meet with the national executive of the organization representing the physically handicapped in Canada. When I was Minister of Transport I felt that one of the most important contributions the national Government could make to alleviate the disadvantage suffered by those with various handicaps would be to ensure that the transportation system reflected their needs and concerns and was adapted in a way that would give them the kind of mobility they require to pursue their occupations and their rights as Canadians. We set forward a series of guidelines that we felt should be incorporated in the transportation system, and those guidelines should now be reflected in the legislation. However, they are not. It was clear from my discussions with the group representing the various organizations that speak for the handicapped that this would be an opportunity lost.

Members of Parliament should reflect on why they would support a closure motion to forestall any further examination of the legislation when it is clear that a major constituency is being ignored and in fact rejected as evidenced by the lack of measures put forward in the Bill. We must ask ourselves why the representations made by these organizations across Canada were treated with such indifference. We must ask why there was not a willingness during the consideration of this legislation in the House to take account of those representations and, even at this late date, to provide for a modification. It seems

that we are in an unfortunate position. The imperatives of political timetabling are taking precedence over the necessity for passing good legislation. It seems to me that what is before us is an indication of what has become all too common and frequent. It seems to be important to acquire a so-called list of accomplishments without really examining the substance, the details and the ramifications of those accomplishments. It seems to be far more important to get the headlines than to get the substance right. As my seatmate, the transportation spokesman for my Party, has said, the decision of the Minister of Transport (Mr. Crosbie) to impose a suffocation of the consideration of this Bill by the House stands as evidence of a clear and unmistakable calumny on the part of the Government, as evidence of its unwillingness to take its responsibilities seriously, considering the importance placed on this matter during the last election.

• (1200)

I will point to another reason why we should be examining this legislation with more thorough care than we will be able to because of the closure motion. Through a wide variety of activities we are observing the serious reduction of the powers and abilities of the national Government to form successfully an economic union to meet the imperatives of international competition. As I said earlier in my remarks, transportation is not only a clear responsibility of the national Government but should be even more seriously recognized when we are talking about giving the provinces further powers, when there is serious consideration of severe limitations of federal powers as a consequence of free trade negotiations, and when there is a move toward the privatization of various Crown corporations.

The collective impact of these initiatives is an erosion of the capacity of the national Government to meet effectively and successfully the national goals and objectives. That will not become apparent overnight, but in the months and years ahead as the country tries to respond to new demands this incredible move by the Conservative Government to disband the national Government's role in the economic and social life of the country will be decried. The Government may have to pay a price for that in the judgment of historians, but it should certainly be more carefully examined now.

I raise this concern, particularly in the field of transportation, because I can recall the discussions and negotiations of which I was a part when we were beginning to consider our own form of reforms in this field. One of the most important questions that we raised at that time was with regard to safety and whether deregulation afforded sufficient protection to maintain high quality standards and maintenance of the transportation system. We did not want to have the continuing problems with which we were faced in the rail, air and trucking industries with regard to the continuing incidents of danger and disaster. Yet there is nothing in this legislation or in the corollary of complementary moves of the Government to give assurance that there was a fair recognition of those facts.

Similarly, when we were considering the role of transportation we had to consider the role of regional development. That role cannot be judged only by the criteria, the accounts or the economists. We knew from the history of the country that if we were to maintain a national fabric we had to ensure that all parts of the country were involved. I must say that those have not been involved.

In the short time I have remaining I must say that this is an unfinished piece of legislation which requires much more examination and work. We can only regret the fact that the Government seems to be unwilling to give the people of Canada that opportunity.

Mr. Rod Murphy (Churchill): Madam Speaker, I always considered the Member for Winnipeg—Fort Garry (Mr. Axworthy) to be the father of this legislation. I thought that in his speech he would apologize to the House and the country for his sponsorship of the attempts by the previous Liberal Government to introduce a regime of deregulation in Canada.

I have a number of concerns with what is happening in the House at this time. Despite what you have heard from a number of the previous speakers, we are not actually debating Bill C-18 at this time. We are involved in the process of time allocation which limits debate on report stage and third reading of this very important piece of legislation. As you know, Madam Speaker, time allocation is just another way of saying closure. It is a way of cutting off debate, limiting the number of people who can participate in the debate, and guaranteeing that only a few of the proposed amendments are debated and voted upon by the House.

This is a very difficult process for the House. The Government cannot claim that we have instigated a filibuster on this piece of legislation. When this Bill was finally brought back to the House for debate we in the Opposition announced that we would move quickly to introduce all of our amendments in order that we could have a recorded vote on them in the House. We believe this is necessary because we have been told by government spokespersons that the Government is willing to accept some of the amendments standing in the name of the Member for Regina West (Mr. Benjamin) and in the name of one of the Liberal Members. However, the Government has refused to tell us which of those amendments it is willing to accept.

We are in an ironic situation. The Government, which says that it will accept some of the amendments but will not tell us which, is now introducing time allocation which will not allow us to reach some of the amendments which the Government may or may not favour. Talk about parliamentary democracy. I hear a voice from the wilderness, that of the Parliamentary Secretary, saying that we are stalling. We are not stalling. We have said that we would move as quickly as possible through the amendments. We said that we would forego debate on some of the amendments.

The first speaker from our Party on this time allocation motion, the Member for Regina West, pointed out that with

two or three days at report stage we could deal with every one of the amendments. Two or three days debate is not very much to change fundamentally the way in which the transportation industry is regulated. That is the purpose of Parliament. We should ensure that our amendments, some of which are acceptable to the Government, are debated and voted upon. The Government's insinuation that we have been stalling is patently not true.

As the Member for Regina West said, the reason that this legislation is before the House in the latter half of June is because the Government stalled. The Government took a year before finally introducing this legislation in the House. It took a second session of the House before the Government finally brought the legislation into the House for debate. After committee stage the Government delayed for weeks and weeks before introducing it for third reading. All of that speaks of the Government delaying this legislation, although it knows the legislation will be passed. What the Government is doing now is preventing a full debate and decision by this House.

• (1210)

One of the things we discovered was a government memorandum talking about lowering the public profile on free trade. The Cabinet had papers which suggested the Government should do all it could to make sure there was no public debate, that the public was not aroused or made aware of the implications of free trade. The Government was afraid that if that happened there would be even more opposition to the attempt to negotiate a free trade pact with the Americans. Obviously some industries and towns are going to be hurt and some people are going to lose their jobs under free trade. That was the Government strategy. It is following that same strategy with deregulation.

The Opposition has said it is not going to stall the legislation but we want to introduce the amendments and have them debated for a short time and then make a decision. Yet the Government, for its own reasons, has moved time allocation. It is completely unnecessary. This is a major piece of legislation. The Opposition has indicated a willingness to co-operate—not to bend over and play dead but to co-operate. That is the most the Government can expect when we are opposed to a piece of legislation. We are willing to co-operate but we are not willing to rush the legislation through the House.

We recognize that this legislation will fundamentally change the way the transportation industry works. It is ironic that in the long time it has taken the Government to move forward with this legislation—not the Opposition but the Government—we have seen less and less competition in Canada. My colleague, the Hon. Member for Regina West talked about the air transportation industry. We have had merger after merger lately, the most famous and most recent being CP and PWA getting married to form CAI or Canadian Airlines International. We know during that same period of time more and more management agreements came into place. CAI has agreements with Calm Air in northern Manitoba and Time Air in parts of Alberta and B.C. Air Canada has management arrangements with a number of other feeder airlines. This has been done in such a way that competition is being further and further reduced.

Conservative Members speak about how we are going into a market economy and deregulation will expand the number of operators. We will have more service. Yet the facts show the exact opposite. By the time this legislation is passed we will be down to one or two airline conglomerates for the most part.

We have seen examples of how service can be altered. Just after the announcement that CP and PWA were merging, we had CP cutting its service to Yukon. Obviously; why should they compete against each other? The management and feeder systems in that airline are such that if you are coming from one of the more remote parts of Canada it is almost impossible to make connections with other airlines. You have to stay within that management system. That is good for their business and you expect them to do it, but it is going to get worse and worse.

It is not a matter of all of a sudden freeing up the system. There are problems with the CTC and over-regulation in some areas. There is no question about that. Yet we are taking away the protection of Government regulation and giving control to a small group of owner-operators, especially in the airline industry. We move from one monopoly—Government regulation, which at least allowed a number of different operators to be involved in a competitive sense—to a monopoly of the large airlines which will control the air transportation industry.

At the same time we know the Government intends to do what it can to privatize Air Canada. We have no idea what form that will take. Will the Government allow CAI to buy Air Canada? Will a system be in place such that Air Canada will not really be competing? Will those parts of Canada now served by Air Canada, on what may or may not be profitable runs, be in a situation where those runs will be cut once Air Canada is privatized?

Those are all legitimate questions which should be addressed and answered in this House before the legislation is allowed to pass. That is one of the reasons we are seeing a rush after so many months and months of delay. The Government wants the legislation passed before it has the courage to announce what it is doing with Air Canada.

I recognize I am out of time; that is one of the problems with this process. There is a lot in the transportation industry that concerns me and my constituents. I am afraid that the process the Government is using for its own political agenda is actually destroying the input of Parliament on a very important piece of legislation.

Mr. Gordon Taylor (Bow River): Madam Speaker, there is a time for talk and there is a time for action. In my view we have talked enough about the Bill and it is now time to see what the Bill will do.

Every illustration the Opposition gave happened in a regulated society, not under *Freedom To Move*. Yet they want more regulation, particularly the NDP. Of course that is understandable. Socialists love regulations. They love to tell people what is good for them. That is part of their philosophy. The philosophy of this Party is to let the people speak and then carry out their wishes to the greatest possible degree. That is what we are trying to do.

The Hon. Member for Churchill (Mr. Murphy) said it took us too long. "There have been a lot of delays!" The Hon. Member for Regina West (Mr. Benjamin) said we are going too fast. Which is it, too slow or too fast? I do not think it is either. I think we are going at just about the right speed.

The Hon. Member talked about delays. What do they expect? We had week after week of committee meetings. We listened to everyone who came along. Then we sat day after day going over the scores of amendments brought forward by the Opposition, as well as some from the Government. That takes time. Should we not have done that? Is that what they are complaining about? Every amendment they presented was discussed. Then they complain because they cannot bring them back to the House. How much time do they want to waste? We set up a committee to go into the details, not so we could bring them all back here again. If we are going to do that, why have committees at all?

This Bill is an example of what should happen under a free enterprise Government. It removes not all but many of the shackles which have stopped free enterprise from working. That is why the NDP particularly is opposed to it. They love regulation. They want to tell the people what to do, when to do it, how to do it, and where to do it. This Government does not do that. We believe the people are mature and can make up their own minds. We will give them the opportunity to go into business without Government regulations and red tape. That is what this Bill does.

• (1220)

The Hon. Member from Regina, who is a member of the Committee, said we did not travel enough. Let me tell the House that in 1985 we travelled to Vancouver, Winnipeg and Halifax. I do not know how many briefs we received at every one of those hearings. That was under *Freedom to Move*. The Opposition says that we did not go to the North. In 1986 we went to Churchill, Rankin Inlet, Cambridge Bay, Yellowknife, Inuvik, and Whitehorse. This year we had hearings at Vancouver, Edmonton, Regina and Winnipeg, to say nothing of the days and days of hearings here in Ottawa. How much travelling does the Opposition want? Does it want to spend the whole year travelling at Government expense, or a whole month?

I think the Government has been pretty liberal in providing us with the amount of time it did, and I think the people of Canada appreciated it. We were thanked by the people who came to us from various places. They did not complain, because what we were doing was trying to give the people of Canada a chance, to the greatest possible degree, to say what they thought about *Freedom to Move*. A majority of the people want *Freedom to Move* to come into being as fast as possible.

I wish I had with me today the letters and wires I received so that Hon. Members could see just how high the pile is, and they all say in effect, "Move it. Do not talk anymore. We want some action. The time for talking is over". I think *Freedom to Move* will be wonderful for the country. In the first place, it involves all modes of transportation from the pipelines to trains, from small airplanes to the mighty jets, from small trucks to 18 wheelers. It includes every type of transportation. One correspondent said this country is very far flung, in fact it is flung too far. But whatever way we look at it, Canada is a vast country and transportation is probably the number one essential which keeps our country together. We want transportation to be efficient.

We want transportation to not only do the job, we want it to cost the lowest cost possible to the consumer. The consumer is the one who pays in the final analysis. This Bill will help the shippers give better prices to the consumer. We are doing our utmost in this Bill to eliminate monopoly and replace it with competition. That is exactly what the Bill is designed to do.

This is the first time in the history of this nation that transportation for the regions has been included in a transportation Bill. We are not only concerned about the country as a whole, we are concerned about the people in various parts of the Maritimes, Newfoundland, Prince Edward Island, Nova Scotia and New Brunswick. They have transportation problems and this Bill is designed not to ignore the problems but to look after them. There are regions in the west as well, in Alberta, Saskatchewan and Manitoba and in British Columbia, with regional transportation problems.

The Opposition said we did not listen to the North. A number of these submissions we received told us not to go too fast in the North because it has a sparse population and vast distances. They told us to go a little slower in the North, so the Government went a little slower. We established a line, and north of that line there will continue to be regulations, for the time being. We will work gradually into a *Freedom to Move* atmosphere. That is the principle upon which we are working.

We have set up a transport board which will look into all of these items and ensure that there is fairness and competition, and that we give every mode of transportation a chance to compete. Many times I have seen a regulated society stop people from investing their money in a service they thought they could provide better than anyone else. A transport board told them they could not do it. Under the regulated society the franchise would be give to one trucking firm and it could add truck after truck after truck and no one else could get in. It was not just a franchise, it was an monopoly. I have seen it happen scores of time. Individuals and small companies which wanted to go into the trucking business could not because the board would not let them. The Government bureaucrats said "No, you cannot do it. We have enough trucks in the system".

The new Bill will give the people a chance to act. If I want to invest my money in a small plane or truck or even a train, if I want to take a chance and compete with the big boys, all I have to do is meet the safety requirements. I must have proper insurance and meet safety standards, but if I have those, the Government will not say I cannot invest my money. The Government will say, "You make sure that you protect the public interests and that safety is looked after and then you can go to town and invest your money". I would have the right to lose and I would have the right to gain. Everyone who goes into business under a free enterprise system has that right. It is a right to win and a right to lose. They take the chance and if they lose it is on their own initiative, not on the initiative of some bureaucrat sitting in some office who perhaps never operated a business, never had to meet a payroll and never had to toe the mark in order to stay alive in the free enterprise system.

Let me say once again that this is good legislation for Canada. It removes some of the shackles which have stopped free enterprise from working. Watch it over the next few years it is going to do great things for our nation.

Miss Aideen Nicholson (Trinity): Madam Speaker, I regret that the Government has seen fit to introduce closure on report stage of this particular Bill, a move which removes from consideration a number of very serious, reasoned and careful amendments which had been put down by my Party in order to improve this Bill. The Bill is designed to revamp the National Transportation Act and its stated purpose is to increase competition in the transportation sector by removing certain regulations which hindered the ability to compete. It will affect rail, air and trucking.

The major economic benefit expected from the legislation is that Canadian goods and products will get to market more efficiently, faster, and in a less expensive way. This will include Canadian exports to the U.S. which the Government says will reach their destination at a lower cost, and therefore will be more competitive.

This is very laudable but, unhappily, the Government in its rush to get this Bill through has sacrificed consideration of amendments which would have improved the Bill. The Bill reflects, perhaps, a certain commitment to ideology over practicality. I want to mention some of the things about which we have concerns and on which we have amendments which the Government will not now consider.

To begin with, there is the introduction of confidential contracts. Under this Bill the railway companies, CN and CP, will be allowed to enter into confidential contracts with large bulk shippers. In other words, the rates charged by the railway company to the shipper remain confidential and do not have to be published. Any rebate or allowance provided by a railway company on a published rate must also remain confidential.

• (1230)

We in the Liberal Party were in favour of confidential contracts for transborder movements. We thought it would help to reduce the competitive advantage enjoyed by U.S. railways over CN and CP in transborder shipping rates and therefore enhance the competitiveness of our goods in U.S. markets.

We are not in favour of confidential contracts for domestic rates. It seems to us that what will happen is that the large bulk shippers will clearly benefit. They will be able to negotiate favourable low rates for their voluminous shipments. Railway company revenues will decrease and there will be a tendency to fill that gap at the expense of the small and medium-sized shippers who will end up cross-subsidizing the rate decreases to the large bulk shippers.

CP Rail, Canada's only other railway company apart from the federal Crown corporation CN, is of the view that in competing with CN to offer the lowest rate to shippers through confidential contracts it will not be able to absorb as much lost revenues as CN will be able to absorb and may in fact be forced out of business by the year 1992.

Our other concern is with respect to the trucking industry which is already suffering as a result of the Government's large increases in gasoline prices. Canadian trucking companies are already at a disadvantage in terms of competing with American trucking companies. They will certainly face unfair competition in this respect since they are not entitled to negotiate confidential contracts.

Another concern I have is with respect to foreign ownership since this Bill has no limitations on foreign takeovers of Canadian transportation companies. There are two guidelines in this respect. First, mergers and takeovers over $20 million and involving over 10 per cent of the voting shares of a Canadian transportation firm will be reviewed by the Governor in Council. Takeovers or mergers below those ceilings would be reviewed by Investment Canada. This means that very large takeovers will only be subject to political review, which leaves the potential for patronage decisions rather than decisions based on clear criteria which Canadians know, understand and accept. There is quite a risk that many good Canadian companies will pass into foreign hands.

Nowhere in the Bill is much concern shown for regional development. The concern is for competition, for market rates. In a country as vast as Canada clearly what will happen is that the centres that are profitable, such as those in the Montreal, Toronto, Windsor corridor, will be well serviced, while isolated communities in which there is not much traffic will increasingly find themselves with less and less service as time goes on, and as the only motive is profit. The history of our country shows that our transportation system has been used to aid regional development, and as a way of opening up communications links and trade links. This Bill will put an end to that.

Before us is a measure that has been protested by the Premiers and, in particular, the Council of Maritime Premiers. The Government has decided to ignore their recommendations.

We also have a great many concerns about safety. As an example, before us we have the U.S. deregulation of airlines. No one can say that travelling on an American airline these days is a comfortable experience. As more and more companies get into the airline business the service gets less and less. It becomes more of a no-frills service. Inside the passenger cabin that is not such a problem. But when economies are made on safety one has to be very worried.

The figures in the United States give cause for concern. For instance, in 1979 the Federal Aviation Administration had 2,000 inspectors monitoring 237 air carriers. In 1984 it had 1,300 inspectors for 407 air carriers. In Canada, the Auditor General reported in 1985 that Transport Canada was unable to inspect all air carriers in its jurisdiction once a year.

If the Government encourages small aircraft companies to come into existence, not necessarily well-capitalized ones with new equipment, and not necessarily well-staffed, what guarantees of safety will we have? The Minister of Transport (Mr. Crosbie) has been telling Canadians that airfares on Canadian airlines will drop as a result of deregulation. How will airline fares drop? Clearly, only if staff are laid off and if services are reduced. There is nothing in the Bill to guarantee that there will be the same concentration on air safety as we have had in the past.

For all those reasons I regret that the Government has chosen to introduce closure on this Bill. I hope that even at this stage it might reconsider and be prepared to examine some of the very thoughtful and careful amendments that have been laid before the House.

Mr. Cyril Keeper (Winnipeg North Centre): Madam Speaker, I appreciate the opportunity to participate in this debate. I want to start out by indicating that I think the questions that need to be put to the House are these. Why is the Government moving to cut off debate? Why is the Government using the heavy hand of closure in order to rush this Bill through the House? Why is it limiting debate? Why does it no longer want to hear from Members of Parliament with regard to transportation and deregulation? Why does it not want to hear from Canadians? Why has it closed its ears instead of giving this legislation the type of thorough and full debate that it needs? Is it simply trying to sweep the potential consequences from this deregulation package under the rug? Does it not want to look at possible implications of what it is doing before it gives it the full force of law?

This leaves one with the impression that what it has tried to do is force-feed Canadians with its particular brand of free enterprise deregulation ideology instead of encouraging a full and comprehensive debate on the legislation that is before the House, instead of allowing for public input and instead of allowing for this legislation to be examined in a full and complete way.

Just what is the approach that the Government is taking to deregulation? I think there are a number of options that the Government could look at. One of the ways it might approach the question of regulation of transportation, whether it is in the air, by way of trucking or other means, is to simply maintain the *status quo*.

• (1240)

Not being an expert in the transportation field, I am unaware of the number of years that the present legislation has been in place. Certainly after legislation has been in place for a number of years there is probably a need for review. Circumstances change. The economy changes. The needs of people change to some degree.

The Government could have taken the approach of freezing things as they now stand and simply continuing the *status quo*. Another approach would be to eliminate any effective regulation. It is this latter approach that the Government has adopted. In doing so, it has dressed it up with the fine-sounding slogan, "freedom to move."

Obviously, every Canadian is a lover of freedom. Rather than being frank with the Canadian public and coming straight out and telling the public that it is eliminating any effective regulation in the transportation sector in order to meet the concerns of the industry itself and the consumers of transportation, it attaches a nice public relations-type slogan to the Bill, calling it *Freedom to Move*.

So, we have those two approaches, continuing the *status quo*, or eliminating any effective regulation in transportation. But, were those the only choices available to the Government? Are those the only routes available?

When listening to the government Members one gets the impression that it was a choice only between the *status quo*, no change at all, and radical change, a radical cutting away of the regulatory environment relating to safety and service, consumer needs, and the needs of the industry itself.

I suggest that the Government had another option. It could continue the debate on this measure in the House; it could continue the examination of the regulatory environment that exists in this country.

The whole subject could be approached from the point of view of re-regulation. In other words, we could examine the present regime in the light of present-day requirements. Such a course would result in a rational and reasonable approach to the regulation of the transportation sector. Instead of Bill C-18, we could have had a participatory approach. The Government could have said to Canadians, "We have confidence in your opinions, and in the opinions of your representatives. We want to ensure that all Canadians have an opportunity for input into the whole question of regulation of the transportation sector. To that end, it is our intention to canvass the opinion of Canadians, regardless of where they live."

That is an alternate approach to the one taken by the Government. Instead of looking for the alternative, the

Government has decided to close down debate. It has chosen to try to force-feed Canadians a particularly ideological point of view on regulation.

Ordinary Canadians do have some legitimate concerns when it comes to the transportation industry in this country. There are good and valid reasons why the present regulatory regime has been built up. There are good reasons why we seek to regulate transportation in this country. One reason, of course, is the whole question of safety.

As a consumer, one cannot check out every carrier that one may want to use for vacation or business travel. One simply cannot investigate each carrier in order to assure oneself of one's safety in transit. One of the legitimate purposes of regulation is to ensure the safety of the traveller.

When regulation is virtually eliminated and there is put in its stead an Adam Smith survival-of-the-fittest approach to competition, an environment of cutthroat competition, there is a great deal of temptation on the part of those seeking to survive to cut corners. Someone has to be looking over the shoulders of the industry to ensure that, in cutting corners, the safety of the traveller is not jeopardized. We need to have someone who will ensure that safety standards are of the highest possible.

These are the kinds of concerns that must be dealt with in the debate on the regulation of the transportation sector. The cutting off of debate can only result in there being an inadequate response to these concerns.

Canadians are concerned about the whole question of price. The Government indicates that we are going to have a honeymoon with regard to price; that we are going to get very low air fares. The impression is that one is going to be able to travel almost free. Well, while there may be a honeymoon with regard to air fares between such centres as Toronto and Montreal, the high density areas of the country, I doubt very much that there will be any such honeymoon in respect of regional centres such as Winnipeg. As well, a honeymoon is a short-term proposition. We all know that. What about the long term? What are the long-term consequences for price in a deregulated environment?

In that regard, let me quote from an article which deals with some of the research on deregulation in the United States. I quote from an article in *Traffic World* of April 20, 1987:

> Deregulation has spurred rail, motor and airline carriers toward an "oligopoly in each of the modes," said L. Leslie Waters, Indiana University professor *emeritus* of transportation and business history—
>
> Up to now, there has been "an enormous volume of rate cutting and many have been pleased; we as shippers have been enjoying a lengthy period of reasonably good service at moderate rates in relation to the economy," —But he warned, "shippers had better enjoy it, because the forces of oligopoly will prevail, and even without overt collusion, rates will increase and shippers will be lobbying for reimposition of regulations—just as some are now in the case of railroads."

What Professor Waters is saying is that while we may get lower prices at the beginning of deregulation, given that the ownership of the industry will fall into fewer and fewer hands, which is what I understand the term "oligopoly" to mean, prices will eventually increase.

These are the kinds of questions that have to be answered before this Bill passes into law. In terms of the situation south of the border, we hear that the Americans are getting a good deal on price. Well, the U.S. presents a much different circumstance from that which exists in Canada. We are walking blind if we think that deregulation will have a similar impact in Canada to that in the U.S., with its much larger population and much different geography.

In summary, what I am saying is that the Government, rather than closing off debate on this measure, cutting off the input of Canadians, should be opening up this legislation to further examination. Canadians have real concerns in the area of safety, in the area of price. The Government should permit the continuation of the discussion until those concerns are met in an adequate way, rather than pushing this legislation through.

• (1250)

Mr. Joe Reid (St. Catharines): Madam Speaker, I should like to relate the importance of the economic benefits which will follow the passage of the transportation Bills, but after listening to Hon. Members opposite, I am mindful of the ancient quote, "Nero fiddles while Rome burns".

I do not have to say anything to Hon. Members of the House about the great economic benefits and importance of freer trade to Canada as an exporting nation, nor do I have to point out that our higher standard of living is primarily based upon our export trade. We in this country are, perhaps more than any other country, concerned about the cost of transporting our goods to market, be they manufactured goods or raw products. Goodness knows, many of us are still hewers of wood and drawers of water, vendors of raw resources. The problem is that the world around us is becoming much more competitive. As each country becomes more competitive minded, it looks at ways and means of reducing its costs. Canada cannot do otherwise. Canada must do likewise, because the cost of getting goods to market is of extreme importance.

These reforms are needed because the existing economic regulatory scheme for transportation, introduced over 20 years ago, now impedes rather than helps our competitive growth. Competition has been stifled while the regulatory process has become cumbersome, time consuming, and costly. Put simply, the market-place demands that economic regulation catch up to this reality.

If we did not manufacture and produce or sell what we manufacture and produce, perhaps we would not have to be concerned about the carrier. However, the shippers are saying, "Get on with the job that you started over two years ago". The Coalition of Concerned Shippers and shippers generally, particularly rail captive shippers, cry out, "How long will we continue to be so captive?" In their great numbers they are saying, "We support the Government in its desire to introduce

regulatory reform so that transportation will carry our goods to market at a cheaper, more economic cost".

Undoubtedly shippers whole-heartedly support the early passage of Bill C-18. Shippers, industrial associations, and exporters urge early passage of the Bill. Every day that the Bill is not the law of the land means additional cost to them.

Mr. Benjamin: Baloney.

Mr. Reid: I have heard that comment before.

I am somewhat nonplused by the air deregulation comments of the Official Opposition in particular. We are already embarked upon a smooth, final approach to the deregulation process. No new drastic change is anticipated in the way that Canadian carriers will do business safely and efficiently.

While on the other side of the river in the United States the consolidation or rationalization process may have caused some concern, it should not do so here. Canadian Airlines International Limited has simply replaced Canadian Pacific Airlines. Along with Air Canada it is assembling rival networks and is acquiring feeder lines to establish two main national carriers. This consolidation started to take place prior to the introduction of Bill C-18 with the implementation of regulation and the encouragement and otherwise of a former Minister of Transport who is now in the Official Opposition. The process was initiated and ongoing, and now it is being openly proposed by the Government in this Bill. It seems somewhat inconsistent to hear the former Minister of Transport urge Members of Parliament to delay the process which he started.

Deregulation has taken place in all modes of transportation in the United States. Each day the Americans draw business away from our carriers. The provisions contained in the Bill will make our railways more competitive with one another. Indeed, we hope that with the passage of the Bill they will be more competitive with that major U.S. carrier, Burlington Northern, which is competitive when it comes to carrying our resources.

As the Bill will show, shippers will have more competitive access to our railways. There will be a continuance of the economic viability of Canadian railways. The Bill strikes at the right, fair, and just balance.

Turning to truckers, that segment of the transportation industry will be dealt with more fully in Bill C-19. However, let me say that in Alberta they have played successfully with the deregulation process and Canadian truckers have not done badly in trans-border markets. One southern Ontario carrier, an established truck carrier, put it the following way: "Deregulation as proposed would eliminate much of the unnecessary red tape and the delays in getting licences and will create a more efficient transportation system".

I should like to conclude by referring to a factor of national concern—safety. It has been raised time and time again by members of the Opposition. There is no doubt that those persons who operate in any segment of the transportation industry will put safety first. As the present Minister of Transport (Mr. Crosbie) and the earlier Minister of Transport both said, safety will be a priority concern of the Government. No step in the reregulatory process will endanger any safety factor in any segment of transportation. We have acted and will continue to act in the interests of improving air safety. There is no question; safety will not be impaired by reason of the passage of these transportation Bills.

I urge, along with other members of the Government, the early passage of Bill C-18 so that our carriers can have an equal opportunity to be competitive with national carriers of the United States and our shippers, whoever they are, will be able to get their products to market at a competitive price.

The Acting Speaker (Mrs. Champagne): The Hon. Member for Cochrane—Superior (Mr. Penner).

Mr. Keith Penner (Cochrane—Superior): Madam Speaker, may I call it one o'clock.

The Acting Speaker (Mrs. Champagne): It being one o'clock, I do now leave the chair until 2 p.m. this day.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

DAY CARE

URGENT NECESSITY FOR GOVERNMENT TO ACT

Mrs. Lucie Pépin (Outremont): Mr. Speaker, this morning on Parliament Hill a presentation of petitions to the Minister of Communications (Miss MacDonald) signaled the end of the "Countdown to Childcare" campaign launched in mid-April by three national organizations, the Canadian Daycare Advocacy Association, the Canadian Labour Congress, and the National Action Committee on the Status of Women. In addition, 14 national organizations supported this campaign to make the Government aware of the urgency to take action with respect to daycare centres. The "Countdown to Childcare" campaign was designed to make Canadian men and women more conscious of the problems faced by our children and their parents. The petition was circulated throughout Canada and many thousands of signatures were gathered in the course of activities in various communities.

If the Government is prepared to invest several billion dollars for nuclear submarines and other military hardware, and these figures may prove to be very conservative, what are we waiting for to invest in our own children? Daycare services

are in a crisis. We need additional space in daycare centres. Time is of the essence.

* * *

[*English*]

REFUGEES

OPPOSITION TO PROVISIONS OF BILL C-55

Mr. Dan Heap (Spadina): Mr. Speaker, across Canada, church people, trade unionists, immigrants and other ordinary Canadians are joining together to defend justice for refugees and to oppose Bill C-55.

In Victoria a thousand people signed a petition against Bill C-55 and presented it Friday to their Member of Parliament.

In Calgary, yesterday, the Cathedral Church of the Redeemer made special prayers for refugees and heard a Salvadoran family speak of gratitude for protection Canadians have given and also of their longing to be able to return home.

In Hamilton yesterday a Salvadoran priest celebrated a special Mass for refugees. The mayor declared Refugee Day recognizing the many benefits brought to Canada by generations of immigrants, including, recently, South East Asians, Caribbeans, and Central Americans, and the Nansen Medal given last year for the Canadian people's humane care for refugees.

In Thunder Bay, members of a dozen congregations have helped 50 refugees to cross the U.S. border since February 20 and have provided them with food, shelter and clothing.

Canadians are welcoming refugees, and ask the Government to do the same by first withdrawing Bill C-55.

* * *

THE ECONOMY

ECONOMIC REGIONAL DISPARITIES

Mr. Alan Redway (York East): Mr. Speaker, since September, 1984, over one million new jobs have been created and unemployment has fallen by 3 per cent. Unfortunately, these figures also underline the growth of economic regional disparities in our country. The Atlantic provinces and the west lag dramatically behind southern Ontario and Manitoba. The figures show, as the Prime Minister (Mr. Mulroney) has said, two Canada's, one rich and promising, the other underdeveloped and underemployed.

What can we about it? A trade agreement with the United States, the Atlantic Canada Opportunities Agency, and the soon to be announced western economic diversification program will all help. But I believe we can do something more as well. We need a government purchasing policy aimed specifically at creating jobs in regions of traditional high unemployment, a policy with all criteria known in advance of tendering. The Americans do it now with their defence procurement budget. Understandably, many benefiting from the current government policy will not like it, but we must close the gap between the haves and the have-nots. We must have one Canada with equal opportunity for all.

* * *

CANADA POST CORPORATION

POSSIBILITY OF MAIL CARRIERS' STRIKE

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, the headlines today are full of references to a possible strike at the Post Office. I must say that this is of concern to most Canadians.

Are we as parliamentarians or is the Government simply powerless in this situation? Do we simply have to stand by and suffer the consequences of a strike on small business, on the public, with reduced service? Are we to end up blaming the unions or management, whichever we choose, and allow the Government simply to take pot-shots at the NDP because we believe in collective bargaining? Or is there an alternative? Is there a way of taking effective action in this situation? If the Government would read the report of conciliator Swan, it would see that he points out specifically that the deadline for financial self-sufficiency by next spring has forced the management of the Post Office to take long-term goals and make them into short-term objectives.

I suggest an option for the Government. The Government could say to the Post Office: "As long as your trend line is down with regard to the deficit, that is fine". This would offer some elbow room to the Post Office to negotiate a settlement rather than leaving us on a collision course leading to a postal strike.

* * *

HARBOURS AND PORTS

SMALL CRAFT HARBOURS—CALL FOR INCREASED MAINTENANCE EXPENDITURES

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, once again the federal Government has ignored the worsening state of our harbours and wharfs across the country. On May 12, 1987, the Deputy Minister of Fisheries and Oceans informed the chairman of the Standing Committee on Fisheries and Oceans that over the next five years the possibility of 30 wharfs in the Province of Nova Scotia would be closed down as a result of lack of funds. The budget for small craft harbours is simply a drop in the bucket.

S. O. 21

• (1405)

Dependable and well maintained harbours and wharfs are absolutely essential. The Government's neglect is a threat to the safety of Canadian fishermen and boaters. While the Government bails out banks and squeezes low and middle-income taxpayers for every last cent, the real needs of Canadians are ignored.

In my own constituency, the fishermen in Lingan, South Bar, Glace Bay, the Barrachois Cove, Louisbourg, Main-à-Dieu, Gabarouse, L'Archeveque, Port Morien and all other ports are waiting patiently for much needed moneys to make repairs to their wharfs. I urge the Government and all Members of Parliament to fulfil their responsibilities and to allocate some new, badly needed assistance to the harbours and wharfs across Canada.

* * *

THE ECONOMY

GOVERNMENT'S PERFORMANCE IN BRITISH COLUMBIA

Mr. Ted Schellenberg (Nanaimo—Alberni): Mr. Speaker, last week while in my riding I finally came across someone who had been phoned by one of those polling organizations. She told me she was asked the usual unbiased question which went something like this: "Despite the Conservative Government's problems and their mistakes, you really wouldn't want to vote Conservative in the next election, would you?" Her reply was interesting. She said of course she would.

She told the pollsters that the Vancouver Island unemployment rate was 17 per cent two years ago. Now it is down to 10 per cent under a Progressive Conservative Government. She said that British Columbia's share of federal Supply and Services contracts had doubled over the past two years from 16 per cent to over 30 per cent. She then told the pollster that housing starts are up 50 per cent since the 1984 election and that that was good news for the foresters of Nanaimo—Alberni.

Finally, she informed her caller that she had seen more federal cabinet Ministers on Vancouver Island in the last two years than she had seen in the past 20 because the Conservative Government obviously cares.

This lady is obviously very knowledgeable and very positive. She saw the glass as being more than half full, not half empty as the media would have us believe. I am proud to have her as a constituent and she is proud to have a dynamic Progressive Conservative Government in Ottawa.

[*Translation*]

RESEARCH

OFFICIAL OPENING OF MAURICE LAMONTAGNE INSTITUTE AT MONT-JOLI

Mr. Jean-Luc Joncas (Matapédia—Matane): Mr. Speaker, I wish to draw the attention of the House to the fact that last Friday, June 12, the riding of Matapédia—Matane which I represent was the site of an event which will be recorded in the history of my region, namely the official opening of Mont-Joli's Maurice Lamontagne Institute specializing in the sciences of the sea. My colleagues the Minister of Fisheries and Oceans (Mr. Siddon) and the Minister of Supply and Services (Mrs. Vézina) attended the ceremonies.

Mr. Speaker, I was able to see how proud and pleased the people were, and I believe they had every reason to be because this research centre is a success, or better still, I should say a masterpiece.

Mr. Speaker, it would be appropriate to point out that this project of more than $50 million was entirely financed by the federal Government. The economic impact of the research centre will go a long way towards curing the aching sore of high unemployment in my region. I might add that this is proof positive of the significance our Government attaches to regional development.

* * *

[*English*]

NATIONAL PAROLE BOARD

LOW PERCENTAGE OF NATIVE PRISONERS GRANTED PAROLE IN ALBERTA

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, last week Ken Howland, a member of the National Parole Board, gave details of a study which showed that in Alberta between 1979 and 1985, full parole was granted to 43 per cent of non-native prisoners who applied but to only 20 per cent of natives because of a lack of parole supervisors in rural areas. This lack of services means that native prisoners have less than half the chance of being paroled of non-natives.

This kind of discrimination goes a long way toward explaining why there is a much higher percentage of natives than non-natives in the prison system. It helps to explain the feeling among many native peoples that they are not equal under the law. It should also explain to all of us why aboriginal peoples want Canada to recognize their right to self-government with adequate finances so that they can provide proper services to their own people.

This kind of built-in discrimination must end. It will end only when aboriginal people get the right and the resources to control their own lives.

Mr. Speaker: I must advise the Hon. Member that his time has expired.

* * *

TRADE

SUPPORT FOR COMMITTEE'S TRADE DEVELOPMENT RECOMMENDATIONS

Mr. William C. Winegard (Guelph): Mr. Speaker, today I wish to draw attention to the Second Report of the Standing Committee on External Affairs and International Trade. This report concerns the trade development function of the Department of External Affairs. I support the recommendations of the committee and would particularly urge the Government to ensure that trade development receives the highest possible priority in the Department and that the programs offered by trade development be made better known to Members of Parliament.

• (1410)

We, the Members, are willing and able to promote trade, particularly in our ridings, with the right kind of information in a readable and practical form. I also urge Canadian business and private sector associations to do more to promote export trade. They should not rely entirely upon government.

* * *

CANADIAN NATIONAL RAILWAYS

THREAT TO SERVICE BETWEEN OTTAWA AND MONTREAL

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, on September 25, 1986, CN Rail sent a letter to some of its employees saying:

> In the context of the rationalization of our rail infrastructure, some lines have been identified as being potential candidates for abandonment in the coming years.
>
> Any effort to attract new traffic on these lines is to be abandoned immediately.
>
> For the traffic already on these lines, we must consider either, and preferably, converting this traffic onto the intermodal system—

Two of the lines identified in this document are in the Alexandria subdivision, which is the only rail line linking Ottawa and Montreal. That would effectively end all train passenger and freight services between those two cities.

Other lines identified in the same document are the Alderdale and Beachburg subdivisions linking Ottawa to North Bay and Sudbury. That would effectively eliminate all train service between Sudbury and Montreal, including the cities of North Bay, Pembroke and Ottawa.

Someone should tell CN Rail to smarten up. This afternoon we are having a meeting of interested eastern Ontario municipalities in the Railway Committee Room and we intend to adopt resolutions there and bring this to the attention of the Government. Hopefully the Government will tell CN Rail to sharpen up and stop attacking eastern Ontario.

* * *

CHILD CARE

DELAY IN REACHING FEDERAL-PROVINCIAL AGREEMENT

Mr. Rod Murphy (Churchill): Mr. Speaker, today there was a child care lobby outside the House of Commons. Part of the reason for that lobby was the Minister of National Health and Welfare's (Mr. Epp) declaration that there would not be a federal-provincial agreement on child care prior to the end of June.

This is an issue about which many Canadians, especially women with young children, are concerned. They believe the Government promised there would finally be some action. They are very disappointed that the Minister said there will be no agreement between now and the end of June. Many of those people wanted to present a petition to the House and I would like to read from it.

> WHEREAS there is a child care crisis in Canada; and
>
> WHEREAS tax credits will not create an accessible quality child care system; and
>
> WHEREAS an accessible child care system is an essential element for women's equality
>
> WHEREFORE, the undersigned, your petitioners humbly pray and call upon Parliament to provide the Provinces and Territories with immediate short-term funding to strengthen and expand non-profit child care while a new cost-sharing agreement is being negotiated; and further, to take this measure as a first step toward the public funding needed to create a system of quality, non-profit child care, accessible to all parents who wish to use it.

* * *

NATIONAL DEFENCE

CANADIAN SHIPYARDS UPHELD

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, there is a story in this morning's *Globe and Mail* date-lined London, England, about a series of interviews held with so-called British experts. The experts questioned the ability of Canadian shipyards to build nuclear submarines, the capacity of the Canadian Navy to recruit and train crews, and the expertise of Atomic Energy of Canada Ltd. to supervise safe installation and operation of reactors.

I think that is a bunch of nonsense.

I think Canadian shipyards are capable of building any vessel that can float.

Canadian mariners and submariners are among the best in the world.

The engineering capability of AECL and other members of the Canadian nuclear engineering fraternity is of a world standard.

Quite frankly I do not think we need a bunch of foreigners to tell us whether or not we can build submarines in Canada.

* * *

CANADA POST CORPORATION

INTRODUCTION OF NEW SECURITY PROCEDURES

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, Canada Post is in the process of introducing questionable and Draconian security practices in its larger operations. It appears that on the same day that in Calgary searches of inside workers leaving and coming to the job were being started, Canada Post was opening in Dryden, Ontario, a pick-up outlet for parcels where security of the mails, which after all is the main objective, left a great deal to be desired.

• (1415)

Canada Post is setting itself up for a confrontation with its unions. It has not undertaken any sensible or intelligent discussion with those unions in regard to security procedures that may be desirable to protect the mail. This sort of provocative action, contrasted with other measures which, in effect, diminish the security of mail, will stand as a stain on the corporation's record if not erased.

ORAL QUESTION PERIOD

[*English*]

NATIONAL DEFENCE

ACQUISITION OF NUCLEAR-POWERED SUBMARINES

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I am sort of at a loss as to whom in the Government of Canada one directs questions on general matters today.

Mr. Blackburn (Brant): The holidays haven't started yet.

Mr. Turner (Vancouver Quadra): I take no comfort from the sudden, belated arrival of the Minister of Justice.

I have a question on the White Paper on National Defence and do not know to whom I should address it. If I direct it to the Acting Minister of National Defence I am sure Canadians will sleep better knowing that he—

Some Hon. Members: Hear, hear!

Mr. Gauthier: Here's the big shot now.

Mr. Turner (Vancouver Quadra): It's just a matter of waiting, Mr. Speaker. I was going to say, in the Prime Minister's absence, that if the Acting Minister of National Defence delivers defence the way he is delivering the mail, the country is in real trouble.

I have a question for the Prime Minister. The debate about the White Paper on National Defence produced by the Minister of National Defence has provoked some extraordinary comments from Conservative cabinet Ministers and Conservative Members of Parliament.

However, the paper has produced some very intelligent criticism. The world's leading submarine experts have said that the Government's plan to spend billions and billions of dollars on a nuclear-powered submarine fleet is, to use the words of these experts, "incredible", "totally unreal", and "political posturing".

How can the Government justify spending up to $16 billion on a nuclear-powered submarine fleet plus unlimited maintenance costs when this project has already been labelled "unnecessary" and "rubbish"?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the White Paper on National Defence was designed specifically, among other things, to invite discussion and debate among Canadians and others as a result of 16 years of very substantial neglect by our predecessors in regard to this vital aspect of our national well-being.

Mr. Blackburn (Brant): That's a Green Paper, not a White Paper.

Mr. Mulroney: Everyone and his brother will have an opinion on various variables of this very important matter. We are satisfied that the effect of the White Paper will strengthen Canada's sovereignty and will make a major commitment to the well-being of our Armed Forces which can serve Canada in a strengthened and very important way both here and around the world.

[*Translation*]

WHITE PAPER—EFFICIENCY—PRIME MINISTER'S POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the nuclear powered submarines project proposed by the Minister of National Defence, to use the Prime Minister's words, is not a subject for discussion but rather a subject of ridicule on the international scene.

Does it not embarrass the Prime Minister that one of the great world experts on naval matters, Captain John Moore, qualified the White Paper as rubbish? Couldn't the Prime Minister find a better way to spend billions of dollars than spending it on a project that is of no use either to Canadian sovereignty or national defence?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, we are not the slightest bit concerned about the opinions of all and sundry on the scope of the White Paper. It is a national document and its purpose is to make up for fifteen years of lost time and lost spending, as a result of which the

previous Government left Canada in such a deplorable state in terms of our national defence. We have made proposals which will not necessarily meet with unamimous approval but the White Paper's objectives and what it intends to achieve are, in fact, to strengthen Canada's position as a military power, a military power that has certain responsibilities to its alliances and its partners, but especially to Canada's sovereignty and to the Canadian people.

• (1420)

[*English*]

Mr. Turner: It appears that some very large egos in Cabinet have gotten in the way of common sense in producing this paper.

VIEWS OF AMBASSADOR FOR DISARMAMENT

Right Hon. John N. Turner (Leader of the Opposition): The latest person to attack the White Paper on Defence produced by the Minister of National Defence is Canada's Ambassador for Disarmament, Douglas Roche, who was, as Hon. Members know, a distinguished Conservative Member of Parliament and is the Prime Minister's personal appointee to this post. Why has the Government introduced a defence policy which is inconsistent, in the opinion of Ambassador Roche, with Canada's arms reduction policy?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I think I have already indicated that the White Paper, which is a major initiative on the behalf of Canada's defence, will provoke commentary, not all of it unanimous or favourable, from different sources, which is quite normal and natural in a democracy.

The fact is that we are trying to make up for 16 years of lost time by the predecessor Government where the Canadian Armed Forces fell into a shameful state of disrepair and neglect. This Government is making up in a profound commitment to NATO, NORAD and to our alliances to ensure that Canadian men and women who serve in the Armed Forces are given the instruments they need to do so at all times with courage and pride, which was what was lacking because of the neglect of the previous Government.

My right hon. friend says that the ambassador stands here and some expert stands there. The Liberals will be given an opportunity to tell the Canadian people where they stand on the question of national defence.

DEFENCE EQUIPMENT PURCHASING POLICY

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, with the speed at which this Government is working, I hope we do not hit a crisis.

The Minister of Supply and Services has strongly condemned the Minister of National Defence for not understanding what regional development is all about. She went on to state that she will be requesting approval from Cabinet for a new federal purchasing policy for defence equipment which will relate to regional economic development because she does not feel that the Government is doing enough.

Will the Government support the Minister of Supply and Services for such a policy? Or will there be another split in Cabinet with the Secretary of State for External Affairs and the Minister of Supply and Services holding the fort for regional development in this country? Where does the Prime Minister stand on that question?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I do not think there is any doubt where this Party stands; it stands behind the White Paper and what it stands for. We are not too sure about the Liberal Party, given statements made by the Hon. Jean-Jacques Blais, former Minister of Defence for the Liberal Government, in favour of the nuclear submarines about which the current Party seems to have some questions.

On the question of defence purchases, getting full value for the dollar is the fundamental goal of defence. There is no question that the Government recognizes that defence spending is an important economic tool, and there is also no question that regional development and those factors will be, as they were in the past, taken into account when these major purchases are made.

Mr. Hopkins: There is an obvious split in Cabinet given the words of the Minister of Supply and Services and of the Minister of Consumer and Corporate Affairs right now.

• (1425)

STATEMENT MADE BY MEMBER FOR SCARBOROUGH EAST

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, following the remarks of the Minister of Supply and Services about the Minister of National Defence, the Hon. Member for Scarborough East has been quoted as saying: "I hope the PM would shove a dish rag in her mouth." The Hon. Member for Scarborough East is Chairman of the NATO Parliamentary Association. He is also Chairman of his Party's caucus committee on national defence.

Will the Prime Minister be asking the Hon. Member for Scarborough East to apologize to the Minister of Supply and Services for these unfortunate remarks or is he in agreement with them? Will he confirm by his refusal to answer that there is indeed a serious split in his Cabinet?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, of course there is no split in Cabinet at all. The Minister of Supply and Services fully endorses the position of the Government in regard to the White Paper and has so conveyed that in answer to questions from the media.

In regard to the comments made by the Hon. Member for Scarborough East, he has written to the Minister to withdraw his statement, which I think all Members of Parliament would agree was unfortunate.

[*Translation*]

FINANCE

TAX REFORM—DEFERRED TAXES—GOVERNMENT POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I have a few questions about some promises the Government has been making for the past seven months. First, I have a question for the Minister of Finance. According to the latest figures from Statistics Canada, Canadian companies owe $28 billion in deferred taxes. Could the Minister guarantee that these companies will not receive a retroactive reduction of these taxes as a result of his tax reform?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I have said from time to time here in the House that Hon. Members should wait for the White Paper on tax reform to be tabled. I think I said all the questions the Hon. Member has asked will be answered.

[*English*]

MINISTER'S IMPENDING ANNOUNCEMENT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I heard what the Minister had to say. I hope that he will at least begin to clarify his approach. He talked about his approach in the past before the day of his White Paper.

Since corporations in Canada, according to the most recent figures, owe some $28 billion in deferred taxes, and since any tax reform will not give retroactively a benefit to individual taxpayers, will the Minister guarantee the people of Canada that any general corporate tax reduction that he may announce on Thursday will not enable those companies to make any retroactive saving on the money that they now owe to the people of Canada?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, there is one thing that the Hon. Member has said from time to time about which we can agree. There need to be a number of changes made to the corporate tax system, which is one of the objectives of tax reform.

As I stated in my previous answer, I think it is important for him to be a little bit more patient and to wait until the White Paper comes down on Thursday. It will deal with a number of these questions in a very full way.

* * *

CHILD CARE

DELAY IN ANNOUNCING POLICY

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I will ask the other aspect of my general question about promises for June, of the Prime Minister since the Minister of National Health and Welfare is not in the House.

The people of Canada, in particular those who were looking forward to the implementation of the child care promise made by the Prime Minister at Christmas and by his Minister of National Health in the House, that a national policy would be announced before the end of June were deeply disappointed to hear from the Minister on the weekend that this will not be coming until the fall. Will the Prime Minister tell the people of Canada why this solemn commitment, that the Minister described as being urgent a couple of months ago, is now being put off once again?

• (1430)

Hon. Barbara McDougall (Minister of State (Privatization)): Mr. Speaker, the Government, as the Hon. Member knows, has made a very strong commitment to child care. There is no question that it is an urgent situation. The Prime Minister has said as much, as has the Minister of National Health and Welfare, as have I.

This was first declared an urgent problem in 1971—

Mr. Broadbent: Right!

Mrs. McDougall: —by the Royal Commission on the Status of Women. What is important to point out is that we have spent two years making progress on this issue. We are working toward coming up with the best quality system possible.

That is the commitment of the Prime Minister and of the Minister of National Health and Welfare. And, believe me, under this Government the delay will not be 17 years.

* * *

[*Translation*]

CANADA POST CORPORATION

POSSIBILITY OF STRIKE—OPPORTUNITY FOR PRIME MINISTER TO ACT AS CONCILIATOR

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, my question is directed to the Prime Minister. We all know that negotiations between Canada Post and the unions are not going smoothly, which means that we may be faced with a strike as of midnight tonight. Thousands of Canadians may be deprived of a service they consider essential, and thousands of small businesses may be faced with problems that may lead to lay-offs and even the outright loss of jobs.

I would like to ask the Prime Minister whether he realizes that he now has a golden opportunity to demonstrate that his much vaunted reputation as a conciliator is based on fact, and that he could take the kind of action that is needed and take it now—the kind of action that most of his Ministers have refused to take so far—and intervene directly in the negotiations between Canada Post and the unions to forestall a strike that nobody wants.

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, as the Hon. Member just said, negotiations are going on, and I think that any comment at this critical stage in the negotiations would be inappropriate and inopportune.

[*English*]

REQUEST THAT PRIME MINISTER INTERVENE

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, the Government's policy seems to be to watch the negotiations from an arm's length position and to wait until we have a strike on our hands before it will act.

This is a golden opportunity for the Prime Minister to prove to the Canadian public that there is a basis for his reputation as the so-called "great conciliator". I urge him to get involved personally in an attempt to avoid a strike by the letter carriers. Let's not wait until there is a strike before action is taken.

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I agree with my hon. friend that the Prime Minister is an excellent conciliator. That is a matter about which there is no doubt.

At this point we are following the negotiation process. As provided by the Canada Labour Code, the Government, through the Department of Labour, has appointed a conciliator and a commissioner. A report has been tabled. The parties are now negotiating head to head, a very critical stage in the process, and we should not intervene at this point other than by way of encouraging the parties to come to an agreement.

* * *

CHILD CARE

REQUEST LEGISLATION BE INTRODUCED BEFORE SUMMER RECESS

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, my question is for the Prime Minister. The Prime Minister will know that parents are very concerned with the delay in taking action on child care. The children are getting older as the weeks go by. I should like to ask—

Some Hon. Members: Oh, oh!

Ms. Mitchell: I do not think many parents consider this a laughing matter. Child care is urgently needed.

An Hon. Member: It is your statement that is the laughing matter.

An Hon. Member: Only Tories think it is a laughing matter.

Ms. Mitchell: Will the Government introduce the federal legislation outlining the national objectives for a national child care program, and will it do so before we recess for the summer?

Hon. Barbara McDougall (Minister of State (Privatization)): Mr. Speaker, the Prime Minister, both at the First Ministers' Conference and at the Symposium on the Family sponsored by the Canadian Advisory Council on the Status of Women, outlined the principles for a day care program supported by this Government, those principles being affordability, accessibility, flexibility, and quality.

Mr. Broadbent: And delay!

Mrs. McDougall: Those are principles about which we care a great deal. We have been working very hard on a child care program. While we considered the June 30 deadline an ambitious one, it was one that we had hoped to meet.

This Government's commitment to a child care program remains, and we will have a system in place that all Hon. Members will be able to support.

Ms. Mitchell: If those are the principles, why can't they be put into a Bill to be introduced in the House? In that way the federal objectives would be clear, thus facilitating the negotiations with the provinces.

PETITIONS SEEKING SHORT-TERM FUNDING

Ms. Margaret Mitchell (Vancouver East): Today, thousands of petitions were presented to the Government and to the Prime Minister personally, requesting that the federal Government provide immediate short-term funding to strengthen and expand non-profit child care while the new cost-sharing agreement is being negotiated.

What is the Prime Minister's response to those petitioners?

Hon. Barbara McDougall (Minister of State (Privatization)): Mr. Speaker, the petitions that were presented have been organized for the Prime Minister and for the Minister of National Health and Welfare. This Government is strongly committed to child care and is moving toward that goal.

Throwing money at the problem is not the answer. We must first have in place a policy and an agreement with the provinces. We must know what it is we are paying for. That is what Canadians want.

[*Translation*]

REQUEST FOR RESPONSE BEFORE JUNE 30

Mrs. Lucie Pépin (Outremont): Mr. Speaker, my question is to the Prime Minister.

Several newspapers state today that the Government will not table its response on daycare before next Fall. We have been listening to the answers of the Minister responsible for the Status of Women, and since the Prime Minister himself has made a commitment to make this a priority item, I would like the Prime Minister to tell me whether or not the answer will be tabled by June 30. It is a very important question and also a very simple one to answer. Are we or are we not going to have an answer on the matter of daycare before June 30?

[*English*]

Hon. Barbara McDougall (Minister of State (Privatization)): Mr. Speaker, the Minister of National Health and Welfare has already said that we will not be meeting the June 30 deadline. That is not to say that we are not making progress on the issue or that we will not have a commitment in place for the Prime Minister when he meets with the First Ministers in November.

[*Translation*]

INQUIRY HOW MUCH MONEY GOVERNMENT INTENDS TO ALLOT FOR QUALITY DAYCARE SERVICES

Mrs. Lucie Pépin (Outremont): Mr. Speaker, I would also like the Prime Minister to tell me how much money his Government is willing to spend on quality daycare services, considering that the Government is willing to spend several billion dollars to track submarines. Given those circumstances, is the Government ready to tell us how much money it intends to allot for quality daycare services?

[*English*]

We want to know where the Prime Minister stands on this issue.

Ms. Copps: Absolutely.

[*Translation*]

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, is the Hon. Member stating a policy of the Liberal party against the provisions of the White Paper on National Defence? That would be most interesting. If it is the position of the Official Opposition, we would be very interested to know about it.

[*English*]

Ms. Copps: What is your position on day care?

[*Translation*]

Mr. Mulroney: With respect to daycare, we have inherited, as the Hon. Member knows, a very difficult situation. We are amending, developing and identifying with the provinces a new position which will be proudly acknowledged by all Hon. Members including the Hon. Member for Outremont when our great national project on behalf of women and children in Canada is submitted to the House.

* * *

INCOME TAX

DEFERRED CORPORATE TAXES—GOVERNMENT POSITION

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, my question to the Minister of Finance relates to the impact of tax reform on the $28 billion's worth of deferred taxes owed the Canadian Government by Canadian Corporations, since a 20 per cent reduction in the corporate tax rate could put $6 billion in the pockets of those corporations.

We know that where a Canadian would have taxes owing Revenue Canada, he would pay the full 100 per cent. Would that policy apply to corporate deferred taxes, or does the Minister intend to retroactively grant corporations a tax reduction worth $6 billion?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, it would be helpful if the finance critic for the New Democratic Party were to collaborate with his Leader before Question Period, because that is the precisely the same question that his Leader just put to me.

Mr. Cassidy: Mr. Speaker, my simple reason for asking the question is to determine whether deferred corporate taxes will be paid in full, or whether the Government intends to give a retroactive tax cut to corporations through a corporate tax cut which would apply to deferred taxes.

POSSIBLE EFFECT OF TAX CUT ON CORPORATIONS

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, taking three companies alone, Canadian Pacific, Bell Canada, and Imperial Oil, they have among them $5.4 billion of deferred taxes sitting on their books.

Some Hon. Members: Question.

Mr. Cassidy: If the tax rate on corporations is cut by 20 per cent, those companies will realize a windfall of $1 billion by way of tax savings.

• (1440)

Is it the Minister's intention to give these three companies a windfall of $1 billion, or will he ensure that tax cuts are only available in the future and that corporations do not get a retroactive tax cut as well?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the answer is exactly the same as the one I gave to his Leader a few minutes ago.

The White Paper will be brought in on Thursday evening. At that time this question and a number of other questions which the Hon. Member has been putting to me in relation to the taxation of corporations and individuals will be answered.

* * *

NUCLEAR ENERGY

REPORTED DESIGN FLAWS IN UNITED STATES PERRY NUCLEAR GENERATING STATION

Mr. Alan Redway (York East): Mr. Speaker, in the absence of the Secretary of State for External Affairs, my question is directed to whomever might be answering for him.

In light of the very serious allegations made last week in respect of design flaws in the Perry nuclear generating station

in Ohio, just some 50 miles south of the Canadian border, will the Prime Minister or the Deputy Prime Minister advise the House whether, since the allegations were made public, we have had discussions with the United States specifically about the matter?

Will he also advise the House if the Canadian Government feels confident that we can rely on the word of the U.S. Nuclear Regulatory Commission to protect the welfare of Canadian citizens, in light of the allegation that they have covered up the situation in recent weeks?

[*Translation*]

Mr. Jean-Guy Hudon (Parliamentary Secretary to Secretary of State for External Affairs): Mr. Speaker, I am pleased to respond to that question on behalf of the Secretary of State for External Affairs.

Clearly, Canadians are increasingly concerned with nuclear issues, and since the Chernobyl accident especially those concerns have been increasing.

Mr. Speaker, I have checked and it has been proven that officials from the Department of External Affairs have made known to the US Department our concerns in that respect, and we are expecting reports on that incident or allegations.

* * *

[*English*]

TRADE

CANADA-UNITED STATES NEGOTIATIONS—POSTPONEMENT OF FIRST MINISTERS' MEETING

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I have a question for the Prime Minister. His office confirmed this morning that the scheduled meeting of First Ministers to discuss Canada-U.S. free trade negotiations has been postponed several weeks into July.

It is a surprising development considering that negotiators on both sides have indicated that major political decisions must be taken by the end of the month on crucial matters such as investments, subsidies, services, and others.

Does the postponement for several weeks of these meetings indicate that the Government of Canada intends to go it alone and make these decisions on crucial issues without active involvement with or consultation by the provincial Premiers so that they will be able to determine and indicate what is their stand on these very vital matters in the negotiations?

Right Hon. Brian Mulroney (Prime Minister): No, Mr. Speaker, not at all; quite the contrary.

FEDERAL-PROVINCIAL CONSULTATION

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, if the Prime Minister is so forthcoming, perhaps he is prepared to tell us why it is the meetings were delayed so long and why decisions will be made in the negotiations involving these major issues without the involvement of the First Ministers of the provinces.

Is it an example of the new federalism about which the Prime Minister is talking, that matters involving crucial issues affecting the provinces will be undertaken without their consultation or involvement?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, if my hon. friend is referring to the new federalism whereby the Auto Pact was negotiated without so much as a by your leave of the Government of Ontario under the previous Government, then of course we are doing things quite differently. There is a much greater degree of consultation, as my hon. friend knows.

He says: "Why has the meeting been delayed so long?" It has not been delayed so long. It has been rolled over for a couple of weeks, simply because the Americans have yet to respond in concrete terms to a number of very important issues put forward by Canada.

In the absence of any kind of specific response on these matters, it was felt prudent to await their tabling of answers in the coming days so that we can then seize the First Ministers with tangible realities as opposed to opinions which sometimes come from the newspapers and via the newspapers.

I think my hon. friend would agree that a postponement, even of modest duration, in the circumstances would be extremely prudent and helpful not only to the negotiations but to the consultative process involving the First Ministers.

* * *

NATIONAL DEFENCE

COST OF ACQUIRING NUCLEAR-POWERED SUBMARINES

Mr. Derek Blackburn (Brant): Mr. Speaker, in the absence of the Minister of National Defence my question is for the Right Hon. Prime Minister. It concerns the proposed purchase of nuclear-powered submarines.

I should like the Prime Minister to explain to the people of Canada how his Government expects to pay under $500 million each for nuclear-powered submarines for which the Royal Navy today, in 1987, is paying $530 million?

In the White Paper it is proposed that the purchase of our submarines would be over a 10-year period. What would the price be over the 10-year period? What is the estimated price?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, as the Minister of National Defence has pointed out, the anticipated price is about 1.6 times the cost of conventional submarines. We stand by those figures. They are not wild guesses. They are not inaccurate. The person quoted in the newspaper happened to be a consultant employed by DND on conventional submarines.

These figures are quite accurate. I might point out to the Hon. Member that no decision has been taken to purchase British subs. The French are also in the game.

Mr. Blackburn (Brant): We on this side of the House are finding it increasingly difficult to get factual answers to a very serious question. Both Ministers are away again today.

GOVERNMENT'S PROJECTED COST

Mr. Derek Blackburn (Brant): Mr. Speaker, the Minister of National Defence has stated that the total cost, including infrastructure, will be about $7.5 billion over the lifetime of the contract, which would be about 15 years. However, the editor of *Jane's Fighting Ships*, one of the great experts in the world, says that it will be at least $11 billion, and other experts put it as high as $16 billion.

When will the Government tell the people of Canada what is its cost estimate as of now?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): The Minister of Defence has—

Mr. Blackburn (Brant): No, he hasn't.

Mr. Andre: The cost of nuclear submarines is approximately 1.6 times the cost of conventional submarines; support services, about 1.8. In exchange for that we get a submarine which is several times more effective in terms of allowing Canada to meet its defence commitments.

The facts are there. If the Hon. Member does not want to accept them, that is his problem, not the Government's.

* * *

[*Translation*]

VOLUNTARY ORGANIZATIONS

INQUIRY WHETHER GOVERNMENT WILLING TO ASK NATIONAL CAPITAL COMMISSION TO REVERSE DECISION ON MAISON D'AMITIÉ

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, my question was intended for the Minister of Public Works, but in his absence I will put it to the Prime Minister.

According to a report published last week, one out of eight women suffers psychological, economic, sexual or verbal abuse. At a time when the Government should be acting rather than enforcing, it is forcing a friendship centre in my constituency out of existence by hitting it with a more than $3,000 monthly rent increase. Can the Minister, or in his absence the Prime Minister answer the question?

Is he prepared to ask the National Capital Commission, owner of the building, to reverse that decision—enjoin the NCC to keep on subsidizing the Maison d'amitié, and as in the past, until we have a national policy on abused women, to keep on not only subsidizing but put forward a national policy along with its provincial counterparts in order to reach a solution on such a difficult problem?

Mr. Claude Lanthier (Parliamentary Secretary to Minister of Public Works): Mr. Speaker, the case of the friendship residence is very well known at the Public Works Department. For ten years it has been rented for $1 a year with a goal to encourage that cause. Recently however the National Capital Commission took the view that it was not its responsibility to directly subsidize that kind of activity and it has urged people to get funding from more adequate sources. It is not a matter of cutting funds, but simply of restoring profitability to a property that had not been reviewed for the past 10 years.

Mr. Gauthier: Mr. Speaker, the Maison d'amitié pays all the costs of a usual tenant. It does not pay rent on the basis of the market value of the building, but the previous Government accepted for ten years to subsidize that undertaking because it meets a serious need in the Ottawa—Vanier constituency.

• (1450)

[*English*]

REQUEST THAT PRIME MINISTER CONVENE NATIONAL CONFERENCE ON SUBJECT OF BATTERED WOMEN

Mr. Jean-Robert Gauthier (Ottawa—Vanier): My supplementary question is for the Minister of National Health and Welfare but in his absence I will direct it to the Prime Minister again. Will the Prime Minister take it upon himself to convene a national conference on the question of battered women? Will he ask his provincial counterparts when they meet in November to put that question on the agenda so that we can come to grips with this most difficult and serious problem?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the problem of battered women in Canada represents one of our most serious social and legal challenges. As a country we have not come to grips with what is not only a societal problem but a very serious malady which is affecting women, families, and children, the fibre of our society. The response collectively of this country, provincial, federal and so on, has been inadequate to a very grave, damaging problem.

I want to give my hon. friend the assurance that we are working with all levels of government and will commit all the resources required to ensure that women so affected by these violent crimes receive full justice in Canada—

Ms. Copps: Start with the National Capital Commission.

Mr. Mulroney: I will be working with my hon. friend and other Members of Parliament on this very sensitive matter to ensure that Canada deals effectively and firmly with the problem affecting battered women in Canada.

Some Hon. Members: Hear, hear!

FILM INDUSTRY

DISTRIBUTION SYSTEM—OWNERSHIP AND CONTROL

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, my question is for the Prime Minister. It concerns film distribution policy in Canada and his Government's objectives. Is it the Government's objective that film distribution in Canada be under the ownership and control of Canadians? Yes or no?

Hon. Flora MacDonald (Minister of Communications): Mr. Speaker, the Hon. Member will have noticed we have indicated that we intend to bring in legislation which will help to correct a situation which has existed in this country for far too long where the domestic distribution system is, in fact, controlled from outside the country. We want to take steps to correct that.

REQUEST FOR INTRODUCTION OF LEGISLATION

Ms. Lynn McDonald (Broadview—Greenwood): I have a supplementary question for the Prime Minister, Mr. Speaker. What answer has he given the American Senators who, on June 2 of this year, sent him a scathing letter denouncing film distribution policy in this country? What reply has he given? Wouldn't the best reply be to introduce that legislation, which I understand is ready, and proceed with debate so that we can actually have something happen to improve the situation concretely?

Hon. Flora MacDonald (Minister of Communications): Mr. Speaker, again I would say to the Hon. Member that we have indicated the steps that we are prepared to take. Certainly the decision of the Government is to introduce legislation. I want to assure the Hon. Member, however, that the legislation will be introduced as quickly as possible.

Last week the Member was protesting when I brought in copyright legislation. That was long overdue as well. I want to be able to take these steps one by one. I hope the Hon. Member will not have the same negative reaction when I bring in the film legislation.

Ms. McDonald: That is untrue, Flora.

* * *

AGRICULTURE

UNITED STATES EXPORT ENHANCEMENT PROGRAM

Mr. Maurice Foster (Algoma): Mr. Speaker, my question is for the Prime Minister. Last week at the Economic Summit we learned that there will no let up in the grain and agriculture trade wars at least for the next two years. We also know that the U.S. Congress recently passed legislation to put another billion into the Export Enhancement Program and broaden the number of countries on which the U.S. can use that program.

In the Prime Minister's meeting last Thursday morning with the President of the United States did he raise the matter with the United States about using its Export Enhancement Program against Canada's traditional grain customers, such as Russia and Saudi Arabia? Did he get any commitment from the President that the Americans would not use this Export Enhancement Program against Canada's traditional grain customers, a program which is having a devastating impact on the price of wheat and grain for Canadian farmers?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I raised this matter with the President and with other leaders at the Venice Summit.

I know my hon. friend will have been pleased by the results in agriculture where we reaffirmed the strong commitment to agricultural reform agreed to at the OECD and Canada's proposal for a mid-term review to implement these commitments. I think the leadership taken by the Government of Canada at Tokyo, where agricultural problems were placed on the agenda of the summit for the first time, and now the thorough airing which resulted in some concrete steps, will be of a nature to encourage western and eastern farmers. I know my hon. friend will want to applaud that very sincerely.

With regard to the specific problem involved in American agriculture, yes, indeed, I brought that to the attention of the President, the Secretary of State and the Secretary of the Treasury. This is part and parcel of the reforms that we hope the seven have agreed on to improve the conditions of agriculture in Canada.

Mr. Speaker: The Hon. Member for Algoma, a short supplementary, please.

POSITION OF UNITED STATES GOVERNMENT

Mr. Maurice Foster (Algoma): Mr. Speaker, can the Prime Minister say whether or not he got a commitment from the United States administration that it will not use the increased Export Enhancement Program against Canada's traditional customers? Would he mention that because obviously there is not going to be a drawback by the European Community of those subsidies for at least the next two years? Surely we can get a commitment from our best trading customer, the United States, that it will not use that Export Enhancement Program against our traditional customers?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, we have received no specific commitment in regard to action that the United States is contemplating in the next couple of weeks or months.

Clearly the communiqué and the results of the discussions are very encouraging in that they deal with the acceptance by the United States and Europe of the fact that the debilitating war of subsidies cannot go on. It is killing all the participants. It is damaging countries such as Canada, such as representatives of the Cairns Group who are free and fair traders in agriculture and who are being driven out of traditional

markets by artificial subsidies granted to American and European farmers.

I made that case, very, very strongly and strenuously in Tokyo and in Venice. One of the results finally is an acknowledgement that this situation cannot go on and we have to sit down at the GATT and together deal with it to bring it to an end. In the process of so doing, we hope that Canada will recapture its traditional market shares without these debilitating subsidies being carried on the backs of the Canadian taxpayers.

AGRICULTURAL POLICY—INTRODUCTION OF NEW PROGRAMS

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, my question is for the Prime Minister. After the Ottawa round of the Cairns Group, the Minister responsible for the Wheat Board announced that Canada would participate with the Cairns Group to stop subsidizing agriculture production and begin subsidizing incomes, something which the Prime Minister translated fairly closely into supporting farmers rather than farming, at the Venice Summit.

Since Canada's Minister of Agriculture has always advocated a market oriented approach to subsidization, with payments being based on production, what kinds of programs does the Government intend to put in place in order to meet this new policy commitment?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the programs that the Government will introduce on behalf of agriculture—we have introduced many as my hon. friend knows—will be adapted to the circumstances and designed to help Canadian farmers who work so hard, make so many sacrifices and who are now being unfairly penalized. We will be working with farmers. I will be out meeting with farmers and farm groups again and with provincial Governments, and the policies, we hope, will be adapted to the well-being of Canadian farmers.

Mr. Speaker: The Hon. Member for Humboldt—Lake Centre, a short supplementary.

REVIEW OF DOMESTIC PROGRAMS

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, given the international commitment, can the Prime Minister tell this House what the Government has done with regard to studying the existing domestic programs in Canada which have been, as he knows, following the theory that the market and production are things that should determine the level of subsidization. Does he have a study under way which will determine which programs, if any, meet the Cairns criteria—which of our own programs?

Hon. Gerald S. Merrithew (Minister of State (Forestry and Mines)): Mr. Speaker, you can rest assured—

An Hon. Member: Hold on.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I was so taken with the opening comments of the Minister that I too would like to hear the answer.

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

• (1500)

Mr. Merrithew: Thank you very much, Mr. Speaker, and Mr. Prime Minister.

The whole matter of subsidies to our own farm groups and farmers around the world is one of great concern to the Minister. We have undertaken a complete review of all the programs for subsidies. They are presently being reviewed again. Undoubtedly there has been no firm decision on any programs which would need to be cut in the near future.

Mr. Speaker: I must advise the House that this will be the last question. The Hon. Member for Windsor West.

* * *

CHILD CARE

DEADLINE FOR GOVERNMENT RESPONSE TO COMMITTEE REPORT

Hon. Herb Gray (Windsor West): Mr. Speaker, I have a question for the Minister responsible for the status of women. Earlier in Question Period she said the Government would not meet the June 30 deadline for making a response to the report of the House of Commons committee on child care. The new rules of the House indicate that such a response must be made within 150 days, an extension of the 120 days in the previous rules.

Will the Government make a commitment right now to meet that deadline of 150 days as of July 30, and if not, why not?

Hon. Barbara McDougall (Minister of State (Privatization)): Mr. Speaker, obviously the Hon. Member has been working too hard, or I have, or someone has. I understood that he mentioned in the question June 30. The response is due in July, as I understand it. If the Hon. Member would like, we could reconvene in July.

GOVERNMENT POSITION

Hon. Herb Gray (Windsor West): Mr. Speaker, the rules of the House indicate that when the committee requests that there be a comprehensive response by the Government, it is due within 150 days of tabling the report. The original rules indicated that it was due within 120 days and that is why we were speaking of a June 30 response. We have added another 30 days to the deadline according to the interim rules which we have just made permanent, so I would like the Minister to tell us whether or not the Government will meet the new deadline and if not, why not.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, there shall be a response within the time frame and there shall be in Canada a comprehensive child care program.

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WAYS AND MEANS

REQUEST FOR DESIGNATION OF ORDER OF THE DAY

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I would ask with regard to Ways and Means Motion No. 16 that an Order of the Day be designated.

* * *

POINT OF ORDER

REFUSAL TO ACCEPT PETITION

Mr. Rod Murphy (Churchill): Mr. Speaker, I have a point of order with regard to a petition I tried to present today. If I may, I would like to indicate to the Chair the contents of the petition so the Chair will be able to understand of what I am speaking.

The petition is that, whereas there is a child care crisis in Canada and whereas tax credits will not create an accessible quality child care health system and whereas an accessible child care system is an essential element for women's equality, wherefore the undersigned, your petitioners, humbly pray and call upon Parliament to provide the provinces and territories with the immediate short-term funding to strengthen and expand non-profit child care while a new cost-shared agreement is being negotiated, and further, to take this measure as a first step toward the public funding needed to create a system of quality non-profit child care accessible to all parents who wish to use it.

According to the rules of the House of Commons, I tried to present that petition to the Clerk of Petitions and I was refused permission to do so on the grounds of Beauchesne's Citation No. 685(3) which reads as follows:

> The House will refuse to receive any petition that directly asks for a grant of money out of the public revenues unless such grant has first been recommended by the Crown. But the House does not reject petitions which ask simply for legislation or for "such measures as the House may think expedient to take" with respect to public works.

I respect the Citation in Beauchesne's cited by the Clerk of Petitions in refusing my petition. However, I believe that in the history of petitions presented to the Crown there has been an effort by petitioners to make it clear that they wish the Government to act. I believe it to be historically correct that many petitions received by the Crown and later by Parliament have in fact required the expenditure of public funds. I believe it goes against the principle of the public petitioning Parliament to be told that petitioners cannot do so when there is a requirement for an expenditure of funds.

I would like the Chair to review the Citation, to look at the precedents and the present necessity and to recognize that people who sign petitions of their own volition and who ask Parliament or the Government to act are making a request of Parliament. They should have a right just like any other group of citizens to have their petitions heard. I hope you would so rule, Mr. Speaker.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I have heard my hon. friend's comments and I have no difficulty with them, and in fact would encourage you to review my friend's case. I am looking at the citation my colleague cited and I would hope that in 1987, we would not bear too heavily on a precedent listed in Beauchesne's as being set in 1869.

As my hon. friend has said, Members of Parliament are often presented with petitions which are general in nature. I would suggest that the citation is probably specific in nature. Perhaps you might take a look at the petition and, if it is general in nature as are petitions received by all Members from time to time, perhaps you could bring down a ruling which would be of assistance to the Clerk of Petitions when considering future petitions.

Mr. Speaker: Are there any further Hon. Members rising on this point of order?

I have listened carefully to the Hon. Member for Churchill (Mr. Murphy). The matter is one of interest and is perhaps one of importance. I am intrigued because the Hon. Parliamentary Secretary to the Deputy Prime Minister (Mr. Lewis) has risen in support of the position the Hon. Member for Churchill is urging on the Chair, which is specifically that a ruling in Beauchesne's should be considered very carefully as to whether it is applicable when petitions are presented to the House which may involve the expenditure of public money but which are general enough in nature that they do not specifically refer to a particular grant to a particular person, organization or group. I think that is the distinction the Hon. Parliamentary Secretary has fastened onto with appropriate cogency.

The Chair will consider the matter and will report back to the House as soon as possible. I will look very carefully at the ruling, keeping in mind what the Parliamentary Secretary has pointed out about its date, and keeping in mind what the Hon. Member for Churchill has said about the right of Canadians to present petitions to this place, a right which undoubtedly is important and should be interpreted as broadly as possible. I thank Hon. Members.

GOVERNMENT ORDERS

[*English*]

NATIONAL TRANSPORTATION ACT, 1986

ALLOCATION OF TIME TO CONSIDER REPORT AND THIRD READING STAGES OF BILL C-18

The House resumed consideration of the motion of Mr. Hnatyshyn (for the Deputy Prime Minister and President of the Privy Council):

> That, further to the notice given on Thursday, June 11, 1987, by the Deputy Prime Minister and President of the Privy Council, and pursuant to the provisions of Standing Order 117, in relation to Bill C-18, an Act respecting national transportation, four further hours be allotted to the consideration of the report stage and four hours to the consideration of the third reading stage of the Bill; and
>
> That fifteen minutes before the end of the four hours allotted to the report stage consideration and to the third reading stage consideration of the said Bill, any proceedings before the House shall be interrupted, if required, for the purpose of this Order and, in turn, every question necessary in order to dispose of the stage of the Bill then under consideration shall be put forthwith and successively, without further debate or amendment.

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, government propaganda would have us believe that because of Bill C-18, we in Canada will in time have an efficient and low-cost transportation service. It would have us believe that it will provide a balance between the interests of the shipper on the one hand and the transportation carrier on the other. Government propaganda would have us believe that Bill C-18 will give us a more flexible and competitive transportation environment. However, when I listened to the Government's very carefully prepared message indicating that Bill C-18 will achieve an efficient, low-cost transportation system, I was aware that to a significant extent this thesis is based upon the results of deregulation in the country to the south of us, our neighbour, the United States of America.

It has been said by some that the Staggers Act of 1980, for example, is working well in the United States. It is working well, it is claimed, with respect to the relatively low increases in railway freight rates. It is working well, its advocates claim, with respect to increased rail sensitivity to shippers' needs. It is working well, its advocates say, because there are significant gains in railroad economic efficiency. All of these conclusions are supported by the Economics and Finance Department of the Association of American Railroads.

• (1510)

If the propaganda ended there I think we could promptly support C-18 and we would see no reason to oppose a time allocation measure. However, many Members of this House know there is another side to this story of deregulation, and that other side has at least three facets. There are probably many more but since my time is limited I mention only three: safety; impact on regional development; and the effect upon jobs in the transportation industry.

Many Members have said there is nothing to be concerned about with respect to safety. They have asked us to take their assurances on that. The Standing Committee on Transport was given no mandate in its terms of reference to deal with safety in a deregulated environment. Indeed, witnesses repeatedly expressed their amazement that the committee was attempting to comment on deregulation in the total absence of any analysis of safety standards. No less a reputable organization than the Canadian Air Line Pilots Association said:

> Even in *Freedom to Move* itself, safety is mentioned but in passing, with unsupported statements to the effect that economic regulatory reform will not be permitted to be detrimental to safety standards.

CALPA also said:

> Safety concerns had so grown by last year that the U.S. Secretary of Transportation ordered a "white gloves" safety audit which resulted in 16 of 43 airlines, both old and new, being disciplined. Since that time, in-depth inspections have resulted in further action, the most notable being the record $1.5 million fine recently levied against American Airlines for numerous safety deficiencies.

When Hon. Members tell us that we should not worry about safety, that we have looked into it sufficiently, that we should accept their assurances, I say no, we cannot. There are concerns about safety and we need more evidence before this House gives its approval to C-18.

My second point is with respect to regional development. There is growing concern in this country that the Conservative Government is abandoning its role in regional economic development. I do not have the time now to cite all the evidence to support that concern, but C-18 as amended offers no more than a weak and feeble nod in the direction of concern for regional development.

I am aware that the original Bill was amended in committee. I am aware that Clause 3(1)(d) now says that transportation is recognized as a key to regional economic development and commercial viability of transportation links is balanced with regional economic development objectives in order that the potential economic strengths of each region may be realized. I say that is weak and ineffectual.

I compare that to the amendment proposed by my colleague, the Hon. Member for Westmorland—Kent (Mr. Robichaud). Rather than saying commercial viability must be balanced with regional development, the Hon. Member argued that where a service or facility is required for the achievement of national or regional social and economic development objectives, these objectives should take precedence over the objective of commercial viability whenever the two are in conflict.

Thus on the one hand in the amendment to the Bill which was accepted we have no more than a tacit recognition that somehow regional development may be important. Through this Bill we are opening the door to a more efficient and competitive industry but we are paying a price with respect to nation building. We all know we cannot build a nation if we simply write off the regions of this country. The federal and provincial Governments must be able to take combined action in order to maintain and build transportation facilities if it is in the public interest to do so.

For many years the Governments of the maritime provinces have advocated that the National Transportation Act should endorse the following regional development principles: First, transportation is recognized as a key to regional economic development; and second, where there is a conflict between regional economic development objectives and commercial viability, regional economic development must take precedence. Without a commitment to that second principle the development objectives of the first bear no weight and are of no significance whatsoever.

My third point has to do with jobs. Again we have to look at deregulation in the U.S. Some 30 labour organizations in Canada appeared before the committee and each expressed fear that the deregulation proposals would result in significant job loss, displacement or wage reduction. There is very little hard evidence available in Canada about the effects of deregulation. We just do not know what they will be. However, we do have the American experience.

It is indicated that in the U.S. some 40,000 workers in the airline industry have lost their jobs since 1980. Over the same time 150,000 jobs were lost in the railway industry. The trucking sector is somewhat more difficult to assess, but it is estimated that employment was reduced by as much as one-third. Somewhere between 250,000 and 300,000 union members were put out of work in that sector and they have not been replaced.

Direct job loss is one aspect of deregulation, but only one. Those who were able to retain their jobs have been under tremendous and persistent pressure to make concessions, to reduce their wages, to give up their hard won benefits, and to relax the standards of working conditions. As companies seek to cut costs in order to compete with one another the first people they turn to are their employees. The reduced cost to shippers being held out as a carrot by the proponents of deregulation is being paid for in very large part by the workers in the transportation industry.

There is no doubt that a new regulatory regime will create job dislocation and it is therefore imperative that this legislation, Bill C-18, contain some measures to deal with that. Because it does not, I say that this time allocation motion is not one that we on this side of the House and in this Party can accept.

• (1520)

The Acting Speaker (Mrs. Champagne): It being 3.19 o'clock p.m., the two hours provided for the consideration of the motion now before the House under the provisions of Standing Order 117 have expired. Accordingly, under the terms of the Standing Order, it is my duty to interrupt the proceedings and to put forthwith every question necessary to dispose of the motion.

The question is the following one. Mr. Hnatyshyn (for Mr. Mazankowski) moved:

That, further to the notice given on Thursday, June 11, 1987, by the Deputy Prime Minister and the President of the Privy Council, and pursuant to the provisions of Standing Order 117, in relation to Bill C-18, an Act respecting national transportation, four further hours be allotted to the consideration of the report stage and four hours to the consideration of the third reading stage of the Bill; and

That fifteen minutes before the end of the four hours allotted to the report stage consideration and to the third reading stage consideration of the said Bill, any proceedings before the House shall be interrupted, if required, for the purpose of this Order and, in turn, every question necessary in order to dispose of the stage of the Bill then under consideration shall be put forthwith and successively, without further debate or amendment.

Is it the pleasure of the house to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the yeas have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Call in the Members.

The House divided on the motion (Mr. Hnatyshyn) which was agreed to on the following division:

(*Division No. 151*)

YEAS

Members

Blenkarn
Bourgault
Cadieux
Caldwell
Chartrand
Clark (Brandon—Souris)
Coates
Collins
Cossitt
Côté (Lac-Saint-Jean)
Darling
Daubney
Desjardins
Domm
Edwards
Fennell
Forrestall
Fraleigh
Fretz
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamilton
Hardey
Hawkes
Horner
Hudon
Jepson
Joncas
Kelleher
King
Ladouceur
Lanthier
Layton
Lesick
Lewis
MacDonald (Kingston and the Islands)
Malone
Mantha
Marin
Mazankowski
McCain
McDermid
McKenzie
McKinnon
Merrithew
Minaker
Mitges
Murta
Nicholson (Niagara Falls)
Nickerson
Nowlan
Oberle
Oostrom
Plamondon
Redway
Reid
Ricard
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Stewart
Taylor
Thacker
Towers
Tremblay (Lotbinière)

Van De Walle
Vincent
Wenman
Wilson (Swift Current—Maple Creek)
Winegard
Wise—76

NAYS

Members

Allmand
Althouse
Axworthy
Benjamin
Blackburn (Brant)
Boudria
Broadbent
Cassidy
Copps
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Garneau
Gauthier
Grondin
Guilbault (Saint-Jacques)
Heap
Hopkins
Hovdebo
Isabelle
Jewett
Keeper
Manly
Marchi
McDonald (Broadview—Greenwood)
Mitchell
Murphy
Nicholson (Trinity)
Ouellet
Parry
Penner
Pépin
Prud'homme
Robinson
Rompkey
Rossi
Turner (Vancouver Quadra)—39

[*Translation*]

The Acting Speaker (Mrs. Champagne): I declare the motion carried.

Motion adopted.

* * *

[*English*]

BELL CANADA ACT

MEASURE TO ENACT

The House proceeded to the consideration of Bill C-13, an Act respecting the reorganization of Bell Canada, as reported (with an amendment) from a legislative committee.

• (1540)

The Acting Speaker (Mrs. Champagne): There are two motions standing on the *Order Paper and Notices* in amendment to Bill C-13, an Act respecting the reorganization of Bell Canada. One stands in the name of the Hon. Member for Mount Royal (Mrs. Finestone) and the other in the name of the Hon. Member for Broadview—Greenwood (Ms. McDonald). They will be grouped together for debate but voted on separately.

Mrs. Finestone: Madam Speaker, I rise on a point of order. I would like some clarification from the Chair with respect to this issue. The Chair has just announced that the two amendments will be dealt with together. Is that correct?

The Acting Speaker (Mrs. Champagne): They will be grouped together for debate but voted on separately.

Mrs. Finestone: Madam Speaker, I respectfully suggest that these are two separate issues. Clause 7 and the amendment which I have proposed to it deal with the possibility of Bell Canada and its affiliates moving into the communication, cable and broadcast field, whereas Clause 12 deals with information required by the CRTC with respect to Bell Canada and its affiliates.

I respectfully suggest to the Chair that these motions are not related and that they should be debated separately.

Ms. McDonald: Madam Speaker, I rise on the same point of order. As the Hon. Member for Mount Royal (Mrs. Finestone) has just said, my motion is quite different from hers. I think it would be appropriate that they be kept quite separate since they deal with different aspects of the legislation and different clauses.

[*Translation*]

Mr. Gauthier: On a point of order, Madam Speaker.

The Acting Speaker (Mrs. Champagne): The Hon. Member for Ottawa—Vanier (Mr. Gauthier) on a point of order.

Mr. Gauthier: Madam Speaker, in an attempt to help you and enable the House to get on with its work, could we not begin the debate on Motion No. 1 in the name of the Hon. Member for Mount Royal (Mrs. Finestone)? While you take the matter under advisement, Madam Speaker, the Hon. Member might begin her remarks and perhaps later you might let us know what your ruling is in this case.

[*English*]

The Acting Speaker (Mrs. Champagne): The Chair has considered the interventions of the Hon. Member for Mount Royal (Mrs. Finestone), the Hon. Member for Broadview—Greenwood (Ms. McDonald) and the Hon. Member for Ottawa—Vanier (Mr. Gauthier). It is true that the motions apply to different clauses of the Bill. However, as both relate to a change in the definition of a person *vis-à-vis* an affiliate, they are sufficiently related that they can be debated concurrently. There will, however, be separate votes.

• (1550)

Mrs. Finestone: On a point of order, Madam Speaker. May I ask how you are planning to deal with the time allocation with respect to the debate on each of the motions?

The Acting Speaker (Mrs. Champagne): There is no time allocation. It will depend upon the number of Members who will participate in the debate.

Mrs. Sheila Finestone (Mount Royal) moved:

Motion No. 1

That Bill C-13, be amended in Clause 7 by striking out lines 8 and 9 at page 3 and substituting the following therefor:

"7. Neither the Company nor any affiliate of the Company shall directly or"

Ms. Lynn McDonald (Broadview—Greenwood) moved:

Motion No. 2

That Bill C-13, be amended in Clause 12 by striking out lines 36 to 39 at page 4 and substituting the following therefor:

"in respect of any affiliate in the same manner and to the same extent as if the affiliate were the Company."

Mrs. Finestone: Madam Speaker, at the outset I wish to point out that I regret the decision of the Chair in respect of these two motions. I do not think the decision allows for the kind of debate that these motions deserve. I sincerely regret the decision of the Chair. Nonetheless, I shall comply with it.

Clause 7 of Bill C-13 would prohibit Bell Canada or any company controlled by it from operating a broadcasting undertaking.

This is a continuation of the prohibition contained in the 1968 Bell Canada Special Act. Parliament has consistently opposed Bell Canada entering the broadcasting field. Due to the recent reorganization of Bell Canada, it is now in a position to circumvent the prohibition contained in Clause 7.

Consider the following example: the new holding company, Bell Canada Enterprises, could incorporate a subsidiary such as Bell Canada TV and, for very little cost, connect the transmission facilities of that subsidiary, through its affiliate, Bell Canada, at a very reasonable rate, to virtually every home in Canada. Such a transaction would not run afoul of Clause 7 as it now reads.

The problem we are looking at here, Madam Speaker, is the endeavour by Bell Canada Enterprises to become involved in cable and broadcasting. The Canadian Cable and Television Association, the CCTA, has voiced its concern about this gap in Clause 7 of the Bill, a gap which could have a very important and negative impact on its members.

The broadcasting industry is fragmented at the base already. It has the fragmentation of the advertising dollar and a fragmentation of audience. The last thing it needs is further competition.

We are in the midst of examining and evaluating the impact of a changed Broadcasting Act on our society, and it would be most ill-advised to bring a new player into the game at this juncture. I know that the Minister of Communications (Miss MacDonald) has been spoken to. She has made statements supporting the cable industry, statements contrary to the view of Bell Canada. However, she has not translated those views into action.

The Minister has obviously not been listening to the cable companies, and has perhaps had her arm twisted or her ear bent by Bell Canada.

It is significant that the CRTC, in its April, 1983 report to Cabinet on the proposed reorganization of Bell Canada, concluded that the Bell Canada group should continue to be prohibited by law from holding broadcasting licences.

There was an extensive review, an exhaustive review, with public hearings and a great deal of public discussion, all indicating a concern over the degree of concentration of control and conflict of interest that could arise in the Canadian broadcasting industry if affiliates of Bell Canada Enterprises were allowed to hold broadcasting licences.

The commission concluded that the public interest would best be served by the separate, and to some extent, competitive evolution of the cable and telephone industries as separate entities. The conclusions of the CRTC are as valid today as they were then.

I should like to bring to the attention of Hon. Members what the commission had to say. I quote from the 1983 report of the CRTC, as follows:

> The Commission is of the view that Bell and the other members of the Bell group should continue to be subject to the limitation prohibiting the holding of broadcasting licences, which under the *Broadcasting Act* includes licences to operate cable television systems.
>
> At this stage of rapid evolution in the communications industry, the Commission would be concerned with the degree of concentration that could arise in the industry if the Bell group were allowed to enter the broadcasting field.

The commission went on to point out that the book value of the telecommunications assets of Bell Canada at that point was in excess of $13 billion, whereas the book value of the assets held by the private television, radio and cable industry was around $1.2 billion. So we are looking at a giant ready to gobble up an industry.

It would be most unhealthy for Canadians if such acquisitions by Bell could take place. I urge the Minister to consider the proposed amendments favourably. I know that she has made certain observations in this regard. I should like to underscore that the CRTC has assessed the situation on a number of occasions and has consistently affirmed and reaffirmed its resolve that Bell Canada and other members of the Bell group of companies be prohibited from applying for or holding broadcast licences.

I draw the attention of Hon. Members to the fact that 60.7 per cent of all telephone lines in Canada are in the hands of Bell Canada. In other words, of the 11.2 million telephone lines in Canada, including business and private, 6.8 million are in the hands of Bell Canada.

Given the strength of Bell Canada in the telephone field, it should concentrate its efforts on that area. It should not concern itself with competing in the broadcasting field, where we have other interests and other concerns. It would be in the best interests of Canada to prohibit, by statute, the holding of broadcasting licences by Bell Canada, including licences to operate a cable television system.

My amendment would restore Clause 7 of the Bill to the way in which it read when Bill C-19 was introduced in this House in December of 1984 by the previous Minister.

Spokespersons for Bell Canada have made the argument that there are adequate safeguards already in place. I suggest to you that the CRTC is not in agreement.

Mr. John Lawrence, the Vice-Chairman of the CRTC, at page 5 of his remarks to our legislative committee, presented on April 28 last, stated:

> With respect to the removal of the word "affiliate" from Clause 7 the CRTC is already on record, both in terms of the Bell Canada Reorganization Report,

1983, and in submissions made to this legislative committee reviewing Bill C-19—

And now again in the review of Bill C-13.

—that Bell Canada and all the other companies within the Bell family of companies should continue to be subject to the limitation prohibiting the holding of broadcasting licences.

Because you have limited the time, Madam Speaker—and I think in a most repressive way—I should like to bring to your attention the fact that I cannot now read into the record the words of the Minister of Communications. However, she did make a very strong statement on May 5, 1987, to the Canadian Cable Television Association acknowledging that there was a serious concern and that she intended to deal with the issue of mixing television, cable and broadcasting with the telecommunications companies through the issuance of a directive.

• (1600)

I do not think the issuance of a directive is the answer. The Minister pointed out that she was very proud of what cable companies do, yet she noted their monopoly in the area. She also said that the cable companies were protected from intrusion into their market by Bell Canada and other common carriers, which otherwise would be presumably only too eager to expand their range of services.

If the Minister acknowledges that the telephone companies would only be too happy to intrude into this field, I do not understand why she has not acted and used her directive to indicate that she was serious in her intent.

Cable television undertakings should be the privileged users of broadcasting in this area; it is not the place for telephone companies. The issue has been clearly defined and articulated by cable people, and it was acknowledged by the Minister. She supported the observation that it was not the place for telephone companies.

I wish the Minister, who spoke so loudly to the cable people, would put into action what she says she meant, would retain Clause 7 of the original Bill C-19, and would accept my amendment. I think it would be in the best interests of all not to use the directive power under Section 22. It is obvious that the Minister has not used it yet and has had plenty of time to do so. It is very important that the matter be addressed and that the amendment be adopted.

In the end we are left very uncertain about the predicament of not knowing how, if at all, the Minister will exercise her discretionary powers, and they are only discretionary. If the Minister truly believes that BCE should not be involved in the cable business, and if she recognizes its strength in general to go into that business unless so prevented, I suggest that she should take the opportunity to set her intentions in legislative form and accept my amendment.

I was about to deal with Clause 12, but since you are indicating, Madam Speaker, that I have no time left I cannot do so.

Ms. McDonald: Madam Speaker, I should like to deal with both Clause 7 and Clause 12. The difficulty with the piece of legislation is that in effect the Government is writing policy without having any long-term goals. We are left rather perplexed with technological change and the possibility of fibre optics coming in. The Government itself is not sure what roles should be played by the telephone companies and by the cable companies. It says that it wants to keep telephone companies out of broadcasting, yet it does not seem to favour an amendment to the legislation which would make very clear that they could not be involved.

The Standing Committee on Communications and Culture has been holding hearings on broadcasting questions. We have had representations made to us that because of technological change and fibre optics technology—running new fibre wires into houses—telephone companies might be the appropriate carriers for broadcasting undertakings. We are very perplexed now about what is the right way to turn. It is unfortunate that we must make decisions on these immediate matters without some long-term policy to guide the decisions.

The purpose of my amendment to Clause 12 would be to have the clause, as amended, read as follows:

The provisions of the *National Transportation Act* and the *Railway Act* that provide for the obtaining of information by the Commission for the purposes of carrying out its powers, duties and functions in relation to the Company apply for those purposes to and in respect of any affiliate in the same manner and to the same extent as if the affiliate were the Company.

With this reorganization we want to ensure that there is not an escape clause so that the affiliates will be able to do what the parent company was unable to do or what would have been prohibited under the old Bell Canada Act. It would be simply to ensure that there would be no organizational way around it.

I note that a number of organizations made similar recommendations. For example, the Public Service Advocacy Centre recommended that a simple amendment to the Bill was required to ensure that Bell Canada could be effectively regulated in the interests of its subscribers. It wants Clause 12 to be amended to encompass the obtaining of information relevant to the mandate of CRTC from all Bell Canada affiliates, not just its parent.

It is absolutely essential for the CRTC to have full financial information. Information does not get out to the public at large. It is essential that the CRTC be able to get the information on the affiliates as well, so that rates can be regulated in a manner which is fair to consumers. That is the purpose of the amendment to the clause.

The proposal of the Hon. Member for Mount Royal (Mrs. Finestone) deals with a different matter. It seeks to amend Clause 7 to make it very clear that telephone and broadcasting activities are kept strictly separate. If this amendment does not go through, the difficulty will be that the CRTC could be pressed very hard by telephone company affiliates to permit them to become involved in broadcasting undertakings. It is true that such a matter could be regulated under the Broadcasting Act. However, without an actual statement to the

contrary, the CRTC could be under a lot of pressure. A company could say: "If Parliament has not said that we cannot do it, you do not have a good reason for saying 'no' when an application is made".

In committee I asked representatives of the CRTC what they would do if they received an application. Mr. Lawrence, speaking for the commission, said the following:

> The commission holds public hearings. In the course of those public hearings, we hear arguments that often determine an issue . . . In this case, we would be looking for what interveners would tell us about how we should conduct ourselves in this situation. A situation was posed to me and I said I thought Bell might say, on public policy grounds, that the commission should not refuse a licence or refuse allowing BCE or an affiliate into that cable market.

Clearly the commission is anticipating that it might get this kind of proposal and that it would be very hard to say "no". We need some direction in the legislation.

The commission would be left having to decide under a great deal of pressure from an extremely powerful corporation saying that Parliament had not said that the commission could not do it and that it was a change in legislation from the old Bell Canada Act to the new one which clearly allowed them the opportunity to enter that market.

I think the Government is talking out of both sides of its mouth on the issue. We are not entirely clear what it wants. The Standing Committee on Communications and Culture is concerned about seeing that the lines of division are kept clear, yet we are aware that with technological change there may be new elements in the situation which will have to be taken care of. We need some long-term telecommunications policy to address the issues.

Hon. Flora MacDonald (Minister of Communications): Madam Speaker, two amendments have been put before the House at report stage of Bill C-13. The first one, in the name of the Hon. Member for Mount Royal (Mrs. Finestone), deals with the question of whether or not those who control the means of delivering a message, that is telephone companies, should also have the liberty of controlling the message itself. That is the gist of her amendment.

• (1610)

It has been a long-standing principle of communications policy in Canada that these two areas should not be mixed. Consistent with this policy, Clause 7 of Bill C-13, prohibits Bell Canada, the telephone company, and any person controlled by Bell Canada company from holding a broadcasting licence. I have also taken steps—this was indicated to the committee when I met with it on May 1 and subsequently reaffirmed, as stated by the Hon. Member for Mount Royal (Finestone), in a speech that I gave to the cable associations of Canada—to request the Governor in Council to issue a directive under Section 22 of the Broadcasting Act that will clarify the role of telephone companies and their involvement in broadcasting. That directive allows the flexibility that is needed in a situation like this. It allows the situation to change as we go into the further development of telecommunications technology, it allows for a response that is flexible to the exigencies of the time. It also gives, I may say, the CRTC the policy guidance that it requires and that it has requested. When I spoke to the committee and later to the cable associations of Canada the response was, I think, quite favourable in following this path. I believe that this message of addressing the issue of the broadcasting prohibition meets the concerns that have been raised.

I would remind you, Madam Speaker, that the CRTC has broad powers under the Broadcasting Act, and obviously with regard to any directive, to evaluate applications for broadcasting licences. The commission must be satisfied that the application is in the public interest before granting a licence. I expect that any application for a broadcasting licence from Bell Canada Enterprises or any of its subsidiaries would be fully addressed by the commission, and that any potential problems or conflicts could be dealt with through the licencing procedure. For that reason the Government cannot support the amendment as proposed by the Hon. Member for Mount Royal.

With regard to the second amendment that has been put forward by the Hon. Member for Broadview—Greenwood (Ms. McDonald), I would say that the CRTC already has very broad powers under the Railway Act and the National Transportation Act to require that information be provided for regulatory purposes.

Moreover, the CRTC is granted the powers of a superior court in respect to the appearance of witnesses, the production of documents and such other matters as are necessary in the conduct of its regulatory business. These are very extensive powers, Madam Speaker. Clause 12 as currently drafted reinforces these powers as they apply to the persons that control the company, Bell Canada Enterprises. In other words, the Bill as currently drafted permits the CRTC to request information from any BCE affiliate, so long as the information is relevant to the regulation of Bell Canada. Moreover, the Bill provides that the CRTC may determine what information is relevant and request it in any form.

The proposed amendment would radically extend the commission's powers beyond those provided in Clause 12 to include all the unregulated activities of BCE subsidiaries, many of which are completely unrelated to the activities of Bell Canada. This could open the way to what you might call fishing trips, requests for information that are irrelevant to the regulation of the telephone monopoly. This means that many of the internationally competitive activities of BCE subsidiaries would be exposed to regulatory scrutiny. Only Canada's competitiveness in international markets would benefit from this exposure of BCE affairs in this way.

The logic of the Bill is precisely to leave the competitive affiliates of BCE unregulated, while ensuring the CRTC has the power to regulate the telephone monopoly. The powers in Section 12 maintain this balance and ensure that the commission can gain all the information it needs to regulate the monopoly.

When this Bill was in committee, the CRTC itself indicated that Clause 12 as drafted was sufficient to the commission's needs. For these reasons the Government does not support the proposed amendment. Clause 12, as currently drafted, together with the other powers available to the commission, is more than adequate to permit the CRTC to regulate Bell Canada effectively and at the same time protect the interests of its subscribers.

[*Translation*]

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Madam Speaker, I am taking part in the report stage debate because the Hon. Member for Mount Royal (Mrs. Finestone) who spoke before me has asked me to explain why the Liberal Party will not support Motion No. 2 of our colleague from Broadview—Greenwood (Ms. McDonald), whose amendment reads as follows:

"in respect of any affiliate in the same manner and to the same extent as if the affiliate were the Company."

Indeed, this amendment would give the Company powers which, in our view, are now amply covered by the CRTC.

[*English*]

I would like to start by saying that we will support the amendment of the Hon. Member for Mount Royal (Mrs. Finestone) to Clause 7 because it gives us—I think I mentioned it at second reading—some assurance that Bell Canada will not become involved in the cable or broadcasting industry. That is the purpose of the amendment, and I would like to support that.

Speaking to Clause 12, the Hon. Member for Broadview—Greenwood (Ms. McDonald) has proposed an amendment which I understand was suggested to the legislative committee by CN-CP Telecommunications. CN-CP observed that Clause 12 would give the CRTC power to compel production of information in the possession of the parent company, Bell Canada, but not information in the possession of Bell Canada's affiliates, for example, Northern Telecom. CN-CP recommended that Section 12 be amended to include affiliates of Bell Canada. The Member for Broadview—Greenwood now proposes an amendment of similar effect. I want to explain why we will not support the motion.

The Hon. Member for Mount Royal was concerned about whether Clause 12 gave the CRTC sufficient powers to demand information from Bell Canada's affiliates. She wanted to ensure that the CRTC was given and is given sufficient regulatory powers to gather information from all the members of the group to ensure that the CRTC had the power to detect intercorporate subsidies, known as cross-subsidization among the members of the Bell group. In other words, the Member for Mount Royal was concerned about the possibility of the Bell group assigning to Bell Canada some unprofitable and high risk activity so that any losses incurred by the company would be subsidized by charging higher rates to Bell Canada's telephone subscribers.

The Member for Mount Royal was concerned, as is the Hon. Member from Broadview—Greenwood, that Bell Canada would be allowed to cross-subsidize its competitive businesses from revenues derived from its monopoly in the telephone business. For example, the Member for Mount Royal wanted to know from the CRTC if it was in a legal position to examine the recent acquisition by Bell Canada of BCSI, Bell Communications Systems Incorporated. She wanted to find out if Bell Canada paid a fair price to the members of the Bell group and if Bell Canada had to cover any of Bell Communications Systems Incorporated financial losses. My colleague, the Hon. Member for Mount Royal, was concerned about ensuring that the CRTC had the legal right to obtain information about the $1.5 billion contract between Bell Canada International Incorporated of Ottawa and the Government of Saudi Arabia to determine whether telephone subscribers in Canada were or could be subsidizing Bell's work abroad. Therefore, when the CRTC appeared before the legislative committee, the Hon. Member for Mount Royal asked about the CN-CP proposed amendment to Clause 12 of the Bill.

• (1620)

The Hon. Member for Mount Royal put to the witnesses the amendment the Hon. Member for Broadview—Greenwood has put to the House today and asked the representatives of the CRTC if in their opinion they thought it was necessary. The Vice-Commissioner of CRTC Telecommunications, Mr. John Lawrence, and legal counsel for the CRTC both told the committee in unequivocal terms that not only was the amendment my colleague is proposing today not necessary but they went so far as to say that due to a recent decision of the Federal Court of Appeal, such an amendment could restrict rather than expand the right of the CRTC to gather information.

I requested and received transcripts of those two meetings. Pages 219 and 220 of the transcript of the April 28 committee meeting read as follows, beginning with the Hon. Member for Mount Royal speaking:

—I wonder if the amendment that would be useful for you would be an amendment in clause 12 that would state something to the effect that: . . . "and to and in respect of any affiliate of the company engaged in a telecommunications activity in the same manner and to the same extent as if the person or affiliate were the company". Is this what you require in this particular amendment in Clause 12? What would be required to ensure that you first of all get the required access to the necessary information organized in a way that is useful?

MR. J. LAWRENCE: Under the present provisions of the National Transportation Act regarding Bell Canada as interpreted in the Interprovincial Pipe Line case in the Federal Court of Appeal, it was held that a parent company can be required to disclose information from all of its subsidiaries in a form required by the regulator. By virtue of this interpretation of the provision of the National Transportation Act, we think the present provision in clause 12, which in effect says that BCE will now be treated the same as Bell Canada would under those provisions, is going to be adequate without adding the word "affiliates" into the clause.

The Hon. Member for Mount Royal then went on to ask another question which was answered as follows:

MR. ALLAN ROSENZVEIG (LEGAL COUNSEL, CANADIAN RADIO TELEVISION AND TELECOMMUNICATIONS COMMISSION): It was appealed as far as the Federal Court of Appeal. The commission considers this is good law; we are not worried about it; we are confident about it. The same question arose in the Senate committee discussion on consideration of this bill and we said we were satisfied with it at that time.

Further, dealing with the Saudi Arabia question of whether or not offshore contracts would be subsidized by domestic telephone users, the Hon. Member for Mount Royal asked the following question:

Saudi Arabia—we went there. I want to know how much we cost the Canadian telephone user. Can you get the information organized in the way you want?

MR. ROSENZVEIG: We feel we could with clause 12. If it was enacted it would then allow us to get information through BCE from anyone BCE controls, namely, Bell's affiliates. If we add the word "affiliate" we think it might wash backward and disturb the principles expressed by the Federal Court of Appeal in the Interprovincial Pipe Line case to the effect that a regulator can get the information it requires to regulate the utility through anyone controlled by the utility. Clause 12 would put us in the same position vis-à-vis BCE and anyone it controls.

The Hon. Member for Mount Royal went on to say:

I see. You feel if we leave the provision as it is, it would capture the concerns we might have.

MR. J. LAWRENCE: That is right. As presently interpreted by the court—and that is a court ruling of the Federal Court of Appeal. It is a very high court.

I wanted to put that on the record to ensure that Hon. Members understand that evidently the CRTC is happy with Clause 12 as it now stands and advises against any amendment. The CRTC has considerable experience in regulating Bell Canada. If the CRTC is happy with that clause, I for one am prepared to accept it and to pass judgment on it by voting against the amendment.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mrs. Champagne): It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the Hon. Member for Mississauga North (Mr. Horner)—Narcotics—Increase in drug abuse—Government position; the Hon. Member for Ottawa—Vanier (Mr. Gauthier)—Royal Canadian Mounted Police—Situation of francophones—Inquiry whether Solicitor General has action plan. Reduction in francophone manpower; the Hon. Member for York East (Mr. Redway)—Parole—British Columbia experiment using electronic monitoring ankle bracelets.

[*English*]

BELL CANADA ACT

MEASURE TO ENACT

The House resumed consideration of Bill C-13, an Act respecting the reorganization of Bell Canada, as reported (with an amendment) from a legislative committee; and Motions No. 1 (Mrs. Finestone, p. 7100) and No. 2 (Mrs. McDonald, p. 7100).

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

Motion No. 1 (Mrs. Finestone) negatived.

Motion No. 2 (Ms. McDonald) negatived.

Hon. Flora MacDonald (Minister of Communications) moved that the Bill be concurred in.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

Mr. Lewis: Madam Speaker, there have been discussions among the Parties and I think you would find that there is unanimous consent to proceed with third reading at this time, and at this time Hon. Members who wish to make comments on third reading stage may do so.

Ms. McDonald: Madam Speaker, there certainly is agreement that we proceed, provided that there is an understanding that the time be shared equitably among all three Parties between now and 5 p.m.

Mr. Lewis: Madam Speaker, I think we could give that undertaking on behalf of the Government. We would hope to clear third reading stage by five o'clock and that would mean speeches of 10 minutes per Party. There has been an understanding among the Parties that we would be successful in achieving third reading today. I would hope that we could do that, and we are certainly agreeable with the NDP to split the time equally.

Mr. Gauthier: Madam Speaker, although I appreciate the communication here, I think it could be improved if we could take just a few minutes behind the curtains to talk about the proposal which, as I understand, is to pass this Bill before 5 p.m. by sharing the time between 4.30 and 5 p.m. equally among all Parties. My understanding is that the Hon. Member for Mount Royal (Mrs. Finestone) has some hesitation and I would like to discuss it with her if I could.

Mr. Lewis: Madam Speaker, I think we would be in agreement with that. The motion could be moved for third reading and the debate could commence. The Minister could

initiate the debate and we will have the meetings which my hon. colleague has suggested.

Hon. Flora MacDonald (Minister of Communications) moved that the Bill be read the third time and passed.

• (1630)

She said: Madam Speaker, I welcome the opportunity to move third reading of Bill C-13, the Bell Canada reorganization Bill. The issues addressed in this Bill have been examined and commented on in committee and in the House several times already. I would like to take these few minutes to stress the importance of this legislation. It is important, both for Bell Canada and its affiliates, as well as for the general public.

Bell Canada, as we know, is the largest telephone company in Canada. Like the rest of the industry it provides an excellent standard of service that we sometimes take for granted. Until very recently telephone service has been provided on a monopoly basis in Canada and elsewhere. To prevent the abuse of this monopoly power the industry has traditionally been subject to stringent regulation of its rates and services. It appears certain that for the foreseeable future many of the basic services offered by Bell Canada and other telephone companies will continue to be operated on that monopoly basis. Therefore, the services will continue to be regulated by the CRTC.

At the same time we know the telecommunications industry is experiencing a period of rapid and accelerating change. These changes are occurring both domestically and internationally, and they have been brought about by advances in technology, by new and varied user requirements, and a belief that competition will spur further innovation and growth.

Because many of its activities are now subject to growing international competition, in 1982 Bell Canada reorganized to create a new parent company, Bell Canada Enterprises. Bell's objective in this reorganization was to distinguish clearly between its regulated monopoly activities and its non-regulated competitive activities. As a result of its reorganization the telephone part of Bell Canada became a subsidiary of Bell Canada Enterprises. This resulted in a very uncertain regulatory environment because questions were raised about the ability of the CRTC to regulate effectively the monopoly activity of Bell Canada.

Because of these changed circumstances the Government asked the CRTC to report on the reorganization, which it did in 1983. It concluded that specific legislative amendments would be necessary to clarify and confirm its authority to regulate Bell Canada effectively within the reorganized group of Bell companies.

The Bill before us takes into account the specific recommendations of the CRTC and the concerns expressed by a wide variety of interest groups. The legislative powers in this Bill will permit the CRTC to regulate the company effectively. This Bill reaffirms the long-standing provisions of Bell's special Act and confers three specific new powers on the CRTC which will enable it to carry out its mandate to regulate the monopoly telephone service of Bell Canada. This Bill will ensure the continuation of the high quality level of universal telephone service to which we are accustomed, establishing a clear and unambiguous regulatory regime.

Equally important, the provisions of the Bill allow BCE to engage freely in a wide range of unregulated activity on a national and international basis. BCE and its affiliates are major players in the international information technology revolution and they must be allowed to compete without undue regulation.

In the last session Bill C-19, which was almost identical to the present Bill, was subject to a thorough examination by the standing committee and this Bill has again been looked at by a legislative committee of this House. I should point out that only one amendment was made to Bill C-13 by the legislative committee and that involves a rather technical provision that was overlooked by Bell in its original recommendation in drafting the Bill.

Bill C-13 has been subject to a great deal of scrutiny over the last number of months, as was its predecessor. I want specifically to thank the standing committee, members of the legislative committee and those who have worked on this through a series of reviews, for the very diligent work carried out. At this point we have gone over this Bill so many times that I think the best thing to do is to give it speedy passage.

Mrs. Sheila Finestone (Mount Royal): Madam Speaker, this is not the first time a Bill concerning the reorganization of Bell Canada was introduced to Parliament by the Government. In the last session the previous Minister of Communications introduced an almost identical Bill called Bill C-19. That Bill died on the Order Paper when the Government chose to prorogue the session.

Before embarking on an analysis of Bill C-13 it may be useful to review the history which led up to its introduction. In view of the importance of the Bell group of companies and the potential impact its corporate reorganization under the Canada Business Corporations Act could have, the CRTC was directed on October 25, 1982, by the then Minister, Francis Fox, to conduct an inquiry under Section 15 of the National Transportation Act into Bell Canada's proposed reorganization. The CRTC was directed to report its findings by March 31, 1983, so that the Government could take its recommendations into account in its over-all analysis of the reorganization. The Liberal Government also called for consultation hearings to be open to all interested persons.

Mr. Fox indicated that the general form of the reorganization was consistent with the Liberal Government's attitude toward increased competition and industrial development in the high technology telecommunication sector. He stressed that the Government had been indicating for some time that all Canadian companies should make changes to enable them to be more competitive in the international as well as the domestic markets.

The Bell Canada group of companies forms a vital part of the telecommunication sector in Canada. While Bell Canada is most readily identified with the provision of telephone services in Ontario and Quebec, the Bell group is also involved in many other activities. Therefore, this most major corporate reorganization of this important group of companies is obviously of great interest to the Government.

At that time Mr. Fox pointed out that the proposed reorganization had raised questions and concerns regarding the impact on Bell's subscribers and on the ability of the CRTC to continue to regulate Bell's monopoly in the provision of telecommunication services. That refers to our telephones in particular. He added that the Government must be satisfied that the reorganization was in the over-all public interest. It was in the over-all public interest that I put forward an amendment, and I will come back to that in a moment because I personally believe it is not in the over-all public interest to have rejected that amendment.

The CRTC held its hearings in February of 1983 and many points of view were expressed on the issue. On the basis of briefs and recommendations submitted to it, and on the basis of its own study of the matter, the CRTC made its recommendations on April 18, 1983. It recommended that the proposed reorganization be implemented on condition that certain legislative provisions be adopted to strengthen and clarify the CRTC's powers over Bell Canada and its affiliates, thereby protecting the interests of the subscriber. That is the bottom line, protecting the interests of the subscriber.

On April 23, 1983, the Liberal Government announced its intention to study the CRTC recommendations and draft the necessary legislative provisions to protect the interests of Bell Canada's customers. We had first reading of Bill C-20 on February 8, 1984. It was an omnibus Bill which covered a number of other issues.

• (1640)

The Bill we are speaking to today, Bill C-13, has some of the legislative provisions initially recommended by the previous Liberal Government. It should be noted, however, that the present Government has introduced some changes which I do not think are in the public interest. The Government says that the purpose of Bill C-13 is not to increase the regulatory powers of the CRTC but to recapture the powers lost due to the reorganiztion of Bell Canada.

I am not going to go into detail on Clause 6(2)(c) with which I was not particularly pleased which relates to telephone subscribers paying in advance. Suffice it to say that I think that whole clause should have been dropped. The matter is in the hands of the CRTC and has been dealt with in a series of regulations which I think are quite clear. I doubt that we need that regulation. Nonetheless, it is there and I will not argue with it.

I remember questioning the Minister of Communications (Miss MacDonald) with regard to the regulation about payment six months in advance. The Minister said:

[*Translation*]

"I have gone through a whole scenario on that, which I do not care to bore you with again. However, the CRTC brought to our attention at the hearing the other day that they are already regulating the amount of the advance payment. They pased a regulation that does not require a six-month advance payment.

Do you or the deputy minister believe there is any reason to keep paragraph 6(2)(c) from the bill and leave it up to the CRTC? They have already issued that regulation."

I'm sorry, this was my question to the Minister, not the Minister's answer. The Minister answered that she felt it made sense to leave it as is, so I thought it would not be very useful to argue that point and that it would be better to focus on Clause 7. I still think we should have been more careful about Clause 7.

[*English*]

With respect, the commission had strongly recommended on three different occasions that we prohibit Bell Canada and all members of the Bell group from applying for or holding a broadcasting licence. I mentioned that 60.7 per cent of all the telephone lines in Canada are held by Bell Canada. What better way to indicate one's intention and wishes than to have dealt with Bell Canada and the potential conflict of interest, the potential conflict of control over content and carriage, and the potential of common ownership and control with one company controlling both ends of the stick, telephone on one side, cable on the other. It seems to me that that is where we should have put some energy, closed the gap, and indicated directly to the telephone company.

I find that the Minister's failure to have issued a directive under Section 22 as an Order in Council directive is an abrogation of her responsibility to indicate the pleasure of the Crown in this instance.

[*Translation*]

As the Minister said, "Generally I do not favour telephone company investment in broadcast undertakings, whether directly or through affiliated companies. Yesterday I had the opportunity to speak to the CCA in Montreal. I said at that time that with the advent of optical fibre in the local distribution network, which is expected in the next 20 years, the phone companies will have the capacity to carry television signals to the home. We are not against this development. We are concerned, however, that the entity licence to carry these signals remain amenable to broadcasting regulations."

"In our view, cable television undertakings should continue to be licensed for this purpose and not the telephone companies. We will be diligent about ensuring that broadcasting receiving undertakings are not taken over by telephone companies."

[*English*]

I hope that we will see that action and that the telecommunications companies outside of Bell Canada will not feel a sense of discrimination. If it is good enough for Bell Canada and covers them in Section 7 of this Act, it should certainly cover B.C. Tel and others.

We are left in a predicament and I find it most regrettable that that is the case with this particular statute. I would like to understand why the Minister would not prohibit by statute the holding of broadcasting licences. Why was the former Minister of Communications concerned enough to use the wording I am proposing today for Clause 7 while the current Minister is not? Why is there inconsistency between two Ministers of the Government with regard to the same clause of the Bill?

Nonetheless, it looks as though this Bill will be passed. The CRTC, Bell Canada, and the Minister of Communications will be happy. I guess that as the world turns so shall Bell Canada. Let us hope that it shall continue to be in the best interests of the subscribers and the telephone industry in Canada, particularly with such a large force which provides such fine dollars to another corporation which seems to be using them in a very *rentable manière*.

Ms. Lynn McDonald (Broadview—Greenwood): Madam Speaker, we are dealing with Bill C-13 with regard to the reorganization of Bell Canada and Bell Canada Enterprises which, of course, is an enormous company. In terms of ownership the *Financial Post* lists Bell Canada Enterprises as number four in sales at $13 billion a year; number one in profit, of which it has over $1 billion; and number two in number of employees, of which it has over 100,000. It is a massive company which has, so far, managed to thumb its nose at the CRTC.

Bell Canada had excess profits in 1985 and 1986 estimated by the CRTC at over $200 million. It has refused to comply with the direction of the CRTC to pay back some of these excess profits. Instead it has gone to court to fight the case. Meanwhile, the CRTC is preparing another view of Bell's revenue requirements for this and coming years in conjunction with its review of Bell's application for rate rebalancing. The saga goes on.

We are dealing with this Bill because Bell Canada managed to reorganize itself. Bell Canada Enterprises is a *fait accompli*. There is much I do not like about the situation, but now that we have it there must be regulation. We need legislation to ensure that the CRTC can get the information it needs to regulate the monopoly telephone-telecommunications aspects of Bell Canada's business.

Bell Canada is an enormous provider. It is the largest telephone company in the country with a monopoly. Monopolies make money hand over fist. This one has been enormously profitable in the past and we are naturally concerned that unfair advantage is not taken of the subscribers in this monopoly situation. People need a telephone. It is an absolute essential in today's life and people will pay the rate demanded of them.

Therefore, the rates must be fairly set. If Bell can increase them, it will and make money hand over fist, which money, if there is not proper regulation, can be taken out of the company and put into other affiliates or the parent company in a way which will take very unfair advantage of the monopoly situation of the company in the telephone-telecommunications business. That is what we are trying to ensure will not happen.

The question with regard to Bell and broadcasting is a more complex one. The amendments to Clause 7 have already been overturned. It is debatable whether the prohibition against the mixing of functions and business should be done through this Act or by some other means. It can well be argued that if it is in this Act with regard to Bell Canada it will not take care of B.C. Tel or other telephone companies and that it will be a limited and discriminatory policy to put it in there. It has to be addressed elsewhere in legislation. It has to be absolutely clear so that the CRTC is not put into a position of being asked for approval of a sale, for example, being told there is no prohibition against it and being put under a great deal of pressure to okay it, because if Parliament has allowed it, why should the CRTC step in? If Parliament wanted to forbid the access of telephone and telecommunications companies into broadcasting, Parliament would have said so. Therefore, this is something we are going to have to pronounce, and we should do so before very long.

• (1650)

I am concerned about some other policy questions. We are dealing with this Bill somewhat in a vacuum. We still do not have long-term policy decisions in the telecommunications area. We still have not received answers to questions on competition, on the role of the telephone company as a utility, what should be the principles in regulating it, what should be the responsibilities to consumers and subscribers, and should a telephone company be a major investment firm? Should this kind of expansion be appropriate for a utility which is providing an absolutely essential service? Who is going to develop fibre optics? What about technological change? We have some long-term issues to address, and this Bill does not really take us anywhere in addressing these long-term questions and what kind of policy should be made for Canadians in this absolutely vital area of communication. These are basic essentials for Canadian families and for business enterprises, so they can have first-class services and the innovations which are being developed. Yet there is a great deal of uncertainty as to what the appropriate principles should be for guiding development in this area.

I simply want to flag some of these problems the Bill is intending to address such as cross-subsidization, the need for long-term policy and the utility role. I think we have to get on with addressing these kinds of very important questions. In the meantime, this legislation is vital. We have to get it through. We are not holding it up. We are flagging concerns which have

to be dealt with in due course. In the meantime, the reorganization has already taken place. It is essential for consumers in areas which now have services that it be possible for the CRTC to regulate and to have access to financial information from Bell and its affiliates, however defined, so that they can do a regulatory job which is in the interests of Canadians.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: On division.

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

* * *

COPYRIGHT ACT

MEASURE TO AMEND

Hon. Flora MacDonald (Minister of Communications) moved that Bill C-60, an Act to amend the Copyright Act and to amend other Acts in consequence thereof, be read the second time and referred to a legislative committee.

She said: Madam Speaker, it is indeed a privilege to rise in this House and speak at second reading of Bill C-60, an Act to amend the Copyright Act and to amend other Acts in consequence thereof. I realize we are beginning the debate on this very important Bill with just five minutes left before we enter into Private Members' Hour. However, I trust that given the importance and significance of this Bill, we will be able to continue the debate at second reading tomorrow or the next day and that we will be able to move it through debate at second reading very quickly so we can get into committee to give the opportunity to witnesses to present their views. We can then bring it back into the House for quick passage so that the changes which so many people want to see enacted through the amendment to the Copyright Act will be in place at the earliest possible day.

This Bill is good news for creators and artists. It is good news, indeed, for the economy. As I am sure Hon. Members know, our present Copyright Act has been outdated for a good many years in a good many areas. It no longer offers the protection it should to products of the mind and spirit. The Copyright Act was first passed in this country in 1924 and has not been significantly revised since that time. It clearly does not respond to the needs of our transformed cultural and technological environment in this communications age.

Creators have an essential right to control the production of their minds and to be rewarded for that production. However, this right is not clearly protected in many present circumstances because of major social, technical and cultural transformations which I suppose the drafters of the 1924 Act could never have envisaged.

The Bill before the House will respond in part to this situation which has been created over a number of years by addressing several specific areas in which there is broad agreement among Canadians as to measures which can be taken to safeguard the rights of our artists and creators. This will, I am sure, encourage cultural activity and thus bring about social, economic and cultural benefits to all Canadians.

I would like to mention that this particular set of amendments presented in this Bill deals with certain specific aspects of copyright. It is not the total package the Government will be producing because we have undertaken to revise the total Copyright Act. There will be a second package with regard to revisions to the Copyright Act which we hope to introduce later this year. They are presently in the drafting stage.

I would like to speak briefly about the various measures which are being addressed in Bill C-60. The first has to do with collectives. Modern reproduction technologies like photocopiers and video cassette recorders have made it increasingly difficult to ensure that authorization is obtained from individual copyright owners whenever a book, a play, or whatever it might be, is copied. Indeed, the tendency is for a great number of different users to want immediate access to a wide variety of protected works all at the same time. Monitoring potential infringements on an individual basis in such circumstances becomes almost impossible. That is why Bill C-60 explicitly encourages the creation of new collective societies of copyright owners.

This system has been in operation for about 50 years for musical performances and is working well. Under our present Bill, the practice which now pertains to those who provide musical performances would be expanded to other areas to be covered by copyright and would result in collectives of authors, visual artists and so forth.

[*Translation*]

A collective licensing body is basically a group of copyright owners who form an association responsible for exercising, on their behalf, some aspect of copyright such as photocopy reproduction rights.

This group, representing a substantial number of copyright owners, negotiates with users, on behalf of its members, a general licence fixing the royalties and the conditions under which the licence is valid.

Provided the licensee observes the conditions of the licence and pays the royalties, he is free to exercise the right in question.

• (1700)

[*English*]

The collective approach has many advantages—

The Acting Speaker (Mrs. Champagne): It is with deep regret that I must interrupt the Hon. Minister.

It being 5 p.m. the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--PUBLIC BILLS

[*English*]

CRIMINAL CODE

MEASURE TO AMEND

Mr. John Reimer (Kitchener) moved that Bill C-216, an Act to amend the Criminal Code (abortion), be read the second time and referred to a legislative committee.

He said: Madam Speaker, the central issue of my Bill, Bill C-216, is the following. Is a foetus a potential life or a life with potential? If it is a life with potential, then we must protect that life with the full weight of the law.

My assumption in saying this is that we can only then take that life if the fact of the pregnancy will, according to a therapeutic abortion committee, endanger the life of the mother by the continuation of that pregnancy to term. In this case the rationale for taking the unborn person's life is self-defence, to protect the life of the mother.

Further, this Bill would not allow abortions for reasons of health. My rationale here is that one simply cannot take a life on grounds of physical, social or mental health unless there is a demonstrable and direct threat to the mother's life *per se*.

The World Health Organization has defined the word "health" as follows:

> Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.

That is exactly where much of the problem in this abortion debate begins.

In 1969, the then Minister of Justice, who is now the Right Hon. Leader of the Opposition (Mr. Turner), introduced the present law on abortion. In defending the wording of our present law he stated as reported at page 8398 of *Hansard*:

> The word "endanger" —imparts or connotes the elements of hazard, peril or risk . . . It appears to us that the elements of seriousness, directness and impairment are all present when a person's health is said to be in danger. The word "danger" in itself implies the existence of direct peril or risk.

However, if we look at abortion rates since 1969 we have to ask some serious questions. In 1985, there were 60,956 abortions. Does that mean that all of these mothers were in real "hazard, peril or risk" to their lives or health?

Why is it that today, with all our modern advanced medical knowledge and technology, so many mothers are in such real danger to life or health while pregnant? I think that part of the answer can be found in what the present Right Hon. Leader of the Opposition said in 1969. At that time he was the Minister of Justice. He said the following:

> —there are those on the one hand who abhor abortion for any cause. There are those on the other hand who would make abortion wholly permissive or at the personal option of the woman. We have not reached a consensus between those views. We have reached only what I call an accommodation.

There is the rub. The present law is an accommodation to allow those who want abortions, for whatever reasons, to obtain them. Of course those who are opposed to abortions will obviously not seek them.

There can be no accommodation between life and not-life. Either one believes that the unborn child in his mother's womb is a human being and one protects it, or one does not believe it is a human being and one aborts it at will.

When I was a board member at the Kitchener-Waterloo Hospital we conducted an in-depth study of abortions at the hospital. We found that there were 66 combinations of various interpretations of the word "health" that were used to approve abortions. The 66 ranged from history of post-partum reactions, to interruption of education, to failure of contraception or failure of sterilization. I ask Hon. Members: What have those got to do with health?

Responsibility for this state of affairs cannot entirely be laid at the feet of the doctors, nurses or the hospital therapeutic abortion committees—although they do bear some complicity given their medical knowledge as to the nature of the procedure being performed. Rather, I would suggest that the primary culprit is the law itself. The real question in the abortion debate is whether or not we are dealing with a human life and the need for our abortion laws to conform accordingly.

If we are talking about a human life, then we must protect that life, since a life cannot be taken except in self-defence. However, if we are not dealing with a human life but rather with a piece of tissue, then we should take abortion out of the Criminal Code and treat the foetus in the same way we do infected tonsils or appendices.

Let us not hear ridiculous arguments in this debate today such as the unavailability of access, socio-economic disadvantage, freedom of choice and so on. One does not kill people for reasons such as these. The only way in which such arguments can have validity is if those arguments and those arguing in their favour are prepared to claim that the foetus is just a piece of worthless tissue and that therefore abortion should be taken out of the Criminal Code. At least then there would be some measure of honesty and some consistency to this debate instead of the hypocritical games that are usually played when this topic is raised in the House.

I am convinced that from conception to birth we are dealing with the life of a new human being. Surely, when we speak of abortion we are talking about two lives—the life of the mother and the life of the child. Why else would we call a pregnant woman a mother?

Further, when we look at the medical, scientific and legal facts surrounding abortion the evidence is overwhelmingly on

the side of the life of the unborn. From the very first day after conception the unborn child is a complex and rapidly growing organism with its own unique genetic endowment. By the end of the first month the child completes the period of relatively greatest size increase and the greatest physical change of a lifetime.

As early as the seventh week we can observe a well-proportioned baby that bears the familiar external features and all the internal organs of an adult. The brain already sends out impulses that co-ordinate the functions of the other organs. At eight weeks it is possible to record individual electroencephalogram readings of brain activity. Today, the absence of signs of brain activity is taken as evidence of death. Why then do we not also consider signs of brain activity in the developing child as evidence that human life is present?

Keeping pace with scientific knowledge of development within the womb, the law has increasingly recognized the rights of the unborn without attempting to draw lines at any particular stage of its development. For example, within tort law it is now clearly recognized that the unborn child in the path of an automobile is as much a person in the street as is the mother. It has even been held that constitutional rights of the parents in the free exercise of religion must give way to the unborn's need for a blood transfusion. The property rights of the unborn are well established.

Finally, when the West German Supreme Court was asked by its equivalent to our House of Commons when does the foetus gain the civil rights to life, I think its answer is highly instructive. It said:

> Life, in the sense of historical existence of a human individual, exists according to definite biological-physiological knowledge, in any case, from the 14th day after conception (nidation, individuation).

In other words, from conception to the fourteenth day, the fertilized egg could divide, leading to a multiple birth; but after the fourteenth day, it is purely a question of growth. So, at the very least, we have life from the fourteenth day after conception. That is even before a woman knows she is pregnant!

• (1710)

Surely the medical, scientific and legal facts unanimously move in the direction of life and not mere tissue. I respectfully submit that our actions had better start catching up with the facts. We need to begin to do what our laws surely must do, that being to protect every life, particularly the defenceless within our society, and we can do so by having our Criminal Code reflect these facts.

It is my hope that as Members debate this issue, they will deal with the question of whether or not we are dealing with a life. If in fact we are dealing with a life, it should be protected; if we are not, abortion should be removed from the Criminal Code.

I urge Hon. Members to avoid bringing into the debate all of the other nonsense. If we focus on the issue of whether or not we are dealing with a life, we will have a good debate. If we focus on other aspects, we will have the debate we usually do on abortion in this House.

I commend to you, Mr. Speaker, the second reading of the Bill and its referral to committee.

[*Translation*]

Mrs. Lise Bourgault (Argenteuil—Papineau): Madam Speaker, Bill C-216, presented by the Hon. Member for Kitchener (Mr. Reimer), concerns a very important and indeed very sensitive issue. As you know, I have some very definite views on the subject of abortion. Like so many Canadians, recent events such as the Mortgentaler case have made me think about abortion. However, I do not want to use the time of this House to discuss the principle behind a Bill that seeks to amend the provisions in the Criminal Code concerning abortion. We are all very much aware it is an important issue and one that has aroused considerable interest. I am convinced that the Hon. Member's initiative a rises from the conviction that such amendments are necessary.

Madam Speaker, I would like to repeat in today's debate what I said on June 2 of this year, in the course of a debate on Motion M-37, and I quote:

> Our time should be spent developing a true family policy, a policy concerned with the prevention and support that the State should be bringing to families or women pregnant with an unwanted child, in order to help those women, through adequate action keep their child until he or she is born instead of having an abortion.

Madam Speaker, the Hon. Member for Kitchener is proposing to amend the Criminal Code which reads, and I quote:

> Every one who, with intent to procure the miscarriage of a female person, whether or not she is pregant, uses any means for the purpose of carrying out his intention is guilty of an indictable offence and is liable to imprisonment for life.

Madam Speaker, here again, the onus is on the woman, and the man who contributed to this unwanted pregnancy, unwanted since the woman wants an abortion, what kind of sentence should he get, since after all, he made his contribution one night, perhaps with his partner's consent, but it is clear neither partner wanted a child, after all! So if the Hon. Member's motion to deal with the consequences of that sexual act were accepted, it would be the woman who would face a criminal charge. And that is a serious matter.

I would like to take the next few minutes to discuss two aspects of the abortion issue. First, the attitude of Canadians to this question and second, the manner in which the provisions of the Criminal Code on therapeutic abortion are applied across Canada.

To get a thourough understanding of the situation with respect to abortion, we should first take a broader look at the reaction of Canadian men and women on this question. In the past few years, the Canadian way of life has undergone several major changes which have had an impact on the basic standards of the population. Those changes dealt with the

number of children that people want to have, their sexual behaviour and the patterns of use of contraceptive devices.

As our country developed from a rural society into a highly industrialized state, different social expectations and improved standards of living have resulted in drastic changes in people's activities, in their expectations in life and in their attitude to planned abortion. Although attitudes in that respect are no longer what they used to be, there is no consensus on the present situation or the action to take in the future.

Since abortion may become an explosive subject, as this House has seen in the past two months, I humbly submit that the public has chosen to ignore that debate. It has not tried to find efficient and direct solutions to those deep differences of opinion. Some people have chosen to say: "Let us ignore the problem, it will disappear eventually". Other people with different views have retaliated and said: "These are our facts, this is what we must do".

Between those two positions, there is a whole range of deep feelings, which are not always easily expressed, but which recur steadily, whatever the region, the religion, the partisan considerations, the language spoken, and other social characteristics of the people concerned. Those opinions insist on the one hand on preserving the life and physical health of the mother, and are concerned on the other hand with the whole social environment of women and family situations. Each of these two attitudes, shared by a great many Canadian men and women, is based on a different notion of the family and the changing role of women within the Canadian society.

Madam Speaker, because the abortion issue is deeply rooted in moral principles, the professional ethic is highly charged with emotion. It will continue to be so, for there is no easy solution. As is the case for other major issues involving the concepts of life and death, the abortion issue is of concern to many people who would have preferred to avoid it.

It is one of the delicate choices which any woman of child-bearing age may have to consider. A large number of women who have had an abortion have been ostracized and have experienced pressures which have left them in a permanent state of anxiety. Which brings me to the second aspect of the general abortion issue.

In 1975, the Government of Canada established the Committee on the Operation of the Abortion Law. Among the members of this committee were Denyse Fortin Caron, Marion G. Powell and Robin F. Badgley, its chairman, who was asked to carry out a study to determine whether the Criminal Code provisions concerning therapeutic abortion practices were applied equitably everywhere in Canada. Madam Speaker, I am sure that, as a woman, you have read the Badgley report just as I have.

The Committee found that the abortion law was not equitably applied throughout Canada as all sorts of provincial guidelines and regulations had been added concerning the establishment of therapeutic abortion committees in hospitals. Moreover, hospital administrators and members of the medical profession have different ways of interpreting the prescriptions for allowing this procedure. These factors have resulted in profound inequalities in the distribution and accessibility of therapeutic abortion services, regular trips by Canadian women to the United States to secure an abortion and long waiting periods for women who have an induced abortion in Canada.

Madam Speaker, these social inequalities do not result only from our abortion legislation. They reflect the manner in which Canadian society reacts to a delicate social issue which can lead to ostracism and fear.

No law can offer easy and effective solutions to those inequalities, as long as the matter is not addressed with more frankness and a deeper sense of social responsibility in the face of something that has affected over these last few years many hundred thousand Canadian women, a figure that is multiplied many times over if we include the partners and the families involved.

While the abortion legislation specifies the procedure to be followed, its assessment criteria are flexible enough to meet a diversity of needs and experiences of people from across the country. It is not the law nor its implementation that led to existing unjustices and to significant inequalities in the access to therapeutic abortion from city to city, region to region and province to province—Canadians, their health care services and the medical profession are responsible for that situation.

The social cost paid by women who use abortion has been the tolerance of widespread, deep-rooted social unjustice, and for some physicians and hospitals an excessive work burden.

Madam Speaker, abortion is a subject that a majority of people would rather avoid, wether it be the women involved, health care specialists or the public. But the problem is here to stay, only the dimension can change.

Finally, Madam Speaker, I appreciate and I recognize the value of the legislation put forward by the Hon. Member, but I share a conviction with most Canadian women, especially Quebec women I know, that a true family policy that would encourage pregnancy as opposed to abortion would solve the moral problem many people have with abortion.

• (1720)

[*English*]

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Madam Speaker, I am pleased to have the opportunity to speak on the Private Member's Bill of my colleague. As I read it, it would have the effect of allowing for the issuance of a certificate to enable an abortion only when the life of the female is in question, not when her life or health were endangered. I appreciate my hon. colleague's concern for the issue. I compliment him for the way in which he has always brought forward that concern. I know he is vitally interested in it.

However, I must tell the House that I hold a different viewpoint, which I have reached through a great deal of personal thought and consideration and which I have discussed with my wife and others at length. I am sure my colleague will accept my comments in good faith.

There exists in Canada today a very profound divergence of views on the question of abortion. These views are strongly held and often emotionally charged. While the depth of feelings on the issue must be understood and respected, the very fact that opinions on abortion are so widely divergent poses a problem for Members of Parliament.

I remember during the deliberations on the Constitution Bill and the Charter of Rights and Freedoms in 1980 and 1981 that the rights of the unborn were raised on several occasions. Some argued that the Charter should clearly include the right to life of the foetus. Others contended that a woman's right to privacy and security of the person should not be put in jeopardy. Because of the fundamental differences of opinion on the issue, the decision was made not to entrench one view or the other in the Constitution.

It was felt that the question should be left as a question of criminal law, for Parliament to decide in the context of criminal law, which is where it is today and which is what my colleague seeks to change. I believe the decision not to entrench was the correct one.

Public opinion over the years has shown a growing acceptance of choice as the view of most Canadians on abortion. I believe that public opinion is possibly split in thirds—a third of Canadians feel that the present law does not go far enough, a third believe that the law is correct as it stands, and a third believe that it has gone too far. It is prudent for Parliament to allow for an adjustment to existing laws rather than to entrench, as was suggested a week or so ago, a single view to which a larger segment of the population is opposed. I would use the same argument in speaking to this particular Bill and say that a third of Canadians believe the law is correct as it stands and a third would have it widened.

Abortion is not an abstract concept. It represents one of the most difficult, painful choices which can confront a woman. As a man, I would suggest that the men involved find the decision no easier. I cannot believe that a decision to have an abortion is ever taken lightly or ever forgotten. We should not be forcing people to take sides if we believe that each of us is entitled to his or her viewpoint on the subject.

Surely it is possible to accommodate the views of the many thinking, feeling Canadians who believe, as I do, in the right of women to exercise control over their own lives. However, having said that, it concerns me that nearly one-quarter of the abortions performed in the country involve women under the age of 20 years. Obviously our methods of educating and preparing young people to handle their sexual maturity are not adequately meeting their needs. I lay no blame on any political Party or on any level of government. I just say that somewhere we who are charged with those responsibilities are not making our point.

The impact on all society of teenage pregnancies is serious. It interrupts, perhaps forever, young people's education, putting their future economic security on a very shaky footing. In many instances it also places upon them burdens which are too heavy for a young person to carry.

Certainly studies have shown that the babies of these early pregnancies face a very high risk of abuse, poor health, and poor development.

Discussion and debate is healthy when they provide a frank and expansive airing of views. Therefore, when my colleague brings forward this subject and we focus debate on it, I think it is helpful. The issue must be faced with an open mind and, more important, with an open heart. We must work at mitigating the circumstances which lead women to face this most difficult of choices. At the same time, having made their choice, Canadian women should be able to count on appropriate access to the necessary caring and safe services.

In the final analysis, I believe the current law should not be changed. Women must be allowed to make their own choice and decision. No one on either side of the issue suggests that the choice is easy. However, we as legislators must allow that choice to be made by the person most intimately involved and concerned with the results of the decision—the woman.

Mr. Svend J. Robinson (Burnaby): Madam Speaker, in rising to speak to the Bill proposed by the Hon. Member for Kitchener (Mr. Reimer), I must say that I do so with some regret and disappointment.

This is not the first occasion upon which male Conservative Members of Parliament have risen in the House and made suggestions which I believe are deeply offensive to Canadian women in respect of the fundamental question of abortion.

• (1730)

I think, for example, of the remarks made recently by the Hon. Member for York East (Mr. Redway). He rose in this House approximately a month ago—a Conservative Member of Parliament from Toronto—and suggested that he was concerned about the number of abortions in Canada because had these abortions not taken place, in fact, school classrooms would have been filled with children, and teachers would have been hired to teach those classrooms full of children. The arrogance of that approach, which reduces a woman effectively to a machine to produce children and which totally denies the individuality, the humanity and the uniqueness in that woman herself, is breathtaking.

Another Conservative Member of Parliament, the Hon. Member for Gray—Simcoe (Mr. Mitges), went even further. He suggested that those women who choose to have an abortion—and my colleague who just spoke pointed out that this is a decision which is never an easy decision, it is often an agonizingly painful decision—and who do so when their own

life is not being threatened should be charged with murder. That Conservative Member of Parliament went further. Not only did he suggest that they should be charged with, and presumably convicted of, murder, but that Tory Member of Parliament who has such reverence for life, such respect for life, suggested that those women should be executed as murderers. So much for the respect for the life that this Conservative Member of Parliament so piously proclaims. He is prepared to sacrifice the life of the woman, the mother of that child, to protect the foetus.

When I rose in the House today, as I have risen on other occasions, to speak on this question, it is with a certain sense of anger at the arrogance of those men in this House who would tell the women of this country that they have no right, after having agonized over this difficult decision, to make for themselves the fundamental decision on abortion.

What does the Bill, which the Conservative Member of Parliament is proposing here, say? It says that no longer can a woman whose health is being threatened seek an abortion. No longer, Madam Speaker, can a woman who might suffer serious physical harm, who might, in fact, be disabled, seek an abortion. What right does this Member or any other Member of this House have to tell a woman, who is crying out in desperation, who has been told by her doctor that if she carries that child to term she will be permanently disabled, that her health will be deeply affected? What right does that Member have to tell that woman, "No, you must bear that child even if it means that your health will be permanently damaged as a result".

That is what this Member is telling the women of Canada. He is repealing the requirement in the Criminal Code which states that if a woman's health is threatened, she is entitled to make that difficult choice and she is entitled to have an abortion. Just so that it is clear beyond any doubt, the Member goes on to say this in his Bill:

> —the life of a female person is endangered where her life is in actual physical danger, irrespective of any consideration of her mental, social or economic condition.

Once again, let us look at the situation of a young woman who is pregnant in Kamloops, British Columbia or in Corner-brook, Newfoundland and is 14 or 15 years of age. She goes in to see her doctor and her doctor makes it very clear that for this young woman, this girl, to have a child means she would suffer terribly, whether it be mentally or physically—her health would be threatened. This Member who proposes this Bill would say to that young girl, "You must bear this child. We don't care about your health. We don't care about your mental well-being or your physical health. We place above that the value of the foetus." This is arrogance and insensitivity that surely we in this House must reject, Madam Speaker.

This Bill refuses to deal with the reality of the life of a woman. It basically reduces the life of a woman to her physical existence or the physical functioning of her body. To remove the question of a woman's general health, her mental health, her social relationships or her economic situation from the consideration of her life is simplistic to say the least, and is degrading and dangerous in practice. There must be more to a consideration of danger to life than merely physical harm. I find incredible the suggestion by this Hon. Member that that is not the case. Over and over again we hear a similar argument made by those who would deny choice to Canadian women.

I am pleased that the significant majority of Canadians reject this destructive, dangerous and arrogant approach. For example, the Reverend Dr. Robin Smith of the Family Ministries Division of the United Church of Canada, in speaking to the motion which was introduced previously by the Hon. Member for Grey—Simcoe said this:

> —this motion precludes consideration of the rights and situation of all other members of a family. It robs women entirely of responsibility for their own bodies and their moral action. For many this could mean serious hardship. It takes no account of the life and needs of siblings, which can be deeply affected.
>
> Finally, this motion gives absolute value to one element in a complex moral situation: the right to existence of the foetus. It thereby reduces all other factors to insignificance. While life is sacred, it is not, as many of our national policies and practices illustrate, of absolute value.

Yes, Madam Speaker, our abortion laws clearly need attention. Recently in the Supreme Court of Canada, for example, the Supreme Court justices questioned these laws. In questioning counsel, Justice Willard Estey said this:

> So you've got zones in this country where there is no access. You've got whole provinces that are carved out of the process. Is this some kind of local option which has slid into the Criminal Code? I can't think of any other section of the Code which lays itself open to this practice.

Rather than restricting access even further in the manner proposed by the Hon. Member for Kitchener, I suggest that we should recognize the weakness of the existing law, the fact that women in Prince Edward Island are denied access totally to safe therapeutic abortions. Even those women whose lives are threatened, which is the concern of the Hon. Member for Kitchener, cannot have abortions in Prince Edward Island. Women in Newfoundland, women in Kamloops, B.C., where the hospital board has adopted a very narrow approach, cannot.

I would suggest, in closing, that we as parliamentarians listen to the voice of the people in Canada who have spoken through their juries which have refused to convict those doctors who have courageously assisted women in seeking access to safe therapeutic abortions. I suggest that we place emphasis on sex education, on birth control awareness and availability and on economic support for women and particularly those poor women who in some cases actually decide that they cannot support their children.

• (1740)

I reject the Bill of my colleague, the Hon. Member for Kitchener. I hope that Members of the House as well will reject this Bill which fundamentally denies the reality of Canadian women.

Mr. Ross Belsher (Fraser Valley East): Madam Speaker, I rise today to speak to the private Member's Bill of the Hon.

Member for Kitchener (Mr. Reimer). This Bill is of great moral and ethical significance to society today. The Bill seeks to protect the life of the unborn except where the continuation of a pregnancy would or would be likely to endanger the life of a pregnant woman.

This Bill is very important because it recognizes that a human being does not just become a person the moment he or she is delivered from the security of his or her mother's womb but that he or she is a member of the human race from the moment of his or her conception. Self-defence is the only rationale given in this Bill to end the life of an unborn child. Proof must be given that the female person is in actual physical danger irrespective of her mental, social or economic condition. The addition of Section 8 gives a more succinct reason for ending the life of the unborn. No longer would women be able to use the excuse of mental strain or of not having the financial capabilities to raise children as a reason for ending the lives inside them.

I believe that life begins at conception, and I have stated previously and in letters to my constituents that I cannot support abortion unless the life of the mother is in danger. I would like to explain my reasons for this stand.

The United Nations Declaration of the Rights of the Child states that the child, by reason of his physical and mental immaturity, needs special safeguards and care including appropriate legal protection before as well as after birth. Why do some people believe that an unborn child is not a human being until it is born? Do they not recognize that even at its earliest development, say at one or two weeks, the unborn child is simply at one special stage in a whole series of steps which will eventually lead him or her to old age?

The only difference in the existence of a child at one or two weeks or at two or three years old lies in the process of maturing and aging, in other words, in developing. By assuming that one only becomes a person when one is at full term or is capable of sustaining life independently of the womb, we might as well say that the nine months the unborn child spends inside its mother's womb is irrelevant to the rest of its life because it was not a person anyway. Of course, this is a ridiculous assertion.

What of the full-term infant who is not capable of sustaining life independently due to some physiological deformation or serious health problem? Do we then not consider him a person either? Have we the power to say that this is not a life as we perceive it and therefore we can disallow this non-person's existence? We can certainly see how deep this issue goes when it comes to moral and ethical decisions.

From a fertilized egg will come 100 trillion cells, the average number of cells in an adult. Before it is even 30 days old, an unborn child is one-quarter inch long and has all the genetic programming which will determine his height, eye colour, hair colour, the shape of his nose and all the characteristics he has inherited from his parents. At 60 days, the same unborn child is the size of a thumb and responds to painful stimuli. At 16 weeks, he is 5.5 inches long and weighs less than a pound. At 40 weeks, he weighs over seven pounds, is 20 inches long and is ready to be delivered. At what point in this continuum can we say that this unborn child became a human being?

The British Columbia Government has permitted communities to run local hospitals with elected boards, and their guidelines have resulted in dramatic decreases in abortions in some hospitals. Despite this, however, there are still many abortions being done in other hospitals around the province. In 1984, there were 11,509 abortions in B.C. In 1985, B.C.'s abortion rate was 50 per cent higher than the national average. For every 100 live births, there are 26.1 abortions. What makes this figure even more horrendous is that 25 per cent of these were repeats.

A repeat abortion means that the woman having an abortion has had a least one other. The number of repeat abortions has risen dramatically over the last 10 years on the national level. In 1975, 8.6 per cent of all women who had abortions were repeats. In 1985, that figure was 20.3 per cent. In fact, more women were repeaters in 1985 than the total of all the officially recorded abortions in 1970.

Prior to 1969, doctors performed abortions on rare occasions when they believed the mother would die if the pregnancy continued. It is only since 1969 that induced abortions have come to mean a deliberate decision to terminate the life of an unborn child. We should make the changes to the Criminal Code which will protect the life of the unborn child except when the continuation would endanger the life of the pregnant woman.

The number of Canadian hospitals with therapeutic abortion committees is given as either 250 or 253. Of this figure, 39 hospitals have reported a total of 45,369 abortions or 74.4 per cent of the Canadian total. In other words, 15.6 per cent of hospitals with therapeutic abortion clinics are performing three-quarters of the abortions.

This makes one wonder about the use of the word "therapeutic". In *The Concise Oxford Dictionary*, it is defined as the branch of medicine concerned with the treatment of disease and the action of remedial agents in disease or health. I think we could all agree that pregnancy is not a disease and abortion is not therapeutic. It heals no disease but kills human beings.

When therapeutic abortion committees were originally developed, the intent of the law was to ensure that all alternative methods of preserving the mother's life or health would be used before the drastic step of aborting a child was permitted. I do not believe that the 11,509 abortions performed in B.C. alone in 1984 were to preserve the life and health of the mothers. It is hard to accept that the women of British Columbia are that unhealthy.

A few weeks ago, the B.C. Ministry of Social Services conducted the province's first-ever apprehension of a foetus. This seizure occurred after a woman, 36 weeks pregnant, told doctors at the Vancouver Grace Hospital that she did not intend to consent to medical treatment for her child after it

was born. The doctors used the word "child" when referring to the foetus. The social worker conferred with a supervisor and superintendent and all three of them agreed that the child should be apprehended. The province's Family and Child Services Act empowers the Government to seize any child in need of protection.

The B.C. seizure is not the only case in which the rights of the foetus have been recognized. Two months ago, a judge in Ontario ordered a 36-week-old foetus made a ward of the Belleville Children's Aid Society after its mother, who planned to give birth in the underground parking lot in which she made her home, refused medical treatment. I think these are landmark cases.

The Bill we are debating today is very important. The unborn child, the foetus or whatever one wants to call the person who is developing in his mother's womb, deserves the protection of all Canadians. Only in situations where the mother is in actual physical danger should an abortion even be considered. I fully support this Bill to change the Criminal Code as it relates to abortion.

[*Translation*]

Mr. Jean-Guy Hudon (Parliamentary Secretary to Secretary of State for External Affairs): Madam Speaker, I welcome this opportunity, as I did last week, to take part in a debate that I consider very important. Madam Speaker, the question at issue is still the same: Can we be for or against abortion? I don't think we have a choice. No one in this House can be for abortion. We are necessarily against abortion. However, since we live in a society that always judges in terms of punishment, what kind of punishment should there be for an act that from the outset is deemed to be reprehensible? The same attitude is reflected in all our social and political relationships. Sometimes you meet people for the first time, and they start in right away saying, rather condescendingly; By the way, what's your salary bracket? We are always trying to classify and categorize people. He earns more than somebody else. That job is better than this one. Policemen in Montreal have to earn more than their colleagues in Beloeil school. Teachers academic standards are high or not so high . . . Our society has always tended to categorize. And this, of course, works both positively and negatively.

Madam Speaker, I am a practising Catholic. I have no negative feelings about my religious upbringing. I remember that as a boy, at school, we spent whole catechism classes discussing whether a given sin was venial or mortal. It was practically a sin, the way we were thinking what kinds of sins would be venial and what kind would be mortal! I don't hold it against my religion that I was raised that way. It was the system. The system classified faults as major and minor.

What we have before us today, Madam Speaker, is much the same. I am against abortion. But not to the extent that I want to see someone who wants an abortion declared a criminal. Some women use abortion as a contraceptive. I find them silly, if I may say so. Women who had five, six, seven abortions are not those are I was refering to, but does that make them criminals automatically? That is the basic question. That has always been the basic debate. So I should make them criminals but then, what kind of society I am going to have? I do not want a permissive society, a society where anyone can do anything. The sense of values has been lost. When children were raised in a closed circle, within the family, it was easy to transmit the right values. But today, the best mind-shaper in the world, because often the father and mother desert the home, is more often than not television.

But try to think at what happens on TV. What kind of values does it carry? We will realize we will have to adapt our values to a larger context. Try and imagine for a second what it means for a four year old child to look at TV and to see someone being killed, an actor that is being killed one way or another in a program. The following week he sees him alive in another program. Try and imagine how that child will be raised. What does that mean a murder to him, what does death means? It is not the same as for me. That child tells himself: He is being killed, blood spills, etc., he falls down. Nothing serious, he will come back. The kind of education and values we tend to give him today are completely destroyed by other, violent values.

I remember it was in Nicaragua I think, two or three years ago, an American TV newsman was killed before the cameras. It appeared on the 6 o'clock news. Really terrible! When the regime was toppled in Haiti and Duvalier fled, I saw people being killed with machetes. It was broadcast on the 6 o'clock news. That is our kind of society.

Is society more permissive when making murderers out of those who get abortion, or when allowing that kind of thing to be viewed?

An Hon. Member: Come back to conservative values.

Mr. Hudon: No, not conservative values.

But there is something else, Madam Speaker. We are a bit cautious in this worthy House of Commons, with a majority of male Members. We are prudent. We do not refer to those 100,000 incest cases in Canada. No, we must not refer to that! We do not refer to those 100,000 incest cases. Women who are raped twice, we do not refer to that. They are raped once on the street, and the second time in court because we are never sure if they did not entice the male in the first place. We do not refer to that. But contrary to my pal across the aisle, from Burnaby maybe, who spoke earlier, the one from the New Democratic Party. Not one of them is here to listen to us, of course. I am not accusing them of being conservative. He patronized earlier "those conservatives". I am happy, Madam Speaker, to be part of a political party that lets people of whatever faction to be heard, to put their views forward and to debate something in a democratic way. We can talk about a House of Commons with right or left leanings, but I reject the accusation of conservatism. There are in this House people from the 10 provinces. Who do they think they are in this so called democratic party to believe that everybody should think

the way they do. I do not know what the sexual orientation of my friend is, but if it departs from the conventional norm, he could not expect everybody to be the same.

Here is the New Democratic Party, trying to force its values on everyone! Madam Speaker, I am glad to belong to a Party which allows it members to speak, to understand, to state their views, to discuss and then says: "Good, we are now going to vote to see whose value is most acceptable." If, in the New Democratic Party, they have found the truth and are able to mass produce it, I am very happy for them. However, I have my doubts, and we suspect, considering what is happening in Quebec presently, that their beautiful unanimity is coming to an end.

So, Madam Speaker, here we are, as members of a society, of the highest Chamber in the land. I believe we should look after things which challenge our values rather than try to grade the various categories of punishment for those who commit some crime. I repeat my first sentence, Madam Speaker: Can we be for or against abortion? I think we must be against. But executing somebody for that is another kettle of fish.

• (1750)

[*English*]

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Madam Speaker, this debate goes straight to the fundamental issue of what we believe life to be. I know many Canadians on both sides of the issue. I like and admire them. They are honest, decent, ethical and moral citizens. Indeed, many countries differ on this issue as well. The harshest restrictions on abortion exist in countries such as Ireland, Portugal and the Philippines. In those countries there is no exemption from the absolute prohibition against abortion, not even for the narrow purpose of saving the mother's life. Less restrictive nations permit abortions for medical reasons affecting the mother. However, the restrictions are usually minimal, and countries with those minimal restrictions are Japan, the U.K., the Scandinavian countries, and the countries of eastern Europe. Abortions are legally performed there for such reasons as difficult domestic situations, often too many other children, financial hardship, unmarried status, or ill health. The least restrictive type of abortion law permits abortion upon demand, although that is usually within a limited time. Countries with such laws are the People's Republic of China, Denmark, the German Democratic Republic, Tunisia, the Soviet Union, the Democratic Republic of Vietnam, and the United States. People on both sides of this issue cover all political persuasions in other countries, as they do in ours.

It is obvious that each of us must speak entirely on a personal basis. Having read and thought about this a lot, there is no doubt in my mind, not a shadow of a doubt, that life starts at birth. We are then faced with the question of where we draw the line between the historic right of the mother to make certain choices about herself and her body, and the right of the child to have the protection of law. Our ancestors decided on the date of natural childbirth as the cut-off. Clearly that is unsustainable in our modern society. At six or seven months we can take a child out of the womb, operate on it, and put it back in the womb again. When the child is out of the womb it has all the legal rights of any person. When it goes back in the womb again it suddenly loses those rights. We have to move the cut-off time forward, the question is how far. I look forward to debating this further so I can present my views to the House.

[*Translation*]

The Acting Speaker (Mrs. Champagne): The hour provided for consideration of Private Member's Business has now expired. Pursuant to Standing Order 42(1) the order is dropped from the Order Paper.

• (1800)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

NARCOTICS—INCREASE IN DRUG ABUSE—GOVERNMENT POSITION

Mr. Bob Horner (Mississauga North): Madam Speaker, on May 20, 1987, I rose in this House to ask a question of the Minister of National Health and Welfare (Mr. Epp) with regard to when the National Drug Strategy would be brought forward and what it would contain. Usually to take part in the Adjournment Debate, according to the Standing Orders, one must be dissatisfied with the response of the Minister. I want to go on record as saying that I am certainly not dissatisfied. As a matter of fact, I am very, very satisfied. I only wish to expand and make some recommendations.

In the Throne Speech of October 1, 1986, one reads:

> A national drug strategy and a comprehensive program dealing with impaired drivers will be brought forward to support the prevention of drug and alcohol abuse.

This was one of the commitments of the Government and was applauded by almost everyone as a positive step. An exception was the Leader of the Official Opposition (Mr. Turner) who said on October 3, 1986:

> It seems that when Ronald Reagan has a drug problem Canada gets an epidemic.

I think this is a very cynical view which was not shared by most Canadians.

On May 25, 1987, and during the following week a group of Ministers of the Crown made statements. Statements were made by the Minister of State for Youth (Mr. Charest), the Minister of National Revenue (Mr. MacKay), the Secretary

of State for External Affairs (Mr. Clark), the Minister of Justice (Mr. Hnatyshyn), the Solicitor General (Mr. Kelleher) and the Minister of National Health and Welfare.

The program that was brought in was a new strategy which includes a public education campaign in concert with the provinces, support for both prevention and treatment initiatives at the community level, increased federal funding for drug and alcohol treatment and rehabilitation, development of training programs and resources for professionals and volunteers, greater availability of information through such means as telephone information lines, new legislation to replace the Narcotics Control Act and the Food and Drug Act, and a task force to consider the creation of a national focus to ensure that expertise in the drug abuse field is shared for the benefit of all.

Once again the Liberal Party was not satisfied and attacked. I would like to quote from an editorial in support of this initiative in a Toronto paper. It says:

> We have to save a generation.
>
> We could argue that this detailed plan of attack is late, but never that it's a waste. Nonetheless, and to no one's surprise, Liberal health critic Sheila Copps did some shrill carping.
>
> She thinks Epp has put this together "because he wants to make a name for himself at the United Nations."
>
> Spare us from such nonsense.
>
> All parties should unite behind this complex and thorough anti-drug program. There's no room for party politics in the war on dope.

Another Toronto newspaper, the name of which I will not mention, which makes no bones about its support for the Liberal Party, carried an editorial headlined: "Fuzzy message on drug abuse". This was no "fuzzy message". This is a strict stand which the Government is about to take which will do something about our greatest natural resource, our youth. The Government has a superb record in the initiatives it has taken and those it is currently working on.

We can talk about the Meech Lake Accord and freer trade with the United States. We can talk about our anti-pornography legislation, our White Paper on defence or tax reform. But what good is any of this if we do not protect our most important and valuable natural resource, our youth? We must support this initiative, and I thank the Minister for bringing it forward.

● (1805)

In conclusion, I feel that improved enforcement is necessary for the initiative. However, it is somewhat like locking the stable door after the horse has gone. I believe that most of these funds should be allocated for public education. I want to say I am very supportive and proud of the Peel Board of Education, which is the largest school board in Ontario. It did a survey last year of views of students, educators and parents on alcohol, drugs and tobacco. It was a very comprehensive review at its own expense. I think some of these funds should be allocated to the people who have hands-on experience working with youth who abuse drugs and alcohol. The Peel Board of Education will implement a program "Not so Tough to Say No"—I think that is a great name for a program—in all senior elementary classes no later than September 1988. The Peel Board of Education recommends the expansion of a Values, Influence and Peers program to all grade six classes not later than September 1988.

I support what this Government has done. I believe it is a very worth-while initiative and I look forward to seeing it implemented in the years to come.

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Madam Speaker, I want to thank my colleague for his representations and support for the Government program on drug abuse. I must say that while I am not directly involved with justice and Solicitor General issues, I did spend two and a half years as chairman of the committee on which my hon. colleague served very well indeed. That committee put through some 14 justice Bills and, I believe, two or three Solicitor General Bills. By hard work we were able to get through a lot of legislation which has been helpful to the nation at large.

On May 25 the Minister of National Health and Welfare (Mr. Epp) outlined the main features of this Government's action on drug abuse. Specific components of the plan were announced by other Ministers over the course of that week. The focus of our national drug strategy, for which the Government will be committing over $210 million, is an emphasis on education and prevention as the key line of defence against the harm caused to individuals, their families and our communities by the abuse of drugs.

I think all Canadians agree we have to move on that. When Members opposite were trying to belittle the program, they just brought themselves into disrepute and looked silly because all people want to have actions taken which will save the next generation. At the young age which most get started, they really do not appreciate the damage they are doing to themselves and ultimately to our whole society.

My colleague referred to the Peel Board of Education. I must say to him that I do not know offhand the mechanism which will be used to gain access to the $210 million. However, I would strongly encourage him to send a copy of today's *Hansard* to the Minister and solicit the Minister's response because it may well be that that would be the very best application of the $210 million, so that the school boards and educational boards could handle the problem. Indeed, the Minister today, in terms of our international effort, is in Vienna signing an international treaty or agreement to act co-operatively around the globe in fighting abuse of drugs.

• (1810)

[*Translation*]

ROYAL CANADIAN MOUNTED POLICE—SITUATION OF FRANCOPHONES—INQUIRY WHETHER SOLICITOR GENERAL HAS ACTION PLAN—REDUCTION IN FRANCOPHONE MANPOWER

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Madam Speaker, again I rise to say how disappointed and somewhat disillusioned I feel with respect to the linguistic situation in Royal Canadian Mounted Police services. Again I am very sorry that I have to raise the issue, for it would seem some people are reluctant to discuss this matter.

Incidentally, Madam Speaker, tomorrow the Committee on Official Languages will be hearing the Solicitor General, the man responsible for these cases, be it the Royal Canadian Mounted Police, or the Canadian Security Intelligence Service, or Correctional Service Canada. As I said, tomorrow we will have an opportunity to ask the Minister a few questions and perhaps, at least I hope, secure a commitment about his taking the necessary corrective measures and making whatever arrangements may be required with the deputy heads of the various agencies so they will not only report to him on progress made but also ensure that they will rectify and change their attitude concerning the linguistic question.

Madam Speaker, the problems experienced by the RCMP with respect to the official languages are not new, everybody knows that. I raised them in the House 13 times in the past seven or eight months, and I am not the only one doing that because the Commissioner of Official Languages had this to say in his 1981 annual report, and I quote:

> —the RCMP's foot-dragging in the areas of language of work and Francophone participation among police personnel is disquieting.

This was in 1981, and things have not changed since then. The problem is not new, we are in 1987 and the problem is just as disquieting and worrying.

In August one could read in the *Pony Express*—an official internal RCMP publication—that they were planning a reduction in the number of regular officers hired by the RCMP from the 20 per cent established, on the basis of figures set a number of years ago already, and this was to be done as a result of an agreement between the Government and the RCMP, a reduction to 14 per cent.

There was a flurry of activities at the time, several questions were raised in the House, there were debates, and when we know how the government machinery works . . . I thought that the day when I received from the President of the Treasury Board a firm commitment that the Solicitor General was going to get personally involved in this question, this problem, and set everything straight by means of a comprehensive plan which was to be submitted to him in the very near future . . . In fact, in his answer to me in early May he had told me: Within a week! Here we are, June 15, and I have been waiting for this RCMP comprehensive plan for more than a month.

When I raised this question last week, Thursday when speaking on the supply motion, to make this Government understand that what we want is to obtain firm guidelines, specific policies, clear objectives, I was told: A report will be released. Sure enough, they released the report of the internal group on the Canadian Security Intelligence Service, and I read it. Tomorrow we will have time to put questions to the Minister, I hope, concerning this famous report, and I am grateful to the Government for making this report public.

What I am concerned about and what I should like to get is the official comprehensive plan of the RCMP, approved by the Solicitor General and delivered, at his request, to the President of the Treasury Board. I want this plan because it was promised to the House and because it might help us to better understand and appreciate the objectives of this Government concerning official languages.

Madam Speaker, this is a serious problem which means that today we are in difficulty, and not only for the language of work, because the RCMP is almost entirely anglophone.

There have been problems obtaining services in French; we have received complaints; the Committee has examined several. Instead of ensuring an equitable participation of both linguistic groups to reflect Canada's respect for both these groupes and for our duality, the RCMP wanted to reduce the proportion of francophone staff from 20 to 14 per cent. I protested vigorously. Apparently, there is now a trend to a more generous policy. Madam Speaker, I just do not understand why, again today, on June 15, the Government is still so reluctant to make these linguistic guidelines, policies and plans public.

To conclude, Madam Speaker, I want the House to know that I wrote the Prime Minister a four-page letter. I must confess that I was feeling quite discouraged. I was getting nowhere with the Minister: one day he was telling me one thing, and the next something else. I therefore wrote the Prime Minister a well thought out four-page letter in which I described step by step how this issue had developed. I received first an acknowledgement. Then, a little later, specifically on May 25 (I had written the Prime Minister on May the 5th), I received a letter signed by Mr. Donald J.M. Cummer, which stated:

> Further to your letter dated May 5, the Prime Minister has asked me to thank you for your comments on this issue—

—concerning the RCMP, the Security Intelligence Service of Canada, and the Correctional Service Canada. I quote further:

> —and to send a copy of your letter to the Hon. James Kelleher, that it may receive the undivided attention it deserves. Rest assured that Mr. Kelleher will contact you shortly.

Madam Speaker, when I write the Prime Minister and ask him to do something about a minister whose resignation I have been seeking because he is unable to manage his own affairs, I find it quite insulting to be told: "Your letter has been forwarded to the accused and he will reply himself." Madam Speaker, I find that totally unacceptable because this letter asked the Prime Minister to give particular attention to the

serious problems which exist in the RCMP, and I would have thought that the Prime Minister could have written himself to say: Jean-Robert, do not worry, I am taking care of this; we are going to do something. Madam Speaker, nothing has happened, absolutely nothing. Tonight, I am asking the Parliamentary Secretary first what has happened to the RCMP report which was supposed to be submitted to the President of the Treasury Board and, finally, when we will have answers to our questions.

• (1815)

[*English*]

Mr. Murray Cardiff (Parliamentary Secretary to Solicitor General of Canada): Mr. Speaker, the Hon. Member for Ottawa-Vanier (Mr. Gauthier) has again raised the question of the future direction of the Official Languages Program of the Royal Canadian Mounted Police. The question is an important one, and the Hon. Member is to be commended for the perseverance and tenacity with which he has pursued this important issue.

As recently as last Thursday, June 11, 1987, the Hon. Member was assured in the House that the Minister had submitted certain proposals to the President of the Treasury Board (Mr. de Cotret) with respect to the Official Languages Program of the RCMP. It was further indicated at that time that these proposals would include the initiatives which would allow the RCMP to achieve the long-term objective of becoming a more bilingual institution, representative of the two official language groups in this country.

The Hon. Member for Ottawa—Vanier is also aware that the Solicitor General (Mr. Kelleher) will be appearing before the Joint Committee on Official Languages tomorrow afternoon. As a member of that committee, the Hon. Member will have the opportunity at that time to pose his questions directly to the Solicitor General.

The Solicitor General has placed the Official Languages Programs within the RCMP and CSIS high on the list of his immediate personal priorities. Indeed, when he became aware of the complaints by CSIS personnel in respect of the use of the official languages in that organization, he pursued an initiative undertaken by his predecessor, who asked the Security Intelligence Review Committee to examine closely the entire question. The Security Intelligence Review Committee submitted its report to him, and the Minister endorses its recommendations.

The RCMP submission on official languages was considered by Treasury Board last week. I do not wish to pre-empt the Solicitor General in any statements or announcements he may wish to make concerning this submission when he appears before the Joint Committee on Official Languages tomorrow; however, I can assure the Hon. Member that he will be pleased with the official languages initiatives to be undertaken by the RCMP. I am sure he will find himself agreeing that the areas of concern previously identified by him and his colleagues on the Joint Committee will have been addressed.

• (1820)

PAROLE—BRITISH COLUMBIA EXPERIMENT USING ELECTRONIC MONITORING ANKLE BRACELETS

Mr. Alan Redway (York East): Madam Speaker, what sort of summer jobs did you have when you were a student? I suspect that at least some of them were involved with the theatre. However, personally, I had quite a variety of summer jobs.

I remember, for instance, working for two summers in what was then called the IBM department of Imperial Life. It was a department which used at that time things called punch cards and huge machines called sorters, collators, and calculators. You remember that sort of thing, Madam Speaker.

Of course times have changed and they have changed very rapidly since that time. Now we have smaller and faster machines, machines with greater capabilities and greater capacity. Those machines are not now called calculators but are called computers.

Computers have a great many functions and uses. In fact, no office can be without one. You may have one in your own office, Madam Speaker. You certainly have a word processor and an electronic mail machine. Industry cannot be without them.

Recently I have found even relatively small industries in my constituency using computers. For example, Erno Manufacturing, which makes office equipment, has computerized machinery. Dorothea Knitting Mills—and you probably have a Parker sweater, Madam Speaker, which was made in my riding by Dorothea Knitting Mills—has computerized knitting machines.

The Government has computers for sending out tax bills. Computers are used to send out water bills and hydro bills. The Government has econometric models for calculating the effects on the economy of different problems. Of course we have computers in our homes. For instance, it was interesting the other day to find out from the architect of the Dome Stadium in Toronto that it would have been impossible to build the retractable roof on the stadium without computers to make all the mathematical calculations.

With all these computers being used, it is no wonder that someone has thought of applying the computer to our parole system. This concept provides that offenders who are nearing the end of their prison terms can actually volunteer to be fitted with a tamper-proof bracelet around the arm or ankle and, when they finish their sentence, they finish it at home rather than at a half-way house. There is a tiny computer in the bracelet which is linked to a central computer. It records every time the offender strays outside a 50-metre range of his or her home telephone. That is how the electronic arm or ankle bracelet works. Officials are immediately notified by way of the transmitter and computer of a possible escape or a possible curfew violation by the offender on parole.

It has the effect of cutting the costs of looking after prisoners. For instance, it has been estimated that it could cut costs down from $70 per day to a mere $10 per day. It also reduces the overcrowding which we have in many prisons.

People scoff at the idea of electronic arm or ankle bracelets. When I asked the question of the Solicitor General (Mr. Kelleher) in the House not long ago, opposition Members actually laughed at the idea. They said it was a ridiculous idea and that people could be excused from parole violations perhaps by a battery failure.

Some members of the Opposition oppose the concept. The John Howard Society in Toronto actually opposes it as well. It feels that it would be a violation of personal freedom. Many other civil rights groups and prisoners' groups feel that it would be a violation of civil rights, perhaps a violation of the Charter of Rights and Freedoms, and a violation of the freedom of movement concept. Ole Instrup, the Chairman of the National Parole Board, says that he is fundamentally opposed to the concept. However, we know that the concept is in fact in use in 20 different jurisdictions in the United States.

• (1825)

Presently there are some 900 prisoners who are released with this sort of electronic surveillance which the Americans call an electronic leash. As well, British Columbia is starting to experiment with this system. Just this very month, the Province of Ontario says it is considering putting an experimental model into use by the end of this year. Fortunately, our own Solicitor General has indicated that the Canadian Correctional Service's mind is not closed to the concept and that it is going to be watching these other experiments very closely.

I do not know whether this idea will work or not. I cannot help but think of the case that I brought to your attention before, Madam Speaker, of Leander Savoury. You will remember that he was the prisoner who was released on parole back in October, 1984. Before he was killed in a police shoot-out in January, 1985—he was three short months on parole—he had committed nine armed robberies and killed one man. While he was on parole he apparently was in contact with his parole officer once in person and he spoke to him twice on the telephone. Of course, he was warned to stay in regular contact with his parole officer, but in spite of all of that, he committed nine armed robberies and killed one man.

Would electronic monitoring by way of an electronic leash or bracelet on the ankle or the wrist have prevented those armed robberies? Would it have prevented the killing or the death of Leander Savoury himself in the police shoot-out? I do not know, Madam Speaker. You probably do not know right at this stage but I think it is worth trying to find out. I think it is worth trying this experiment.

I hope the Parliamentary Secretary will tell us tonight that he agrees and that the Canadian Correctional Service will be getting involved and utilizing this experiment to see if it will improve our parole system and help to solve this sort of problem.

Mr. Murray Cardiff (Parliamentary Secretary to Solicitor General of Canada): Madam Speaker, I would like to speak further to the question put to the Solicitor General (Mr. Kelleher) by the Hon. Member for York East (Mr. Redway) concerning the possible use of electronic bracelets to help supervise federal inmates on parole.

The Correctional Service of Canada has at this time no plans to introduce such a program. However, it will be monitoring those in the United States and in British Columbia to see whether they yield any positive results.

While there may be potential applications of this concept to federal inmates, the Correctional Service would first want to satisfy itself as to all of the various ethical and legal ramifications of using monitoring technology. Moreover, it would not consider using this type of system for high risk offenders or those not willing to wear the device. It also would not view electronic supervision as eliminating the need for the continuing face to face contacts that parole officers have with offenders.

On balance, the Correctional Service of Canada is not currently in favour of implementing an electronic monitoring program and the Parole Board shares this position. However, the Solicitor General and his agencies will be keeping an open mind on the issue and for that reason will be watching to see what emerges from the various initiatives now under way, including that in British Columbia, so that we can ultimately decide if and how the federal jurisdiction should proceed in this area.

[*Translation*]

The Acting Speaker (Mrs. Champagne): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 11 a.m., pursuant to Standing Order 3(1).

The House adjourned at 6.29 p.m.

HOUSE OF COMMONS

Tuesday, June 16, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

SECRETARY OF STATE

PRESENTATION OF FIRST REPORT OF STANDING COMMITTEE

Mr. Geoff Scott (Hamilton—Wentworth): Mr. Speaker, I have the honour to present in both official languages the first report of the Standing Committee on Secretary of State.

This report is the culmination of seven months of work from coast to coast in reviewing the funding criteria of the Women's Program of the Department of Secretary of State. I would like to make some brief points.

The report crosses Party lines and represents all regions and linguistic groups in Canada. This can be considered an overwhelming endorsation by a majority of members of all Parties in the House in terms of strengthening our recommendations to the Government.

Fairness in Funding is anchored on the principles of equality and democracy. As in the Meech Lake Accord and the Venice Summit, nobody got everything they wanted but everybody got something.

We could not have arrived at such a consensus without the invaluable and oft-times moving testimony by many hundreds of witnesses from all 10 provinces and two Territories. The thrill the committee experienced travelling across this great country was intensified by the knowledge that many women travelled unbelievable distances to make their views known in whatever region we touched down. I know that I speak for all committee members when I say, "We thank you. We heard you, and we hope that you will feel that this report made your efforts worthwhile."

Finally, I would like to pay tribute to colleagues on all sides of the House who contributed mightily to our *Fairness in Funding* report. To my government colleagues, my namesake, the Hon. Member for Victoria—Haliburton (Mr. Scott), my friend the mediator, the Hon. Member for Welland (Mr. Pietz)—

[*Translation*]

the Hon. Member for Matapédia—Matane (Mr. Joncas) as well as the Hon. Member for Châteauguay (Mr. Lopez)—

[*English*]

—and also for the vigorous participation by our alternate but always present Hon. Member for London East (Mr. Jepson); to our colleagues from the Official Opposition, the distinguished Hon. Member for Grand Falls—White Bay—Labrador (Mr. Rompkey) and the Hon. Member for Saint-Maurice (Mr. Grondin). The committee also expresses thanks for the very constructive co-operation of the two New Democratic Party members who bracket this national report at the western end of the country, the Hon. Member for Vancouver East (Ms. Mitchell) and the Hon. Member for New Westminster—Coquitlam (Ms. Jewett). To them I also say "Thank you".

I hope that the Government will seriously consider the recommendations in the report which create objectives and criteria which will work toward the full participation of women in the Canada of the 1990s and beyond into the 21st century.

Mr. Jim Jepson (London East): Mr. Speaker, I rise on a point of order. On behalf of the Deputy Chairman of the committee, the Hon. Member for Châteauguay (Mr. Lopez), and myself as a full participant of the hearings across the country, we would like to append a minority report to the report just submitted.

Mr. Speaker: I know that the Hon. Member for London East (Mr. Jepson) has in that report matters of importance. However, I have to advise the Hon. Member and other Hon. Members that an attempt to file a minority report is not recognized in our rules and is without precedent. Reluctantly I have to advise the Hon. Member that his request is out of order.

* * *

VETERANS APPEAL BOARD ACT

MEASURE TO ENACT

Hon. George Hees (Minister of Veterans Affairs) moved for leave to introduce Bill C-66, an Act to establish the Veterans Appeal Board and to amend other Acts in relation thereto.

Mr. Speaker: Shall the Hon. Minister have leave to introduce the Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

• (1110)

PETITIONS

REQUEST FOR INQUIRY INTO USE OF CHEMICAL PESTICIDES

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is my pleasure and honour to present a petition, pursuant to Standing Order 106, the petition being signed by residents of Hinton, Jasper, and Edmonton, Alberta; Ottawa-Hull, Quebec City, Montreal, South Slocan, Slocan Park, New Denver, Winlaw, Kaslow, Nelson, Argenta, Johnson's Landing, and Gray Creek.

The petitioners are concerned about the increasing number of chemicals used as herbicides and insecticides, chemicals that are proven to have harmful effects on human health. In addition, the petitioners believe that these chemicals also produce short and long-term harmful effects on non-target organisms, soil and water.

These chemicals have in past years been registered and approved as safe for their various uses, and the petitioners believe that new chemicals are constantly approved under the same guidelines as the now-proven harmful ones were.

Therefore, Mr. Speaker, the petitioners ask the House of Commons to initiate a full public inquiry into the safety, testing, registration, regulation and the use of pesticides and the examination of alternate ways of controlling pests, such as biological controls and plant-derived pesticides.

REQUEST FOR CHANGES TO ROAD SAFETY REGULATIONS

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, I have the honour to present to the House a petition signed by residents of the Province of Prince Edward Island. These petitioners call upon Parliament to amend the existing Canadian safety standard for rear seat-belts in passenger cars.

The petitioners believe that rear seat-belts in passenger cars are inadequate and that the suffering of crash victims could be reduced or avoided through improved seat-belts. They also believe that the cost of medical care for car-crash victims can be reduced or eliminated with improved rear seat-belts.

For these reasons, the petitioners urge Parliament to institute mandatory installation of three-point adjustable lap/shoulder seat-belts for rear-seat passengers. As well, the petitioners request the mandatory installation of front seat air-bags.

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I ask that all questions be allowed to stand.

Mr. Speaker: Is it agreed?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

1987 CONSTITUTIONAL ACCORD

ESTABLISHMENT OF SPECIAL JOINT COMMITTEE

The House resumed from Friday, June 12 consideration of the motion of Mr. Hnatyshyn:

That a Special Joint Committee of the Senate and of the House of Commons be appointed to consider and report on the "1987 Constitutional Accord, signed in Ottawa on June 3, 1987, by the First Ministers of Canada", copies of which were tabled in the Senate and the House of Commons on June 3, 1987;

That twelve Members of the House of Commons and five Members of the Senate be the Members of the Special Joint Committee, such Members on the part of the House of Commons to be designated no later than seven sitting days after the adoption of this motion;

That the Committee have the power to appoint from among its Members such sub-committees as may be deemed advisable, and to delegate to such sub-committees all or any of their powers except the power to report directly to the House;

That the Committee have power to sit during sittings and adjournments of the House of Commons;

That the Committee have power to send for persons, papers and records, and to examine witnesses and to print such papers and evidence from day to day as may be ordered by the Committee;

That the Committee be empowered to authorize television and radio broadcasting, as it deems appropriate, of any or all of its proceedings or of proceedings of its sub-committees, pursuant to the principles and practices governing the broadcasting of the proceedings of the House of Commons;

That the Committee submit its report not later than September 14, 1987, provided that, if the House is not sitting, the report will be deemed submitted on the day such report is deposited with the Clerk of the House of Commons and with the Clerk of the Senate;

That substitution be authorized, for Members from the House of Commons, from a list of alternates to be provided to the Joint Chairmen of the Special Joint Committee by a representative of each party at the first meeting of the Committee, such list of alternates to contain no more than twice the number of Members of the House of Commons who are Members of the Special Joint Committee representing each party in the House;

That the quorum of the Committee be eight Members, whenever a vote, resolution or other decision is taken, so long as both Houses are represented, and that the Joint Chairmen be authorized to hold meetings, to receive evidence and authorize the printing thereof, when six Members are present so long as both Houses are represented; and

That a message be sent to the Senate requesting that House to unite with this House for the above purpose, and to select, if the Senate deems it to be advisable, five Members to act on the proposed Special Joint Committee; and the amendment of Mr. Nystrom, (p. 7051).

Mr. Speaker: Is the House ready for the question?

Some Hon. Members: Question.

Mr. Speaker: The question is on the amendment of Mr. Nystrom:

That the motion be amended by adding immediately after paragraph 9 the following:

"That the Committee, or a sub-Committee, have power to travel to, and hold at least one public hearing in, each of the two Territories;

That the Committee be empowered to retain the services of advisors to assist in its work, and that it also be empowered to retain the professional, clerical and stenographic help as may be required; and"

Is it the pleasure of the House to adopt the amendment?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Speaker: All those in favour of the amendment will please say yea.

Some Hon. Members: Yea.

Mr. Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Speaker: In my opinion, the nays have it.

And more than five Members having risen:

Mr. Speaker: Call in the Members.

The House divided on the amendment (Mr. Nystrom) which was negatived on the following division:

(*Division No. 152*)

YEAS

Members

Allmand
Althouse
Angus
Axworthy
Benjamin
Blackburn (Brant)
Boudria
Broadbent
Copps
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Frith
Garneau
Gauthier
Gray (Windsor West)
Grondin
Guilbault (Saint-Jacques)
Heap
Henderson
Hovdebo
Jewett
Kaplan
Keeper
Killens
Kindy
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Mitchell
Nicholson (Trinity)
Nunziata
Ouellet
Parry
Penner
Prud'homme
Riis
Robichaud
Robinson
Skelly
Turner (Vancouver Quadra)
Waddell—48

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bourgault
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Champagne (Champlain)
Clark (Brandon—Souris)
Cochrane
Collins
Cook
Cossitt
Côté (Lac-Saint-Jean)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
Della Noce
Desjardins
Domm
Dorin
Edwards
Ellis
Fennell
Ferland
Fontaine
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hees
Hockin
Holtmann
Horner
James
King
Lawrence
Layton
Lesick
Lewis
MacDougall (Timiskaming)
Mailly
Mantha
Martin
Mazankowski
McCain
McCrossan
McCuish
McDermid
McKinnon
McMillan
Minaker
Mitges
Nickerson
Oberle
O'Neil
Oostrom
Pennock
Pietz
Plamondon
Ravis
Redway
Reid
Reimer
Ricard
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scowen
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Lotbinière)
Van De Walle
Vankoughnet
Vézina
Warner
Wilson (Swift Current—Maple Creek)
Winegard—101

• (1150)

The Acting Speaker (Mrs. Champagne): I declare the amendment lost. Is the House ready for the next question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on the main motion in the name of the Minister of Justice (Mr. Hnatyshyn). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

* * *

NATIONAL TRANSPORTATION ACT, 1986

MEASURE TO ENACT

The House resumed from Thursday, June 4, consideration of Bill C-18, an Act respecting national transportation, as reported (with amendments) from the Standing Committee on Transport.

Mr. Les Benjamin (Regina West) moved:

Motion No. 21A.

That Bill C-18, be amended in Clause 41 by striking out lines 16 to 21 at page 17 and substituting the following therefor:

"rehear any application before deciding it."

• (1200)

He said: Madam Speaker, Motion No. 21A, as well as Motions Nos. 54A and 52A, are what we call the Fred Turner amendments. Motion No. 21A deletes language which allows the new National Transportation Agency to review decisions only if there has been a change in the facts. Our amendment removes that restriction.

In fact, Bill C-18 is worse than the existing review procedure which allows the CTC to review its own decisions without a change in facts. Many have been critical of the present procedure because any review that the CTC undertakes is a review of its own work.

I hope the Parliamentary Secretary is paying close attention because the proper method, especially on matters of enforcement, would be to have the matter forwarded to the independent aviation tribunal which presently reviews Transport Canada air regulations. I say to my hon. friend opposite that there is no way the Fred Turner case could have happened if this procedure had been followed.

In the absence of any interest on the part of the Government to change the presently unfair system, at least this amendment would prevent even more barriers being put in the way of an agency evaluating a decision. Mr. Turner, a fully licensed operator, lost his licence for being late in filing statistical reports. His licence was cancelled and the next day the bank seized his five aircraft, his hangar and equipment.

This morning I received from the Canadian Aviation Safety Board a case of an operator from Schefferville who was involved in the death of eight people. He was operating without a valid operating authority and is still licensed to fly. He was not late filing his reports, but eight people died.

There is a double standard when one loses one's licence for late filing of statistical reports, but only fined when operating without a valid operating authority or safety licence from the Canadian Aviation Safety Board.

Let me give another example. Spur Aviation was operating without a valid operating certificate and was fined $19,500. Mr. Turner appeared as a witness for the Government. However, Spur did not lose anything else and still has its aircraft. There must be a review of such situations.

Motions Nos. 52A and 54A, which we will be debated later, apply to this kind of situation as well. We must bring equity into the entire licensing process.

Mr. Turner lost his licence because he did not file statistical information on time. On the day that he appeared as a witness for the Government, his licence was cancelled. The airline that was being charged, and at which Mr. Turner appeared as a witness for the Government, is still operating without a valid operating authority. I invite the Hon. Member for Lethbridge—Foothills (Mr. Thacker) to consider the fact that it is flying without a safety certificate from Transport Canada.

We are told by the Government that there will be no compromise on safety, yet is it revoking the licence of that company? No. I suppose the Government will allow it to continue flying until it commits the great offence of not filing statistical information on time.

On September 30, a Beechcraft carrying seven passengers and a pilot crashed near Schefferville, killing all onboard. There was no operating authority, but did the Government pull the licence? Why should it when the operator was up to date in filing statistical information? That is the safety standard about which the Government says there will be no compromise. It is more concerned about the amount of fuel burned and the number of passengers than with how many were killed. The Government must get its priorities straight on aviation licensing.

These amendments are permissive because they state "may" rather than "shall", in allowing agencies to establish regulations regarding an appeal process. Hopefully, a Fred Turner case or one like it will have an element of natural justice because the person who made the original judgment cannot judge the appeal.

I believe that our amendment would guarantee that another case such as Mr. Turner's would be impossible. It allows offences such as failure to file paperwork to be dealt with under the Aeronautics Act, and would provide for fines or suspensions rather than cancellations.

According to Transport Canada regulations, licence cancellations are only issued for the most serious of offences. The reason Turnair's operating authority was cancelled was not because the punishment fitted the crime but because, as an agency, the CTC was not given the authority to fine.

Clause 107 gives that authority. Our amendment to Clause 107 guarantees that these specific clerical contraventions will be punished by a fine not to exceed $1,000. That will better enforce the current regulations on filing documents because the penalty is believable as well as enforceable. Smaller airlines will want to avoid these fines and large airlines will not feel exempt from them due to their size. Would any CTC bureaucrat cancel Air Canada's licence for not forwarding a form, without first picking up the phone? I doubt it.

It is also more meaningful because some airlines have chosen to operate without an operating authority. Mr. Turner had a valid operating authority, but could not operate because his planes were seized. This latest incident, the documents about which I received this morning, I believe proves the case for these amendments, beginning with Motion 21A. I hope the Government will agree that such a procedure should be available.

• (1210)

The appeal should not come before a tribunal which judged the case in the first place. It should be before another body so that the operator will have a chance, especially when the issue has to do with something so flimsy as the late filing of

statistical reports, when those who have accidents which kill people, and without an operating authority, are still operating.

Mr. David Kilgour (Edmonton—Strathcona): Madam Speaker, I would like to speak in favour of Motion No. 21A as well. Section 41 limits review of agency decisions or orders to situations where there have been changes in facts and would in practice, I submit, result in virtually no opportunity for review. Instead the NTA would merely be modifying its decisions or orders in light of these changed facts. When the review process circumvents any critical inspection of the agency's conduct, Madam Speaker, where does this leave the individual—and it could be you, me or any Canadian, subject to NTA regulations?

The section as is would mean no review of the agency's exercise of discretion, no review of the procedure followed in making a decision and no review of possible errors in fact or law. The end result is that an individual adversely affected by NTA regulation would have no administrative avenue for review or appeal save for the very expensive and slow route of the Federal Court system. How can we expect small businessmen or businesswomen, subject to these regulations, to challenge the agency in federal court? Is justice only to be available to those Canadians with sufficient funds to obtain it, those with very deep pockets?

The case of Fred Turner, to which the Hon. Member for Regina West (Mr. Benjamin) referred a moment ago, and his now defunct company Turnair, exemplifies the nightmarish predicament in which an individual may find himself or herself due to the lack of availability of review. In April, 1984, Mr. Turner's air carrier licence was cancelled by the soon to expire Canadian Transport Commission for failure to supply the agency with data of a purely statistical nature. A review of that cancellation order was warranted because many air carriers fail to file such data on time yet continue to hold licences. Is that equal justice for all? There are even licensed carriers with safety violations known by the CTC who have not been subjected to cancellation. Why did Turnair require such drastic treatment, especially since the records containing the required statistics were at the time in the hands of the RCMP due to the investigation by the CTC of another carrier? The details of that investigation were mentioned a moment ago by the Hon. Member for Regina West.

There may be no change in facts here, but the arbitrary and capricious manner in which the CTC exercised its discretion against a northern Canadian demands review. Who knows the procedures the agency followed which caused it to single out Mr. Turner and cancel his licence? I do not know, and I am sure very few people, if any know. Should a person who has lost his rights to earn a livelihood not know? Should we all not know? Yet Mr. Turner's requests for review were denied.

The result, sadly, is that Turner and his company are financially ruined. A year after the cancellation order, the Privy Council properly reinstated his licence. However, a year out of business caused the loss of all his business assets. He has begun a suit in the Federal Court but I understand he does not have the funds to complete it. In fact, as of August 2 of this year, Turner will have his home seized by the Royal Bank in Yellowknife.

Ironically, even if Turner had the funds to proceed in the courts, the CTC is claiming that no claim against it can be brought. It insists that Mr. Turner's remedies are limited to review and appeal processes within the agency regulations, including an appeal to the Governor in Council and to the Minister of Transport (Mr. Crosbie). Any honest, hardworking citizen like Fred Turner should have the right to appeal to an ultimate authority when an agency like the CTC is about to bankrupt him. Bill C-18 must include review processes which are effective and accessible when grounds for review exist. Limiting these grounds only increases the potential for "Fred Turner treatment" of other regulated individuals anywhere in the land. Availability of review, I submit, is necessary to uphold the principles of natural justice under which an administrative agency is obliged to act. In my view, Madam Speaker, all Hon. Members should vote for the amendment now before us.

[*Translation*]

Hon. André Ouellet (Papineau): Madam Speaker, I want to rise at this time to support the proposed amendment to Clause 41 because I also believe that the review powers of the new transportation agency created by Bill C-18 should be changed so that a decision of the new agency might be reviewed, rescinded of varied at the discretion of the agency without the need to limit the scope of this review to very specific circumstances. I too believe it is imperative that the agency be able to review as it sees fit because all Members of the Standing Committee on Transport have experienced that drama through which Mr. Fred Turner is now living.

I believe that the two speakers who rose before me—both the spokesman for the New Democratic Party and the representative of the Progressive Conservative Party—and I speaking on behalf of the Liberal Party we are aware that, faced with the whole administrative apparatus of the Government of Canada, this huge government machinery, it often happens that individual rights are crushed by the heavy government machinery. Mr. Turner's experience speaks for itself, I should think.

This is the case of a man who was the victim of such circumstances that the spirit of the law has been applied by officials with undue vigour and rigour. I am not here to judge the attitude of these officials. I believe they acted consciously with uncommon and perhaps excessive zeal. The aftermath of their decision is that an individual acting in good faith and operating under harsh conditions in Canada's northern regions had his licence revoked, which in turn led his business to bankruptcy. Mr. Turner may have made a few minor mistakes, but the consequences and the sanction are disproportionate. All of us Members of the Standing Committee on Transport felt that the consequences imposed to Mr. Turner are infinitely greater than the negligence or lapse which might have taken

place with respect to the Canadian Transport Commission regulations. We had hope that a settlement agreement might be reached to enable Mr. Turner to resume his operations. This is why I chose to intervene personally in the House last May 15 by presenting a petition on behalf of many people who felt that the Government of Canada had inflicted an extreme injustice on Mr. Fred Turner by wrongfully depriving him of his right to earn a living through the operation of his family business. And the petitioners hoped the Government would appoint an independent arbitrator to investigate the details of this case, thus ensuring a settlement that better reflects the true nature of Mr. Fred Turner's loss. However, this petition received no response from the Government.

I remember, it must have been around the same time, in mid-May, that I asked the Deputy Prime Minister (Mr. Mazankowski) about what could be done by the Minister of Transport (Mr. Crosbie) to try and find a way to agree on satisfactory compensation for Mr. Turner's loss of business.

We felt, and I say we, in referring to members of the Standing Committee on Transport, a group of Members representing different political factions but nevertheless anxious to find a solution to this problem, Members from all sides of the House, both Government and Opposition, we felt that one possibility would be to appoint an impartial arbitrator. And I think it is unfortunate, in the circumstances, that a way has yet to be found to deal with this flagrant injustice.

Some of our colleagues sent a letter to the Prime Minister (Mr. Mulroney), asking him to intervene. The letter was signed by a dozen Members of the House of Commons and Senators who wanted the Prime Minister to intervene, not on the basis of law but of basic elementary justice, and find a way to make an *ex gratia* payment, with the authorization of Treasury Board, to compensate Mr. Turner. The letter, this petition that was sent to the Prime Minister, read as follows:

• (1220)

[*English*]

We believe the licence cancellation was wrong and unfair. The government apparently shares this opinion since on May 30, 1985, the Governor-in-Council, by order, reinstated Turnair's licence. Furthermore, on March 26, 1986, the Governor-in-Council authorized the payment, on an ex gratia basis, of $15,000 to Mr. Turner. In our view, this financial offer is a recognition by the government that Mr. Turner has suffered financial loss as a result of the Air Transport Committee's decision. This sum, however, does not reflect the magnitude of Mr. Turner's financial loss.

[*Translation*]

Unfortunately, the Prime Minister, in his answer to the Members of the House of Commons and the Senators who were the joint senders of the letter, said that the case was now before the courts and would have to be settled by the courts.

Now, I feel that this is the kind of case that should not be settled by the courts. We have here one man whose financial resources have dwindled to practically nothing. How is he going to stand up to the Government apparatus? Obviously, if the Government goes into its legalistic stance and says: "Let the law take its course, let Mr. Turner go before the courts, let him win his case before the courts", what it will cost the Government of Canada in legal expenses to defend the arbitrary and extreme position of its officials will, as far as I can tell, be a very substantial amount that could otherwise be used to compensate Mr. Turner and give him a chance to start up his airline again.

Why spend this money on legal costs? Why take this legalistic stance, since the Government could perfectly well admit its officials had been overzealous and that Mr. Turner should be given the benefit of the doubt and given a fair break?

I believe that the proposed amendment, if it is accepted, will give the new agency that is to replace the Canadian Transport Commission greater flexibility to review decisions. I think that with a little more goodwill and a little more discretion on the part of the Canadian Transport Commission, the Turner case could have been reviewed, not by the Government but by the existing Canadian Transport Commission. However, instead of agreeing that officials probably had been too severe in Mr. Turner's case and letting the Canadian Transport Commission revise its decision, the Government says: We can't do that. If Mr. Turner doesn't like it, let him go before the courts.

I think this is not the right approach. And I hope that the new agency will be able to act with far greater discretion and discernment and especially with far more flexibility.

[*English*]

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Madam Speaker, I feel compelled to say a word or two about Mr. Turner's case in order to respond to the Hon. Members who have referred to his case in terms of this particular amendment.

The Turner case is a very complex case, as Hon. Members will appreciate, since it deals with the Canadian Transport Commission which not only has certain powers but has incredible responsibilities which Parliament has pressed upon it by statute in order to protect our fellow citizens. The CTC operates under a set of rules that are imposed upon it. It has the obligation to protect you, Madam Speaker, myself, and our fellow citizens.

The problem with Turnair started under the previous administration, and carried on into the term of the previous Minister of Transport and is now in the hands of the present Minister of Transport (Mr. Crosbie). The three Ministers tried to do what they felt was fair with respect to the over-all circumstances. However, never has any Minister admitted any question of liability in terms of the conduct of the Government of Canada or the Canadian Transport Commission. Any legal person who has looked into the matter on behalf of the Government, including the Ministers, have come to the conclusion that there was no legal liability.

Notwithstanding that, in order to save the time, the trouble and the costs of a lawsuit, which costs could amount to tens of thousands of dollars to the taxpayers of Canada, on a without

prejudice basis the Minister said to Mr. Turner, "I am prepared to recommend to my colleagues the sum of $15,000".

When I looked into the matter as the Parliamentary Secretary I explored, on an entirely without prejudice basis and without any admission of liability at all, the possibility that perhaps an increased sum could be considered. Figures of $25,000, $30,000 and $40,000 were used. Mr. Turner started at $2 million and tried to work down from there.

I think Hon. Members have to appreciate that every time there is an air crash in Canada the CTC is attacked for not performing its duties. In the year in which we are talking about with respect to not filing information there were over 200 suspensions sent out. All those companies which received suspensions, with the exception of six, filed the appropriate information. Thus there were six actual suspensions after the sending out of some 200 letters asking for more information. Six companies did not provide the information and were suspended. Mr. Turner and Turnair fell into that category. In the case of Turnair there was no suggestion that there was a safety problem.

I ask Hon. Members to think of this. If the CTC had sent out a letter demanding information which was not provided, there was a crash and people were killed, then where would the CTC be? And where would we be as Members? We would be standing in this House, and quite properly, roasting the CTC for not following the rules and regulations that we ourselves set down in the statute and in the regulations.

• (1230)

I plead with Hon. Members to understand where the CTC is coming from on this. In our society, when an agreement as to liability cannot be achieved, the remedy is to use the courts. Mr. Turner in fact did use the courts. He brought an action for some $2 million, an action in which the Government of Canada has now filed its Statement of Defence.

If in fact Mr. Turner is impecunious, those who have some sympathy for his situation should look to assisting him in engaging a lawyer, who can then look at the liability and negotiate on a "without prejudice" basis with the lawyers for the Government of Canada.

Mr. Benjamin: Will you provide the money?

Mr. Thacker: It was not my friend from Regina West but another member of his Party who, during the time we were trying to negotiate with Mr. Turner on a "without prejudice" basis, stood in this House and revealed the nature of the discussions. There is no way that we can even talk with Mr. Turner because of what some of the members of the NDP have done. The only solution is for Mr. Turner to put his case into the hands of a lawyer, who can then look at it from the point of view of liability law.

I believe in his part of the country, the laws of Alberta apply, and under the laws of Alberta there is provision for contingency agreements. A law firm could take on his lawsuit under a contingency agreement whereby it would share in the proceeds. If Mr. Turner is correct in his position, a law firm could be riding that case for 30 per cent. Law firms are prepared to invest money for that type of possible return if in fact they feel there is a case to be made.

Mr. Benjamin: The case will be heard in Ottawa.

An Hon. Member: Where is the justice?

Mr. Thacker: There are remedies available to Mr. Turner. The long and short of it, Madam Speaker, is that the CTC is in a very difficult situation. If it does not follow the rules and problems develop, then we in Parliament end up roasting the CTC for not having followed the rules, as we should. No one has suggested that the CTC has not followed the rules. It has followed the rules set down by Parliament in the regulations. It is not an easy situation. That is where we find ourselves, and I ask Members to vote against the amendment.

Mr. Benjamin: On a point of order.

The Acting Speaker (Mrs. Champagne): The Hon. Member for Regina West (Mr. Benjamin), on a point of order.

Mr. Benjamin: As the Hon. Member has not yet used up all of his 10 minutes of allocated time, perhaps he would accept a question.

Would he agree that this amendment does nothing more than to provide a proper review and appeal process before an agency other than the agency that made the original decision? That is all the amendment does. It does not deal specifically with the Fred Turner case. It only sees to it that there will not be another one like it.

The Acting Speaker (Mrs. Champagne): Would the Hon. Member care to answer?

Mr. Thacker: Madam Speaker, let me just read Clause 41. It states:

> The Agency may review, rescind or vary any decision or order made by it or may rehear any application before deciding it—

That would be all that would be left after the NDP amendment, if it were accepted. Clause 41 continues:

> —if, in the opinion of the Agency, since the decision or order or the hearing of the application, there has been a change in the facts—

Surely there would have to be some change in the facts or the circumstances such that the agency would be convinced that a rehearing was in order.

With great respect to my friend from Regina West, I would rather have the clause as worded. Any change in the facts or circumstances could be used as justification by the agency for a rehearing.

Even under the rules of natural justice, if a tribunal makes a decision, it will not reconsider that decision unless it can be shown that there has been some change in facts—which

sometimes is difficult to prove—or circumstances, which opens up the whole ball of wax.

With great respect, I think the clause is better the way it is.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 21A, standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion, the yeas have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

Mr. Les Benjamin (Regina West) moved:

Motion No. 22

That Bill C-18 be amended by deleting Clause 43.

Mr. Iain Angus (Thunder Bay—Atikokan): Madam Speaker, I do not want to spend much time on this motion. The proposed amendment would eliminate Clause 43 of the Bill, which is a cost-recovery clause in respect of the services provided. As a matter of principle, and as part of our ongoing fight against this type of cost recovery, we would like to see Clause 43 deleted from the Bill.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 22, standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion, the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

The House will now proceed to consideration of Motions Nos. 27, 31, and 32, which will be debated together but voted on separately.

Mr. Les Benjamin (Regina West) moved:

Motion No. 27

That Bill C-18, be amended in Clause 48 by striking out lines 15 to 17 at page 21 and substituting the following therefor:

"by the matter submitted, and

(ii) the amount of revenue at issue is not, of itself, the factor which determines public interest, or

(iii) one or more carriers in the same mode of transportation as the carrier that is party to the arbitration submission, offers or is able to offer, either individually or jointly, competing service for the traffice at issue, or

(iv) the award of the arbitrator may impair the economic viability of the carrier or shipper, or

(v) the matter relates to the movement by rail of trailers or containers on flat cars, or less than carload traffic, and

(vi) the matter should be investigated by the Agency pursuant to section 59;

(c) the parties have not first availed themselves of mediation proceedings pursuant to section 46;

(d) one or more of the carriers participating in the movement are not subject to the jurisdiction of the arbitrator unless all participating carriers agree, in writing, to be bound by the award of the arbitrator.

(4) A determination by the Agency subject to subsection (1) that a matter be referred to final offer arbitration shall not bar the arbitrator from finding that there is alternative, effective, adequate and competitive transportation service for the traffic at issue."

Motion No. 31

That Bill C-18, be amended in Clause 48 by adding immediately after line 25 at page 21 the following:

"(5) Where the Agency finds that a shipper is not in a position to enter into an agreement as described in subsection 4 for any reason which is not likely to frustrate the arbitration, the Agency may allow the shipper to provide a written bona fide offer to ship the goods to which the arbitration relates in accordance with the decision of the arbitrator, as compliance with that section."

Motion No. 32

That Bill C-18, be amended in Clause 48 by adding immediately after line 32 at page 21 the following:

"(6) A notice of the submission to the Agency under subsection (1) shall be publicized, specifying the name of the shipper, the name of the carrier, the commodity and the origin and destination of the movements, and providing 30 days for interested parties to make submissions to the Agency before any decision is made on whether the matter should proceed under arbitration or should be investigated by the Agency pursuant to section 59."

He said: Madam Speaker, these three motions have to do with the final offer arbitration clauses. In all three motions we are attempting to provide additional reasons why the agency shall not allow for final arbitration. That is, Motion No. 27 relates to the number of reasons a shipper may feel captive and, therefore, eligible for final offer arbitration.

• (1240)

Many transportation companies have expressed the concern that this is a shippers' Bill. I think they are partly right, because it allows shippers to force transportation companies to cut their own throats when there is no one else around prepared to do it.

The problem is that the phrase "captive shippers" originated many years ago when there was little or no trucking industry and when there was no air cargo or air transport industry. Therefore, a shipper was a captive of one railroad. Nowadays a shipper might have only one railroad, but he has 50 trucking companies which are available to transport his goods and/or air cargo or air express services.

I think the term "captive shipper" is badly over-used. Quite frankly, there are shippers claiming captive status who should not have the nerve to claim it any more.

Motion No. 31 amends the clause which insists that the shipper guarantee movement and abide by the arbitrator's decision prior to the arbitration beginning. Surely that must be backwards. Government drafters blew it on that one.

That is all very well, except the customer really dictates whether or not the goods shall move. Because the customer is not and cannot be a party to the arbitration, the amendment would allow for a bona fide offer to move the goods. The assumption is that if the deal falls through, it will not be due to bad faith on the part of the parties to the operation.

Motion No. 31 is particularly important to small shippers, and the transportation critic of the Official Opposition Party also mentioned it. It concerns a company called Prairie Malt which handles malting barley and supplies a number of organizations in the country that bottle stuff for football and baseball games. It is of particular significance for small shippers.

A large shipper which moves thousands of carloads or truckloads per year is in a position to make a very good deal with a transporter, whether it is a railway or a trucking company. However, the small shipper which might only ship from 50 to 200 carloads will not get the same kind of deal.

Motion No. 32 opens up the amount of information available about an arbitration; more information would be available. The assumption is that if there is enough public knowledge, other competitive solutions will be brought forward and other interested parties would at least know that an arbitration is ongoing.

We are proposing to open up the final arbitration process, upon which the Government insists in the Bill, in terms of information available. We are trying to make an even balance between the interest of the shipper and the interest of the transporter, which would give the arbitrator even more solid ground on which to make a decision.

We think these motions would improve the legislation. We have consulted with numerous organizations and individuals who have asked the Government for these amendments. I hope the Government will decide that they are acceptable.

[*Translation*]

Hon. André Ouellet (Papineau): Madam Speaker, I wish to take part in this debate to express the concern of the Liberal Party about the whole section on arbitration contained in Bill C-18.

We had expressed reservations about these provisions in Committee since it seemed obvious, as we tried to show the Government, that there was a weakness in the new procedure under which, if a shipper is dissatisfied with the rates applied or proposed by a carrier or the conditions associated with the movement of his goods and there is no possibility of an agreement between the shipper and the carrier, the matter can be referred to the Agency for arbitration.

It seems to us that this procedure will become extremely costly, especially as the inevitable consequence of Clause 48 will be that such matters will be negotiated before the arbitrator by legal representatives. It would be unthinkable that railroad companies and those who oppose their proposals go before the arbitrator themselves to make their own representations.

This will give lawyers and law firms throughout the country a lot of business, and shippers, who were expecting that the new procedure would reduce their transport costs, will see very quickly their legal fees increase by 500 per cent. What they gain thanks to lower shipping costs, they will probably lose in higher legal fees.

In my opinion, this arbitration proposal, which could have been interesting, will very quickly become a very costly procedure which will make no one happy. In fact, the arbitrator will have considerable power to determine in the last instance the transport rates for products and goods and the conditions under which carriers will deal with their customers.

Such intervention by a third party in the process seems extremely dangerous to me. We can hope that the chosen arbitrators will be experts who do a faultless job, but I am not at all certain that such will be the case. I believe that no one is better qualified to judge these matters than the employees of the transport companies or the administrators of shipping companies who work on the field and know exactly what is going on.

I would like to underline one last time to the House that this whole arbitration process seems extremely dangerous to me, and I suspect that, within a few years, we shall have to repair the damage done by this procedure as it is not one of the better ideas of this Government.

• (1250)

[*English*]

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Madam Speaker, for the information of the House, we find ourselves unable to accept Motion No. 27 but Motion No. 31 is quite acceptable and I would ask Hon. Members to vote for that if they will. We cannot accept Motion No. 32.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 27 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

The next question is on Motion No. 31 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion No. 31 (Mr. Benjamin) agreed to.

The Acting Speaker (Mrs. Champagne): The next question is on Motion No. 32 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

The House will now proceed to debate Motions Nos. 33 and 34 which will be debated together and voted on separately.

Mr. Les Benjamin (Regina West) moved:

Motion No. 33

That Bill C-18, be amended in Clause 50 by adding immediately after line 15 at page 22 the following:

"(3) Within fifteen days of the Agency referring the matter for arbitration, the parties shall exchange the information which they intend to submit to the arbitrator in support of their final offers.

(4) Within seven days of receipt of the information referred to in subsection (3) each party may direct interrogatories to the other which shall be answered within fifteen days of receipt thereof.

(5) If a party unreasonably withholds information that is subsequently deemed to be relevant by the arbitrator, such withholding shall be taken into account by the arbitrator in his decision."

Motion No. 34

That Bill C-18, be amended in Clause 51 by striking out lines 26 to 33 at page 22 and substituting the following therefor:

"(2) Unless the parties otherwise agree, in rendering a decision the arbitrator shall have regard to the factors set out in section 3(1)."

Mr. Iain Angus (Thunder Bay—Atikokan): Madam Speaker, very briefly, I would explain for the record the purpose of the two motions. Motion No. 33 opens up the arbitration process by allowing for a reasonable exchange of information prior to an arbitration. The purpose is to inhibit the arbitration from being a shell game.

Motion No. 34 insists that the arbitrator consider the policy objectives of the Bill when making a decision. Our primary interest is in the safety aspect. We want to ensure that arbitrators can consider the detrimental effects of any decision based on lower tariffs and on the shipper of higher tariffs. We want to make sure that that is in the Bill so that the arbitrator can consider those.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 33 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): Carried.

Mr. Fennell: No!

The Acting Speaker (Mrs. Champagne): All those in favour please say yea.

Mr. Benjamin: Madam Speaker, on a point of order, it is a little late now. You cannot call twice for those in favour. No one said no until he hollered over here and he is not in his seat.

Mr. Fennell: No, he didn't holler, I hollered. He hollered before—

The Acting Speaker (Mrs. Champagne): Order. Obviously the Chair did not hear at that time but had not yet gone through the yeas and the nays. All those in favour of the motion will please say yea.

Mr. Benjamin: Madam Speaker, on a point of order, surely it is a fundamental rule of the House that when the Speaker does not hear, the Speaker rules accordingly. You did not hear, you just admitted that. Therefore, that motion carries.

Mr. Robinson: Madam Speaker, just briefly, Your Honour will be aware that there have been precedents of this nature before in which the Speaker has declared an amendment carried. Following the declaration that an amendment is carried, clearly it is quite improper to suggest that we then revert in effect to the yeas and the nays. The Speaker is in a position to call for the yeas and the nays prior to declaring a motion carried, but once having declared the motion carried, surely Your Honour recognizes that we should move on to the next order of business and the Government should graciously accept.

Mr. Fennell: Madam Speaker, I apologize in this case but what happened was when they yelled "agreed" we did not act quickly enough. You said "carried" and then we said "no". I apologize for that, but unfortunately it was done a little too quickly. The next time around, I would ask the Chair to please look at us for the nays.

[*Translation*]

The Acting Speaker (Mrs. Champagne): The Chair is in some difficulty. I must admit that, not having heard any "nays", the Chair has declared the motion carried. After listening to the comments of the Hon. Member for Ontario (Mr. Fennell), I am willing to admit that the Chair might have been a bit too hasty. However, I believe that all the Hon. Members should be more careful and try to reply clearly so that the Chair can hear them.

Consequently, I declare Motion No. 33 carried.

Motion agreed to.

[*English*]

The next question is on Motion No. 34 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

It being 1 p.m., I do now leave the chair until 2 p.m.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

CANADIAN JOBS STRATEGY

CALL FOR CHANGE IN ENTRY REQUIREMENTS

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, last Friday, June 13, two years after the Canadian Jobs Strategy began, the Government finally saw the light and changed the program to permit greater participation by immigrant and native women.

For many months the Community Coalition on the Canadian Jobs Strategy, the Advisory Council on the Status of Women, the Association of Canadian Community Colleges, the Ontario Government, and the Liberal Opposition in Parliament condemned the unfairness of the entry requirement that you must be unemployed for 24 weeks out of the last 30 in order to qualify for the program. Finally the Government changed that for immigrant and native women.

Why is the Government going only halfway? Why keep this inflexible entry rule at all? What about all those people who are out of work and need training but have not yet been unemployed for 24 weeks? Must they wait around for five or six months before they get help? Or must they continue to accept unskilled, part-time, short term and low pay employment? Since the Government has now admitted that the original program was flawed, why not go the full distance and change the entrance requirements for all applicants?

* * *

THE ECONOMY

CREATION OF JOBS THROUGHOUT COUNTRY

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, since September, 1984, when Canadians opted for sound economic management, some 840,000 jobs have been created in Canada.

The best the critics can do to detract from this good news is to say that all the jobs are in Ontario. The fact is the jobs are spread around. There are 388,000 in Ontario, 220,000 in Quebec, 92,000 in British Columbia, and 50,000 in the Atlantic region. Even on the Prairies, despite record low grain, oil, potash and uranium prices there are 88,000 more people working.

Wherever the jobs are in Canada, I applaud the Government for creating an environment in which private sector initiative and entrepreneurship have been able to put over 840,000 more Canadians to work.

I congratulate the Prime Minister (Mr. Mulroney) and the Minister of Finance (Mr. Wilson) for the success of their economic policies which have given all Canadians greater access to more jobs regardless of where they live.

* * *

REFUGEES

CRITICISM OF PROVISIONS OF BILL C-55

Mr. Dan Heap (Spadina): Mr. Speaker, CLC President Shirley Carr sent a letter to the Prime Minister (Mr. Mulroney) two weeks ago calling Bill C-55, the Government's refugee legislation, a betrayal of trust and a mockery of fundamental rights. Flaws she noted were denial of universal access, denial of appeal, and denial of those coming from so-called safe countries such as Central Americans applying from the U.S. She also objected to the philosophy of the Bill which blames refugees for problems in the refugee determination system and seems designed to keep refugees out of Canada.

At the same time, a telex from spokespersons for the Anglican, Baptist, Christian Reformed, Mennonite, Presbyterian, United and Roman Catholic Churches, along with the Religious Society of Friends, the Salvation Army, and the Canadian Council of Churches, made the same points. They said "The Bill is being promoted on the false premise that it will protect genuine refugees. It is clear that the effect of this Bill will be to turn away refugees."

"The 'alleged abuse', which is the pretext for this flawed piece of legislation, is primarily the result of prolonged government delays in reforming the present drawn-out and cumbersome procedure." They demand a Bill to help refugees.

* * *

CANADA DEPOSIT INSURANCE CORPORATION

SIZE OF CORPORATION'S DEFICIT

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, judging by the just released 1986 annual report of the Canada Deposit Insurance Corporation it has evidently been living through some very interesting times. Highlights are the $1.25 billion deficiency in the deposit insurance fund and the $1 billion loan from the Consolidated Revenue Fund of Canada.

The corporation estimates that even with no new demands on the insurance fund it will take until 1994 to eliminate the deficit with the current one-tenth of 1 per cent premium rate. Therefore, whether we like it or not, there is no real alternative except to approve the provisions of Bill C-42 which would authorize increased premium rates and a higher ceiling on government lending to the corporation.

* * *

[*Translation*]

THE MINISTRY

IMPORTANCE OF ANSWERING QUESTIONS PRECISELY

Mr. Gilles Grondin (Saint-Maurice): Mr. Speaker, last June 11 I directed a question to the Minister of State (Youth) (Mr. Charest) concerning the plight of homeless youth.

I asked the Minister what steps he intended to take in an attempt to improve the lot of thousands of Canadian youths faced with this serious problem. Instead of answering the question, the Minister chose to censure me for not being in the House when my Party moved an opposition motion dealing mainly with education, training and employment.

Mr. Speaker, I would point out that this kind of reproach on the part of a parliamentarian is unacceptable and uncalled for. All the more so because on several occasions last March we had to put off a question period on youth because the Minister of State was away from the House most of that month. I knew he must have had excellent reasons not to attend.

On May 7 I had a personal commitment which I simply could not defer. The Minister's display of arrogance last Thursday compels me to set the record straight.

This being International Year of Shelter for the Homeless, Mr. Speaker, it was utterly deplorable that the Minister should behave that way in the House instead of answering questions precisely, if only to show that he is genuinely concerned over the plight of young Canadians.

* * *

POLITICAL PARTIES

THE CCF AND THE NDP

Mr. Gabriel Fontaine (Lévis): In 1932, Mr. Speaker, a group of Canadians, significantly linked through geographical circumstances, decided to establish a political Party, the Canadian Commonwealth Federation, or CCF. From 1932 to 1961, Party activists could not manage to develop principles, let alone national programs. Opportunism being their forte, they attempted to fool the people by changing the name of their Party, not a particularly challenging initiative when the name does not reflect the truth.

From the smoking ashes of the CCF sprang the NDP in 1961. The activists of this Party have yet to set forth a major policy. Their opportunism has taught them to change on a daily basis to mirror the colour of the day. The only qualifier which would fit every last one of them, their leader included, is the word socialist. How else could anyone appear at the International Socialist convention under another hat?

Since the Rhinocéros Party is now defunct, another rare, and excentric animal whose colours match the surrounding foliage should be their inspiration in the quest for a new name, the Chameleon Party.

* * *

• (1405)

[*English*]

CHILDREN

EFFECTS OF POVERTY

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, recent surveys show that increasing numbers of Canadian children are going to school hungry. Teachers report that these children are less attentive, fall asleep in class, are irritable and more aggressive. They are sick a lot, and are often late for school or do not show up at all.

Poverty affects one in five Canadian children. Most will continue the poverty cycle. Children do not get enough to eat because welfare rates are too low in every region of Canada. The federal Government cannot sit idly by and say this is a provincial matter. It must take initiatives to combat child hunger and poverty.

The Minister of Finance (Mr. Wilson) must guarantee that there will be no sales tax on food. He must increase and fully reindex the child tax credit and the family allowance. Tax reform must restore full indexation to the income tax system as one means of counteracting child poverty.

* * *

ADMINISTRATION OF JUSTICE

REPRESENTATION OF CLIENTS BY ARRESTED IMMIGRATION CONSULTANT

Mr. John Oostrom (Willowdale): Mr. Speaker, I would like to congratulate the Minister of Justice (Mr. Hnatyshyn) and his Department for initiating action against those so-called immigration consultants whose specialty is to prey on human misery. These individuals have caused untold human suffering within the Portuguese community by promising unsuspecting individuals an easy road to becoming landed immigrants. Thus the Minister's action was thoroughly endorsed and appreciated by the Portuguese community.

However, the positive aspects of the action are beginning to fade. Two days after the arrests took place Joe Raphael, one of the consultants charged and an individual who is notorious for counselling people to circumvent Canadian immigration law, was again representing clients in front of the Immigration Appeal Board.

By continuing to represent clients Mr. Raphael is continuing to project the image that he is above the law and can deliver on any immigration matter. Until their cases are heard a cease and desist order should be issued against these individuals. The Government must make it clear that no immigration consultant is above the law.

* * *

APARTHEID

SOUTH AFRICA—CALL FOR IMPOSITION OF FULL ECONOMIC SANCTIONS

Ms. Sheila Copps (Hamilton East): Mr. Speaker, today is the eleventh anniversary of the Soweto uprising and yet there continues to be a terrorist Government in South Africa which is supported by being recognized by other countries around the world. That self-same Government has over 5,000 children in detention without ever having charges laid against them.

This House passed an all-Party resolution on September 30, 1986, calling upon the Government to impose full economic sanctions against South Africa. I urge the Prime Minister of Canada (Mr. Mulroney), whose efforts were spurned in Venice, to move ahead with full economic sanctions so that

Canada can be a leader rather than a follower in the fight against the heinous regime which currently calls itself the Government of South Africa.

* * *

OCCUPATIONAL HEALTH AND SAFETY WEEK

CANADIAN SOCIETY OF SAFETY ENGINEERING—CONGRATULATIONS ON INITIATIVE

Mr. Bob Horner (Mississauga North): Mr. Speaker, I rise to extend my best wishes to the Canadian Society of Safety Engineering on the occasion of their 1987 Canadian Occupational Health and Safety Week.

All of us in this House must be increasingly concerned with Canada's record in respect to work-related injuries and illnesses. In addition to the immeasurable human suffering there is financial cost to the nation amounting to billions of dollars each year. Legislation on its own cannot prevent accidents and illnesses, but legislation combined with labour, management, and government sharing responsibility can indeed improve an unacceptable situation. Organizations such as CSSE have an important role to play in this process.

• (1410)

I invite all Hon. Members on both sides of the House to join with me in congratulating this organization on its safety week initiative and in wishing it success in all endeavours in the months ahead.

* * *

HIGHWAYS

NEED TO UPGRADE TRANS-CANADA HIGHWAY IN NORTHERN ONTARIO

Mr. Ernie Epp (Thunder Bay—Nipigon): Mr. Speaker, this week the Canadian Construction Association called for $500 million annually of federal assistance to highway construction.

This call is timely in view of the poor state of our highways, especially the Trans-Canada Highway through northern Ontario.

The call also follows on some federal recognition of responsibility for highway improvement in Atlantic Canada, Quebec and the western provinces. Every province except Ontario now has an agreement with the federal Government on highways improvement.

The Minister of Transport (Mr. Crosbie) has not, however, responded favourably to requests I have made, as has the Member for Kenora—Rainy River (Mr. Parry), to assist the Province of Ontario in the upgrading and twinning of the Trans-Canada Highway through northern Ontario.

Northern Ontario contains one-quarter of the total length of the Trans-Canada Highway. The Province of Ontario is only now beginning to recognize its responsibility to make this a first-class highway.

I call upon the Minister of Transport to respond favourably to Ontario's request for federal assistance for improvement of our Trans-Canada Highway.

* * *

NATIONAL PARKS

PRINCE EDWARD ISLAND NATIONAL PARK—SUGGESTED RENAMING OF RUSTICO ISLAND AS ROBINSON ISLAND

Mr. Mel Gass (Malpeque): Mr. Speaker, one of the ideas behind establishing National Parks in Canada was to maintain our country's and our people's heritage.

Rustico Island, in Prince Edward Island National Park, should rightfully be called Robinson Island, after the Robinson family who purchased, settled, and farmed it in 1815.

The Robinson family had been on Prince Edward Island since 1778, arriving there with other Loyalists from the United States. While many of those Loyalists returned to England, the Robinson family stayed, and worked long and hard to develop their island, their province and their country.

The island the Robinsons settled was known as Robinson Island until the Government took over the land now known as the National Park. Even after the National Park was established, the Island was known to most as Robinson Island. In fact the 1968 official road map of Prince Edward Island refers to that island as Robinson Island.

It is only fitting that Rustico Island should once again be called Robinson Island in honour of the family who pioneered it.

* * *

[*Translation*]

SEVENTY-FIFTH ANNIVERSARY OF TOWN OF MOUNT ROYAL

TRIBUTE TO MAYOR REGINALD DAWSON AND VOLUNTEERS

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, one of the municipalities in my riding, the Town of Mount Royal, is proud and delighted to be celebrating its seventy-fifth anniversary this year.

Last week, many activities were organized to mark this event, including exhibitions by artists, concerts by the Montreal Symphony Orchestra, the Metropolitan Orchestra and the Mount Royal Choir.

[*English*]

Many citizens of varied faiths and from 30 countries enrich the fabric of this very special town. Sunday's anniversary services brought moving greetings and song from its nine religious institutions. Tuesday's colourful multicultural day gave the visual, artistic and culinary reflection of this fascinating cultural diversity.

[*Translation*]

I was delighted to share in a number of these activities with the people of the Town of Mount Royal, and I would like to take this opportunity to pay tribute to the many volunteers without whom these festivities would not have been such a resounding success.

[*English*]

I send warmest greetings to its outstanding mayor, Mr. Reginald Dawson, who has been a warm and caring chief magistrate for 35 years. His superb reputation has been acknowledged beyond the physical boundaries of his city.

Diamond Jubilee Festivity Week was a time for the expression of civic pride and was certainly enjoyed by all.

* * *

[*Translation*]

CANADA POST CORPORATION

NECESSITY NOT TO IMPEDE GOOD NEGOTIATING PRACTICES

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, Canada Post's letter carriers are on strike as of midnight last night. Unfortunately, no settlement could be reached to prevent this work stoppage which is adversely affecting all Canadian citizens. Especially in regions like Saguenay—Lac-Saint-Jean, taxpayers will feel the absence of postal services as a particular burden since they have so few alternatives and distances are far greater than in urban areas.

However, it is encouraging to hear that negotiations are continuing, and I hope, Mr. Speaker, that no one will do anything to keep them from proceeding as they should. I have a special message for Mrs. Shirley Carr, President of the Canada Labour Congress, whom I would urge not to get involved in this dispute. In some statements she made recently, Mrs. Carr prejudged the direction this dispute might take, and I can only deplore this attitude.

I feel we should put our trust in the Parties concerned and the democratic negotiating process, and avoid making unfounded statements of this kind.

CANADA POST CORPORATION

REQUEST THAT PRIME MINISTER INTERVENE

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, everyone deplores the strike at Canada Post, but even worse, Mr. Speaker, is what happened this morning in Montreal, when Canada Post Corporation launched an appeal to all workers willing to replace the letter carriers. As a result of this appeal—

An Hon. Member: Hear, hear.

Mr. Malépart: —a Conservative Member just said: hear, hear, but as a result, in Montreal there was some rough stuff and people got hurt.

Mr. Speaker, I urge the Prime Minister (Mr. Mulroney), who has some experience in negotiating and mediating, to call the President of Canada Post immediately and ask him to drop this strategy which only leads to provocation and will not resolve the dispute. Ask the President of Canada Post to negotiate and to settle the dispute instead of indulging in provocation.

• (1415)

ORAL QUESTION PERIOD

[*English*]

NATIONAL PARKS

BREAKDOWN OF NEGOTIATIONS TO CREATE PROPOSED SOUTH MORESBY NATIONAL PARK

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, my question is directed to the Prime Minister. The first promise made by the Minister of the Environment when he was sworn into office was the creation of a national park in South Moresby in the Queen Charlotte Islands. On May 14 of this year when the House was addressing the issue, the Minister of the Environment had this to say, and I quote:

> We owe it to ourselves, to the world community as a whole and to generations yet unborn to save what is the most internationally significant wilderness treasure in all of Canada. South Moresby is a litmus test of our values as a society.

Those were the Minister's words and I endorse those words heartily. Does the Prime Minister stand by the first promise made by his Minister of the Environment? And will there indeed be a national park in South Moresby?

Hon. Tom McMillan (Minister of the Environment): Mr. Speaker, it is with considerable sadness that I have to report to the Right Hon. Leader of the Official Opposition, and through him to the House, that negotiations between the federal Government and the Government of British Columbia on the establishment of a national park in South Moresby have broken down.

For our part, the federal Government has offered to the Province of British Columbia a package which is unprecedented in its generosity. Over $100 million was put on the table by the federal Government toward that end. I regret that in its wisdom the B.C. Government thought the amount was not sufficiently large to merit its continuation of negotiations with us. However, I can assure the Right Hon. Leader of the Official Opposition that our offer, generous as it is, stands.

If in the light of day the Province of British Columbia has second thoughts on the question, we will send a high-level team of officials, representing the federal Government and the people of Canada, anywhere that B.C. would like us to have them meet, for any purpose surrounding the park.

REQUEST THAT PRIME MINISTER INTERVENE

Right Hon. John N. Turner (Leader of the Opposition): I am sure the Minister considers this of such importance within the domain entrusted to him by the people of Canada through the Prime Minister that he would want to prevail upon the Leader of the Government, the Prime Minister, to intervene directly with the Premier of British Columbia to persuade the province and the federal teams to return to the table in order to save what is an absolutely priceless treasure, one which can never be restored if action is not taken immediately. I would hope the Prime Minister would see it that way and make an undertaking to this House that he would be in immediate communication with Premier Vander Zalm.

Hon. Tom McMillan (Minister of the Environment): Mr. Speaker, if a national park in South Moresby is not established, it will not be for lack of trying on the part of the Government of Canada much less the Prime Minister. I can tell the Right Hon. Leader of the Opposition, the House, and the entire country that, just as I have had the support of all Parties in this House in connection with the establishment of a national park, I have had the full backing of the Prime Minister, the Deputy Prime Minister and the Government caucus, including the B.C. caucus on the government side.

• (1420)

Our offer of $106 million toward the establishment of this park is more generous than that offered by any previous Government for any park in any province or territory in the Dominion of Canada. In fact, with one exception, this $106 million is more than the federal Government has spent on all other national parks combined.

Some Hon. Members: Hear, hear!

REQUEST FOR EFFORTS TO REOPEN NEGOTIATIONS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Minister is perfectly correct when he says that he has the support of the House. On May 14 he had the support of every single Member who was in the House for the creation of a national park, for the protection of the rights of the Haida people, for a moratorium on logging, and for reasonable compensation to loggers who may lose their jobs. He had the total reinforcement of the House of Commons.

The Government of Canada has always refused to reveal what its negotiating strategy was with the Province of British Columbia. Initially, when the Minister was sworn into his portfolio, and then on May 14, he promised a fruitful result. We have failed. The Minister has failed.

Understanding the jurisdiction of the Province of British Columbia in this matter, by what date will the Minister, through the Prime Minister, the full force of the federal Government and the mobilization of public opinion in the country and of the Province of British Columbia, persuade the Premier to return to the table with his own Minister and get a positive result to save South Moresby?

Some Hon. Members: Hear, hear!

Hon. Tom McMillan (Minister of the Environment): Mr. Speaker, if the South Moresby file turns out to be a failure it will not be a failure only of this Minister of the Environment. It will be a failure not only of this Government but of all of Canada. As I pointed out on the floor of the House of Commons on a previous occasion, whether or not we can screw up the courage and the will to save this magnificent wilderness treasure will be a litmus test of our values as a civilized country.

Having said that, we have put on the table not only $106 million, but we have put to the Province of British Columbia our generous offer of compensation to the two main forestry companies concerned, Western Forest Products and MacMillan Bloedel. We have offered to compensate in an unprecedented way the logging contractor, Frank Beban. We have put together a package that would be generous to the loggers themselves. We have offered to involve the Haida in the establishment of a national park and in the administration of it, not just as lowly paid assistant wardens but as leaders and interpreters of the heritage values in South Moresby. There could not be a more magnanimous offer by the federal Crown to the provincial Crown than that which we have put on the table.

I urge the Leader of the Opposition, his Party, and every Member of the House to use all our resources to bring wisdom to bear on this very important international question.

Some Hon. Members: Hear, hear!

QUEEN CHARLOTTE ISLANDS—HAIDA PEOPLE'S ABORIGINAL TITLE CLAIM

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, my question is for the Right Hon. Prime Minister. As the Prime Minister knows, the Queen Charlottes are the home of the Haida people. They claim aboriginal title to these islands because they have lived there for many thousands of years. In fact, their claim was recognized by the federal Government in 1983.

Since the Government has now failed in its efforts to establish a national park in South Moresby how then will the Government fulfil its constitutional obligations to the Haida people before this precious heritage is decimated?

Hon. Tom McMillan (Minister of the Environment): Mr. Speaker, one of the strengths of the approach that the federal Government has taken to this issue is that we had in mind the establishment not of a national park *per se* but of something even more precious in one sense—a national park reserve which had the advantage to the Haida people of not prejudicing their negotiations with the federal Crown in connection with their legitimate interests in the Queen Charlotte Islands, specifically in the context of land claims.

• (1425)

The Hon. Member, in his question, said that the negotiations have failed. While we have reached an impasse and negotiations have broken off, we have said, for our part that our offer stands.

We hope that the people of British Columbia and their Government will see the wisdom of the offer that was put on the table. It isn't over until it is over.

Next week the B.C. Government, I understand, will be considering the possibility of establishing a provincial park, of much smaller boundaries than those we had in mind for a national park. That decision has not, however, yet been taken, and until it is we remain in the game, and we hope that British Columbia will be in the game, too.

GOVERNMENT POSITION

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, my supplementary question is directed to the Deputy Prime Minister, who tried to negotiate this deal.

It seems that this Government is always having sand kicked in its face. Is it not true that the Government of Canada is simply giving up on trying to preserve South Moresby and the rights of the Haida?

Can this Government not stand up to Bill Vander Zalm? Or is this an example of the new federalism that is being talked about across the way?

Hon. Tom McMillan (Minister of the Environment): Mr. Speaker, this is not the "new federalism", but the people of Canada certainly do not want the old federalism as practised by the Liberal Party.

I would hope that the spirit of non-partisanship that characterized the opening question of the Leader of the Official Opposition would prevail during this most delicate period, or at least pan-partisanship, without which we are not going to have any success in negotiating this very difficult agreement.

COMPENSATION ISSUE—REQUEST FOR ARBITRATION

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question also relates to the matter of the South Moresby Islands, a national treasure of Canada.

As the Minister of the Environment has indicated, on May 14 last the people of Canada, through their elected representatives, indicated a commitment to establishing the South Moresby area of the Queen Charlotte Islands as a national park. That commitment came in the form of a motion unanimously passed by the House.

We all appreciate the efforts put forth by the Government and the various Parties to facilitate that, and we were disappointed this morning on learning that the negotiations had in fact broken down.

We hear from British Columbia that the negotiations broke down because the two parties were unable to agree on what would be adequate compensation for the projected losses involved in South Moresby becoming a national park.

Would the Minister entertain bringing in a third party to conduct an independent audit of what the projected losses would be, and would he be prepared to abide by the results of that audit, on the premise that he cannot afford not to afford turning South Moresby into a national park?

Hon. Tom McMillan (Minister of the Environment): Mr. Speaker, it is true that the question of compensation to third party interests was a highly salient one in the negotiations. However, it would not be correct to say that that was the most important issue in contention.

At the outset of the negotiations the B.C. Government insisted that the federal Crown put on the table $100 million for the establishment of a trust fund, and that is a position it maintained right through to the point negotiations were broken off. That is $100 million even before the federal Government spends a solitary penny on the establishment of the park itself: in other words, the compensation to third party interests, the investment in tourism infrastructures and other facilities necessary to the establishment of a national park.

For various reasons we considered that position unacceptable. While the B.C. Government did come back with an offer that superficially looked like a compromise, the fine print indicated that it was just the old offer rehashed.

REQUEST THAT PRIME MINISTER INTERVENE

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my supplementary question is directed to the Prime Minister.

As the Minister of the Environment has indicated, while negotiations have essentially broken down, it is not over until it is over.

Recognizing that the B.C. Cabinet will not meet until next week on the question of establishing South Moresby as a provincial park—something which would not be in the nation's

best interests—would the Prime Minister consider dealing directly with the Premier of British Columbia on this matter?

It may be that the two of them, in the absence of the bureaucracy, in the absence of the negotiators, can resolve the present impasse.

• (1430)

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I think we have a very attractive and substantial offer on the table. The Deputy Prime Minister was personally involved, as was the Minister of the Environment, in considering all aspects of a very complex and sensitive matter and, in the process, I think reflected pretty well and pretty generously the views of all Parties in the House in trying to come to an equitable solution of the matter.

I think I am satisfied, as would be any reasonable Member of the House, that the position put forward by the federal Government is very much a generous one, very much persuasive of the objective being sought, and very much in the national interest.

* * *

ENERGY

PROPOSED PURCHASE OF DOME PETROLEUM BY AMOCO CANADA—BANK OF MONTREAL'S REFUSAL OF TERMS

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, my question is for the Minister of Energy, Mines and Resources. Yesterday the Bank of Montreal reaffirmed its decision not to approve the bid by Amoco Canada to take over Dome Petroleum. As a major creditor of Dome Petroleum, the refusal of the Bank of Montreal to accept that bid pretty well kills the Amoco Canada deal to take over Dome Petroleum. What could possibly happen, very shortly after June 30, is that Dome Petroleum could be forced into bankruptcy.

When will the Government realize that new bids have to be made and the way has to be open for the new bids to be made so that a more acceptable deal can be put on the table for the sale of Dome Petroleum?

[*Translation*]

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, I am not sure whether the Hon. Member's question is wishful thinking, but the Senate is not the place for banking institutions to formerly put their views forward. They can make their views known publically. But if banking institutions, if the Bank of Montreal in particular wants to reject the proposal made to it, its decision should be announced to Dome. To my knowledge, it did not do so. Therefore, as long as formal decisions are not made in the right forum, I suggest, Mr. Speaker, that what the Hon. Member elaborated in this House is not true at this point.

[*English*]

GOVERNMENT POSITION

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, the Minister of Energy just does not understand the situation.

Ms. Copps: That's right.

Some Hon. Members: Oh, oh!

Mr. MacLellan: The Bank of Montreal does not have to notify anybody. It stated that it would not approve it. It is not a question of turning it down; it is a question of the Bank of Montreal not approving it. I have said that the Bank of Montreal is not going to approve it, so the deal is dead.

What will the Government of Canada do? Does the Government want Dome Petroleum to go into bankruptcy? Is that the idea? It is no longer a hypothetical question; it is a question which is before us right now. We have until June 30 to decide what will be done. Is the Government willing to let Dome Petroleum go into bankruptcy? If not, what will it do to stop it?

[*Translation*]

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, the Bank of Montreal, however large it may be, is only one creditor among dozens of others. And that matter will not be solved in this House, it will be solved where it should be, that is between Dome and its creditors, rather than through oral questions in this House.

* * *

[*English*]

CANADA POST CORPORATION

LETTER CARRIERS' STRIKE—ACTIONS ANNOUNCED BY MANAGEMENT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Prime Minister. It concerns the postal strike. The whole country would like to see the mail being delivered. As the Prime Minister knows, to have that as a possibility there must be flexibility on both sides of the negotiating table.

Last night at 12.01 a.m., before any strike action was taken, the management of the Post Office informed the letter carriers of two things: first, they planned to hire strike-breakers at seven cents an hour more than the best paid letter carriers were getting—additional pay for crossing picket lines—and, second, they extraordinarily announced the abolition of Article V in the agreement which protects workers from discrimination based on sex, religion, and age.

Does the Prime Minister think that such action by postal management is unnecessarily provocative?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the situation as of midnight last night is that the union is in a position to strike legally and the Post Office is in a position for a legal lock-out, although it has not taken that route. I understand that legally the existing contract is no longer in place.

The Leader of the New Democratic Party is talking about specifics of the particular negotiations and the tactics being used on one side—and there are tactics being used on the other side—trying to bring about pressure so that a negotiated settlement can be reached.

I do not think it is of benefit to that agreement, to either of the parties, and certainly not to the public, that we try to carry on those kinds of discussions and negotiations on the floor of the House of Commons.

They are discussing things now at the Chateau Laurier Hotel. I think we should encourage them to continue discussing them and to reach a negotiated settlement as soon as possible.

REPORTED ABOLITION OF COLLECTIVE AGREEMENT DISCRIMINATION PROVISION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I say with total sincerity that if we were discussing normal, bargainable items, I could not agree more with the Minister. However, in a House which has adopted the Charter of Rights and is currently discussing constitutional improvements, does the Minister find it acceptable, even if it is legally possible, that an agency of the Crown should say to its workers that it will now abolish, because it has the legal authority to do so, a clause designed to protect its workers from religious, sex, and age discrimination? It seems to me that these fundamental rights ought to belong to any worker in Canada in the public or private sector.

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, those rights belong to any and every worker in Canada, every citizen in Canada. They are guaranteed under the Charter of Rights.

The Post Office, like everybody else in the country, must obey the law. It would be absolutely unacceptable to have any discrimination based upon any of those factors about which the Leader of the New Democratic Party talked.

If he has evidence of the Post Office acting in a discriminatory fashion, contrary to the Charter of Rights, contrary to the direction which the House would unanimously give it, I ask him to please raise it, and I will certainly raise hell with management of the Post Office if that is the case.

REQUEST FOR RESTORATION OF PROVISION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I think the Minister—and I heard his words with care; I accept his commitment to carry it out—has now committed himself to doing something.

There are now more than 400 cases based exactly on that clause which are up for consideration. That is precisely why the clause was put there, to protect the rights.

I have heard what the Minister just said. When it comes to fundamental rights—and, in fairness, whatever else they may do in the bargaining is up to them—will the Minister go back to management and say that this kind of action is unacceptably provocative and that they must put back into place Article V to protect the workers from this kind of discrimination?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I do not have the benefit of the old agreement in front of me to look at Article V, but I believe the Hon. Member is referring to the article dealing with the filing of grievances and so on.

As of midnight the entire agreement is no longer in place. The Post Office has indicated that it intends to follow the spirit of the agreement.

I think the Leader of the New Democratic Party is making mischief if he is suggesting that putting aside the grievance procedure now—and there are some 16,000 grievances filed each year—until a contract is negotiated is somehow an attempt by management to discriminate based upon religion, sex, or racial background; that is a malicious and false accusation.

* * *

• (1440)

HOUSE OF COMMONS

PRESENCE IN GALLERY OF MINISTER OF HEALTH OF ISRAEL

Mr. Speaker: I wish to bring to the attention of Hon. Members the presence in the Gallery of Mrs. Shonana Arbeli-Almoslino, the Minister of Health of Israel.

Some Hon. Members: Hear, hear!

PRESENCE IN GALLERY OF FIRST DEPUTY MINISTER OF U.S.S.R.

Mr. Speaker: I wish also to bring to the attention of Hon. Members the presence in the Gallery of Mr. V. Murakhovsky, First Deputy Minister of the U.S.S.R. and Chairman of the Agro-Industrial Complex.

Some Hon. Members: Hear, hear!

Oral Questions

CANADA POST CORPORATION

LETTER CARRIERS' STRIKE—GOVERNMENT POSITION

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, my question is directed to the Minister responsible for Canada Post. By forcing Canada Post to balance its books by the end of this fiscal year instead of the five-year period recommended by the Marchment Committee, and by refusing to intervene in the labour negotiations, the Government has imposed a postal strike on Canadians.

Now that the Government has its own strike, what next? Is the Government ready to do something in an attempt to prevent rotating strikes from turning into a full-fledged national strike that could affect every business and individual in Canada, or does the Government want to continue simply sitting on its hands watching the world unfold?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, as I indicated yesterday with respect to intervention through the Canada Labour Code and the Department of Labour, a conciliator was appointed, a commissioner was appointed, and a report has been tabled. The parties were negotiating yesterday. They are still negotiating today and I think we should again encourage the parties to come to an agreement.

[*Translation*]

INQUIRY CONCERNING CONCRETE ACTION PROPOSED BY GOVERNMENT

Mr. Jacques Guilbault (St. Jacques): Mr. Speaker, the Minister is confirming the Government has been attempting to have its job done by others, which has not worked. Conciliation did not work. We have reached the point where, unless the Government does something, we will end up with a national strike, a full-fledged national strike that may lead to violence, that may affect everyone in this country, including the economy. I would like to have an answer from the Government. What concrete steps will they take to end that strike, instead of constantly answering: We will let them negotiate. To this day it has not worked. What will you be inventing?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, if I understood correctly the question put by the Hon. Member, he is blaming us for implementing the Labour Code. Is the Hon. Member speaking on behalf of the Liberal Party, and is he suggesting we should abolish the right to strike?

[*English*]

PHARMACEUTICAL INDUSTRY

ANNOUNCED CLOSURE OF FIRM IN MISSISSAUGA

Mr. Bob Horner (Mississauga North): Mr. Speaker, my question is directed to the Minister of Consumer and Corporate Affairs. It is very difficult for a Member representing a riding like Mississauga North to complain. Mississauga North has benefited greatly from Conservative policies since 1984.

Some Hon. Members: Hear, hear!

Mr. Horner: Mississauga North has 7,000 thriving businesses. Mississauga North has—

Mr. Speaker: Order.

Some Hon. Members: More, more.

Mr. Speaker: And the Hon. Member for Mississauga North will put his question.

Some Hon. Members: Oh, oh!

Mr. Horner: Mr. Speaker, I wonder if the Minister is aware that this morning at nine o'clock a large pharmaceutical manufacturing firm in Mississauga, Smith Kline & French, announced that it was closing its doors and moving to another country. Can the Minister tell me what he can do about this unfortunate situation?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, unfortunately, in this situation there is nothing that can be done. However, I think it would be informative to know why this company is closing. As the company said in a letter to me today, its action is the direct unfortunate but necessary result of compulsory licensing in Canada. As the House is aware, Bill C-22 will correct that situation to ensure that there are no further closings of this kind.

Some Hon. Members: Hear, hear!

* * *

APARTHEID

SOUTH AFRICA—EXTENSION OF EMERGENCY RULE

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, my question is for the Prime Minister. The eleventh anniversary of the Soweto massacre has been marked by the extension of emergency rule and by the failure of a commitment at the Venice Summit. It has also been marked today by a plea by Archbishop Scott for further Canadian action against apartheid.

What will be the Prime Minister's answer to Archbishop Scott, to the children of South Africa, and to the victims of the holocaust in Mozambique?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend refers to the failure of the commitment at the Venice Summit. That of course is both wrong and misleading. The Venice Summit, at the request of Canada, actively considered on at least three occasions during our sittings the very troubling and tragic issue of apartheid in South Africa, and asked the chairman to issue what has been described as a very full and serious denunciation of the policies of the Government of South Africa in regard to apartheid and its denial of human rights. The Summit did consider it, not perhaps as fully as Canada would have liked, but it was another important step along the road followed by all civilized nations which are concerting to bring an end to the tragedy of apartheid in South Africa.

REQUEST FOR IMPOSITION OF COMPLETE MANDATORY SANCTIONS

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, the Prime Minister should know the difference between denunciation and commitment. Two years ago he promised to impose complete sanctions against the South African regime. He has the support of a year-old report from a House of Commons committee, he has the support of the Canadian people, and he has the pleas for action of apartheid's victims. Will the Prime Minister not keep his promise and impose complete mandatory sanctions against South Africa before the House recesses for the summer?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I have indicated on behalf of the Government that we did not exclude that course of action at all at an appropriate time. We have maintained and continued to maintain a dialogue in the hope that Canada and its partners can be of assistance in securing that fundamental degree of justice for the black citizens, the deprived citizens of South Africa.

Canada's next steps will be taken at the *Sommet de la francophonie* in Quebec City and at the Commonwealth meeting in Vancouver where it is hoped that, in concert with the equivalent of about 100 nations representing all walks of life and all areas of the world coming together under two common thrusts of action, these will be important levers, together with more action from Europe and the United States, to bring about the pressures which will ultimately cause the system of apartheid to collapse so that justice can come about for all the citizens of South Africa.

FINANCIAL INSTITUTIONS

SECURITIES MARKET—SAFEGUARDING OF NATIONAL INTEREST

Miss Aideen Nicholson (Trinity): Mr. Speaker, my question is for the Minister of State for Finance who knows that on June 30 the Government of Ontario, with the blessing of the Government of Canada, will open up the securities market to foreign participants. Since the Government is opening up the doors to foreign ownership without having concluded the Canada-U.S. trade agreement and without any apparent effort to negotiate reciprocity for the Canadian securities industry in other countries, will the Minister tell the House what he is doing to safeguard the national interest?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, the Government is currently discussing all aspects of reciprocity with relevant countries. That is the first and most important part of my answer. The second part is that our policy toward the entrance of foreign securities dealers and the participation of Canadian financial institutions in the securities business was laid out in my announcement of December 18.

• (1450)

REGULATORY CONTROL—GOVERNMENT POSITION

Miss Aideen Nicholson (Trinity): Mr. Speaker, on June 30 our securities industry will find itself in competition with international giants. For example, one Japanese firm which just bought a seat on the Toronto Stock Exchange has assets more than double those of all Canada's financial institutions combined. How does the Minister propose to regulate in this new market considering that the industry has traditionally been regulated provincially and he is mired in a jurisdictional dispute with nine of the 10 provinces?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I think the Hon. Member knows the answer to that question. First, the provinces have responsibility for regulating securities subsidiaries. The federal Government has responsibility for regulating securities activities in-house in federal financial institutions. That is the division of labour. Above all, entrance to this country by these institutions will be in federal hands and its pace will obviously be affected by the reciprocal treatment we receive abroad.

* * *

TRADE

CANADA-UNITED STATES NEGOTIATIONS—DISPUTE SETTLEMENT SYSTEM—AUTOMOTIVE INDUSTRY LAY-OFFS

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, 180 workers at Ford's export office in Windsor have just been told they are losing their jobs. The letter from their union indicates they believe this is happening because the prospect of

free trade is pushing companies in Canada to move their operations back to the U.S. Given this continuing damage to our workers, will the Minister for International Trade confirm that at the most recent round of negotiations the U.S. insisted on a voluntary system of dispute settlement which will leave Canada subject to U.S. trade law? In short, we have lost our key demand in these talks with the U.S.

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I cannot confirm the Hon. Member's allegation. The negotiators are returning from Washington tonight and I will get a report. I have received no information or report which would give any substance to the Hon. Member's charge.

As to the lay-offs, I think it is strange that he is talking about lay-offs months before a free trade deal is negotiated, processed, or has even come into effect. I suggest he go back and take another look at his arguments.

Mr. Langdon: These lay-offs are to be phased in over the next two years so they coincide exactly with the supposed coming into force of the free trade pact.

ANNOUNCED LAY-OFFS AT FORD EXPORT OFFICE IN WINDSOR

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, since the Minister for International Trade cannot deal with my question I will direct my supplementary to the Minister responsible for industry. Will the Government launch a public inquiry into this lay-off which is cutting key export jobs? Will it also in turn try to push Ford into keeping this operation active and viable for our community in Windsor?

[*Translation*]

Hon. Michel Côté (Minister of Regional Industrial Expansion): Mr. Speaker, Ford did not simply decide to reduce its activities in Canada. Many of the operations of this division were directed toward Latin America markets. An increased number of companies are having the products used in these countries manufactured locally. This is why we are developing policy for the automobile industry which can ensure a prosperous future for Canadian workers.

* * *

FAMILY VIOLENCE

HELP FOR BATTERED WOMEN AND THEIR CHILDREN—MEASURES GOVERNMENT INTENDS TO TAKE

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I referred yesterday in this House to the serious problem encountered by the *Maison d'amitié* shelter for battered women and their children. Threatened with a $3,000 monthly rent increase, the *Maison d'amitié* is crying for help. The Prime Minister told me yesterday, and I quote:

> The problem of battered women in Canada represents one of our most serious social and legal challenges.

He also said that:

> The response collectively of this country, provincial, federal and so on—

—had been inadequate.

I therefore ask the Government: When can we expect positive concrete action from the Government to help the millions of battered women and their children in Canada? What is the Government going to do to show some leadership in this matter?

[*English*]

Hon. David Crombie (Secretary of State): Mr. Speaker, as the Hon. Member knows, the Minister responsible is not in the House today because of other business. I can assure the Hon. Member, as I am sure he already knows, that the Minister understands his concern and has already indicated he will proceed with appropriate action.

REQUEST THAT MINISTER ISSUE INSTRUCTIONS TO NATIONAL CAPITAL COMMISSION

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I will direct my supplementary to the Minister of Public Works. Is it the Minister's intention to practise what the Prime Minister told us yesterday, that is, to care for battered women? Will he instruct the NCC to change its decision and not increase the rent by $3,000 a month on the *Maison d'amitié*, a home for battered women? Will he do something and show us leadership? Does he care what happens to battered women?

Hon. Stewart McInnes (Minister of Public Works): Mr. Speaker, the rent paid by this association for the past two or three years has been $1 a year. They were advised that on a very gradual basis we would be increasing the rent with a view to accommodating their situation. They are now paying $500 a month. They are being given ample notice and every opportunity to get new sources of funding. We will be very co-operative to try to accommodate their particular situation.

* * *

[*Translation*]

REGIONAL INDUSTRIAL EXPANSION

REQUEST FOR EXPLANATION OF GOVERNMENT ASSISTANCE TO EXPRO COMPANY OF VALLEYFIELD

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, I have a question for the Minister of Regional Industrial Expansion. Can he confirm that the federal Government is providing assistance to the Expro Company of Valleyfield in the form of an $8 million subsidy and a guaranteed loan of $20 million to modernize its explosives plant and reduce pollution and that 600 workers could be laid off because of this modernization? Why is the Government subsidizing lay-offs instead of creating jobs in that region?

Hon. Michel Côté (Minister of Regional Industrial Expansion): Mr. Speaker, I am not very familiar with this

issue. I shall inquire this very afternoon and keep the Hon. Member informed.

USE OF GOVERNMENT SUBSIDY

Mr. Mike Cassidy (Ottawa Centre): In his response, Mr. Speaker, would the Minister tell us whether the Government will intervene, either to make sure that the company will not lay off the employees involved or to withdraw the subsidy since gifts, federal dollars, must not be used to create unemployment in Quebec or elsewhere in Canada?

Hon. Michel Côté (Minister of Regional Industrial Expansion): I repeat, Mr. Speaker, I will look into this case but, as a rule, Department contributions are indeed for expansion and modernization, not to eliminate jobs but to create them, and this is what we have been doing in this country since 1984. More than 878,000 jobs have been created, Mr. Speaker.

* * *

[*English*]

THE CONSTITUTION

1987 CONSTITUTIONAL ACCORD—RECOGNITION OF MULTICULTURAL AND ABORIGINAL CHARACTERISTICS

Mr. Sergio Marchi (York West): Mr. Speaker, my question is directed to the Prime Minister and concerns the constitutional Accord. Last week in answer to my question the Minister of Justice failed to address adequately the growing concern across the country over the lack of meaningful recognition in the Accord of this nation's multicultural reality. Canada is unquestionably a bilingual and multicultural country. Clause 1 of the Accord recognizes only the English-French linguistic duality as a fundamental characteristic of Canada. Therefore, will the Prime Minister agree to amend Clause 1 by including the multicultural and aboriginal characteristics as fundamental characteristics of this country? The clause would then express fully and accurately the true fabric of Canadian society and not leave on the outside those 10 million Canadians whose origins are neither English nor French.

• (1500)

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, if I may be permitted to answer that question, I thought the responses given by the Minister of Justice last week to the questions of the Hon. Member were outstanding.

Mr. Nunziata: Don't make a joke about it. It's a serious matter, you jerk.

Some Hon. Members: Oh, oh!

Mr. Hnatyshyn: Mr. Speaker, I find that absolutely outrageous. I know the Hon. Member for York South—Weston takes a diametrically opposed position to that of his Leader on this very important issue. However, I don't think it is worthy of him to be shouting.

Mr. Nunziata: Sit down.

PRIME MINISTER'S POSITION

Mr. Sergio Marchi (York West): Mr. Speaker, I regret that the Prime Minister could not find the dignity to address this glaring omission. I will ask him the question again. Since Clause 16 is an inadequate footnote and does not do justice to the aspirations and contributions of one-third of our population, what legitimate reasons does he offer for not including the multicultural and aboriginal characteristics in Clause 1? How can he continue to promote a definition of Canada which is offensively incomplete and totally inaccurate?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, not only is what the hon. gentleman said absolutely false and misleading, it is at profound variance with the position enunciated by the Leader of the Liberal Party and by the Leaders of all the other Parties in the House of Commons.

Mr. Marchi: That's not true.

Mr. Mulroney: It is at variance with what took place.

This document with regard to Meech Lake reflects as well the comments of the Premier of Ontario who was one of the leaders in seeking this improvement in the text which our other colleagues were happy to accommodate. Clause 16—

Mr. Nunziata: That's not good enough.

Mr. Mulroney: —says:

> Nothing in section 2 of the Constitution Act, 1867 affects section 25 or 27 of the Canadian Charter of Rights and Freedoms, section 35 of the Constitution Act, 1982 or class 24 of section 91 of the Constitution Act, 1867.

Mr. Speaker: Order, please. I hesitate to interrupt the Right Hon. Prime Minister except to say that a question has been put. The Right Hon. Prime Minister is answering it, and I know Members would want him to be able to complete his answer.

Mr. Mulroney: Mr. Speaker, this document which was agreed upon by the 10 First Ministers and the Prime Minister of Canada reflects, as all Canadians would want, the recognition of the rights of English-speaking and French-speaking Canadians, but reflects as well the great honour and contribution made to Canada—indeed the indispensable contribution—by the multicultural communities of the country. This document strengthens and reflects that.

Some Hon. Members: Hear, hear!

Mr. Mulroney: It is therefore to all those, except those who refuse to see, that this document strengthens Canadian unity, that it brings together English and French-speaking peoples—

Mr. Nunziata: What about the rest of us?

Mr. Mulroney: —but does not exclude in any way the multicultural richness of this country. Indeed, it makes certain that forever and ever and a day the multicultural strength of Canada is honoured and recognized.

Some Hon. Members: Hear, hear!

Mr. Nunziata: That's not true.

GOVERNMENT ORDERS

[*English*]

NATIONAL TRANSPORTATION ACT, 1986

MEASURE TO ENACT

The House resumed consideration of Bill C-18, an Act respecting national transportation, as reported (with amendments) from the Standing Committee on Transport.

The Acting Speaker (Mrs. Champagne): I will remind Hon. Members that Motions Nos. 37, 60, 61, 62, and 63 have been grouped for debate. An affirmative vote on Motion No. 63 disposes of Motions Nos. 60 and 61. A negative vote on Motion No. 63 necessitates votes on Motions Nos. 60 and 61. Motions Nos. 37 and 62 will be voted on separately.

Mr. Les Benjamin (Regina West) moved:

Motion No. 37.

That Bill C-18, be amended in Clause 62 by striking out lines 36 to 41 at page 27 and substituting the following therefor:

Mr. Ouellet: Dispense.

Mr. Benjamin: No. Who said that? It's my motion. Read it.

The Acting Speaker (Mrs. Champagne): I would like to point out to the Hon. Member for Regina West (Mr. Benjamin) that his colleague, the Member for Papineau (Mr. Ouellet) said "dispense". I have not decided to dispense.

Mr. Benjamin: It's not his motion.

The Acting Speaker (Mrs. Champagne): I will with pleasure read the amendment presented by the Hon. Member.

Mr. Benjamin: Thank you. It's five lines.

The Acting Speaker (Mrs. Champagne): It reads:

"(2) In conducting the investigation, the Agency may take into consideration the contents of any confidential contract that has been filed with the Agency in in-camera proceedings as referred to in section 22(1)(b)."

Mr. Benjamin: Madam Speaker, I appreciate your reading the motion because it makes so much sense and is only five lines long.

The Acting Speaker (Mrs. Champagne): The Chair wishes to apologize. As I have just said, the five motions are being grouped for debate, and they should be put on the record at this time.

Mr. Benjamin: I rise on a point of order, Madam Speaker. I apologize for missing your first remarks about amendments to this Bill. I take it that the ruling of the Speaker of May 25 has been amended and that item 20 has been changed. Is that correct?

The Acting Speaker (Mrs. Champagne): It is the ruling of June 4 which applies and it stands as it was given to the House. We will now move on to Motion No. 60.

Mr. Benjamin: Hold it.

The Acting Speaker (Mrs. Champagne): I beg your pardon.

Mr. Benjamin: I beg your pardon.

Some Hon. Members: Order.

[*Translation*]

Hon. André Ouellet (Papineau) moved:

Motion No. 60

That Bill C-18, be amended in Clause 120 by striking out line 4 at page 56 and substituting the following therefor:

"120. (1) A Canadian railway company may enter".

[*English*]

Mr. Les Benjamin (Regina West) moved:

Motion No. 61.

That Bill C-18, be amended in Clause 120 by adding immediately after line 45 at page 56 the following:

"(6) Subsection (5) shall not apply to any investigation under the Act, provided that disclosure of confidential information is restricted in such manner as may be prescribed by section 22(1) of this Act".

[*Translation*]

Hon. André Ouellet (Papineau) moved:

Motion No. 62

That Bill C-18, be amended in Clause 120 by adding immediately after line 8 at page 57 the following:

"(7) This section does not apply to a movement of traffic following a continuous route wholly within Canada."

• (1510)

[*English*]

Mr. Les Benjamin (Regina West) moves:

Motion No. 63:

That Bill C-18, be amended by deleting Clause 120.

[*Translation*]

Hon. André Ouellet (Papineau): Madam Speaker, at the present time, the Railway Act prohibits railway companies and

shippers from concluding confidential contracts for the transportation of goods by rail in Canada.

According to Section 275 of the Act, tariffs are to be published and filed with the Canadian Transport Commission, and Section 269 provides that railway companies shall charge only the tolls specified in the tariffs.

According to Section 381, any departure from such tolls would be an offence under the Act.

And finally, under Section 380, granting unpublished rebates would be an offence.

Madam Speaker, these conditions differ very sustantially from those existing in the United States since the Staggers Rail Act was adopted in 1980. This legislation authorizes U.S. railway companies to engage in confidential contracting with shippers.

As we know, this situation has harmed Canada's railway companies competing for transborder traffic with U.S. railway companies. The latter were in a position to offer better rates than those published in Canada and were thus able to short-circuit Canadian railway companies by detouring traffic through the United States. The previous Government became aware of the situation and asked the Canadian Transport Commission to look into the matter and make recommendations.

At hearings before the Transport Committee, most witnesses were in favour of the concept of confidential contracting for transborder traffic, in order to make up for the weakness in the existing regulatory system. When the question was being studied by the Canadian Transport Commission, experts reached the same conclusion. Something had to be done to keep U.S. railway companies from having an edge over Canadian railway companies in the area of transborder traffic.

The solution was entirely in line with the views of the previous Liberal Government, and that is what we need, no more. Unfortunately, the present Conservative Government wanted to go much further. Here again, it was led by its constant urge to follow the U.S. model in every respect, to copy everything that is being done south of the border.

The Government has extended confidential contracting to domestic traffic, thereby copying the U.S. Staggers Rail Act. We in the Liberal Party do not favour confidential contracting on domestic traffic, because we feel that such contracting will soon become a barrier to healthy competition. It will certainly not be in the interests of the small and average shipper. It will put the Atlantic provinces at a disadvantage and be a serious threat to the trucking industry in Canada, especially in the long-haul east-west sector. And we also believe that with the introduction of domestic confidential contracts, the railway freight companies will try to recover the business lost as a result of increased competition in this sector and do so at the expense of the small "captive" shippers.

We think that drumming up business at the expense of small and average "captive" shippers, which will benefit the big conglomerates that are free to do as they please, is totally unacceptable. I have said so before and I say it again, Madam Speaker, that we are not alone in this respect. A number of interveners, who testified before the Standing Committee of the House of Commons that examined these clauses, objected to the preferential treatment the Conservative Government wants to give the big Canadian shippers. Several interveners told us that a system that would allow confidential contracting on domestic traffic would have disastrous repercussions.

[*English*]

In fact, in one of the most compelling representations before the Committee, a small Saskatchewan malt producer, Prairie Malt Limited, of Biggar, told us that the Staggers Act has resulted in disastrous consequences for those shippers not large or powerful enough to compete effectively with the larger and more powerful conglomerates.

I want to quote part of the submission that was presented:

> To give the Staggers Act its credits due, it must also be mentioned that larger corporations, holding a dominant position within their given industrial sector on account of size and general financial and economic clout, are more than satisfied with the law as it stands.
>
> In consequence, efficient, but economically weaker or geographically disadvantaged competitors within the industry can be driven out with comparative ease, since they are not able to wield the same amount of influence with the railways as larger corporations with their widely dispersed interests and plant sites.

Confidential contracting could allow the larger, more powerful shippers not only an advantage over smaller competitors, but also to utilize transportation contracts and through them the railways themselves to literally push out the competition.

[*Translation*]

And according to the Minister of Transport himself, this legislation on deregulation is aimed at boosting competition. Well, here is a small shipper who is telling us that, far from increasing, competition will decrease.

One of the other most flagrant shortcomings of this legislation and of this part of the law is the fact that it throws the doors of the Canadian market wide open to the American railway companies, yet the Staggers Rail Act does not include similar provisions. It is quite clear that these clauses are detrimental to Canadian railway companies.

[*English*]

This kind of one-way free trade that the Government favours is totally unacceptable to us. We in the Opposition have tried to bring amendments to protect the Canadian interests and Canadian railways from the unfair competition by the American railways that will be possible.

Under the confidential contracting provisions currently in this legislation, we will see a situation where American railways could run freight in Canada based on confidential contracting on trans-border traffic. Burlington Northern, for instance—

[*Translation*]

—is a company which serves New Westminster in the direction of the United States and carries Canadian lumber towards the State of Washington, thence through the United States to Port Huron in Ontario. This kind of situation is not in the interest of our railroads, and it harms small shippers as well for they will not be in a position to negotiate confidential contracts as lucrative as those of major shippers.

In conclusion, Madam Speaker, it is finally for all these reasons that I want to tell you that we are against these clauses of Bill C-18, and this is why we support the amendments to Bill C-18 provisions concerning confidential contracts. So I can tell you that I will support Motion No. 38 of my colleague, as well as Motions Nos. 60 and 62 which I moved on behalf of the Liberal Party, and of course I will vote for Motions Nos. 61 and 63.

In our opinion, Motion No. 60 offers Canadian carriers protection against unfair American competition, and we hope the House will endorse Motion No. 60. Secondly, Motion No. 62 would limit confidential contracts to transborder movements only to enable our carriers to compete efficiently against American companies, and more particularly to protect small shippers. This is why I urge the House to support these amendments to the Bill.

• (1520)

[*English*]

Mr. Les Benjamin (Regina West): Madam Speaker, I want to speak to four motions, two moved by my colleague, the Hon. Member for Papineau (Mr. Ouellet), and two moved by myself.

Motion No. 37 is designed so that in conducting investigations under Clause 59 on a matter of public interest, investigators will not be frustrated by secret information but would be allowed access to that information. Under the provisions of the Bill presently before the House, someone who investigates a confidential contract would not have access to all the confidential information.

In Motions Nos. 60 and 62, the Hon. Member for Papineau has expressed views we can support. I believe the Chair has ruled that an affirmative vote on Motion No. 63 obviates the need to put the questions on Motions Nos. 60 and 61, which means the vote on Motion No. 63 must be called first. A negative vote on Motion No. 63 then means that Motions Nos. 60 and 61 must be voted on.

My Motion No. 63 deletes the entire clause of the Bill referring to confidential contracts. I never thought I would live to see the day where a Progressive Conservative Government, which advocates private enterprise, market forces, competition, and so on, would bring in measures which are anti-competitive. It means that those with corporate power, whether railroads, trucking companies or airlines, or those large shippers who ship thousands and thousands of carloads or truck loads a year, can get a confidential contract. But a company such as Prairie Malt Limited in Biggar, Saskatchewan—and there are thousands like it all over the country—which may ship a few dozen or a few hundred carloads or truck loads, do not get the same deal as the large shippers. Anyone in this House who thinks they do is dreaming in technicolour. It is an anti-competitive provision. I do not understand why the Government would hold still for a confidential contract.

Even on an appeal on a confidential contract, the poor shipper who thinks the other guy has a confidential contract with a railroad or trucking company, has no choice under this Bill but to automatically appeal. But he cannot find out because it is confidential. Not even the investigators can find out. What kind of an appeal is that? What kind of natural justice is that?

The primary amendment in that grouping of four motions is to delete the entire section on confidential contracts. We should be enlarging, enforcing and playing a watch-dog role—and by that I mean a Government agency or the Department of Transport—on the system of agreed charges. Any shipper, large or small, who agrees, for example, to ship 75 per cent of his traffic by a certain carrier should be eligible for that reduced rate. The same opportunity should apply to every shipper. In order to get that rate all he has to do is to agree to ship a certain percentage of his traffic and it can start at 100 per cent or 50 per cent because there is a graduated rate. Those agreed charges should be public information. Every shipper, large or small, would then have exactly the same opportunity.

The bureaucrats in the nether regions of the Department of Transport have dreamed this clause up at the request of the largest shippers in the country, and it flies in the face of one of the underlying principles of the Bill, that is, regional economic expansion. The small manufacturers, processors and shippers in Atlantic Canada, out west or in northern Ontario are automatically ruled out when it comes to confidential contracts. There is no way any so-called self-respecting private enterprise government which believes in free market forces would put confidential contracts into its legislation.

When one is dealing with a public utility, a public service or with a transporter, confidential contracts should be equally available to every shipper and passenger in this country. They should not be discriminated against because of their size, where they happen to be located, where they happen to be producing their goods or where they happen to be travelling from or to. To use the language of the Reaganites over here, that should be a "level playing field". Small shippers, people who travel from small and middle sized locations in Canada, should have the same opportunity for discount fares, seat sales or anything else offered by an airline. This Bill should require every transporter to make available the same opportunities to every shipper, every receiver, every passenger, no matter where they live.

The Government flies in the face of its own free enterprise, free market forces principles. Why would it not want a small shipper, manufacturer or processor in Atlantic Canada to have

an equal opportunity of access to competitive or compensatory rates as the large shipper in downtown Toronto or Montreal? Why would one want legislation which would prohibit that? I do not understand the Government.

• (1530)

Surely to goodness Motion No. 63 which would delete the entire clause dealing with confidential contracts would—and as a democratic socialist I hate to be helpful to the proponents of free enterprise market forces across the way—help the Government out. It would reinforce and restate the principles for which Members opposite claim to stand. It is a heck of a note when a democratic socialist has to give lessons to free enterprisers about sound business practices and about treating people across the country in exactly the same way no matter where they live.

Surely that is what this legislation should do. No one should be discriminated against. This is something which Canada has tried to do since 1881 to ensure that transportation is distributed in a reasonably equitable manner no matter where one lives. We have not reached that goal but we have proceeded along the way to reaching it. Confidential contracts fly in the face of our history. They fly in the face of the so-called principles and policies of the Progressive Conservative Party.

This is a crucial area of this legislation. I do not know of any self-respecting Progressive Conservative in my City of Regina—as few as they are—who is in favour of these confidential contracts. I do not know one. In fact, they want a fair shake. When they are bidding against someone in Winnipeg, Toronto or Vancouver for freight rates they want to have an equal chance.

The small implement manufacturers in the prairie provinces come to mind in this regard. There are about two dozen of them who ship a few hundred truckloads or carloads a year. If anyone on the government side thinks that they can compete with J. I. Case, Massey-Ferguson or International Harvester, which companies ship thousands of carloads a year, then they are discriminating against the small farm implement manufacturers in western Canada.

The same applies to every commodity that can be named when it comes to the difference between the economic, power, clout and influence as between a small processor and manufacturer and a large one. Confidential contracts are an anathema to this Party. They should be an anathema to anyone who believes in a free society, a free chance, an equal chance, an equal opportunity.

I wish that Sir John A. Macdonald and Sir Wilfrid Laurier were here today to see the actions of this Government and its Reaganomic nonsense which fly in the face of everything the country has been trying to do since 1867. Members opposite are hypnotized. They have not thought the process through. They do not know what the hell they are doing.

Motion No. 63 must be accepted. It will obviate debate on the other three amendments. Failing that, let us adopt the other three.

Mr. Don Boudria (Glengarry—Prescott—Russell): Madam Speaker, I am pleased to have the opportunity to speak this afternoon to the amendment which has been proposed to the Bill on transportation before us.

You will recall, Madam Speaker, that the Government has brought before us this legislation which would create for a number of people tremendous upheaval and tremendous difficulties. The whole area of deregulation, including the confidential contracts that are referred to here, would create a climate of uncertainty in the transportation area, a climate of uncertainty for many rural constituencies across this great country.

During the election campaign the Government made several promises. A number of them were made in the area of transportation. I have in my hand the great book of 338 Tory promises. If you would like a copy of it, Madam Speaker, or if any Canadian would like a copy of it, all that needs to be done is to write me a letter, postage-free—no stamp necessary—and I will gladly send out a copy of the 338 Tory promises. You can rush right over to my office, Madam Speaker, and I will gladly give you one.

In the book of 338 Tory promises the following are some of the words said about transportation. The Tories promised that they would make VIA Rail more accountable to the public and re-establish passenger services. They would upgrade rail transportation through the acquisition of new modern equipment. Further, they would declare war on all level railway crossing facilities. Part of that promise has already been forgotten. I think the Government has decided to declare war on the railways. It forgot the rest of the promise—

Mr. McDermid: Oh, come on!

Mr. Boudria: That is perhaps the problem with the Hon. Member for Brampton—Georgetown (Mr. McDermid) who is heckling me.

In the great riding of Glengarry—Prescott—Russell CN Rail has launched a vicious attack against my constituents. That is what it has decided to do, and I invite the member of the Tory Party opposite to pay attention because we will ask questions later. We are marking this today so I invite the Hon. Member to be attentive.

What CN Rail has decided to do is to embark upon a strategy of demarketing, a strategy of chasing away some of its customers so that it can later on close down the CN rail line between Montreal and Sudbury. This is a very serious situation. I say this to the Hon. Member across the way who seems to be confused. I will speak slower so that even he can understand.

Mr. Benjamin: It won't help.

Mr. Boudria: The Hon. Member for Regina West (Mr. Benjamin) says that it will not help. However, I will do my best. I will speak as slowly as possible for the benefit of Conservative Members in the House.

In reference to this amendment in particular here is what CN is planning to do. Hon. Members will see how it links directly, not only to the amendment which is before us but to the Bill in total. In my hand I have a memo dated September 25, 1986. It is a memo sent by Mr. R. P. Langlois, Regional Manager of Marketing, one of the folks who is trying to market this new idea of rates organized secretly with certain people while shutting down service on the so-called unpaying lines altogether. Mr. Langlois wrote to his people:

> In the context of the rationalization of our rail infrastructure, some lines have been identified as being potential candidates for abandonment in the coming years. A preliminary plan has been prepared and attached you will find the sections affected.

I will get to that section a little later, Madam Speaker. The memo states that any effort to attract new traffic on these lines is to be abandoned immediately. We can now see the deliberate policy with respect to some lines to abandon any effort to attract new customers.

• (1540)

If that isn't bad enough, listen to the following sentence:

> For the traffic already on these lines, we must consider either, and preferably, converting this traffic onto the intermodal system,—

In ordinary language, that means trucks. To continue:

> —or else, adjusting rates to minimize our present losses.
>
> You will shortly be convoked to a meeting in which the particulars of the application of these measures will be discussed in more detail. In the meantime, I would ask you to treat this with discretion.

In other words, this was supposed to be a secret memo. I say to Hon. Members opposite, and particularly the Minister, the minute they put the "secret" stamp on documents, they might as well send a copy to my office, as I usually end up receiving such documents in any event.

So, here we have a secret memo from Mr. Langlois suggesting that certain lines be shut down. The proposed line shut-downs would occur in the St. Lawrence region, which comprises the eastern part of the Province of Ontario and the Province of Quebec. The proposed line shut-downs include the Alexandria Subdivision, a distance of 57.7 miles.

The Alexandria Subdivision of CN Rail is the track that links Ottawa to Montreal. There would be no train between Ottawa and Montreal—and not only no freight train on which the secret contracts we have been talking about could be negotiated, but no track at all, not even to accommodate passenger trains.

Mr. Thacker: Not so.

Mr. Boudria: The Member opposite says "not so". In doing so, he is disagreeing with quite a few of his Tory colleagues from the national capital area.

Mr. Thacker: VIA can take it.

Mr. Boudria: That is absolutely preposterous. It is unfortunate that the Hon. Member does not know what he is talking about. If you will give me sufficient time, Madam Speaker, I shall try to better inform him—and I know it may take a lot of time.

This particular line would be completely shut down. As well, the rail line between Ottawa and Sudbury, the Alderdale and Beachburg subdivisions, would also be closed.

With respect to that shut-down, it might be said that it is acceptable because there is a CP line serving the same areas. Well, it isn't that simple. From the western Quebec community of Portage-du-Fort, 2,000 rail cars per year of wood products are shipped on the CN Rail line, all of which would end up on the highways of eastern Ontario and western Quebec. Meanwhile, on the profitable line, the Montreal to Toronto corridor, the secret rates would be negotiated, keeping that line profitable. It is the regions of the country that will be losing out in terms of rail service.

Toxic chemicals are shipped from a factory in northern Ontario to Montreal, and that traffic too would be rerouted via Toronto in the event that this line were shut down. We would have yet one more train load of toxic chemicals going through the Toronto area *en route* to Montreal. As well, there would be a great deal of traffic diverted to the highway system.

Through this Bill the federal Government is trying to transfer its responsibility to the provincial level of Government. What this Government is saying is, "It doesn't matter if we shut down the rail lines, the provinces will take care of the increased traffic on the highways."

Well, that is not the solution. The federal Government is simply passing the buck on to the provinces. That is what this Tory Government does, as you well know, Madam Speaker. Being the non-partisan person that you are, you will know how the Tories are totally ruining the economies of the regions of our country.

If you think me partisan, Madam Speaker, as unlikely as it is that you would think that, let me give you one example.

A company in my riding, Alexandria Moulding, with 220 employees, had embarked on a $25 million expansion involving a facility to be built right alongside the railway line in Alexandria. It progressed to the point of putting the foundations in and then stopped work on that project, all because it became aware of this CN Rail internal document saying that the line linking Ottawa and Montreal should be shut down.

That is the disgrace with which we are faced right now, Madam Speaker, and it is only going to get worse with the passage of Bill C-18. While this amendment would make the Bill slightly better, the only acceptable solution is to change the Bill drastically. That is what is required.

[*Translation*]

Mr. David Berger (Laurier): Madam Speaker, perhaps I may also make a short contribution to the debate on these motions, to try and explain the position of our Party. We are in favour of confidential contracting for transborder traffic, so that Canadian railway companies, including Canadian National and Canadian Pacific, can compete with U.S. railway companies who, at the present contracts. But that is where our generosity ends, because we object to confidential contracting on domestic traffic. I think the testimomy heard by the Transport Committee was practically unanimous on the point that big shippers would benefit from confidential contracting. In fact, we would see a rather bizarre situation where small shippers would actually be subsidizing the conglomerates that would most certainly benefit from the price war resulting from confidential contracting.

I must say this is a distressing possiblity for the regions, both in eastern and western Canada. I would like to point out that once again, witnesses from the Atlantic provinces testified before the Standing Committee on Transport that the economy of their part of the country is based to a large extent on the small business sector. The people of the Atlantic provinces believe that through a form of cross-subsidization, their part of the country might very well be forced to subsidize the low-cost confidential contracts resulting from the cheap rates that would be charged in central Canada.

The Government of Alberta had similar concerns about the impact of confidential contracting on western Canada.

[*English*]

I would have a question, Madam Speaker, for the proponents of these confidential contracts. As I understand it, when it comes to matters of public transportation, tariffs have always been posted. Why is there a need for confidential contracts? What is the motivation?

I can certainly understand the reasons for giving a large shipper a preferential rate, or for coming to a special arrangement with a large shipper of merchandise. There certainly are economies of scale that a larger shipper can benefit from in negotiating lower shipping rates, particularly if that shipper is able to get the goods to the departure point, thus permitting the railways to avoid some of the costs that they have to assume when it comes to picking up small pieces of merchandise from different parts of the country.

• (1550)

Why should the contracts be confidential? Why should they not be public? Why should other shippers not be able to become aware of the nature and contents of the contracts so as, perhaps, to be able to organize their affairs in a similar fashion, and hope to benefit from the same advantageous treatment if they are able to do so? It seems to me that this is the way in which a free and open market should operate.

The burden of proof should be on the proponents of these confidential contracts. From what I have heard in the debate today, they have been unable to defend their case or to make a strong case for such contracts.

Under the legislation, Canada will be opening its markets to U.S. companies. As far as I understand it, there is no corresponding obligations for the Americans to open their market to Canadian railways.

We have the rather bizarre situation where the Government is almost down on its hands and knees offering all kinds of advantages to the Americans in the hope that at some point we will be rewarded for our generosity. It is a rather peculiar way of negotiating and trying to come to a conclusion which will benefit Canadians rather than Americans.

[*Translation*]

Mr. Fernand Robichaud (Westmorland—Kent): Madam Speaker, I thank you for recognizing me on amendments to Clause 120 in particular which has to do with confidential contracts.

In fact, through this provision the Government is attempting to fashion our transport industry after the American model. We would operate according to this model without really knowing what kind of impact it will have on the Canadian transport industry.

We in the Liberal Party believe that confidential contracts will not be to the benefit of Canadian consumers. And we believe as well, Madam Speaker, that confidential contracts will not serve the interests of remote regions either, quite the contrary.

Why? Very simply because most confidential contracts will be awarded to the big shippers, shippers who have huge volumes of goods to ship practically the year round. And, of course, such big shippers are few and far between in remote regions. If I may, Madam Speaker, I would refer to the Atlantic region where most of our shippers and manufacturers operate small and medium-sized businesses. So it stands to reason that these people will not be able to benefit from confidential contracts. Besides running small operations, they will find themselves unable to compete because major shippers will always be one step ahead with their confidential contracts and, of course, in a position to reduce the costs of their products.

Also, having granted large concessions to the major shippers, the carriers will have to recoup their losses from smaller shippers. Then we have the case of the remote regions.

As recently as last week, Madam Speaker, I learnt through the *Le Matin* daily that in a small New Brunswick town within my Kent riding, a distillery was going to close, resulting in the loss of some 28 full-time jobs and perhaps also a dozen part-time ones. Well, at the time, some people told me: What are 40 jobs? Madam Speaker, 40 jobs in a town such as Richibouctou would represent something like 1,000 jobs in Moncton and 35,000 jobs in Montreal.

I mention the case of this small distillery simply because it is handicapped due to its location in that area. In addition to

facing excise taxes which are much too high, have been greatly increased these past few years... These tax increases, therefore, have had a much bigger impact on this New Brunswick plant than on all those situated near urban areas. Why? Because plants situated in distant areas are faced with transportation costs which are far higher than those applicable to plants situated near major centres. If this plant, therefore, must compensate carriers for the advantages which will be given major shippers through confidential contracts, several small and medium size firms in remote areas will be compelled to close.

Madam Speader, we suggest that these confidential contracts will benefit mainly American carriers. They will be in a position to cross the border, enter Canada and offer contracts to Canadian firms to move goods through the United States, something which will cause Canadian carriers to suffer because they will not be able to move these goods. Reciprocal advantages are not guaranteed to Canadian carriers, because they are not in a position to benefit from the same advantages made available to the Americans under this clause.

For all these reasons, Madam Speaker, I will support the amendments moved by my colleague, the Hon. Member for Papineau.

[*English*]

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The first question is on Motion No. 37, standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

• (1600)

The next question is on Motion No. 63 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

The next question is on Motion No. 62 standing in the name of the Hon. Member for Papineau (Mr. Ouellet).

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

The next question is on Motion No. 40—

Mr. Benjamin: On a point of order—

The Acting Speaker (Mrs. Champagne): Motions Nos. 60 and 61 are deferred automatically. The next question—

[*Translation*]

Mr. Ouellet: Madam Speaker, if I am not mistaken, you mentioned Motions Nos. 62 and 63 earlier, but not Motion No. 60. I just want to be sure that there will be a deferred vote on Motion No. 60 as well as on Motions Nos. 62 and 63.

[*English*]

The Acting Speaker (Mrs. Champagne): All the different questions have been put on the record and as far as Motions Nos. 60 and 61 are concerned, the votes have been deferred until tonight when we will go through all the different motions again taking the deferred votes.

Now we can move on to Motion No. 40.

Mr. Les Benjamin (Regina West) moves:

Motion No. 40

That Bill C-18, be amended by deleting Clause 64.

Mr. Iain Angus (Thunder Bay—Atikokan): Madam Speaker, to explain very briefly the purpose of the motion, the current Clause 64 allows the Governor in Council to vary or rescind orders made by the agency. We think that if we are to have an independent body to review transportation matters, its decisions must either be final or any further appeal mechanism must be in the public framework.

The way the current clause reads is that if the agency makes a decision, then anyone could go to Cabinet in secrecy and convince the Cabinet to modify or toss out the decision of the agency. There would be no further public hearings. As we all know, the proceedings of Cabinet are secret, so we would not even know why a decision had been made to change it. We feel that this clause gives too much power to the Governor in Council and goes against the whole process of public consultation.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 40 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

The next motions to be debated are Motions Nos. 44 and 2.

Mr. Les Benjamin (Regina West) moves:

Motion No. 44

That Bill C-18, be amended in Clause 71 by striking out lines 17 and 18 at page 33 and substituting the following therefor:

"(b) holds a Canadian aviation document, and has demonstrated the capability and the willingness to meet the highest possible standards of safety; and".

Motion No. 2

That Bill C-18, be amended in Clause 3 by striking out line 13 at page 2 and substituting the following therefor:

"meets the highest possible safety".

He said: Madam Speaker, if there was ever a crux of this legislation, it is these two amendments about which Members from all sides of the House have shown and expressed concern. It deals with the safety of airline operations and the capability and capacity of airline operators and aircraft operators to meet those standards on which the Government itself has said there will be no compromise. Our amendments attempt to and we believe will ensure those standards of safety.

Motion No. 44 requires that a new licensing agency must look at the ability of a new carrier to meet high safety standards before a licence is issued. That has been one of the problems until now.

• (1610)

As I informed the House earlier today, Motion No. 21A is what I call the Fred Turner amendment. There are licensed carriers now operating without a valid operating certificate. Those certificates are testimony from Transport Canada that it is satisfied with the carriers' level of safety and maintenance. It is my understanding that when this House brought in the new amendments to the Aeronautics Act in 1985, a direct link between economic licence and the operating authority was inadvertently broken. I ask the Parliamentary Secretary to pay close attention. That broken link means, as we have seen, that an air carrier can retain its licence and operate while having no operating certificate. This morning I referred to the crash at Schefferville in which eight people were killed. The airline's operating authority had been suspended in October of 1983, but it was operating on September 30, 1985, when these tragic fatalities occurred. Even today that airline still does not have a valid operating certificate. It has a licence to fly but no certificate. There are other carriers operating today without that certificate. If the Government is serious about safety, this House will adopt Motion No. 44 and Motion No. 2 because they go to the very heart of what the Government itself said was a fundamental principle of this Bill.

You cannot have people operating airlines and carrying passengers without authority to do so. Yet they are doing it now. I do not care whether it is Wapiti or Spur airlines or this airline in Schefferville which I understand now has a new name.

If the Government wants deregulation, if it wants complete ease of exit and entry, all right, that is government policy. I do not like it, but so what? However, no Government worthy of the name can allow any airline to operate without proper safety, maintenance and pilot checks. The problem is that the air traffic committee of the CTC has one licensing authority and the Department of Transport, under the Aeronautics Act, has another. The two do not get together. We cannot allow that to continue.

This airline in Schefferville killed eight people and we did not cancel its licence. Yet poor old Fred Turner in Yellowknife is late filing his reports about gasoline used and the number of passengers carried and his licence is cancelled. He went bankrupt and lost five aircraft and is now losing his house. That cannot be justified under any circumstances. We cannot allow people a licence to fly and give them authority to carry passengers until they have met all the standards which this Government says must be met regarding safety and maintenance. That has to be in place before we pass this Bill.

This motion acknowledges the fact that we are all concerned about safety and maintenance. There are also other areas we should be concerned about. Bill C-19 should not be passed until the new national safety code is in place. Bill C-18 should not be passed until the new national rail safety rules are in place. Both those Bills should not be passed until all the boards, agencies, regulations and inspectors dealing with licensing, safety, security and maintenance are set up. Then if you want to deregulate and let anyone and everyone go in and out of air, trucking or railway operations, they will at least have to meet certain standards. Until they do, you do not give them a licence.

My hon. friend from Prince George, who flies in the north quite a lot, knows whereof I speak. I have been on some of these jerkwater outfits that fly with a minimum of maintenance, pilots who are flying extra hours because if they do not the boss fires them. I am not a white-knuckle flier but I do not want any amateurs or anyone played out, or a plane which is unfit, carrying me anywhere in this country.

The Government can do no less than accept these amendments. They do not do violence to the basic principles of the Bill dealing with deregulation, competition and market forces. Therefore, I hope my friends opposite will persuade the Parliamentary Secretary to get up and say he accepts them both.

Mr. McDermid: Yet you do not support drug testing for airline employees.

[*Translation*]

Hon. André Ouellet (Papineau): Madam Speaker, the amendment now under consideration allows us to focus on the hypocrisy of this Government. Every time we have spoken about safety, the current Minister of Transport (Mr. Crosbie) and his predecessor have told us that the Government had no intention of jeopardizing transport safety in Canada. All that we have had are nice speeches. The Minister of Transport and his officials have never taken any specific action to ensure that safety will not be jeopardized.

This amendment would simply add to the the interpretation provisions of the National Transportation Act the principle of striving for the highest possible standards of safety.

Yet, the Government is refusing to approve this amendment, thus proving its insincerity as it does not want to spell out in the objectives of the new National Transportation Act that there will be an effort to provide the highest possible standards of safety for transport services in Canada. If the Government is not willing to accept this amendment, it should not try to make the population believe that it wants to protect the safety of travellers as it is refusing to take the necessary action to ensure this safety.

I have here a report prepared by the Clerk's Office of the City of Toronto, which report was submitted to the members of the Standing Committee on Transport and is quite symptomatic of what people think of the desire of this Government to hasten passage of a law which will radically transform transportation in Canada and certainly jeopardize the safety of our transportation system.

If I may, Madam Speaker, I would like to quote a few passages from the brief submitted to the Government and to the Standing Committee on Transport during its consideration of Bill C-18, and I quote:

> While a lot of the concerns raised by these Bills deal with the loss of services in small communities and remote areas, this transportation policy will also adversely affect major transportation centres such as Metro Toronto. First, safety risks will increase because of more flexible entry standards and the absence of detailed and adequate inspection mechanisms.

As the Metro Toronto Residents Action Committee stated in its submission to the Standing Committee on Transport of the Canadian Parliament in November, the lack of specific provisions dealing with public safety is one of the major weeknesses in the *Freedom to Move* position paper. In the United States, where transportation has been deregulated for nine years, there has been a significant drop in public safety. The number of accidents has increased on American highways, because the equipment is used more often with less maintenance, and truck drivers work longer shifts and haul heavier loads than they used to.

The Committee mentions a whole series of statistics showing a significant increase in the number of accidents and crashes which have been taking place on U.S. highways since the transportation system was deregulated.

The submission goes on with these words:

In the city of Toronto, safety concerns are of a double nature: the transport of dangerous goods. It is a cause for deep concern in densely populated areas such as Toronto where huge quantities of chemicals and other dangerous goods are transported every day by rail, by truck and by plane. People realized the threat of disasters with the Mississauga derailment which forced evacuation for six days of some 225,000 people. That accident is probably at the origin of the submission by the City of Toronto to the federal Government urging that any reform of the transport sector should clearly state that safety must be a top priority item and that an inquiry board directly responsible to Parliament should be created. However, the Government has not followed up on those recommendations. It has ignored the briefs submitted first to the Government following the publication of the *Freedom to Move* document, and later on in connection with the study of Bill C-18, which is not specifically concerned with the basic problem of safety.

That is why the Opposition wants to have that amendment. That is why the Liberal Party tried in committee to move an amendment to this bill which was rejected by the Conservative majority in the committee. And that is also why I support wholeheartedly this amendment standing in the name of my colleague from the New Democratic Party, and which is to ensure—that is no big deal—that there is clear recognition in the new National Transportation Act of the fact that in those national transportation targets, the highest possible safety standards will be specified. That the Government is unwilling to accept that goal is to me illogical, incomprehensible and certainly unjustified.

• (1620)

[*English*]

Mr. John McDermid (Parliamentary Secretary to Minister for International Trade): Madam Speaker, I cannot let the comments which the Hon. Member just made go by unchallenged. He said that nothing was being done with regard to rail safety after the accident which took place in Mississauga. Nothing is further from the truth.

Mr. Ouellet: That's not what I said.

Mr. McDermid: The present Deputy Prime Minister (Mr. Mazankowski) started a hearing—

Mr. Ouellet: Madam Speaker, I have a point of order.

Mr. McDermid: —on safety and we now have a Bill which—

Mr. Ouellet: Madam Speaker, I rise on a point of order. In deference to the Hon. Member, I do not think he understood what I was saying. That is not at all what I said. I think he should look at the record tomorrow. I do not know if the interpretation was incorrect, but he is going in exactly the wrong direction in assuming that that is what I am saying. I am talking about the current legislation.

The Acting Speaker (Mrs. Champagne): Order. I think both Hon. Members are engaging in debate rather than a point of order.

Mr. McDermid: Madam Speaker, I just want to review what has been done with regard to safety. The Hon. Member's Government was very involved in this. The Transportation of Dangerous Goods Act, over which we sweated for many long months, was finally passed by the House of Commons.

At this very moment there are some very, very serious studies taking place with regard to the safe transportation of dangerous goods through the Metropolitan Toronto area. I attended some public hearings last week in my constituency. Such public hearings are taking place throughout Toronto.

I think it is very unfair for the Hon. Member to say that no action is being taken on the transportation of dangerous goods in the Metropolitan Toronto area. In fact, action is being taken quite actively and vigorously.

Mr. Iain Angus (Thunder Bay—Atikokan): Madam Speaker, I want to continue the debate on a very important aspect of the process which we are going through as well as on the final wording of Bill C-18. The purpose of the two motions standing in the name of the Hon. Member for Regina West (Mr. Benjamin) is to ensure that there is recognition within the Bill of safety in a context which is not found elsewhere in the legislation.

• (1630)

During our hearings on Bill C-18, and when we were dealing with the Government's White Paper *Freedom to Move*, one of the areas on which my colleague and I focused in considerable detail was safety, particularly air safety. We tended to ask the witnesses who appeared before us their opinion on what faces the last passenger on the final flight of an airline company that is going bankrupt. For instance, how many corners have been cut in the maintenance of the aircraft and how many times during the week had the pilot been forced to fly longer than humanly reasonable? Did the company overlook mechanical problems? Was it carrying out maintenance to the minimum standard as opposed to keeping maintenance safely within government and industry specifications?

As a result of our deliberations we concluded that in a system in which there is no guarantee of economic survival and the market-place forces the owners of the company to stretch resources continually, that safety could be compromised by an operator who, perhaps not intentionally, was forced to take unnecessary risks due to the aggressive competition within the industry. Such risks might include such requests as asking the pilot to fly one or two hours longer, to asking the mechanic to turn a blind eye on certain repairs that may not be mandatory but could be crucial in the event of a problem.

Motions Nos. 44 and 2 attempt to meet those concerns. Motion No. 44 basically adds to the requirement for domestic service. Clause 71(1) states:

A person shall not operate a domestic service unless, in respect of that service,

(a) holds a domestic licence;

(b) holds a Canadian aviation document; and

(c) has prescribed liability insurance coverage.

Motion No. 44 would change Clause 71(1)(b) to read:

(b) holds a Canadian aviation document, and has demonstrated the capability and the willingness to meet the highest possible standards of safety;

We believe that amendment will accomplish a number of things. First, when a group applies for a certain certificate in

order to operate a domestic service, not only must it prove that it has liability insurance and a domestic licence, it must also have a proven track record for safety and the capability and willingness to meet the highest possible standards of safety.

One might ask how a new entrant can have a proven track record. One of the most ludicrous suggestions we heard in the committee was that the banks should decide whether or not a new airline company is healthy and has the proper equipment and safety and maintenance procedures in place. I suggest that it is the responsibility of the Government to ensure the protection of the people who use those services which are approved or authorized by the Government.

This amendment will require the agency to consider all new applicants and determine whether or not they have the resources not only today but in the future to maintain their standard of service and employment for an extended period of time. It must not be a company that provides such working conditions and wages as to have a continual turnover of personnel.

We have seen examples of such "fly-by-nighters", as my colleagues refers to them. These companies seem to have a continual turnover of pilots because of poor working conditions and low wages, which means that people with little experience are piloting these aircraft.

There must be a system in place so that the Government, through its agency, can determine not only whether those carriers are safe on the day the licences are issued but will remain safe because they have the economic wherewithal to maintain their services to the flying public.

That stability existed under the old regulated regime in which there was built in cross-subsidization. A carrier could be assured of a reasonable return on its investment in less lucrative runs and therefore not be forced into making economic decisions that could ultimately lead to disaster. Earlier, my colleague referred to a report from the Canadian Aviation Safety Board in a letter of June 15 in response to an inquiry from the Member's staff person regarding an aircraft accident in Schefferville, Quebec, in September, 1985.

I have a copy of the investigation report and engineering report LP250/85. The covering letter indicated that the aircraft in question did not have a valid operating authority. In fact, it had been suspended in October, 1983.

Clearly, there are carriers who are not qualified to be operating. We believe that this amendment will help to ensure that there are no blind spots left between the aviation safety legislation and the National Transportation Act. I urge the Government seriously to consider accepting this amendment. If our wording is not totally acceptable to the Government, perhaps there is a way in which the clause can stand until later so that it can be studied. If that is not possible, I look forward to hearing the Government's response to this amendment.

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Madam Speaker, this motion deals with Clause 71 of the Bill and is essentially tied to Motion No. 2 that relates to Clause 3 of the Bill. That is the declaration, which I think it is important for Members to read. The declaration in Clause 3 states:

> It is hereby declared that a safe, economic, efficient and adequate network of viable and effective transportation services making the best use of all available modes of transportation at the lowest total cost is essential to serve the transportation needs of shippers and travellers—

It goes on to state that the national transportation system meets the highest practicable safety standards. That was added at the committee stage, so, with great respect, it is not necessary, and would be totally redundant, to add it to Clause 71.

• (1640)

In order for a person to fly and have a licence, there is an absolute prohibition. A person shall not operate a domestic service unless, in respect of that service, the person, first, holds a domestic licence, second, holds a Canadian aviation document and, third, has the prescribed liability insurance. One does not receive an aviation document unless one complies with all the requirements of the Aeronautics Act which has a very real element of safety. So it is quite redundant and I would ask government Members and other Hon. Members to kindly vote against it.

[*Translation*]

Mr. Fernand Robichaud (Westmorland—Kent): Madam Speaker, I would like to say a few words about the amendment we are considering, and in fact I would like to ask the Parliamentary Secretary, who says he is satisfied with the clause as it is written, why he refuses to clarify what Clause 3.1(a) contains. It says that the national transportation system "meets the highest practicable safety standards" —the qualifier is "practicable".

Madam Speaker, I think the word practicable could be interpreted in many different ways and that this term could be harmful to the safety standards we want to establish in our national transportation system through this legislation.

Therefore, I fail to see why any Member here in the House should rise to object to the amendment proposed by the Hon. Member for Regina West (Mr. Benjamin).

Madam Speaker, throughout these hearings, we have had many people testify before the Committee, and most of the testimony showed that people were concerned about the safety factor. Of course, they are just as concerned as you and I who often have to use public transportation systems, and if these systems do not meet the highest safety standards, we are putting our lives and those of all Canadians at risk.

As I see it, the amendment proposed by the Hon. Member for Regina West would merely put more emphasis on safety. Earlier, a reference was made to a report submitted to Toronto City Council. It referred to a heightened awareness of the possibility of disaster, as a result of the derailment and chlorine spill at Mississauga which led to 225,000 people being

evacuated for a period of six days. The report goes on to say that the M-TRAC statement on the measures taken by the railways after the Mississauga derailment is a very clear indication that we cannot depend on voluntary compliance in this area.

This is in response to the Hon. Member on the Government side who said that all the necessary measures had been taken.

And in this late May report, May 22, 1987, they said: "It is really saddening to point out in connection with respect for safety regulations by railway companies that one year after the Mississauga derailment—" and in fact more than a year later, "—the companies involved failed to install monitoring devices throughout that very sensitive and densely populated region until ordered to do so by the Canadian Transport Commission in the course of an inquiry and a public hearing."

That, Madam Speaker, is one more argument in favour of the amendments we are proposing. Quite simply we want people who deal with the transport industry to appreciate the fact that safety is indeed one of our top priorities.

[*English*]

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 44 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). I should tell Hon. Members that the vote on Motion No. 44 will dispose of Motion No. 2.

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion, the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

The House will now proceed to consideration of Motion No. 46.

Mr. Les Benjamin (Regina West) moves:

Motion No. 46

That Bill C-18, be amended in Clause 72 by adding immediately after line 28 at page 34 the following:

"(c) it is satisfied that the proposed commercial air service is and will be required by the present and future public convenience and necessity."

Mr. Iain Angus (Thunder Bay—Atikokan): Madam Speaker, I want to compliment my colleague on his excellent amendment—he would not let me get away without saying that. I will be very brief because I see by the clock that we have about 70 minutes left before the bells begin to ring, ending the closure on report stage, and we do have some other Members who want to speak on the motion.

What this motion does is to add to the clause which deals with the issue of a licence, a requirement that the agency be satisfied that the proposed commercial air service is and will be required by present and future public convenience and necessity. That phrase "public convenience and necessity" is really the opposite of deregulation. It is a process which ensures that a carrier is there not just for the purpose of making money for the owner or operator, but to ensure that the service it provides is for the public, that it is needed and is convenient. We think that should be one of the tests which is considered, along with the fact they must be Canadian, hold a Canadian aviation document and have liability insurance. The agency must require that public convenience and necessity are part of the components which are necessary for that service to be established. I do not think I have to add much more. This is an appropriate place for me to stop.

• (1650)

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 46 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed to the motion will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11) the recorded division on the motion stands deferred.

Mr. Les Benjamin (Regina West) moves:

Motion No. 47

That Bill C-18, be amended by deleting Clause 73.

He said: Madam Speaker, I wish to say only that Clause 73 would give the Minister the authority to make qualified exemptions. We wish to have that clause deleted because it would exempt someone who otherwise does not qualify because he or she is not Canadian. There have been too many loose issues with respect to licences. I do not think that the Minister needs any more looseness to exempt someone from the requirements of the law. I hope the Government will accept this amendment so that the Minister will not have to worry about that sort of thing. He already has enough trouble as it is.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 47 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed to the motion will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

Motion No. 47 (Mr. Benjamin) negatived.

Mr. Les Benjamin (Regina West) moves:

Motion No. 49

That Bill C-18, be amended in Clause 80 by adding immediately after line 48 at page 37 the following:

"(3) Where, on application by a carrier for a reduction in the basic fare by 50 per cent or more, the Agency will review and approve said application."

Mr. Iain Angus (Thunder Bay—Atikokan): Madam Speaker, Motion No. 49 is a trigger mechanism which would prevent an air carrier from doing itself in. In the United States we saw a great deal of cutthroat competition in which fares were slashed and safety was jeopardized. Fares were slashed to such an extent that service for those who travelled on the airlines slashing them was very poor. This put the carriers into a risky financial situation and ultimately lead to their bankruptcies and mergers with other air carriers.

Motion No. 49 might be perceived by consumers as being unpopular or unfair to them since everyone wants this great break, a 50 per cent reduction in air fares. We just saw a situation last week in which Canadian Airlines International announced a very unusual seat sale for the summer months to a number of Canadian centres at a time when volumes are normally high. It left out a number of communities, including Thunder Bay. Through its policy of automatically matching where possible challenges in terms of seat sales by Canadian Airlines International Air Canada, CAIL's only competitor decided to match CAIL. It did not propose to provide service to Thunder Bay.

If this amendment were accepted by the Government in an instance where there is more than a 50 per cent reduction in basic fares, air carriers would have to apply to the agency for permission. The agency would then be able to say: "First, yes, because of the size of the airline you can afford to do this, but not very often. Second, you have to be fair to all of Canada. You cannot just offer this seat sale in areas where you are planning to offer it. You have to make sure that communities such as Thunder Bay also have the advantage of these cheap seats".

That is what this Bill was supposed to give to the people of Canada—cheap transportation, even though we have been told time and time again by the experts in the field and by the carriers themselves that by and large we have bottomed out and all we have to look forward to are higher fares in the future with the odd aberration such as a seat sale. At the very least it would ensure that if a company is prepared to provide that type of break, then the agency would be in a position to review it to ensure economic stability as well as fairness.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 49 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed to the motion will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11) the recorded division on the motion stands deferred.

Mr. Les Benjamin (Regina West) moved:

Motion No. 52

That Bill C-18, be amended in Clause 92 by

(a) striking out line 4 at page 42 and substituting the following therefor:

"92. (1) The Agency may, on its own motion or in response to a complaint from any person, suspend or"

(b) striking out line 14 at page 42 and substituting the following therefor:

"under this Part; or

(c) has failed to provide adequate service between the specified points.

(2) In assessing the adequacy of the service pursuant to subsection 92.(1)(c), the Agency shall give primary weight to the views of the affected communities.

(3) Where the Agency cancels the scheduled international licence of any person pursuant to subsection 92.(1), the Agency shall immediately invite persons to make application to serve the route pursuant to section 88."

He said: Madam Speaker, the intent of this motion is to strengthen the reasons by which an international schedule licence may be suspended. The motion would add consultation with communities as a primary weighing factor. This amendment, Madam Speaker, I submit, would make Clause 92 more meaningful as it would make available the power to deal with international airlines or international schedule licences, be they charter or otherwise. The record of some of these carriers is not always what it should be. I need mention only Arrow Airlines as proof of that.

• (1700)

It is my hope that the Government will give this amendment favourable consideration.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 52, standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion, the nays have it.

And more than five Members having risen:

[*Translation*]

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

[*English*]

Mr. Les Benjamin (Regina West) moves:

Motion No. 52A

That Bill C-18, be amended in Clause 102 by adding immediately after line 30 at page 45 the following:

"(f) respecting appeal procedures regarding decisions made by the Agency;"

He said: Madam Speaker, Motion No. 52A is another "Fred Turner" amendment. While it has nothing to do with the Fred Turner case itself, it does have to do with the ramifications of it.

It is designed, as a previous amendment was and a subsequent will be, to ensure that what happened to Fred Turner does not happen again.

It is a permissive amendment which would allow the agency to establish regulations regarding an appeal process.

The assumption is that with such an option in the legislation, the Government would be too embarrassed to do anything but the right thing.

We think the opportunity for redress and appeal by anyone who feels aggrieved should be in the legislation, and to that end we hope that the Government will accept this amendment.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 52A, standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): Those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): Those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion, the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11) the recorded division on the proposed motion stands deferred.

Mr. de Corneille: On a point of order, Madam Speaker.

The Acting Speaker (Mrs. Champagne): The Hon. Member for Eglinton—Lawrence (Mr. de Corneille) on a point of order.

Mr. de Corneille: Madam Speaker, I have received, as have other Members of the House, a communication from the Advocacy Resource Centre for the Handicapped relating to a proposed subsection 35(5) which would call attention to the problems facing the handicapped. The proposed amendments, in addition to ensuring accessibility for disabled persons, would strengthen the concerns of the handicapped in respect of bus transportation and—

The Acting Speaker (Mrs. Champagne): Order, please. I must advise the Hon. Member that the proposed amendment is totally out of order at this point. As notice was not given, it is now impossible for the Chair to receive the proposed amendment.

Mr. de Corneille: On a point of order, Madam Speaker.

The Acting Speaker (Mrs. Champagne): On a point of order, the Hon. Member for Eglinton—Lawrence.

Mr. de Corneille: Madam Speaker, I was requesting the consent of the Chair to seek the unanimous consent of the House to deal with these amendments.

Mr. Thacker: On a point of order.

The Acting Speaker (Mrs. Champagne): The Hon. Parliamentary Secretary to the Minister of Transport (Mr. Thacker) on a point of order.

Mr. Thacker: Madam Speaker, while I appreciate the sentiments reflected in the proposed amendments, given the lateness of their receipt, their having been received only yesterday afternoon, we simply have not been able to run them through the system, including review by Department of Justice lawyers.

I want to assure my colleagues opposite that the Minister of Transport (Mr. Crosbie) is more than willing to discuss such amendments with his advisory committee, a committee which includes members of the disabled community.

It may be that the aim of the amendments can be achieved through regulation or policy direction, or perhaps an amendment to the statute.

While we are very sympathetic, we are simply unable to give unanimous consent at this late hour to the consideration of this measure.

Mr. Ouellet: Madam Speaker, given that the proposals of the Advocacy Resource Centre for the Handicapped were received only yesterday and are only now undergoing review within the Department of Transport and the Department of Justice, certainly we on this side of the House would be more than willing to give the Government sufficient time to consider these amendments, though certainly they are not new, having been the subject of discussion during committee consideration of Bill C-18.

At the third reading stage, the Parliamentary Secretary could advise the House as to the Government's position with respect to these amendments, and certainly if it is the wish of the Government to have the Bill so amended, we would certainly be disposed to agree.

If it is the wish of the Government to assist the handicapped in this way, it should do so in the legislation itself, and not in the regulations. What the handicapped want is a guarantee of accessibility, and the best guarantee is one provided in the legislation itself.

I urge the Parliamentary Secretary to consider these amendments. If it is the wish of the Government to accommodate, I can assure him that we on this side would be more than willing to give our consent.

Mr. Benjamin: Madam Speaker, I provided the Parliamentary Secretary and other Members of the House with a copy of the requested amendments of the Advocacy Resource Centre for the Handicapped. There are three amendments. As I said in committee this morning, if the Government were to agree to move these amendments, or have some member of the Opposition move them, we are prepared to give unanimous consent to their incorporation in the legislation.

I appreciate that the Parliamentary Secretary is trying to run this request for amendment through the bureaucratic mill and the Minister's office. I can assure him that, from our reading of the proposed amendments, they do not do violence to the principles of Bill C-18. We believe the amendments to be in order, though we leave it to the Chair to make the ultimate decision.

It may be that we could commence Private Members' Hour now in order to allow the Government more time to consider the proposed amendments. We are willing to co-operate fully in order to have these amendments incorporated into the legislation.

• (1710)

Mr. Thacker: Madam Speaker, it is just not that simple. I appreciate the position of the Opposition. I am sure that if we were over there, we would be doing exactly the same thing.

Opposition Members would like to be able to go out and have the handicapped rise up and say that the Government is

cold, insensitive, and all that. It is a clever political ploy on its part, and I am sure that we would do the same thing.

However, with the greatest of respect, we are unable to give unanimous consent. There are three amendments and they always have ramifications here and there. They must be checked carefully, and we are simply unable to do it at this late hour. We have less than an hour left.

The Acting Speaker (Mrs. Champagne): As there is no unanimous consent, we will proceed to Motion No. 52B.

Hon. Frank Oberle (for the Minister of Transport) moves:

Motion No. 52B.

That Bill C-18, be amended in Clause 102 by striking out line 33 at page 45 and substituting the following therefor:

"rates, charges and terms and conditions of carriage for international service".

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion (Mr. Crosbie) agreed to.

Mr. Les Benjamin (Regina West) moves:

Motion No. 53

That Bill C-18, be amended in Clause 106 by striking out lines 26 to 28 at page 47 and substituting the following therefor:

"may refuse to issue to the individual".

Motion No. 54

That Bill C-18, be amended in Clause 106 by striking out lines 37 to 39 at page 47 and substituting the following therefor:

"public interest to do so,".

Mr. Iain Angus (Thunder Bay—Atikokan): Madam Speaker, I should like to explain briefly the intent of Motions Nos. 53 and 54.

Currently in the enforcement section the agency may terminate a licence, and the agency may not issue another licence for up to 12 months. Our amendment would allow the agency to disallow the issuance of a new or additional licence to a carrier or an individual with a poor track record.

The purpose of Motion No. 54 is basically deletes the restrictive 12-month maximum on the issuance of a licence to a company or person who has been seriously in violation of the Act. We would be giving the agency the power to point out the bad actors and to ensure that they are not out there being bad actors.

Perhaps it is similar to the section of the Criminal Code which allows the designation of an individual as a dangerous offender who can never be put back into society. In some ways the amendment would give the agency the power to ensure that the operator of an aircraft or an airline company would not be allowed to operate because of a series of infractions, not just wait for the one event which would probably be too costly in terms of human life.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 53 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred. The question on Motion No. 53 applies as well to Motion No. 54.

The next question is on Motion No. 54A.

Mr. Les Benjamin (Regina West) moves:

Motion No. 54A

That Bill C-18, be amended in Clause 107 by adding immediately after line 25 at page 48, the following therefor:

"(2) Notwithstanding subsection 107(1), the Agency shall, with the approval of the Governor in Council, by regulation,

(a) designate any regulation or order made under this Part or any term or condition of a licence issued under this Part (in this section referred to as a "designated provision") concerning the collection of statistical information or the filing of required documents on the ongoing operation of a carrier, as a regulation, order, term or condition the contravention of which shall be dealt with under and in accordance with the procedure set out in sections 6.7 to 7.2 of the Aeronautics Act, and

(b) prescribe, in respect of the designated provision, the amount not exceeding one thousand dollars that is the maximum amount payable in respect of a contravention of that provision."

He said: Madam Speaker, very briefly, this amendment guarantees that another case such as the one of Mr. Fred Turner would be impossible.

Motion No. 54A allows the offences of not filing paperwork to be dealt with under the Aeronautics Act. It would allow for fines or brief suspensions instead of cancellations of licences.

Under Transport Canada regulations, licence cancellations are only issued for the most serious of offences. The reason the operating authority of Turnair was cancelled was not because the punishment fit the crime. It was because the CTC, as an

agency, was not given the authority to fine. Clause 107 of the Bill would give that authority.

Our amendment to Clause 107 would guarantee that these specific clerical contraventions would be punishable by a fine not to exceed $1,000. This would better enforce current regulations on filing documents. The penalty would be believable and fair.

Small airlines will want to avoid these fines; a thousand bucks is no small item in their day-to-day operations. Large airlines will not feel exempt from them due to their size.

Would any CTC bureaucrat cancel the licence of Air Canada if it were late filing reports? Who is kidding whom? There is no way; nor would it cancel the licence of Canadian Airlines International if it were late filing reports about how many gallons of gas it used and how many passengers it carried.

This is more meaningful because some airlines have chosen to operate without an operating authority. We received documents this morning concerning an aircraft disaster in Schefferville which killed eight people. That airline was operating without an operating authority, and nobody has cancelled its licence to fly. However, Fred Turner's licence was cancelled because he was late filing reports.

It is also more meaningful because some airlines are doing it now. Although the Government tells me that there will be no compromise on safety, some airlines have chosen to operate without an operating authority. In Mr. Turner's case, he could not continue to operate without an operating authority because the day after his licence was cancelled his aircraft, his hangar, and his equipment were seized. The next thing to happen is that his house will be seized next month. However, other companies continue to operate without an operating authority, and some of them have killed people.

I invite Hon. Members to look at some of the examples before the air traffic committee of the CTC and the Aviation Safety Board, if they do not believe me.

We presented the Government with documentation this morning involving an outfit and eight people who died, and its licence was not cancelled even though it was operating without an operating authority.

This amendment will not let another Fred Turner case happen just because he did not file how many gallons of gas he used. He will not get his licence cancelled in the future, nor will any other operator. They will be fined or subjected to a temporary suspension, but that is all.

Mr. David Kilgour (Edmonton—Strathcona): Madam Speaker, I should like to speak in favour of the amendment. I think the Hon. Member for Regina West (Mr. Benjamin) has stated very succinctly and very fairly the reasons I think the amendment deserves the support of Hon. Members on all sides of the House. I appreciate that as soon as some Hon. Members hear the names Fred Turner and Turnair, their auditory systems turn off. However, this is a nation of people, of individuals. It was built by individuals from all parts of Canada including the North. I submit that people should not turn off as soon as they hear the name of an individual mentioned with respect to an amendment.

• (1720)

This motion has been called the Fred Turner Amendment No. 3, and I support it fully. I think it is one that all small business people, all small airlines and all small entrepreneurs can identify with closely. All people who have concern for the rights of individuals to earn a living and to feed their families could support this amendment.

As I understand it, the motion would deny the CTC or its successor agency, the NTA, the right to take away someone's livelihood for not filing a document saying, as I think was the case with Mr. Turner, how many passengers he had flown in the previous six months, how much fuel he had used and information like that, information which is important only to bureaucrats, and I used to be one. It is not information that is important to men, women and children.

My friend the Parliamentary Secretary pointed out this morning that sums of money had been offered. I believe that $25,000, $30,000 or $40,000 were discussed for damages. If we passed an amendment like this, we would not have to see a man like Fred Turner being away from his family for 12 weeks. He is here in Ottawa while his wife and two children are living in a house that is about to be repossessed by the Royal Bank on August 1. There would not be a tragedy like that before us today. The Parliamentary Secretary would not say that he had discussed sums of $40,000 on a without prejudice basis as the Government is not admitting liability.

When the men and women outside this building hear that the Government has properly offered a sum of money, they do not believe anyone who says that the Government is not admitting liability but will offer $15,000 on an *ex gratia* basis. I used to work in the Justice Department and we used to do this constantly. Everyone assumed that when we offered money, it was because we knew that a court would eventually find the Government liable.

As I am sure all Hon. Members are aware, it would probably take a minimum of two to three years for this matter to get through the Federal Court and the Federal Appeal Court. This process has been attempted before. A Quebec aviation company got through to the Federal Court and eventually, as I understood the judgment, the court decided that the company could sue the CTC but it could not collect damages from it. What is the point of allowing someone to sue the CTC if at the end of it all the company cannot get damages?

I believe the amendment of the Hon. Member for Regina West (Mr. Benjamin) is a good one. As you may have guessed, Madam Speaker, I support it.

I hope my friend the Parliamentary Secretary will reply. He indicated this morning that if we had allowed Turnair to

operate, there might have been an accident or he made some such connection to the question of safety. To my knowledge, in all of the documents involving this particular airline, there was never a suggestion that safety was in issue. No one has ever suggested that this airline was operating other than safely. I put to one former lawyer as another former lawyer that only when one has no case does one fall back on something like safety, which in this case is not relevant to the facts as I think most people who have looked at the facts would suggest.

To conclude, I would urge Hon. Members to support this amendment on the basis that we all are or should be independent thinkers.

Mr. Dave Nickerson (Western Arctic): Madam Speaker, there is in Motion 54A a germ of a good idea. It is quite true that the suspension or removal of a licence in reaction to minor infractions is something like using a sledge-hammer to break an egg. If a licence is rescinded or suspended, it very often creates much difficulty for the customers of an airline. They find themselves with no way of flying.

For certain infractions, it might be better if there were provisions for fines which would only affect the operators and not the customers. Therefore, there is in this motion a germ of a good idea, but then the Hon. Member for Regina West (Mr. Benjamin) went and blew his case. He lost it.

The Hon. Member not only referred to minor statistical information that might be collected by the agency or some successor thereto but he went on to talk about the filing of required documents on the ongoing operation of the carrier. That would include documents relating to insurance. I am sure that even the Hon. Member for Regina West would say that it is absolutely essential that an air carrier be covered by insurance and be able to send documents to the agency demonstrating that it has that insurance coverage. The Hon. Member had a good idea, but unfortunately he went and blew it.

My final comment with respect to this matter is to point out some of the inconsistencies brought forward by members of the NDP. Motion No. 54A is a good idea in general terms. There should be a bit more flexibility and better ways of dealing with things. However, we have just dealt with Motions Nos. 53 and 54 which have entirely the opposite effect. If the agency were to be given the powers the Hon. Member for Regina West wanted to give it in Motion No. 53, then we would have Fred Turner cases around the clock.

Mr. Benjamin: No, you read it wrong.

Mr. Nickerson: We certainly would, Madam Speaker. There we have the inconsistency of members of the NDP. If the Government wants to make it easier, they want to make it more difficult. If the Government wants to make it more difficult, they want to make it easier. There is no middle road for members of the NDP. They are always on one side of the issue or the other side of the issue. They are unable to think straight. All they do is to oppose everything the Government proposes.

Mr. Benjamin: This is a compromise, you nut.

Mr. Nickerson: At any rate, that was all I wanted to say about this. I would like to compliment the Hon. Member for having some good ideas, but I wish that he had not just destroyed them.

[*Translation*]

Hon. André Ouellet (Papineau): Very briefly, Madam Speaker, I want to say that I support the proposed amendment and I echo the remarks of the Hon. Member for Edmonton—Strathcona (Mr. Kilgour). I think he very eloquently explained the reasons which militate in favour of this amendment we should accept.

[*English*]

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 54A standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

The next question is on Motion No. 56.

Mr. Les Benjamin (Regina West) moves:

That Bill C-18, be amended in Clause 112 by striking out lines 8 and 9 at page 53 and substituting the following therefor:

"the rail division of Canadian National Rail; and".

Mr. Iain Angus (Thunder Bay—Atikokan): Madam Speaker, this motion changes the wording of Clause 112 which deals with rates by deleting the words "the Canadian rail

division of Canadian Pacific Limited" and puts in place instead "the Canadian National Rail", or the rail division thereof.

The entire clause indicates that the company shall compute the costs of capital in all cases by using the costs of capital approved by the agency as appropriate for the railway in question. Our amendment ensures that the publicly owned railway is the model for any cost comparison as opposed to a private sector company over which we have no direct control. It would go a long way toward changing the manner in which the railroads are operated and their costs computed.

• (1730)

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 56, standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion, the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

The House will now proceed to Motions Nos. 56A, 57 and 57A which have been grouped for debate. An affirmative vote on Motion No. 56A disposes of Motion No. 57. A negative vote on Motion No. 56A necessitates a vote on Motion No. 57. Motion No. 57A will be voted on separately.

[*Translation*]

Hon. André Ouellet (Papineau) moved:

Motion No. 56A.

That Bill C-18, be amended in Clause 113 by striking out lines 39 to 49 at page 53 and lines 1 to 6 at page 54 and substituting the following therefor:

"(5) The Agency shall, on completion of an investigation conducted pursuant to subsection (1), determine whether the rate in respect of which the complaint was made is compensatory and, where the Agency determines that the rate is not compensatory, it shall make an order disallowing that rate and requiring the company to substitute for that rate a rate that is compensatory."

Mr. Les Benjamin (Regina West) moved:

Motion No. 57.

That Bill C-18, be amended in Clause 113 by striking out lines 47 to 49 at page 53 and lines 1 to 6 at page 54 and substituting the following therefor:

"rate is not compensatory, shall make an order disallowing that rate."

Hon. John C. Crosbie (Minister of Transport) moved:

Motion No. 57A.

That Bill C-18, be amended in Clause 113 by striking out line 2 at page 54 and substituting the following therefor:

"ing competition or significantly harming a competi-".

Hon. André Ouellet (Papineau): Madam Speaker, under the existing regulatory system, Section 276 of the Railway Act requires that all railway freight rates be compensatory. The purpose of this provision is to protect shippers and competitors of railway companies, whose commercial interests might be harmed by non-competitive activities.

This provision aims at ensuring fair and loyal intermodal competition.

Essentially, Section 276 of the Railway Act aims at giving some protection to companies such as the ACE Inc. Maritime Transport Company which have suffered from unfair competition on the part of the railways. This company provides container maritime transport services between Central Canada and Newfoundland and is thus in direct competition with the Terra Transport Division of the CNR.

In 1979, the Canadian Government gave the CN $77 million to transform its railway car transport system into a container service. As soon as the containers became operational in 1982, the CN launched a rate war by setting substantially lower rates than its variable costs.

Because of this practice, ACE Inc. had to lower its own prices to the level of the non-compensatory rates set by the CN. Despite its efforts, the company lost many contracts and had to serve many of its remaining customers at a loss.

The company filed a complaint against the tariff practices of the CN as soon as its administrators found that they could not avoid losses on their markets. The complaint filed with the Minister of Transport was referred to the Canadian Transport Commission, which was asked to investigate. The Commission finally established that a large number of the CN's tariffs for Newfoundland were lower than its variable costs, contrary to the provisions of Section 276 of the Railway Act.

ACE Inc. will have lost several million dollars because of its inability to charge rates high enough to cover its costs, due to the CN's harmful tariff practices. It now owes its survival to a subsidy from the Canadian Governement, which recognized the unfairness of the CN's practices and tried to preserve a competitive maritime transport service while the Commission was pursuing its investigation.

What Clause 113 of Bill C-18 would do is exempt railroads from applying compensatory rates where they establish that the rate is not significantly reducing competition or eliminating a competitor, and was not designed to have that effect.

In all fairness, we can wonder what purpose the Government had in mind when choosing to abolish the protection afforded by Section 276.

Indeed, in the view of many agencies that appeared before the Committee on Transport, both at the time of the examination of the White Paper *Freedom to Move*, and during the discussion of Bill C-18, the elimination of provisions ruling out unfair practices makes no economic sense.

The Montreal Chamber of Commerce had this to say on the matter:

[*English*]

"There is no economic motivation for non-compensatory rates but to lessen competition. The law should encourage intermodal competition in a fair and even-handed manner. It should not pit the financial resources of one transportation mode against another."

[*Translation*]

Moreoever, the present wording puts in doubt the implementation of the clause. Clearly, the new agency would have all the difficulty in the world basing a decision on the working criteria of that clause. I am quoting on that the Luscar Company, which also appeared before the Standing Committee on Transport, and I quote:

[*English*]

"Subsection (5) creates an unnecessary and undesirable exception to the requirement that railway freight rates be compensatory. What constitutes a substantial lessening of competition is not only subjective, but is also an onus that may be easily met. For example, elimination of one competitor or one competitive mode with other competitors or modes remaining may not be deemed to be a substantial lessening of competition. Moreover, competition from other sources may be argued to be a sufficient retention of competition to meet the onus of the Section.

Whether or not a freight rate was designed to limit competition is also subjective. Numerous arguments could ensue relating to whether the rate was a legitimate competitive action or an action that was intended to reduce competition. It is instructive that the only successful predatory pricing complaint under the Combines Investigation Act involved the actual giving away of product by one competitor."

[*Translation*]

On this side of the House, in the Liberal Party, we are urging retention of Section 276 for three major reasons: It contributes to the railways' financial stability, by preventing them from getting into a price war below compensatory rates; It serves as a verification mechanism in case of prohibitive rates. Finally, it prevents railways from entering into unfair price competition to the detriment of healthy intermodal competition. Moreover, it is important to emphasize that on that matter, even the Committee on Transport, when reviewing the *Freedom to Move* document, favoured retaining Section 276. Indeed, in its report *Freedom to Move—Change, Choice, Challenge*, the Committee had this to say:

Both the trucking industry and CP Rail are particularly concerned that CN Rail might be inclined to price its services below cost to a greater extent than its competitors in the absence of Section 276. They believe that CN enjoys special financial advantages as a Crown corporation as a result of which it would be able to undertake predatory pricing practices.

Several witnesses indicated that in the absence of Section 276, the *Combines Investigation Act* would not provide sufficient protection.

We agree that this *Act* is not adequate protection against predatory pricing. Indeed the Committee has concluded that the only effective mechanism currently in place to deter predatory pricing on the part of our railways is Section 276. Therefore, Section 276 should be maintained, and not repealed in five years as proposed by *Freedom to Move*. We see this as the first of a package of safeguards for shippers and competitors of the railways whose commercial interests might be harmed by anti-competitive behavior when confidential contracts are introduced.

The Committee also feels that clause 276 should be strengthened by providing a new legislation with penalties for the levying of non compensatory rates.

In concluding, I find it rather sad to note that on such a fundamental issue, the Tory members of the Standing Committee on Transport altered their opinion to satisfy the whims of the Minister of Transport. When the paper entitled "Freedom to Move" was considered, they agreed to maintain Clause 276. A few months later, when Bill C-18 was examined, those same Tory members who has suggested that Clause 276 should be maintained, ask us to remove it.

This is the reason why we are asking our colleagues to support this motion which responds to the concerns not only of the Montreal Board of Trade, but also those of the Luscar Company, the ACE Company as well as the Saskatchewan Government, the Canadian Pacific, the Board of Trade of Metropolitan Toronto and many other witnesses who appeared before the Committee on Transport and asked us to have Clause 276 in the current National Transportation Act maintained in Bill C-18.

• (1740)

[*English*]

Mr. Les Benjamin (Regina West): Mr. Speaker, I would like to say, on behalf of my Party, that we agree with Motions Nos. 56A, 57 and 57A. We hope they will all carry.

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Mr. Speaker, with regard to this grouping of motions we are unable to accept Motions Nos. 56A and 57. However, Motion No. 57A, which is part of this grouping, is quite acceptable. I think Members will see the logic of the argument and be persuaded by it.

The Acting Speaker (Mr. McDermid): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mr. McDermid): I will remind the House that an affirmative vote on Motion No. 56A disposes of Motion No. 57 and that a negative vote on Motion No. 56A necessitates a vote on Motion No. 57. Motion No. 57A will be voted on separately.

Therefore, the question is on Motion No. 56A. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mr. McDermid): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mr. McDermid): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mr. McDermid): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mr. McDermid): Pursuant to Standing Order 114(11) the recorded division on the proposed motion stands deferred.

As Motion No. 57 has been disposed of we will now move to Motion No. 57A.

Mr. Benjamin: Mr. Speaker, I rise on a point of order. Until the deferred vote is held you cannot decide whether Motion No. 56A has been agreed to or negatived. Five Members having stood, we have agreed to defer the vote. I believe you must call Motion No. 57 as well as Motion No. 57A.

The Acting Speaker (Mr. McDermid): Motion No. 57 is deferred.

Mr. Benjamin: Automatically?

The Acting Speaker (Mr. McDermid): Automatically.

Mr. Benjamin: Okay, you talked me into it.

The Acting Speaker (Mr. McDermid): I thank the Hon. Member for his intervention. The question is on Motion No. 57A. Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mr. McDermid): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

The Acting Speaker (Mr. McDermid): Motions Nos. 58 and 59 have been grouped for debate but will be voted on separately.

Mr. Les Benjamin (Regina West) moves:

Motion No. 58.

That Bill C-18, be amended in Clause 115 by striking out lines 14 to 18 at page 54 and substituting the following therefor:

"115.(1) A railway company shall issue a tariff in respect of the transportation of traffic on any railway operated by the company and, for all tariffs other than confidential contract rates, shall publish the tariff."

Motion No. 59.

That Bill C-18, be amended in Clause 119 by striking out line 45 at page 55 and substituting the following therefor:

"shipper, for goods other than grain covered by the Western Grain Transportation Act, in lieu of the rates set out in a tariff".

He said: Madam Speaker, very briefly, Motion No. 58 ensures, with no doubt at all, that railway tariffs shall be published and made public and accessible to the public at all times. It continues a longstanding practice which has always stood customers of railroads and freight traffic managers for many corporations in good stead. It refers, of course, to tariffs other than confidential contracts. This is a compromise of what we tried to do in committee.

Motion No. 59 specifically excludes grain from the possibility of confidential contracts or agreed charges under this Bill. We and our legal advisors are not sure whether this Bill takes priority over the Western Grain Transportation Act. We know that the Government does not intend that grain will be affected by Bill C-18 and it may be tempted to say that this amendment is unnecessary. However, what the Government may intend now will not necessarily apply the day after this Bill is proclaimed.

It was the opinion of a number of witnesses that this amendment is necessary to tighten up the legislation and provide an assurance that the Western Grain Transportation Act cannot be affected by any agreed charges or confidential contracts. On behalf of western grain producers I submit that this reinforces the benefits they have under the Western Grain Transportation Act. I urge the Parliamentary Secretary to encourage his colleagues to accept Motions Nos. 58 and 59.

• (1750)

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 58 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed to the motion will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

The question is on Motion No. 59 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion, the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

Mr. Les Benjamin (Regina West) moves:

Motion No. 64:

That Bill C-18, be amended in Clause 127 by striking out line 47 at page 59 and substituting the following therefor:

"may complain to the Agency that the".

Mr. Iain Angus (Thunder Bay—Atikokan): Madam Speaker, I hear words of agreement from the other side. For the record, the change is from having the parties complain to the Minister, to having them complain to the Agency.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

The Acting Speaker (Mrs. Champagne): The House will now proceed to the consideration of Motions Nos. 67 to 78 that have been grouped for debate.

An affirmative vote on Motion No. 68 disposes of Motion No. 67; a negative vote on Motion No. 68 necessitates a vote on No. 67. An affirmative vote on Motion No. 70 disposes of Motion No. 69; a negative vote on Motion No. 70 necessitates a vote on Motion No. 67. Motions Nos. 71 to 78 inclusive will be voted on separately.

Mr. Les Benjamin (Regina West) moves:

Motion No. 67:

That Bill C-18, be amended in Clause 134, by striking out line 11 at page 64 and substituting the following therefor;

"the shipper, by transporting not less than 75 per cent of its total tonnage over a 12-month period ending on the date of the shipper's submission to the Agency for assistance, at the point of origin or destina-".

Motion No. 68:

That Bill C-18, be amended by deleting Clause 134.

Motion No. 69:

That Bill C-18, be amended in Clause 135 by adding immediately after line 41 at page 65 the following:

"(4) Notwithstanding subsection 135(3), upon application by a shipper, the Agency may allow a competitive line rate for movement of containers on flat cars if the Agency is satisfied that:

(a) the container is owned by the shipper or reserved for the exclusive use of the shipper by lease and,

(b) the container is only utilized by the shipper for the movement of the shipper's goods, and

(c) the shipper has no reasonable alternative to rail transport for the movement which the competitive line rate would apply".

Motion No. 70:

That Bill C-18, be amended by deleting Clause 135.

Motion No. 71:

That Bill C-18, be amended by deleting Clause 136.

Motion No. 72:

That Bill C-18, be amended by deleting Clause 137.

Motion No. 73:

That Bill C-18, be amended by deleting Clause 138.

Motion No. 74:

That Bill C-18, be amended by deleting Clause 139.

Motion No. 75:

That Bill C-18, be amended by deleting Clause 140.

Motion No. 76:

That Bill C-18, be amended by deleting Clause 141.

Motion No. 77:

That Bill C-18, be amended by deleting Clause 142.

Motion No. 78:

That Bill C-18, be amended by adding immediately after line 12 at page 70 the following:

"143. Competitive line rates shall not be established by the Agency with respect to movements that form part of a continuous movement of traffic by rail, where any part of such movement is outside Canada, unless;

(a) such a movement is on the lines of a Canadian Railroad Company which are located outside of Canada, or,

(b) competitive line rate is ordered for such a movement by the Governor in Council following receipt of a recommendation to introduce such a rate in the review report under section 266".

He said: Madam Speaker, this is one of the crucial parts of the Bill. Some transportation economists have said that it is a licence to raid railway revenues, namely competitive line rates. We urge the Government to accept these amendments.

The first in this group would make certain that a competitive line rate will not be established for a shipper who does not ship a substantial amount of goods by the route in question. In other words, 75 per cent of their 12-month tonnage must go by the route in question.

Motion No. 68 is the crux of the matter. We want the whole competitive line rate section of the Bill deleted.

Failing that, we urge adoption of Motion No. 69. Let me say that trailers and containers on flat cars are not eligible for competitive line rates primarily because the mere presence of the goods in such a container would prove that the goods were not captive and could be transported by truck. This amendment addresses the reality that some goods are captive due to extreme financial costs of other modes when leaving the shipper, but may be delivered by a different mode.

Self-owned containers are the only answer. This amendment would protect truckers from anyone using this section to get the edge on them in the trucking industry. For example, Prairie Malt says that it must ship by rail from their door, but many customers must receive by truck. The conflict in that clause of the Bill passes all understanding. I hope the Government will agree to accept these amendments.

The Acting Speaker (Mrs. Champagne): Order. It being 5.54 p.m., pursuant to order made Monday, June 15, 1987, the four hours allotted for further consideration of the report stage of the Bill now before the House have expired.

Accordingly, it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the report stage of the Bill.

The first question is on Motion No. 68 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion, the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

The question is on Motion No. 70 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion, the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

The question is on Motion No. 67 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion, the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

Mr. Benjamin: Madam Speaker, I rise on a point of order. In order to assist the House, I think you might find unanimous consent to call for the yeas and nays on Motions Nos. 70 to 78 inclusive rather than calling each one separately, if that suits the Chair and my colleagues.

The Acting Speaker (Mrs. Champagne): Is that agreed?

Some Hon. Members: Agreed.

• (1800)

The Acting Speaker (Mrs. Champagne): The question is on Motions Nos. 71, 72, 73, 74, 75, 76, 77 and 78.

Mr. Riis: Madam Speaker, to facilitate the business, I wonder if we could make the same assumption for all the motions standing in the name of the Hon. Member for Regina West (Mr. Benjamin)?

Mr. Benjamin: Except if there are one or two the Government wants to accept.

Mr. Thacker: The Government is inclined to accept the Hon. Member's Motion No. 87.

Mr. Riis: We can do Motion No. 87 separately.

The Acting Speaker (Mrs. Champagne): I think it will be easier for everyone if we proceed with Motion No. 71 through to Motion No. 78 and then look after the other motions.

The question is on Motion No. 71 to Motion No. 78.

Is it the pleasure of the House to adopt the motions?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motions will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded divisions on the proposed motions stand deferred.

Hon. Tom Hockin (for the Minister of Transport) moves:

Motion No. 78A

That Bill C-18, be amended in Clause 145 in the French version by striking out lines 27 to 46 at page 72 and substituting the following therefor:

[*Translation*]

"(5) *Si une compagnie de chemin de fer fournit des installations de transport par rail de véhicules automobiles ou de remorques exploités pour le transport de marchandises à titre onéreux par une compagnie dont elle a le contrôle, la compagnie de chemin de fer doit offrir à toutes les compagnies qui exploitent des véhicules automobiles ou des remorques pour le transport de marchandises à titre onéreux des installations semblables à celles qu'elle fournit pour les véhicules automobiles ou remorques exploités par la compagnie dont elle a le contrôle aux mêmes prix et aux mêmes conditions; l'Office peut rejeter tout prix ou tarif qui n'est pas conforme au présent paragraphe et ordonner à la compagnie de chemin de fer d'y substituer un prix ou tarif conforme au présent paragraphe.*"

[*English*]

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

Mr. Les Benjamin (Regina West) moves:

Motion No. 79

That Bill C-18, be amended in Clause 150 by striking out lines 6 and 7 at page 77 and substituting the following therefor:

"Canadian railway company are intersected or crossed by those of another Canadian railway company, or on application for leave".

Mr. Thacker: Madam Speaker, you may find an inclination in the House to apply this vote to Motion No. 79 to Motion No. 83 inclusive.

The Acting Speaker (Mrs. Champagne): Is that agreeable to all Members?

Some Hon. Members: Agreed.

Mr. Les Benjamin (Regina West) moves:

Motion No. 80

That Bill C-18, be amended in Clause 152 by striking out lines 24 and 25 at page 79 and substituting the following therefor:

"Canadian railway company connects with a line of railway of another Canadian railway company, the".

Motion No. 81

That Bill C-18, be amended by deleting Clause 152.

Motion No. 83

That Bill C-18, be amended in Clause 158 by adding immediately after line 11 at page 84 the following:

"(2) Any rail line conveyed to another company subject to subsection (1) shall remain within the jurisdiction of the federal government."

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motions?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motions will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded divisions on the proposed motions stand deferred.

The Chair feels that the House should be told that Motions Nos. 80 and 81 have been grouped for debate. An affirmative vote on Motion No. 81 disposes of Motion No. 80. A negative vote necessitates a vote on Motion No. 80. That is for further reference.

Hon. Tom Hockin (for the Minister of Transport) moves:

Motion No. 83A

That Bill C-18, be amended in Clause 158 in the French version by striking out lines 18 and 19 at page 84 and substituting the following therefor:

[*Translation*]

"voie de cour de triage, une voie d'évitement ou un épi qui n'est pas un embranchement ou une autre voie auxiliaire d'une",

[*English*]

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

Mr. Les Benjamin (Regina West) moves:

Motion No. 83B

That Bill C-18, be amended in Clause 158 by adding immediately after line 44 at page 85 the following:

"(7) The railway company which has conveyed the line shall, for the purpose of sections 134 to to 142 inclusive, be deemed to be local carrier for any shipper located along the line."

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion, the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

Hon. Tom Hockin (for the Minister of Transport) moves:

Motion No. 84

That Bill C-18, be amended in Clause 174 in the French version by striking out line 1 at page 100 and substituting the following therefor:

[*Translation*]

"(4) L'arrêté prévu par le paragraphe (3)."

[*English*]

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

[*Translation*]

Hon. André Ouellet (Papineau) moved:

Motion No. 84A

That Bill C-18, be amended in Clause 175 by striking out lines 29 to 39 at page 102 and lines 27 to 36 at page 103.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

Hon. André Ouellet (Papineau) moved:

Motion No. 84B

That Bill C-18, be amended in Clause 175 by striking out line 46 at page 102 and substituting the following therefor:

"entered into under subsection (1) and work on the upgrading of the alternative facilities has been substantially completed, order that".

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

[*English*]

Hon. Tom Hockin (for the Minister of Transport) moves:

Motion No. 85A

That Bill C-18, be amended in Clause 212 by striking out lines 21 and 22 at page 120 and substituting the following therefor:

"level of resupply service provided to communities situated along the waters to which this Part applies."

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

Mr. Angus: Madam Speaker, May I suggest Motions Nos. 86, 87, 88 and 89 be dealt with as a group?

Mr. Thacker: Madam Speaker, we have looked at it very carefully. We are unable to accept Motions Nos. 86 and 88. However, we can accept Motion No. 87.

Mr. Les Benjamin (Regina West) moves:

Motion No. 86

That Bill C-18, be amended in Clause 253 by striking out lines 6 to 10 at page 134 and substituting the following therefor:

"revenue from sales in or from Canada."

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

Mr. Les Benjamin (Regina West) moves:

Motion No. 87

That Bill C-18, be amended in Clause 253 by adding immediately after line 10 at page 134 the following:

"(2) Notwithstanding subsection 251(2) or 252(1), where a proposed acquisition of an interest, or of an increased interest in a transportation undertaking is by or through the acquisition of assets of a transportation undertaking, subsection 252(1) applies only if after the proposed acquisition, all or substantially all of the assets would be held or controlled, directly or indirectly, by the person proposing to make the acquisition or by any other persons associated with that person."

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

Mr. Les Benjamin (Regina West) moves:

Motion No. 88

That Bill C-18, be amended in Clause 253 by striking out lines 3 to 6 at page 135.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion, the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

• (1810)

Mr. Les Benjamin (Regina West) moves:

Motion No. 89

That Bill C-18, be amended in Clause 255 by striking out line 31 at page 135 and substituting the following therefor:

"against the public interest, including the interest of employee groups directly affected, may, in writing".

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed to the motion will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

[*Translation*]

Hon. André Ouellet (Papineau) moved:

Motion No. 89A

That Bill C-18, be amended in Clause 256 by striking out lines 34 to 40 at page 135 and substituting the following therefor:

"256. (1) Whether or not an objection to a proposed acquisition is received by the Agency, the Agency shall:

(a) inform the Minister and the person who sent the notice referred to in subsection 252(1) in respect on the proposed acquisition of the receipt thereof; and",

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

[*English*]

Mr. Les Benjamin (Regina West) moves:

Motion No. 90

That Bill C-18, be amended in Clause 257 by adding immediately after line 18 at page 136 the following:

"(2) The Agency shall, in conducting a review under section 256, have regard to all considerations that appear to it to be relevant to the matter, including, without limiting the generality of the foregoing, such as the following factors which pertain to the proposed acquisition:

(a) employee displacement;

(b) collective agreements and the possible transfer of those arrangements; and

(c) employee benefit plans and pensions."

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed to the motion will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

Mr. Les Benjamin (Regina West) moves:

Motion No. 91

That Bill C-18, be amended in Clause 266 by striking out line 18 at page 142 and substituting the following therefor:

"to solicit input from all interested parties and to carry out a comprehensive review of the".

Motion No. 94

That Bill C-18, be amended in Clause 267 by striking out line 23 at page 144 and substituting the following therefor:

"Agency shall solicit input from all interested parties and make a review in respect of".

The Acting Speaker (Mrs. Champagne): The vote on Motion No. 91 will apply to Motion No. 94. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed to the motion will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

Mr. Les Benjamin (Regina West) moves:

Motion No. 93

That Bill C-18, be amended in Clause 266 by adding immediately after line 26 at page 143 the following:

"(e) whether the establishment by the Agency of competitive line rates in respect to movements of traffic that form part of a continuous movement by rail, any part of which is outside Canada and not on the lines of a Canadian railroad company, should be introduced;".

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed to the motion will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

[*Translation*]

Hon. André Ouellet (Papineau) moved:

Motion No. 95

That Bill C-18, be amended in Clause 267 by adding immediately after line 44 at page 144 the following:

"(d) changes in employment levels in the transportation industry and the need for a special labour adjustment plan;".

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

[*English*]

Mr. Thacker: Madam Speaker, it has been a very busy day. I know that we do not like to negotiate on the floor of the House. However, I was under the impression that with a slight amendment to this clause it would be acceptable to the Government as well as to the Hon. Member for Papineau (Mr. Ouellet) in whose name this motion stands. The House would be inclined to give agreement to the Hon. Member's motion on the understanding that we would complete Bill C-19 at both stages tonight. I wish to confirm whether or not that is the understanding of the Hon. Member.

Mr. Ouellet: Madam Speaker, I have indicated to the Parliamentary Secretary that, indeed, we on this side of the House would be inclined to dispose of report stage of Bill C-19. In fact, this is something that I confirmed with the Hon. Member's Whip in discussions earlier. I regret if the Hon. Member is under the impression that the agreement dealt with both the report stage and the third reading stage. There has been no time allocation motion moved with respect to Bill C-19. The Parliamentary Secretary must understand that he is getting quite a lot already by having us agree to dispose tonight of report stage of Bill C-19. The Government will get third reading tomorrow or the day after. It will be a short debate at third reading. I know that the Government is anxious to expedite this legislation and the Opposition is co-operating. I do not think the Government should ask too much.

Certainly, these amendments which have been presented in good faith should not be the subject of that type of wheeling and dealing. If the Parliamentary Secretary is willing to accept the amendment then he should accept it and we will do our best in relation to debate.

Mr. Thacker: Madam Speaker, subject to the condition that it will be a short debate as indicated by the Hon. Member, I must add the proviso that I spent some years in opposition when his Party would not accept even one amendment which we proposed. I really think we are going a long way and have been very generous indeed.

Mr. Riis: Madam Speaker, I simply want to confirm that there have been considerable negotiations throughout the day. With respect to the point made by my friend, the Hon.

Member for Papineau (Mr. Ouellet), the understanding is, indeed, that we will complete Bill C-19 at report stage today and tomorrow, assuming that all progresses according to plan, we will complete third reading stage.

Again, to make my point in response to my friend the Parliamentary Secretary, considering the extent of this Bill and the incredible comprehensive changes that will result from its passage, the fact that it has been dealt with in a matter of hours is quite extraordinary.

Mr. Thacker: Madam Speaker, with respect to Motion No. 95, if the Hon. Member were to seek the unanimous consent of the House to delete the words "—and the need for a special labour adjustment plan" the Government would be amenable to agree to the motion.

Mr. Ouellet: Madam Speaker, it is with a breaking heart that I will seek the unanimous consent of the House to delete the words "—and the need for a special labour adjustment plan". I appreciate that the Government is ready to accept the first part of the amendment. I cannot win all the wars in one battle. I will accept winning a small battle today and prepare for the next battle on another occasion. I therefore move:

That the motion be amended by deleting the words "and the need for a special labour adjustment plan".

Mr. Benjamin: Madam Speaker, since this is a motion in the name of the Hon. Member for Papineau (Mr. Ouellet), I would like to point out that I think he has just allowed his motion to be gutted. However, if he is willing to accept the change suggested by the Government then we are prepared to agree.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the amendment to the motion?

Some Hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion as amended?

Some Hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): I declare the motion carried.

Motion No. 95 (Mr. Ouellet), as amended, agreed to.

Hon. Tom Hockin (for the Minister of Transport) moved:

Motion No. 98

That Bill C-18, be amended in Clause 269 by striking out line 37 at page 147 and substituting the following therefor:

"purposes of the administration of this Act or the *Statistics Act*;"

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

• (1820)

Mr. Ouellet: On a point of order, Madam Speaker.

The Acting Speaker (Mrs. Champagne): On a point of order, the Hon. Member for Papineau (Mr. Ouellet).

Mr. Ouellet: Madam Speaker, during committee consideration of Bill C-18, the Government introduced an amendment to what was then Clause 273 of the Bill but which is now Clause 272. That amendment was portrayed as a technical amendment and one required to facilitate the transfer of the Canadian Transport Commission to the new agency, the National Transportation Agency. We have since become aware that the amendment in question is more than technical in nature.

I have raised this matter with the Parliamentary Secretary, who in turn has discussed with the Government the implications of the amendment. With unanimous consent, I understand the Parliamentary Secretary is willing to move an amendment that will go a long way toward clarifying the situation.

In the interest of a smooth transfer of the functions of the Canadian Transport Commission to the National Transportation Agency, we are prepared to provide the necessary unanimous consent.

Mr. Thacker: Madam Speaker, at the outset, let me thank the Hon. Member for Papineau (Mr. Ouellet) for having raised this question. We are prepared to accept an amendment that would add a Subclause (11) to Clause 272 of the Bill. I believe you have a copy of the proposed amendment, Madam Speaker. If you would put the amendment to the House, I think you will find that there is unanimous consent.

The Acting Speaker (Mrs. Champagne): Does the Parliamentary Secretary have the unanimous consent of the House to move his motion?

Some Hon. Members: Agreed.

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport) moved:

That Clause 272 of Bill C-18 be amended by striking out lines 7 to 9 on page 151 and substituting the following:

"this Act.

(11) Notwithstanding subsection 10, the Governor in Council may, by order, authorize or provide relief of a form described in that subsection".

Is it the pleasure of the House to adopt the motion?

Motion agreed to.

The Acting Speaker (Mrs. Champagne): The House will now proceed to the taking of the deferred divisions at the report stage of Bill C-18, an Act respecting national transportation.

Call in the Members.

And the division bells having rung:

● (1840)

The Acting Speaker (Mr. Paproski): The first question is on Motion No. 3. Mr. Benjamin moved:

Motion No. 3

That Bill C-18, be amended in Clause 3 by striking out lines 15 to 18 at page 2.

The House divided on Motion No. 3 (Mr. Benjamin), which was negatived on the following division:

(Division No. 153)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—147

● (1850)

The Acting Speaker (Mr. Paproski): I declare the motion lost.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, there have been extensive discussions and a great deal of co-operation between the Parties. I think you will find the House in favour of applying the result of the vote on Motion No. 3 to all the other motions with the exception of Motions No. 21A, 5, 52A and 54A which need separate votes.

[*Translation*]

Mr. Ouellet: Mr. Speaker, I wish to confirm that discussions have taken place and that we on our side are prepared to accept the proposal.

[*English*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I would like to add my vote to the following votes.

Mr. Les Benjamin (Regina West): Mr. Speaker, does that mean I am going to lose the whole damn works?

Mr. Mazankowski: You are a born loser, Les.

The Acting Speaker (Mr. Paproski): The only reason the Hon. Member for Regina West (Mr. Benjamin) is going to lose all these votes is because his 19th anniversary is coming up shortly.

Mr. Benjamin: That is not a retirement announcement.

The Acting Speaker (Mr. Paproski): Order, please. With the exception of Motions Nos. 21A, 5, 52A and 54A, may I declare all the motions lost?

Some Hon. Members: Agreed.

Mr. Les Benjamin (Regina West) moved:

National Transportation Act, 1986

Motion No. 4

That Bill C-18, be amended in Clause 3 by striking out lines 15 to 18 at page 2 and substituting the following therefor:

"(b) competition and market forces are, whenever feasible, prime agents in providing viable and effective transportation services, provided that each carrier or mode of transportation establishes and maintains fares, rates and conditions that do not constitute unfair or destructive competitive practices,".

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(Division No. 154)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young—51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 5.

Mr. Fernand Robichaud (Westmorland—Kent) moved:

Motion No. 5

That Bill C-18, be amended in Clause 3 by striking out lines 29 to 34 at page 2 and substituting the following therefor:

"to regional economic development and commercial viability should be an objective both in the operation of transportation services and in the provision of facilities and services in direct support thereof, and where the Government of Canada decides or the Government of Canada and one or more provincial governments jointly decide that any such service or facilities and service is required for the achievement of national or regional, social and economic development objectives, that decision requires that those objectives take precedence over the objective of commercial viability whenever the two are in conflict.

Where the Government of Canada decides or the Government of Canada and one or more provincial governments jointly decide that the achievement of national or regional social and economic development objectives requires that these objectives take precedence over the objectives of commercial viability, the benefits and costs involved should be identified and any relevant additional costs assumed by the government or governments concerned,".

The House divided on the motion (Mr. Robichaud), which was negatived on the following division:

(Division No. 155)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi

McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
St-Julien
Skelly
Waddell
Young —52

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—147

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 9.

Mr. Les Benjamin (Regina West) moved:

Motion No. 9

That Bill C-18, be amended in Clause 3 by striking out line 36 at page 2 and substituting the following therefor:

"so far as practicable, and with consideration to duties performed in the public interest, bears a fair propor-".

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 156*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan

McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 12.

Mr. Les Benjamin (Regina West) moved:

Motion No. 12

That Bill C-18, be amended by deleting Clause 8.

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(Division No. 157)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 14.

Mr. Les Benjamin (Regina West) moved:

Motion No. 14

That Bill C-18, be amended in Clause 15 by striking out line 20 at page 7 and substituting the following therefor:

"Agency, including an adequate number of inspectors for each mode of transportation, which would be tied to the volume of traffic in each mode, shall be appointed in accordance".

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(Division No. 158)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall

Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 15.

Mr. Les Benjamin (Regina West) moved:

Motion No. 15

That Bill C-18, be amended in Clause 19 by adding immediately after line 19 at page 8 the following:

"(2) The Agency may also ensure that ongoing independent research is conducted with respect to Canada's transportation policy and the effectiveness of that policy relative to the public interest."

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 159*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy

King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motions Nos. 16 and 17.

Mr. Les Benjamin (Regina West) moved:

Motion No. 16

That Bill C-18, be amended in Clause 22 by striking out line 14 at page 9 and substituting the following therefor:

"al of Parliament, make rules".

Motion No. 17

That Bill C-18, be amended in Clause 23 by striking out line 13 at page 10 and substituting the following therefor:

"23.(1) Parliament may, at".

The House divided on Motions Nos. 16 and 17 (Mr. Benjamin), which were negatived on the following division:

(*Division No. 160*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motions lost. The next question is on Motion No. 19.

Mr. Les Benjamin (Regina West) moved:

Motion No. 19

That Bill C-18, be amended in Clause 35 by adding immediately after line 40 at page 14 the following:

"(8) The Agency may amend, suspend, or terminate any licence or operating authority issued under this Act, when satisfied that the holder

of such a licence or operating authority has not complied or has refused to comply with the spirit and intent of section 3(1)(a) of this Act."

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(Division No. 161)

YEAS

Members

Allmand	Guilbault (Saint-Jacques)	Nicholson (Trinity)
Althouse	Heap	Nunziata
Angus	Henderson	Nystrom
Baker	Hopkins	Orlikow
Benjamin	Hovdebo	Ouellet
Berger	Jewett	Parry
Blackburn (Brant)	Kaplan	Penner
Boudria	Keeper	Pépin
Cassidy	Killens	Prud'homme
de Corneille	Langdon	Riis
de Jong	MacLellan	Robichaud
Dingwall	Malépart	Robinson
Epp (Thunder Bay—Nipigon)	Manly	Rossi
Finestone	Marchi	Skelly
Foster	McCurdy	Waddell
Fulton	McDonald (Broadview—Greenwood)	Young —51
Garneau	Murphy	
Gauthier		

NAYS

Members

Andre	Crosby (Halifax West)	Jepson
Belsher	Dantzer	Joncas
Bernier	Darling	Kempling
Bertrand	Daubney	Kilgour
Binns	de Cotret	Kindy
Bissonnette	Della Noce	King
Blackburn (Jonquière)	Desjardins	Ladouceur
Blais	Domm	Lanthier
Blenkarn	Dorin	Lawrence
Blouin	Duguay	Layton
Bosley	Edwards	Lesick
Bouchard	Fennell	Lewis
Bourgault	Ferland	Lopez
Boyer	Fontaine	MacDougall (Timiskaming)
Brightwell	Forrestall	MacKay
Brisco	Fraleigh	Mailly
Browes	Fretz	Malone
Cadieux	Friesen	Mantha
Caldwell	Gass	Marin
Cardiff	Gérin	Martin
Carney	Gottselig	Masse
Champagne (Champlain)	Gray (Bonaventure—Îles-de-la-Madeleine)	Mazankowski
Charest	Greenaway	McCain
Clark (Brandon—Souris)	Grisé	McCrossan
Cochrane	Gustafson	McCuish
Collins	Hamelin	McDermid
Comeau	Hamilton	McDougall (St. Paul's)
Cook	Hawkes	McInnes
Corbett	Hicks	McKenzie
Cossitt	Hnatyshyn	McKinnon
Côté (Lac-Saint-Jean)	Hockin	McKnight
Côté (Langelier)	Holtmann	Merrithew
Crofton	Horner	Minaker
	Hudon	Murta
	James	Nickerson
	Oberle	Nowlan
	O'Neil	Schellenberger (Wetaskiwin)
	Oostrom	Scott (Hamilton—Wentworth)
	Pennock	Scowen
	Peterson	Shields
	Pietz	Sparrow
	Plamondon	Stackhouse
	Plourde	Stewart
	Porter	Suluk
	Ravis	Tardif (Charlesbourg)
	Redway	Taylor
	Reid	Thacker
	Reimer	Towers
	Ricard	Tremblay (Québec-Est)
	St. Germain	Tremblay (Lotbinière)
	St-Julien	Tupper
	Schellenberg (Nanaimo—Alberni)	Valcourt
		Van De Walle
		Vankoughnet
		Vézina
		Vincent
		Warner
		Weiner
		Wenman
		Wilson (Swift Current—Maple Creek)
		Wilson (Etobicoke Centre)
		Winegard
		Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 21A standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(Division No. 162)

YEAS

Members

Allmand	Guilbault (Saint-Jacques)	Nicholson (Trinity)
Althouse	Heap	Nunziata
Angus	Henderson	Nystrom
Baker	Hopkins	Orlikow
Benjamin	Hovdebo	Ouellet
Berger	Jewett	Parry
Blackburn (Brant)	Kaplan	Penner
Boudria	Keeper	Pépin
Cassidy	Kilgour	Prud'homme
de Corneille	Killens	Riis
de Jong	Langdon	Robichaud
Dingwall	Malépart	Robinson
Epp (Thunder Bay—Nipigon)	Manly	Rossi
Finestone	Marchi	Skelly
Foster	McCurdy	Waddell
Fulton	McDonald (Broadview—Greenwood)	Young —51
Garneau	Murphy	
Gauthier		

NAYS

Members

Andre	Brisco	Cossitt
Belsher	Browes	Côté (Lac-Saint-Jean)
Bernier	Cadieux	Côté (Langelier)
Bertrand	Caldwell	Crofton
Binns	Cardiff	Crosby (Halifax West)
Bissonnette	Carney	Dantzer
Blackburn (Jonquière)	Champagne (Champlain)	Darling
Blais	Charest	Daubney
Blenkarn	Clark (Brandon—Souris)	de Cotret
Blouin	Cochrane	Della Noce
Bosley	Collins	Desjardins
Bouchard	Comeau	Domm
Bourgault	Cook	Dorin
Boyer	Corbett	
Brightwell		

Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kelleher
Kempling
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—147

[*Translation*]

Before the Clerk announced the results of the division

Mr. Kilgour: Mr. Speaker, I was talking and I made a mistake when the vote was being taken. I would like to be on record as voting in favour of Motion 21A, please.

The Acting Speaker (Mr. Paproski): I declare the motion lost.

[*English*]

I declare the motion lost. The next question is on Motion No. 22 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 163*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 27 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(Division No. 164)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 32 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(Division No. 165)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce

National Transportation Act, 1986

Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 34 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 166*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 37 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 167*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 40 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 168*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young—51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin

Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion Nos. 44 and 2 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on Motions Nos. 44 and 2 (Mr. Benjamin), which were negatived on the following division:

(*Division No. 169*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motions lost. The next question is on Motion No. 46 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 170*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall

Epp
(Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 49 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 171*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie

McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 50.

Mr. Les Benjamin (Regina West) moved:

Motion No. 50

That Bill C-18, be amended in Clause 85 by striking out lines 8 and 9 at page 39 and substituting the following therefor:

"such terms and conditions as the Agency may approve, provide the assistance".

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 172*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 52 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 173*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy

McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 52A standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

National Transportation Act, 1986

(Division No. 174)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —50

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kelleher
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields

Sparrow
Stackhouse
Stewart
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motions Nos. 53 and 54 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on Motions Nos. 53 and 54 (Mr. Benjamin), which were negatived on the following division:

(*Division No. 175*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motions lost. The next question is on Motion No. 54A standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 176*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Kilgour
Killens
Langdon
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette

Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kelleher
Kempling
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—147

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 56 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 177*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—148

National Transportation Act, 1986

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 56A standing in the name of the Hon. Member for Papineau (Mr. Ouellet).

The House divided on the motion (Mr. Ouellet), which was negatived on the following division:

(*Division No. 178*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 57 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 179*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce

Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 58 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 180*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 59 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

National Transportation Act, 1986

(Division No. 181)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 63 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(Division No. 182)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin

Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 60 standing in the name of the Hon. Member for Papineau (Mr. Ouellet).

The House divided on the motion (Mr. Ouellet), which was negatived on the following division:

(*Division No. 183*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 61 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 184*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau

Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 62 standing in the name of the Hon. Member for Papineau (Mr. Ouellet).

The House divided on the motion (Mr. Ouellet), which was negatived on the following division:

(*Division No. 185*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie

McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 67 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 186*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 68 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 187*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme

Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 69 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 188*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields

Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 70 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 189*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 71 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 190*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette

National Transportation Act, 1986

Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 72 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 191*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 73 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(Division No. 192)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 74 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(Division No. 193)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce

Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 75 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 194*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 76 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(Division No. 195)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 77 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(Division No. 196)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin

Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 78 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 197*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 79 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 198*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau

Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 80 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 199*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie

McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 81 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 200*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 83 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 201*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme

Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 83B standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

National Transportation Act, 1986

(Division No. 202)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields

Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 84A standing in the name of the Hon. Member for Papineau (Mr. Ouellet).

The House divided on the motion (Mr. Ouellet), which was negatived on the following division:

(*Division No. 203*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 84B standing in the name of the Hon. Member for Papineau (Mr. Ouellet).

The House divided on the motion (Mr. Ouellet), which was negatived on the following division:

(*Division No. 204*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette

Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 86 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 205*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—148

National Transportation Act, 1986

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 88 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(Division No. 206)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 89 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(Division No. 207)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce

Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 89A standing in the name of the Hon. Member for Papineau (Mr. Ouellet).

The House divided on the motion (Mr. Ouellet), which was negatived on the following division:

(Division No. 208)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 90 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

National Transportation Act, 1986

(*Division No. 209*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motions Nos. 91 and 94 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on Motions Nos. 91 and 94 (Mr. Benjamin), which were negatived on the following division:

(*Division No. 210*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn (Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crofton
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton

Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost. The next question is on Motion No. 93 standing in the name of the Hon. Member for Regina West (Mr. Benjamin).

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 211*)

YEAS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Berger
Blackburn
(Brant)
Boudria
Cassidy
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Jewett
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young —51

NAYS

Members

Andre
Belsher
Bernier
Bertrand
Binns
Bissonnette
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bosley
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Caldwell
Cardiff
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Cochrane
Collins
Comeau
Cook
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Desjardins
Domm
Dorin
Duguay
Edwards
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gérin
Gottselig
Gray
(Bonaventure—Îles-de-
la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Horner
Hudon
James
Jepson
Joncas
Kempling
Kilgour
Kindy
King
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Lopez
MacDougall
(Timiskaming)
MacKay
Mailly
Malone
Mantha
Marin
Martin
Masse
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
Merrithew
Minaker
Murta
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Ravis
Redway
Reid
Reimer
Ricard
St. Germain
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
Wenman
Wilson
(Swift Current—
Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—148

The Acting Speaker (Mr. Paproski): I declare the motion lost.

Mr. Hockin (for the Minister of Transport) moved that the Bill as amended, be concurred in.

Motion agreed to.

* * *

• (1910)

MESSAGE FROM THE SENATE

The Acting Speaker (Mr. Paproski): I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed the

following Bills, to which the concurrence of this House is desired:

Bill S-5, an Act to amend and consolidate the laws prohibiting marriage between related persons; and

Bill S-10, an Act to revive Yellowknife Electric Ltd. and to provide for its continuance under the Canada Business Corporations Act.

* * *

BUSINESS OF THE HOUSE

Mr. Lewis: Mr. Speaker, I rise on a point of order. There have been discussions among the Parties. In order that the Member for Swift Current—Maple Creek (Mr. Wilson) does not lose his Private Members' Hour, I think if you seek the consent of the House you will find that there is unanimous consent to proceed to Private Members' Hour for 60 minutes and then revert to Orders of the Day, at which time the Government will call report stage of Bill C-19.

The Acting Speaker (Mr. Paproski): Is that agreed?

Some Hon. Members: Agreed.

The Acting Speaker (Mr. Paproski): Order. Will all Hon. Members who are not participating in Private Members' Hour please go behind the curtain.

It being 7.18 p.m., pursuant to order made Friday, June 12, 1987, the House will now proceed to consideration of Private Members Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--PRIVATE BILLS

[*English*]

CANADA LABOUR CODE

MEASURE TO AMEND

Mr. Geoff Wilson (Swift Current—Maple Creek) moved that Bill C-244, an Act to amend the Canada Labour Code (grain handling) be read the second time and referred to a legislative committee.

He said: Mr. Speaker, Canada has a mammoth handling and transportation system which moves grain from the Prairies to market. The well-being of much of western Canada hinges on the continued flow of this grain, particularly wheat, to export through the system by rail, road, river, canal and sea.

There are some 37 unions involved in the handling of grain between the farm gate and the port. They are involved in the country elevators, the railways, grain terminals, in the Seaway, in the St. Lawrence, the ports of Thunder Bay, Vancouver, Churchill and others.

They represent grain handlers, grain trimmers, grain inspectors, weighers and samplers, Seaway workers, lake carrier deck hands, mates and engineers, port stevedores, longshoremen, pilots, tugboat operators, railway trainmen, locomotive engineers, non-ops, shop craft workers and rail traffic controllers and various country elevator and grain service unions.

Obviously, there are a considerable number of employers as well, grain companies, railways, Seaway and port authorities, and so on. Any one of these groups represents a link in the chain, a link which is capable of breaking down and thus curtailing and upsetting the movement and flow of grain.

• (1920)

Canada exports more than 80 per cent of its wheat crop. It enjoys a reputation as an exporter and supplier to the world of high quality wheat. The Canadian Wheat Board, as the sole marketing agency for prairie export wheat, has been doing a good job in maintaining, and even expanding, Canada's share of the world market in the face of unfair and cutthroat foreign competition.

The European economic community and the United States are offering substantial export enhancement bonuses to reduce their surplus grain stocks and these programs have seriously undermined world grain prices. This in turn has devastating affects on our nation which is so heavily dependent on exports. It is a buyer's market. Importing countries value the quality of Canadian wheat, but they can get wheat elsewhere. Buyers do not have to put up with uncertainty of supply and delays in delivery. Should interruptions in our grain handling and transportation system occur which cause Canada to be unable to meet its obligations, then other grain exporting nations are quite prepared to step into the breach. Indeed, even the threat of labour or management induced interruptions in grain movement could lead to lost sales.

The Canadian Wheat Board, in effect, sells wheat to make sandwiches. The wheat has to be there to make tomorrow's bread. The nature of the business is that importers require large quantities on short notice. If the product is not on the shelf, then it simply will not be sold. In fact, the Canadian Wheat Board Commissioner Kristjanson is quoted last fall as saying: "The stoppages at Thunder Bay had resulted in a million tonnes of lost sales". He is further quoted as saying: "As things drag out longer, you lose more. There is no question in our minds that we lost sales, and substantial sales".

The major cost of these interruptions is lost sales opportunities. Other costs involve demurrage on the back-up following the stoppage, as well as additional rail costs in the case of seaway closures. Given the past history of stoppages in this country, this legislation—this Bill—or some derivative thereof, is absolutely necessary. There is nothing to be gained by adhering to the status quo. Inevitably, the parties, labour or management, will resort to government intervention, but only after weeks of misery, hardship and frustration inflicted on the rest of Canadians.

We can no longer allow management and labour to play out these games at the expense of the farm community and, indeed, all Canadians, particularly in times like these. Let no one in the villages, towns and cities of Canada think they are immune to the farm-income crisis. The viability of countless small businesses in the farm service sector depend on the prosperity of the farm community. Indeed, through lost tax revenue and increased farm support programs, a greater burden will fall on other Canadians to pay for the essential and necessary services expected from governments at all levels.

The question then is how much misery, how much cost and how much damage must the rest of us in Canada endure before a settlement must be imposed? Should it be two weeks, five weeks, six weeks? Obviously, there must be a point at which almost all Canadians will agree there has to be a better way. In seeking that better way, I put forward this Bill, not with any illusion that it is perfect or that there may not be better alternatives, but rather to stimulate some much needed debate.

Incredibly, Mr. Speaker, I found this topic has not been debated in this House other than during the usual back-to-work legislation imposed after the damage has been incurred. I believe the matter should be debated in the absence of the emergent conditions and not under the gun in reference to any particular crisis.

The purpose of Bill C-244, in essence, is to declare the handling, storage, transportation and shipping of grain an essential service. It would outlaw strikes and lock-outs in the grain handling and transportation industries and substitute instead a process of binding conciliation. The present mechanism for resolving grain handling disputes works this way: Section 180 of the Canada Labour Code lays out the regulation governing labour disputes in Canada's grain handling and transportation industry. Under the legislation, no union can strike and no employer can declare a lock-out when the normal collective bargaining process has broken down, unless a number of steps are taken, or at least considered by the federal Department of Labour.

If the process does break down, it is mandatory that the parties inform the Minister of that fact. The Minister may then appoint a conciliation board or a conciliation officer. If the resolution of the dispute is still elusive, the Minister may appoint a conciliation commissioner. The Minister may decide not to appoint a conciliation board or officer, or he may appoint a conciliation board or officer and not appoint a subsequent conciliation commissioner, if the over-all process is not aided by such an appointment.

The Minister may also decide to appoint a mediator without the invitation of the parties involved. In any event, the union attains the right to strike and the employer the right to lock-out seven days after either the Minister has notified the parties of his intention to appoint no conciliators in any form, or the Minister has released a copy of the report of the conciliation commissioner to the parties involved in the dispute.

Bill C-244, in brief, would amend the Canada Labour Code by adding a new subsection (3) in Section 180 forbidding strikes or lock-outs in the handling, storage, transportation and shipping of grain. A new Section 171 would make a conciliation report binding on the parties upon the release of the report to them by the Minister. A new Section 164.1.1 would enable either side to request the Minister of Labour to appoint a conciliator. There will obviously be those who oppose this Bill because they will see it as tampering with the right to strike, a right which some see as basic and inalienable, a right which others see as the tyranny of the few. I believe the time has come when this so-called right to strike—

Mr. Benjamin: How about the right to lock-out?

Mr. Wilson (Swift Current—Maple Creek): —or right to lock-out, as the Hon. Member suggests, has to be viewed against the background of a society which has come a long way from the days of the sweat shops and child labour. I think we have reached a point where the actions of a few can cause considerable harm and damage to the rest of society. It is clearly time that we reviewed the process.

I am not anti-labour. I am not anti-union. However, I think I have to be against work stoppages which cost all Canadians time and money.

Mr. Benjamin: So are the communists and fascists.

Mr. Wilson (Swift Current—Maple Creek): It is interesting that the critic of the New Democratic Party, who no doubt will have his say and expect his time to be uninterrupted, is so keen to interfere with mine. I guess it indicates that the position of the NDP is such that those Members not only need their own time but everyone else's as well. I suggest the Hon. Member nip out and answer a phone call from Bob White who will probably tell him what to say in the next few minutes.

Other critics will say this Bill is dangerous because conciliation may produce something worse than what the parties themselves will eventually conclude. These critics usually quote, erroneously, I believe, the Seaway settlement of 1966 as an example. It is a fact that the Seaway settlement in June 1966 gave a 30 per cent increase to Seaway workers. Because the Seaway was then a Crown corporation and had to have Government appropriations to remain in business, the settlement required Cabinet approval. Cabinet of the day approved the 30 per cent increase, an increase which was unheard of at the time, and the Seaway settlement made any attempt to settle other outstanding disputes between the railways and their non-ops impossible. The result was a disastrous string of fat wage settlements which set off the inflationary spiral in this country throughout the 1970s.

It is important to note that this all stemmed from a Cabinet decision to approve that particular wage settlement. It had nothing whatever to do with the conciliation process we are talking about here today.

Are you indicating, Mr. Speaker, a time problem?

The Acting Speaker (Mr. Paproski): The Hon. Member is only a couple of minutes over his time now. It is 10 minutes per speech.

Mr. Wilson (Swift Current—Maple Creek): With respect, I believe that under the new rules I am entitled to 20 minutes.

The Acting Speaker (Mr. Paproski): I am sorry, you are the first speaker. The first speaker does have 20 minutes. Every other speaker has 10 minutes.

I think we should bring to the attention of the House that this is under the new rules. Even the Chair sometimes has problems with these new rules which keep coming up. The first speaker on Private Members' Hour has 20 minutes. The balance of speakers have 10 minutes.

Mr. Wilson (Swift Current—Maple Creek): Mr. Speaker, Bill C-244 does not change the conciliation process which is already in the Canada Labour Code. It is a process which surely can be no more dangerous tomorrow than it is today. We are not talking about changing the process. We are simply suggesting that it be brought forward. The question therefore is: Should resort be had to the conciliation process later or earlier? I suggest that the time to bring it on is sooner in the process.

• (1930)

It has been suggested that this is not the time to bring on a Bill to amend the Canada Labour Code, that this could be misconstrued in light of current labour difficulties elsewhere. With respect, I can only suggest that at the rate we have stoppages in this country it will be impossible to find the right time.

This Bill was first read in January. It was drawn in the Private Members' lottery in April and it is now being heard. If anything, I believe the current letter carriers' dispute points out the problem that strikes, work stoppages and lock-outs occur far more often in the country than we can tolerate and emphasizes the need for us to find a better way.

I am not saying that this Bill is the best answer, or the only answer. I know only that the present system is fundamentally flawed. Obviously, the issue here is of fundamental importance and requires more than one hour of debate. Frankly, I would welcome a motion during this hour to refer the subject matter to a parliamentary standing committee for further study and recommendation. It may be that the Agriculture Committee would be the appropriate one in the circumstances. What is at stake here is Canada's international reputation as a supplier to the world of high quality wheat.

Many important farm organizations have pointed out the seriousness of the problem and have asked the Government to find a solution. The Keystone Agricultural Producers of Manitoba at its annual meeting of delegates adopted a resolution calling for the handling and transportation of grain to be declared an essential service. The United Grain Growers at its convention last fall called for the Government of Canada to make Canada's grain handling system an essential service. It also asked the Government to implement a system of binding arbitration with no strikes or lock-outs.

The President of the Western Canadian Wheat Growers recently issued a release in which he states:

> We must ensure the system which moves our product does not break down. Strikes or lock-outs will mean losses, either in reputation or, when stoppages are long, in sales. In this highly competitive market we can't afford either.

Today, we have a system that is subject to hostage-taking. Unions know that they will be able to play catch-up with large quantities of overtime. There may be times when it suits management to play these games as well. Past history indicates that governments will allow interruptions to last three, four or five weeks until everyone is ready to welcome a government-imposed settlement.

The fact is that strikes and lock-outs have occurred on such a regular basis in Canada that all of the players act in expectation of government intervention. The system is pre-programmed. I suggest it causes the parties to abdicate their responsibility. That being the case, let us have the Government intervene before the damage is done, before the movement of grain is disrupted, before Canada's reputation suffers, and before vital sales are lost. Surely, our society today ought no longer to tolerate a system held ransom to the demands of a few.

We have here a fundamental clash. It is whether the so-called freedom of a small group can be made to override the freedoms of everyone else in the country. Were the damage restricted to the parties alone, one could sit back and let them scrap. The fact is that the misery falls on the backs of all Canadians, primarily on the grain farmer who loses sales and pays demurrage, but also on all Canadians who will wind up having to pay more to help the grain sector survive.

We live in a highly sophisticated society. Our medical people are able to undertake organ transplants. Our scientists are able to put satellites into space. Our high-tech industry has displayed astonishing systems achievements. Yet in the area of the resolution of labour and management problems we are back in the Dark Ages. In the midst of our modern technology and sophistication we see the sad and lamentable spectre of management and labour beating each other on the forehead with rocks until one, or both, fall down.

The issue here is important. I believe it is deserving of more than one hour of debate. There may be better options put forward than Bill C-244. This Bill represents but one approach. There are a great many others. There are in existence specialty courts such as family courts, tax courts, criminal courts, and so on. It may be that we require labour courts. Perhaps we should resort to a two-envelope sort of system wherein the most reasonable of the two competing final positions is chosen. What is important is the recognition of the problem and the potential damage to the Canadian grain farmer and to the nation that flow from work stoppages in the system.

Should Members agree with me on this I urge them to pass the Bill or, in the alternative, to refer the subject matter of it to the appropriate parliamentary committee. I do not intend to use my full time because I know other Members want to speak and I am most anxious to hear what they have to say.

Mr. George Baker (Gander—Twillingate): Mr. Speaker, I think all Hon. Members can understand the frustration of the Hon. Member for Swift Current—Maple Creek (Mr. Wilson) when a strike takes place in an area such as one which deals with the movement of grain. It is a frustrating experience. In some cases it becomes very serious because it affects peoples' lives, their income and their entire future. I can understand why the Hon. Member would propose such an idea even if it is flawed somewhat, both in its premise and in its actual wording.

What I object to in the Bill is that the Hon. Member proposes two things. He says that the Minister shall appoint a conciliation officer, or a board, or a commission, and that the report shall be binding. He then says that no trade union of employees engaged in the handling, storage, transportation or shipping of grain shall declare or authorize a strike anywhere in the country. In other words, no shipper of grain, which includes not only rail but ships, trucks and everything else, involved with the transportation of grain can authorize a strike, and that the report of the conciliation officer shall be binding.

According to the Bill, the Minister would appoint the conciliation officer. So what do we have? For example, we could have a case of a railway about which the Hon. Member is talking and which the Minister can order to cut its expenditures. He could order that CN should decrease its deficit. The Minister could order that after receiving approval from Treasury Board. He is the one who has to make sure that CN meets the projections of the Minister of Finance (Mr. Wilson) who presents in his Budget the decrease of the deficit of the transporter of grain. Then the Minister would turn around and decide who will be the conciliation officer who will present the binding report. The employees have absolutely nothing to say about this. In other words, the right to strike is removed.

No matter how we look at the situation the right to strike has always been a powerful tool that unions have to force action from governments and employers. So in the case of, say, the Post Office today, or Canadian National today, there are similar situations. There is Treasury Board and the Minister concerned organizing cuts in CN and in Canada Post. Then there are those corporations having to carry through with those cuts in their negotiations with their unions. But it is not the corporation that has decided on the cuts, it is the Minister who has decided upon them. It is Treasury Board that has decided on the cuts. Then along comes this Bill and the Hon. Member says that the Minister will then appoint the person who will decide what happens in the dispute. The Minister cannot appoint someone who is going to suggest the complete opposite to what the Labour Department has announced.

• (1940)

That is a basic flaw in this Bill. It is particularly flawed in the hands of a government in power such as we have today, the Progressive Conservative Government. The Progressive Conservative Government has a policy of "deficititis". That is what this Government suffers from: a policy of deficititis.

This Government orders transporters of grain to make cuts. It orders the transporters of grain to insist upon double shifts for their employees, to insist upon no wage increases. It issued the same order to Canada Post. Canada Post was told to tell its employees that there would be no wage increase this year; that next year they may get 2 per cent. Also, Canada Post employees have been told that any new employees are subject to a lower wage scale and will never achieve parity with present employees.

This Bill would replace the right to strike with binding conciliation. And who would appoint the conciliator? The Minister concerned. That would be completely unacceptable, Mr. Speaker, under any Government, even a Liberal Government, and particularly so under a Tory Government.

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, I rise this evening to join in the debate on Bill C-244, the Private Member's Bill of the Hon. Member for Swift Current—Maple Creek (Mr. Wilson), to amend the Canada Labour Code (grain handling).

During this debate I will speak on behalf of my Party and as one who, along with my colleague, the Hon. Member for Thunder Bay—Nipigon (Mr. Epp), represents the grain handling port of Thunder Bay, or the Lakehead, as it is known. The Port of Thunder Bay is where the last labour stoppage occurred, that having taken place last fall, when the members of BRAC, the grain handlers union, struck the Saskatchewan Wheat Pool and, in turn, were locked out by the remainder of the companies with operations at Thunder Bay.

I will be speaking against C-244. I think it is a simplistic solution to a very complex problem. It would be a fine world if we could just legislate labour-management relations. However, we cannot just wave the magic wand and have labour and management immediately agree on salaries and working conditions.

While agreements are sometimes achieved in the absence of strike or lock-out actions, the strike weapon must be available to protect workers from the whims of the company. Workers must be able to resort to the age-old right of withdrawal of services, which is what a strike is. It is a collective withdrawal of services arising from dissatisfaction with a given situation.

One of the trade marks of this Government has been its penchant to deal with important and necessary matters in entirely inappropriate ways. When skilful surgery is required, this Government tends to rely on a sledge hammer; when decisive action is required, this Government tends to become mired in confusion and indecision.

Consistent with this tendency is Bill C-244, a Bill which proposes to outlaw strikes and lock-outs in the grain handling industry in Canada. While the stated objective of the Bill—the stated objective being to protect Canada's farmers from even more financial hardship—is laudable and can be supported by everyone, the method chosen to meet it is unfair, poorly thought out, and unnecessarily confrontational.

The solution to the massive problems in our farming sector will not be found by creating hardship for other workers. Labour disruption, while unpleasant and extremely difficult for everyone concerned, is a crucial element in the free collective bargaining process.

I have yet to meet a striker who wants to be on strike. Strikers would prefer to be on the job providing their services in exchange for a regular salary. At times, however, the strike proves to be a necessary element in our system of free collective bargaining, a system which has drastically improved the working conditions and standard of living for most Canadians. By interfering in the collective bargaining process, Bill C-244 would do nothing but create a situation in which the parties do not have to bargain seriously, and that is in the best interests of no one.

In the last month, the Seafarers' International Union reached an agreement with the shipping companies operating on the Great Lakes. That agreement was achieved with the assistance of a mediator appointed by the federal Government. Yes, they rattled their swords and talked tough—but they achieved an agreement. The workers did not have to use the strike weapon; the employers did not have to use the lock-out weapon. But those options were available to both sides, thus forcing both to bargain seriously toward an agreement acceptable to both.

It is quite clear that the effect of Bill C-244 has less to do with protecting the interests of the farmer and more to do with union bashing. Since 1917, a span of 70 years, there have been only three work stoppages by grain handlers. Clearly, this is not where the threat to the incomes of farmers comes from. Instead of avoiding the issue by making grain handlers the scapegoat for the problems of our farming sector, government Members should be directing their energies to ensuring that this Government gets serious about treating the farm crisis as the real crisis that it is.

You will well remember the marathon debate that we had in this House this past spring, a debate which brought the country to focus on the plight of the farmers of this country. It was pointed out that while the Government was doing some good things, more was required. Instead of introducing legislation which would make the interests and the welfare of grain handlers secondary to those of other workers, government back-benchers should be encouraging this Government to begin treating all workers fairly and equitably, thus creating a climate in which workers and management can work co-operatively for their mutual benefit.

Not too long ago, we had a situation on the West Coast where the companies locked out their employees. While that lock-out was not restricted to the grain industry, the prairie elevators with terminals in Vancouver participated in that decision. They were part of the Employers' Council which decided to shut down the Port of Vancouver. That was a decision that hurt not only the worker but the farmers who wanted to move their products.

Perhaps the Hon. Member for Swift Current—Maple Creek might want to spend some time talking with the policy-makers for the pools, the management of the pools about their approach to labour relations. Perhaps he can find out why we no longer have any producers or any grain handlers managing those grain companies. Instead, we have accountants and bookkeepers, and personnel managers. We do not have people who got dirt under their fingernails raising and handling the crop over many years. Therefore, there is not the same kind of understanding about what makes an elevator tick or about what makes good working relationships between management and labour.

• (1950)

In conclusion, I hope the Bill will be rejected in principle by the House. I recognize that it will not come to a vote, but let us try to do something positive. Let us try to ensure that Canadian grain farmers can receive an adequate income, a fair price for their products, and can move those products at a reasonable price and in a way which will keep us competitive in the world. Let us not take it out on grain handlers who are only asking for a decent day's pay for a decent day's work.

Mr. Bill Gottselig (Moose Jaw): Mr. Speaker, I am very happy to take part in the debate and to support Bill C-244, standing in the name of the Hon. Member for Swift Current—Maple Creek (Mr. Wilson). I think it indicates the importance which western Canadians know must be given to the grain handling system. We in western Canada depend upon a reliable and efficient transportation system to move our grain and oilseeds to market.

As world wheat supplies continue to increase, and as other Governments continue to subsidize wheat exports, Canadian farmers are under increasing pressure to maintain, let alone to expand, their share of the world wheat market. In this very competitive environment, our grain transportation system has proven to be one of Canada's greatest assets.

The system is in a constant state of change. No matter at what part of the system one looks—the railways, the grain terminals, the transfer elevators, or lake transportation—new facilities are added, old facilities are closed; new handling and transportation concepts are introduced and old handling and transportation concepts are ended.

These changes improve Canada's ability to move grain quickly and efficiently from prairie farms to world markets, making the system an important link between producers and world grain markets. Of greatest importance to the changing

grain transportation system are the men and women who keep the rolling stock rolling. Many of these people come from farm backgrounds, especially those in the Prairies. They have family and friends who are farmers. They live in communities which are dependent upon the movement of grains and oilseeds to export position as quickly as possible. Their job prospects and their incomes are closely tied to the ability of grain producers to compete in world markets and to move grain to foreign customers. Yet, Canada's grain handling system is beginning to appear unreliable to our foreign customers.

Work stoppages, such as those instituted for Great Lakes shipping, and the increasingly strong threat of strikes or lock-outs threaten to undermine the reliability of Canadians to deliver grain.

I should like to quote from a Western Canadian Wheat Growers Association press release dated April 22, 1987. In part it reads:

> The Association is supporting the legislation because it does not believe farmers can afford any disruptions in volume movement for their product.

Bill Duke, Chairman of that association, said the following:

> Prices for our products are at all-time lows. Our only consolation is volume movement. This situation is likely to continue for some time. We must ensure the system which moves our products does not break down. Strikes or lock-outs will means losses, either in reputation or, when stoppages are long, sales. In this highly competitive market, we can't afford neither.

Under the present mechanism for resolving grain handling disputes, Section 180 of the Canada Labour Code sets out the regulations governing labour disputes in Canada's grain handling and transportation industry. Under the legislation, no union can strike and no employer can declare a lock-out when the normal collective bargaining process has broken down, unless a number of steps are taken or at least considered by the federal Department of Labour.

Section 180 of the Canada Labour Code goes some way toward decreasing the likelihood of a strike or a lock-out, but it does not give security to producers, customers, and western Canadians generally who are dependent upon grain exports.

As other speakers before me have mentioned, and as the Hon. Member for Swift Current—Maple Creek has said, this topic is too important to cover in one hour of debate in the Chamber. My colleague who introduced this Private Member's Bill mentioned that it may not be the perfect solution. It is certainly not the be-all or end-all, but his purpose in introducing the Bill was to raise the problem and begin discussions because the present system was not working.

The failure of the present system is evidenced by the present rotating mail strikes we are experiencing at the present time, as well as the tie-up in the movement of grain last fall.

In order to ensure that this very important and timely topic gets the full consideration it deserves, I should like to move, seconded by the Hon. Member for Lambton—Middlesex (Mr. Fraleigh):

> That the motion be amended by deleting all the words after the word "that" and substituting the following therefor:

> Bill C-244, an Act to amend the Canada Labour Code (grain handling), be not now read a second time but that the Order be discharged, the Bill withdrawn and the subject matter thereof referred to the Standing Committee on Agriculture.

The Acting Speaker (Mr. Paproski): The House has heard the terms of the amendment. I will accept the amendment and recognize the Hon. Member for Edmonton West (Mr. Dorin) on debate.

Mr. Murray Dorin (Edmonton West): Mr. Speaker, I should like to add my support to the motion which has been presented. Bill C-244, standing in the name of the Hon. Member for Swift Current—Maple Creek (Mr. Wilson), strikes at something which should be addressed by the House in a longer length of time than the one hour available to it today.

I believe the Hon. Member's opening remarks more than adequately presented the case. I do not want to take the time of the House to repeat what he said, but I should simply like to endorse it.

We are in a highly competitive world. International prices for commodities mean that we have little control over them. We need to maintain every advantage that we have.

Our farmers are the most efficient and productive in the world. Our disadvantage is in transportation—the difficulty and distance in getting a product to tide water.

The concept presented in the Bill is not anti-labour or anti-union. In fact, as was mentioned earlier, last year's labour dispute was a lock-out imposed by management. There is a difference when a strike closes down a whole system within a country and spreads the hardship far beyond either the company or the union involved. A work stoppage may be an effective way to settle a labour dispute between two parties when the battlefield is limited to the pocketbooks of the two sides and the public has access to alternatives. However, when there are no alternatives, surely there is a better way that is less costly for Canada and for society as a whole.

• (2000)

I support the notion that this matter should be studied by a parliamentary committee where all alternatives could be examined more closely than we are able to examine them in the one hour available today.

Mr. Ernie Epp (Thunder Bay—Nipigon): Madam Speaker, I appreciate the opportunity to join in debate on this proposal which attempts to end industrial stoppages in the grain trade. I particularly appreciate the opportunity because I am a Member of Parliament from the Lakehead where we do a great deal of the grain trade.

In the Lakehead, the activities of Lodge 650 of the Brotherhood of Railway, Airline and Steamship Clerks, known familiarly as BRASC, has been very important in the advancement of wages and working conditions of grain handlers. The proposal put forward by the Hon. Member to bring strikes and

lock-outs in this industry to an end seems to me to be a misguided effort to achieve certain objectives and specifically to ensure that the costs involved to producers in moving grain are restrained.

The suggestion that strikes or for that matter lock-outs have been used excessively in the grain trade to drive wages to levels which are out of this world and represent an unfair draw on the system seems to me to be quite an unfair suggestion for anyone to make. In Thunder Bay, the reality of which I can speak with some authority is that Lodge 650 of BRASC has been a responsible union representing the interests of its members, workers in the grain trade. In all the years back to the end of the Great War in 1917, there have been only three strikes brought about by the union. That on the very face of it is evidence of a responsible union.

To recognize the fact that the union has been forced to strike occasionally in those years, and on one occasion which was not very long ago, is to recognize that relations that exist in this industry have not always been of the sort that they should be. I think particularly of the fact that several grain companies in Thunder Bay sought two years ago to involve the Government of Canada and Parliament in the industrial relations context, and that was one of the most objectionable features of the situation.

There is nothing gained when there is a breakdown in industrial relations. We want responsible action on the part of the union and on the part of the employer. We want a fair meeting of the two sides at which the union considers what the membership needs and gives due regard to the situation in the industry and the possibility that the industry is able to afford increases in wages or improvements in the benefits package. The union pays due attention to those matters because, after all, if it miscalculates, it can have a disruptive effect on the industry. The union will itself have resources including economists and others to help it put forward a sound case.

On the other side, we expect the employers to give due attention to the situation faced by their workers at the same time as they consider their own potential ability to pay for an improvement in wages or benefits packages. To propose that this proper development in industrial relations should be disrupted in the way put forward by the Hon. Member by outlawing strikes and lock-outs is to impose on workers a peculiar kind of slavery in the workplace that I believe has no place in a free society. After all, the right to withdraw one's services in order to make a point in the mind of one's employer surely must be one of the fundamental rights that workers have always had. To deny the workers the right to stop work and ask their employers to consider their situation, to recognize the fact that wages need to be improved, is surely to depart from the kind of liberal-democratic society we are trying to build and foster in Canada, the kind of society that the Charter of Rights and Freedoms of 1982 was surely designed to strengthen.

One might note in passing the lamentable fact that the courts have refused to recognize the right of association and its consequences as being quite fundamental to society. They have refused to recognize that if the right of association is to mean anything at all, it must include the right to strike, the right to step away from the workplace and tell the employer to consider the situation and improve salaries, benefits and working conditions. To deny that right is surely to subject workers to some kind of slavery.

As someone who grew up on a farm, I would suggest that the imposition of that kind of subjugation in the workplace comes particularly poorly from those who speak for farmers. Obviously farmers work incredibly hard for part of the year and, particularly if they are involved in grain farming, have an opportunity to step away from it, to enjoy curling in the winter or whatever it may be. To demand that the workers at the grain elevators in Thunder Bay, Vancouver, Prince Rupert and Churchill should be subject to the call of their employers without any right to ever break off work in order to consider what they are being subjected to is surely not a principle that anyone would really want to put forward seriously.

I really do believe that the private members of the Conservative caucus who are speaking in support of this proposal are forgetting the principles to which they spoke so strongly in opposition. Very often, they presented themselves as the stoutest defenders of Parliament's rights and of democratic principles. To refuse to recognize the implications of those principles, to try to deny them to workers in Thunder Bay and other cities, seems to be manifestly unfair, particularly when this sort of interference in industrial relations prevails. It is to deny the kind of respect that the former President of Lodge 650 who is now the President of the national union, Frank Mazur, gained over the years from the company and for that matter the kind of respect that he felt for many of the people in the industry with whom he had to deal. They had worked out a good relationship, the kind of relationship that can be evidenced by only two work stoppages in the past two decades. The fact that that only occurred twice was an indication of good industrial relations which, it seems to me, is a real accomplishment.

• (2010)

One of the reasons that I found the lock-out and strike so objectionable that fall was that the employers were very clearly looking to the Government to pull their chestnuts out of the fire, to try to save the situation, to impose something on the worker. That is something we should never do. We should ensure that relations remain between employers and unions at the workplace without any interference of the type which the Member has put forward this afternoon.

Mr. Gordon Taylor (Bow River): Madam Speaker, the original purpose of a strike was to force the employer to be more reasonable. The original purpose of a lock-out was to force employees to be more reasonable. The difficulty is that while strikes and lock-outs today may hurt the employer or employee a little, they hurt third parties a lot.

That is the difficulty with the strikes which have taken place in the grain handling industry. They hurt the farmer who has no way of forcing the people to work or settling their arguments, yet is the one who takes the loss, sometimes permanently. As a matter of fact, as a result of one of the strikes, the prairie farmers lost their pearl barley market and never got that market back. It was lost permanently because of that strike at the West Coast. The producer is the one who is really hurt.

Consequently, in my view in cases like this grain-handling should be considered an essential service. Four or five thousand farmers should not suffer because a handful of people cannot settle their differences. I think compulsory arbitration is the real answer. This is an essential service and there should be neither lock-outs nor strikes. They should be required by law to settle their differences through compulsory arbitration. The farmers are the ones who are hurt and they should not be hurt. People who have nothing to do with the causes of the strike or the lock-out should not be hurt.

Mr. George Henderson (Egmont): Madam Speaker, my remarks will be very brief. As the Official Opposition has pointed out, we do not support the Bill which is presently before the House. However, what is wrong with referring it to a committee for further discussion? Surely to goodness no Member in the House would object to that, unless perhaps members of the NDP.

Mr. Jim Fulton (Skeena): Madam Speaker, I am pleased to have an opportunity to speak on this Bill. As my colleague, the Member for Thunder Bay—Nipigon (Mr. Epp), pointed out, it is interesting to hear how much those on the government side have changed ground since they were in opposition. I think all Members of the House know that if we made strikes by grain-handlers illegal, illegal strikes would take the place of legal strikes because workers in that industry have very real safety concerns to deal with.

I represent a number of grain-handlers. Grain moves from the Peace River country, northeastern British Columbia and northwestern Alberta, as well as from other areas of the Prairies, through Prince Rupert. Safety questions have long been a pressing issue for grain-handlers in Prince Rupert, Vancouver, Thunder Bay and other parts of the country where grain is handled. The points being made by the government side are well understood. The Member for Bow River (Mr. Taylor) has pointed out that in many situations farmers end up as the innocent victims severely hurt by protracted strikes.

Speakers on the government side seem to have forgotten what this place is for. When there are protracted strikes in the grain-handling sector or others this place has the responsibility to deal with that. Government Members want to pass legislation saying that grain-handlers and the rail trade are essential services and cannot strike. How far would private Members of the Government go toward banning strikes and defining essential services? That is something upon which we must reflect.

Mr. Wilson (Swift Current—Maple Creek): Madam Speaker, I rise on a point of order. The debate is on an amendment to refer this matter to committee. I would appreciate if the Member would sit down and allow Members to vote on it.

The Acting Speaker (Mrs. Champagne): That is not a point of order and I am surprised to see the Hon. Member rising from that part of the House. The Hon. Member for Skeena (Mr. Fulton) has the floor.

Mr. Fulton: Thank you, Madam Speaker. That certainly was not a point of order, as those of us who have been around here for a while are well aware.

I want to take a few moments to deal with the real issue which is most often the most contentious one in negotiations between employers and employees in the grain trade. As I said, safety is a very real issue when dealing with large and heavy locomotives and boxcars which are being unloaded, even at the state-of-the-art grain terminals such as the new one in Prince Rupert.

At the old terminal in Prince Rupert, older cars used to be unloaded from the belly. The dust problems which existed for more than half a century at that elevator were only dealt with when very strong action was taken by the workers in that facility who knew of the problems with the build-up of grain dust. Many workers have lost their lives because of explosions at elevators in Vancouver. There have also been difficulties over the years in Prince Rupert.

The point which must be decided upon is whether a piece of legislation should be passed making grain-handlers an essential service and making it illegal for them to strike. When serious issues such as safety matters and others such issues are not being properly addressed, the only option left to the workers would be to have an illegal strike. In that situation the whole issue would end up back before the House anyway.

The Acting Speaker (Mrs. Champagne): The hour provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 42(1) the order is dropped from the Order Paper.

GOVERNMENT ORDERS

[*English*]

MOTOR VEHICLE TRANSPORT ACT, 1986

MEASURE TO ENACT

The House proceeded to the consideration of Bill C-19, an Act respecting motor vehicle transport by extra-provincial undertakings, as reported (with amendments) from the Standing Committee on Transport.

The Acting Speaker (Mrs. Champagne): The Chair would now like to rule on the report stage motions in amendment to

Bill C-19. There are 10 motions on the Notice Paper in amendment to Bill C-19, an Act respecting motor vehicle transport by extra-provincial undertakings.

[*Translation*]

First, since Motion No. 1 was voted on and rejected in Committee, it will not be selected for debate.

[*English*]

Motions Nos. 2, 2A and 3 seek to amend Clause 8, which deals with the issuing of trucking licences for extra-provincial undertakings. Therefore, these motions will be combined for debate but voted on separately.

[*Translation*]

Motion No. 4 will be debated and voted on separately.

[*English*]

Motions Nos. 5 and 6 seek to add new areas which can be regulated by Governor in Council, namely, terms of credit for payment of freight charges and penalties relating to predatory activities in transportation.

Motion No. 7 adds a new clause to the Bill which would allow provincial transport boards to carry out investigations into tariffs. This clause also contains new definitions. The provisions in these three motions clearly go beyond the principle of the Bill as read the second time and introduce new concepts into the Bill. I must, therefore, rule the motions out of order. In doing so the Chair is supported by citation 773(1) of Beauchesne's Fifth Edition to which I refer Hon. Members.

[*Translation*]

Motion No. 7A will be debated and voted on separately.

• (2020)

[*English*]

Finally, Motion No. 8 was moved and negatived in committee and will therefore not be selected for debate.

Mr. Les Benjamin (Regina West) moved:

Motion No. 2:

That Bill C-19, be amended in Clause 8 by striking out lines 36 and 37 at page 4 and substituting the following therefor:

"satisfies the board that there are reasonable grounds to believe, the operations of the".

Hon. Robert de Cotret (for the Minister of Transport) moved:

Motion No. 2A:

That Bill C-19, be amended in Clause 8 in the French version by striking out line 38 at page 4 and substituting the following therefor:

"*camionnage extra-provinciale faisant l'objet de la demande de licence est susceptible*".

Mr. Iain Angus (Thunder Bay—Atikokan) moved:

Motion No. 3:

That Bill C-19, be amended in Clause 8 by striking out line 15 at page 5 and substituting the following therefor:

"taking or not, while at the same time accounting for the impact on the continued viability of existing motor carrier undertakings; and".

Mr. Lewis: Madam Speaker, I rise on a point of order. Prior to debate on the amendments, there have been discussions among the Parties and I think we have agreement for the following proposition: That debate will now commence on report stage of Bill C-19, that all recorded divisions requested this evening will be deferred until 3.15 p.m. tomorrow; that consent will be given to proceeding to third reading on Bill C-19 tomorrow, and upon the completion of report stage this evening the House will adjourn until 2 p.m. tomorrow.

Mr. Angus: Madam Speaker, I just want to confirm that we participated in these discussions and are in agreement with the proposal put forward by the Hon. Member.

Mr. Gauthier: Madam Speaker, my understanding is that the arrangements that are proposed are acceptable, but I would have to check with my critic for just 30 seconds before I give my full consent.

Mr. Lewis: I think that is agreeable. I can understand that perhaps this evening that may not have been finalized. I suggest that we commence debate on the amendment. I will confirm it with my colleague and make an intervention when the Member has finished.

The Acting Speaker (Mrs. Champagne): Is there consent for us to commence debate?

Some Hon. Members: Agreed.

Mr. Baker: Madam Speaker, the clause under debate is Clause 8.

Mr. Angus: Madam Speaker, I rise on a point of order. It is my understanding that the first motion we are dealing with is in my name.

The Acting Speaker (Mrs. Champagne): It is in the name of the Hon. Member for Regina West (Mr. Benjamin).

Mr. Angus: Perhaps, as a matter of process, the Member for Regina West (Mr. Benjamin) should be allowed to introduce his motion by speaking to it, and then other Hon. Members can speak to it.

Mr. Baker: Madam Speaker, I did not see the Hon. Member stand. If he wishes to stand, I will certainly yield.

The Acting Speaker (Mrs. Champagne): The Chair certainly did not mean to keep the Hon. Member for Regina West from introducing his motion. As was noted by the Member for Gander—Twillingate (Mr. Baker), the Hon. Member had not risen. I will gladly recognize him now.

Mr. Benjamin: Madam Speaker, it is the one and only occasion when my hon. friend was quicker on the draw than I.

In any event, this Bill should not be before the House. Those who appeared before the Transport Committee which studied

this Bill, including the Canadian Trucking Association, which is the major player in this legislation, pleaded with the Government not to proceed with this Bill until a new highway safety code was in place, until a national highways board was in place, and until all ten provinces, the territories and the federal Government arrived at a common and reciprocal agreement.

All members in the committee agreed that it was nonsense for a trucker to be required to get licences and operating authorities from 10 provinces and two Territories and from the federal Government if he was going across the line. I understand the federal Government vacated that requirement and turned it over to the provinces. That is what will theoretically happen according to Bill C-19.

The Canadian Trucking Association asked to have the national standards and safety provisions agreed upon and implemented by the provinces, the territories and the federal Government. Subsequently, if the Government wants to deregulate the trucking industry, it can do so.

Furthermore, the trucking industry which is comprised of responsible, long-established carriers, made several complaints to the committee in several locations in Canada.

I will never forget one senior officer of a major national trucking company in Canada who told me in Vancouver that he is yet to have a provincial or federal government inspector come to check his mechanics, his garages, his bookkeeping, the hours of work of his drivers or anything else.

He wanted them to ensure they were doing everything properly. More important, he wanted an inspection of the fly-by-night operators who can start business under deregulation, simply by conning a banker into giving a loan, then renting some tractors, buying insurance and hiring laid-off drivers at one-third their previous pay. Then they are in business. They have no mechanics or garages. That is what the Government calls "fit, willing and able". But, Madam Speaker, they are unfit. Because they are unfit, the willingness has nothing to do with it. Because they are unfit, they are not able to be on the highways of this country. Look at the record in British Columbia. Last fall the RCMP and the British Columbia Department of Transport, and its Highway Traffic Board, shut down Highway No. 1, the Trans-Canada, near Golden, British Columbia, and checked every truck and one third of those drivers had to be taken off the road.

• (2030)

The Government has no business proceeding with this Bill until all these other matters are in place. There can be no justification for proceeding with this legislation. The amendments of my colleague, the Hon. Member for Papineau (Mr. Ouellet), and myself do nothing more than try to preserve and protect that kind of safeguard in highway transportation. Surely that is not too much to ask. By the way, it is not just the Canadian Trucking Association asking for this. Many others have said: "Look. Do not do it". The last head of the Interstate Commerce Commission in the United States appeared before our committee as a witness. He said: "For goodness sake, do not make the mistakes we did. Put all these other things in place before you deregulate". The difference between Canada and the United States is that every individual state under its constitution can regulate every trucking company.

Because of this legislation, plus the previous Bill C-18, what an American trucker can do in Canada, a Canadian trucker cannot do in the United States. We can go to the State of New York and Washington, D.C. and talk to Canadian truckers and have them tell us what happens to them when they enter those states. It has nothing to do with the U.S. administration. It has nothing to do with Congress, the Senate, or the House of Representatives. The State of New York places strictures on the Canadian trucker that the Government of Canada cannot do on the U.S. trucker. That is what is going on. Why would the Government be so stupid as to bring in this kind of a Bill now?

Witness after witness, as well as members of the opposition Parties, and some great friends of the Progressive Conservative Party said not to do it yet. They said to put all the other things in place, get all the regulations nailed down, the 10 provinces, the two Territories and the federal Government, and not to bring in Bill C-19 until all those other things are established. Would you believe, Madam Speaker, they will need 200 or 300 more inspectors. The federal Government has agreed to put up a lot of the money, but none of it is in place. There are no inspectors. By the way, one does not pick them up at your average Canada Employment Centre. We do not get those people off the shelf. We have to have someone who knows the difference between an axle, a differential and a diesel engine. Those people cannot be put in place overnight. In fact, that could not happen in less than six months, if we are lucky.

This Bill has no business being called now. It is not the first time the Government had a Bill on the Order Paper for a year, let it die there and put it on again the next year and still did not deal with it until the end of the second year.

Here is an instance where I would agree with the Government. If it takes this Bill off the Order Paper, we will wait another year. That is what was asked for by the Canadian Trucking Association. That is what was asked for in committee by numerous witnesses. This is not the time.

If the Government will not tell us now that it will not proclaim this Bill until all those things I have mentioned are in place, then we have no alternative but to oppose the Bill. If it holds off proclamation until all those other things are in place, the Government might have less trouble tonight and tomorrow.

* * *

BUSINESS OF THE HOUSE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Madam

Speaker, there have been further discussions among the Parties and I think we have a proposal which will meet the agreement of the House. I will start from the beginning, if I may. I move:

That, notwithstanding any Standing Order of this House, the taking of any recorded division deferred at the report stage of Bill C-19, an Act respecting motor vehicle transport by extra-provincial undertakings, later this day, shall be further deferred until the completion of "Routine Proceedings" on Wednesday, June 17, 1987;

That upon completion of the report stage of the said Bill, the House shall proceed to Government Orders;

That should a recorded division be demanded on the motion for third reading of Bill C-18, an Act respecting national transportation, on that day, it shall be deferred until the completion of "Routine Proceedings" on Thursday, June 18, 1987;

That the Order for third reading of Bill C-19, An Act respecting motor vehicle transport by extra-provincial undertakings, be called on that day, and that, should a recorded division be demanded on the motion for third reading, it shall be deferred until the completion of "Routine Proceedings" on Thursday, June 18, 1987;

That upon the completion of the debate on the motions at the report stage of Bill C-19, later this day, or at 10.00 o'clock p.m., whichever comes first, the Speaker shall adjourn the House until the next sitting day;

Mr. Gauthier: Madam Speaker, this may sound complicated but it is indeed the agreement which was reached through the great co-operation of all three Parties. I would just like to ask one question. The vote on third reading on Bill C-19, when it is deferred tomorrow evening, will the House stand adjourned at that time?

Mr. Lewis: Yes, Madam Speaker, my friend has picked up an element of the transaction which was agreed to and which I omitted, that is, the items of business tomorrow would be Bill C-18 and Bill C-19 at third reading stage, and the Government would have no intention of calling any other business. The House would then stand adjourned when the debate on Bill C-19 was completed.

Mr. Angus: Madam Speaker, I just want to indicate that we are in agreement with that proposal. Perhaps that would allow certain long-term Members of this House to spend their time appropriately.

The Acting Speaker (Mrs. Champagne): Does the Hon. Parliamentary Secretary have consent of the House to introduce this motion?

Some Hon. Members: Agreed.

Mr. Benjamin: Madam Speaker, now that we have gone through all this procedural stuff—

Mr. Gauthier: We have not finished. You had better sit down.

Mr. Benjamin: On a point of order, I just wanted to ask, once all these procedural agreements are over with, can I get to give my speech again?

The Acting Speaker (Mrs. Champagne): The House has heard the terms of the motion. Is there agreement of the House?

Some Hon. Members: Agreed.

Motion agreed to.

GOVERNMENT ORDERS

[*English*]

MOTOR VEHICLE TRANSPORT ACT, 1986

MEASURE TO ENACT

The House resumed consideration of Bill C-19, an Act respecting motor vehicle transport by extra provincial undertakings, as reported (with amendments) from the Standing Committee on Transport.

Mr. George Baker (Gander—Twillingate): Madam Speaker, the amendments under debate at this particular moment in time have to do with Clause 8. There are three separate motions, as I read it, under debate. This is a Government which purports to be working with the provincial Governments, a Government which purports to be working with the transportation industry. This is from a Government that says it will consult and that it has consulted. It states in Clause 8 that the provincial transport board in each province "may" issue a licence. That is the first part of Clause 8.

• (2040)

It must be kept in mind that the provincial Departments of Transport have said no to this Bill as it stands without a national safety code included. The clause does not state that it can issue a licence, or that the Government will not object if it does issue a licence but that it "may" issue a licence. In fact, this is the federal Government speaking to the provincial Governments which have not agreed to this legislation unless a safety code is put in place.

Clause 8(2) states that the provincial transport board in a province "shall" issue a licence. In effect, this is from the federal Government which is passing a law affecting the provincial Governments when the provincial Governments have said no to the Bill unless a safety code is brought in.

If that were not bad enough we must contend with subclause (3) of Clause 8. It is stated in that clause that the provincial transport board is "authorized" to hold a public hearing. I ask Hon. Members to imagine the Government saying to a provincial transport board: "Yes, you can hold a public hearing". It then states that the board shall not hold a public hearing with respect to an application for a licence referred to in subclause (2). This is legislation put forward by the federal Government which does not have the agreement of the provincial Governments to bring in such regulations. It goes so far as to say that the board, that is, the provincial transport board, shall not hold a public hearing. This is from a Government which says: "We consult. We agree with what the provinces say".

If that were not bad enough, there is Subclause (4) of Clause 8 to contend with. That subclause states that the provincial transport board is not required to issue a licence referred to in subclause (2). This is again from the federal Government which is telling a provincial board what it has to do when it does not have the agreement of the provincial governments.

Then in Subclause (5) it is stated that a provincial transport board "shall" and in Subclause (6) it states that the provincial transport board "may not".

What is wrong with this Bill? It is obvious what is wrong with it. It is a gigantic intrusion into provincial jurisdiction without the approval of provincial boards.

I could not care less if it were without the approval of the provincial Governments but with the approval of the people affected in the provinces. Here we have the Government pointing out that there shall not be public hearings, that a province may, a province shall, a province ought to. The Government has done this without the approval of the provincial Governments, without the input of local truckers or the input of the local people who have to pay for their services.

In effect, this is a Bill which will say to poor Newfoundland, Nova Scotia, P.E.I. and British Columbia—the extremities of the country: "You will no longer have the control that you had over who delivers goods and services in your area of the country. You are going to accept what we say. We even lay down for you what your provincial boards can and cannot do. We will not stop there. We will say whether you can have public hearings or not".

That is an outrageous intrusion not only into provincial jurisdiction but into the jurisdiction of the public. The jurisdiction of the public deals with having a say over what its transportation network will be like, whether or not it will have to pay more for the transportation of its goods, whether or not there will be one trucker left in Newfoundland, Nova Scotia, Prince Edward Island or British Columbia.

When there are large trucking outfits that can travel the country it is obvious that under this legislation they will be controlled by federal jurisdiction which is imposed at the provincial level. Basically, I would have to say that with the three amendments that are put forward by the Hon. Member for Regina West (Mr. Benjamin), the Hon. Member for Thunder Bay—Atikokan (Mr. Angus) and the Minister of Transport (Mr. Crosbie) the Government of Canada is surpassing the bounds of good judgment when it comes to relations with the provinces and relations with the people who live in those provinces.

The board referred to in Clause 8 is normally referred to in most provinces as a public utilities board. There are different names for it in different provinces. A trucker will go in and apply to that board for a licence. Sometimes within provinces the board has already issued licences to companies that are established in that area, or to companies which normally provide service in that area.

The boards also work with the Departments of Finance to regulate the movement of trucks. That is what this board referred to in this particular clause in each province does. These boards even make regulations pertaining to a trucker buying gasoline.

A trucker cannot fill up his truck with gasoline in the State of Maine and go through four or five provinces without paying sales tax on the gasoline in that truck. That is what the weigh scale stations are for. We often wonder what they are for. They are not just to weigh the commodities in the trucks. They are there to measure the amount of gasoline that is in a truck's tank. The people at the weigh station ask the truckers where they are going in their particular province. If the trucker says: "We are going on this particular road for *x*-number of miles and we are not going to buy any gas or oil for the truck", then the department in the particular province will compute the amount of tax one would have to pay if one had purchased one's fuel in that particular province. Every trucking company knows about that.

The reason this is done is that it might be possible to find some trucks with a couple 100-gallon tanks on either side and the trucker has gassed up in the State of Maine. In Maine we do not have to pay the taxes that we pay at the provincial and federal levels in Canada. The price of gasoline is much cheaper since the oil has been exported by Canada to the United States to be refined.

In this clause the federal Government makes a massive intrusion into provincial jurisdiction. What we strongly object to is that it is without the approval of the provincial government and without the adoption of a national safety code. The federal Government says: "No public hearings. You will not have a say, general public, in Newfoundland, Nova Scotia, Prince Edward Island or British Columbia. It is the Government of Canada. Here is what we are dishing out. Take it whether you like it or not".

• (2050)

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Madam Speaker, I am pleased to respond to the points raised by the Hon. Member for Regina West (Mr. Benjamin) and the Hon. Member for Gander—Twillingate (Mr. Baker).

The whole question of motor vehicle transport in Canada has always been a complex one, given the federal-provincial jurisdictional split. Over the years, as our society has become more sophisticated, motor vehicle transport has become increasingly complicated.

All of the studies done over the years indicated the need for a federal-provincial agreement in this area. I am referring here to studies done by the Economic Council of Canada going back to 1978, interdepartmental studies conducted under the auspices of the previous Government, as well as the many studies conducted by the provinces.

In February of 1985 we had a memorandum of understanding signed by the federal Government and the provinces as to how this matter should be resolved. It was an 11-government agreement. All parties agreed that we had to get our act together.

In the light of that, I cannot understand the remarks of my hon. friend, the Member for Gander—Twillingate. Bill C-19 flows from that 11-government agreement.

While we have always had safety guidelines in place, they have been diverse and diffuse. Again in this area all of the 11 Governments came together, with a memorandum of understanding on a national safety code being signed in March of this year. There was unanimous agreement that when Bill C-19 comes into force on January 1, 1988, over 50 per cent of that national safety code will be in place—and that, in itself, is an enormous improvement over the existing situation. There is agreement that the balance will come into effect by January 1, 1990.

It is in that context that Hon. Members should be considering Bill C-19. To be quite frank, I am at a loss to understand some of the points raised.

It is true that the Canadian Truckers' Association, the driving force behind the unanimous agreement, has expressed some doubts with respect to the national safety code. It is the view of that association that it may be that it would be best to have the entire code go into effect at the same time.

However, the Government, with the concurrence of the committee, believes that the wiser course would be to put it into place as it is ready. It can always be added to or amended over the course of time.

This Government has lived up to its commitment to make safety the number one priority. Hon. Members will be aware that we now have a new Aeronautics Act and a new Canada Shipping Act. As well, we now have in place regulations governing the transport of dangerous goods. In 1984, there were 1,030 safety inspectors in place. Today, we have 1,156, and there will be more added as time goes on.

We are in the process of drafting a new rail safety Act. We have the response to the Foisy report. We are drafting a new transportation accident investigation board Act. As well, the new National Trucking Safety Code will be 50 per cent in force on the proclamation of Bill C-19, with the rest coming into force within a few months following its proclamation.

The concerns with respect to safety are misplaced. They got into problems in the U.S. because they chose to deregulate everything, everywhere, and all at once, all in the absence of having any agreements in respect of safety in place. That is not the case in Canada. We are not doing that at all.

Mr. Benjamin: You sure are; you are just doing it slower.

Mr. Thacker: We are not doing that at all. Bill C-19 is, in effect, the safety code. It will place the standards of the national safety code under federal jurisdiction. Surely that is a sensible move.

The provinces will have identical powers to those of the states of the U.S. with respect to interprovincial transport.

During committee consideration of the Bill, the Hon. Member for Regina West put forth an amendment in respect of the treatment of Canadian truckers in the U.S., and that amendment was accepted by the committee. While our truckers have been very well treated in the U.S., Clause 17 was added to the Bill, giving to the federal Cabinet the right to retaliate in respect of any actions taken against Canadian truckers in the U.S. That is an enormous lever.

The committee did very good work on this Bill. A number of amendments were accepted. Regretfully, other than the one additional amendment from the government side, we are unable to accept the amendments proposed this evening. I repeat, the committee did good work, and I am proud of it.

Mr. David Orlikow (Winnipeg North): Madam Speaker, as the Member of Parliament for Winnipeg North, Winnipeg being a city to which transportation, whether it be by air, by rail, or truck, is of utmost importance, I could not let this debate come to a close without saying a few words.

In bringing forth this Bill, we see a Government so blinded by its ideology that it ignores the warnings and the questions raised by every sector of the community. The trucking industry has raised serious objection to this Bill. It has urged that deregulation not be proceeded with until a number of very important questions have been answered.

The Province of Manitoba itself has raised some major concerns in respect of Bill C-19.

Deregulation in the trucking sector, as deregulation for the railways or the airlines, may bring benefits to the major centres of this country, but not to the regions. While it may result in cheaper rates and better service in the Quebec City-Windsor axis, while it may result in benefits in terms of the traffic between Calgary and Edmonton, it will do nothing for the northern communities of this country, the farming communities, the cities off the mainstream, such as Lethbridge, all of which will suffer very seriously as a result of this mania for deregulation, regardless of its consequences.

The Parliamentary Secretary has implied that all the provinces have agreed to the provisions of Bill C-19. I have here a letter from the Manitoba Minister for Highways and Transportation analysing the defects in the Bill and raising some very serious questions about it, questions which were ignored by the Government in bringing forth Bill C-19.

The letter is addressed to the federal Minister of Transport (Mr. Crosbie) and is dated August 8, 1986.

I shall take a moment to go over some of the questions raised in the letter. Before doing so, let me again point out to the Parliamentary Secretary that not one of the questions raised by the Minister of Highways and Transportation for the

Province of Manitoba has been answered by the Government or dealt with in the Bill. As well, he knows very well that the provincial and national trucking associations have raised serious objection to this Bill, for a variety of reasons, none of which have been satisfied.

I remind the Hon. Member that the trucking companies in Manitoba headquartered around Steinbach are among those who have raised very serious objection to this Bill. These are people from whom, in my wildest expectations, I would never expect a vote for the New Democratic Party.

• (2100)

Let me just put on record some of the observations of the Manitoba Minister of Highways and Transportation. In his letter he wrote:

—the new National Safety Code and Fitness Entry Test are not adequate on their own to ensure an appropriate level of highway safety—

The Parliamentary Secretary said that safety would be ensured, but this was from a Government which cut back on the number of public servants in every area. We do not have the same number of people to inspect trucks to ensure that they are structurally sound or to ensure that truck drivers, in their need to meet competition, do not drive 18 hours or 20 hours at a stretch. It is this situation in the United States which has led to many accidents.

Also the Minister wrote:

—small and remote communities and small shippers will not receive adequate service and will be subject to excessive price discrimination, without intervention—

If we let anybody and everybody who has a truck compete for some of the rural communities in the Interlake part of Manitoba or in The Pas-Flin Flon-Thompson area represented by the Hon. Member for Churchill (Mr. Murphy), it will not be very long before prices are so competitive that some of them will go out of business and we will have no regular, assured service.

Also the Minister wrote:

—American trucking giants are likely to dominate Canadian and trans-border trucking markets to the detriment of our national interest—

Canadian trucking companies, which did relatively well in getting business in the United States when it deregulated, now realize that the American companies have a market 10 times the size of the Canadian market and are being forced, because of deregulation in the U.S., to operate under cut-throat competition. They would be very happy to move into the Canadian market. They are so much bigger than Canadian trucking companies that our companies are frightened, with justification, that they will be driven out of business.

Then the Minister indicated:

—cutthroat competition will result in instability in the trucking industry and undue exploitation of trucking employees.

The reasons for the Minister saying that are obvious. That is precisely what will happen if we have free, unfettered competition.

With the desire to stay in business, prices will be cut, safety will be ignored, and the hours which truckers drive without stopping will be lengthened, and we will have the inevitable results—more and more accidents.

I should like to refer to some of the other concerns expressed by the Manitoba Minister, none of which were answered in the Bill.

He wrote that the following be considered:

—all shippers, particularly small shippers and those located in small and remote communities of Canada, receive adequate service at rates that are not excessively discriminatory—

Obviously the Minister is worried about small communities. If, in order to keep some of the business, trucking companies must cut their prices between main centres in Canada or between main centres in Canada and the United States, obviously they will make up their losses in that very competitive market by increasing prices or cutting services to smaller remote communities. He also wrote:

—the Canadian trucking industry is sufficiently stable and viable.

That needs to be assured before we proceed with deregulation. He went on to say:

—the Canadian trucking industry is in a position to compete on even terms with foreign carriers—

That should have been assured before we proceeded with deregulation. He continued by indicating that a minimum level of Canadian control of the trucking capacity in Canada should be assured.

We have had thousands of takeovers, and there will be increasing take-overs by American companies of Canadian trucking companies. Canadian sovereignty will be lessened. Then the Minister suggested that we needed the following:

—an appropriate balance of trade in trucking services with foreign nations—

We are sitting a few miles from a country which has a population 10 times the size of Canada's. He also indicated that appropriate working conditions and levels of remuneration for those employed in trucking and an appropriate level of highway safety in Canada must be assured.

I know that our time is limited, but I should like to say that the Bill does not meet any of the necessary conditions mentioned by the Manitoba Minister of Highways and Transportation before we proceeded with it. This is why we are opposing the amendment.

The Acting Speaker (Mrs. Champagne): The Hon. Parliamentary Secretary to the Minister of Transport (Mr. Thacker).

Mr. Thacker: Madam Speaker, I just want to try to reassure the Hon. Member for Winnipeg North (Mr. Orlikow) that it is not as grim as he pointed out. First, he mentioned that there were fewer inspectors. In fact, there are 126 more inspectors. It is one area in which there have not been cuts—

Mr. Ouellet: Order, Madam Speaker; he can't speak twice.

Mr. Benjamin: Let him go.

The Acting Speaker (Mrs. Champagne): The Hon. Parliamentary Secretary has already spoken.

Mr. Thacker: That is a good point.

The Acting Speaker (Mrs. Champagne): With unanimous consent of the House, I could let him make some explanations.

Some Hon. Members: No.

Mr. Benjamin: Let him have unanimous consent.

The Acting Speaker (Mrs. Champagne): I do not have unanimous consent.

Mr. Gordon Taylor (Bow River): Madam Speaker, I would like to say a word or two. I probably will not say it as well as the Parliamentary Secretary to the Minister of Transport (Mr. Thacker) would have.

I know a little about the trucking industry, particularly in the Province of Alberta. I want to assure the Hon. Member who just spoke and the rest of the House that our truckers are not violently opposed to the Bill. As a matter of fact, Alberta truckers support the Bill.

Alberta truckers are probably the most knowledgeable of freedom to move of any truckers in the country, because for a number of years Alberta truckers have been virtually operating under freedom to move. They have one of the finest trucking associations in the country, bar none.

When people stand up and say that all these terrible things will happen, I do not know what they are talking about. We are not under a freedom to move system yet. All the things about which they are talking have happened under a regulated system, not under a deregulated system. Besides, this Party and this Government are not out for holus-bolus deregulation. We do not believe in regulating everybody's lives; of course we do not. That is part of the NDP philosophy. We believe in the Government reflecting the thinking of the people in its legislation and in its administration.

I want to talk for a few moments about the United States taking over all our trucking. For a number of years, U.S. trucks have been able to move into Alberta and Alberta trucks have been able to move into the United States. There has been free movement back and forth. It has not resulted in the Americans taking over our trucking, not at all. It has resulted in benefits for the U.S.A. and benefits for Canada, benefits for Alberta. It has been a mutually beneficial thing, because when Alberta truckers go into the United States, they respect its laws, and American truckers respect our laws when they come into Alberta or elsewhere in Canada.

They are truckers, and I want to say a word or two about truckers; I have had a lot to do with them. They are not illiterate and they are not immature. They are a mature group of people. There might be an odd few who will try to work 20 or 24 hours, as the Hon. Member just mentioned, and there might be the odd few who will take pills to try to stay awake, but they are the exception. That type of exception may take place under any system. However, the vast majority of truckers in Canada are sound, mature, able, and efficient operators. I say that with double strength because I know what I am talking about. They are not out to beat the consumers, they are out to give a service and to make an honest living. I think we should recognize that our truckers are excellent people.

• (2110)

People are saying that we will suddenly see an era without safety. What have our Departments of Highways and our motor transport boards been doing for the last 25 or 30 years? They have been building up a safety system in every province. Now trucks are operating from British Columbia to Montreal, from Edmonton to Halifax, going through every province and observing the rules of every province. It is very difficult for truckers to operate across Canada because every one must get the consent of each motor vehicle transport board to move through the province. It is like 10 Balkan states. This legislation will enable us to become a united nation. I hope the day will come very soon as we advance with this type of legislation that someone with a licence in Alberta who is qualified and has the proper insurance will be able to travel any place in Canada as a nation without having to stop in every province to get a permit.

A few years ago, the situation was even worse. Some Alberta truckers wanted to bring frozen beef to Montreal. The only way they could do that was to go through the United States because the licence fees for an Alberta truck to go through Saskatchewan, Manitoba, Ontario and then into Quebec were so high. These truckers had to get a permit from every province. When there are interveners, these permits can cost as much as $20,000 or $25,000 and sometimes even more than that, depending on how many accountants and lawyers are required, how much travelling must be done and how many people oppose it. It is done on the basis of convenience and necessity.

Under the old system, one trucker would get a monopoly and then add truck after truck so that no one else could get into the market. There could be no competition. That is still evident in some places in Canada. We want competition but we do not want monopolies. By working with the laws in this Bill and in Bill C-18, we will be able to get our Canadian truckers to operate across the nation. They will become a viable competitor of the railways and of the airlines and that is the way it should be.

I recall a few years ago when the railways went on strike, they said that truckers could not haul cars. Well, the truckers soon showed them. They got their lowboys out and hauled cars across the nation. They did it cheaper than the railways ever did. Truckers are a viable competitor and we want every mode of transport to have a chance to contribute to the country.

There are some things that the trains can do best. There are some things that truckers can do best. There are some things that the airlines can do best. There are some things that the pipelines can do best. Some things can even go by ship around the country and have cheaper and better service. However, every mode should have the opportunity to compete fairly and that is what we are aiming at.

Before we began to deal with freedom to move, there were at least 18 or 20 trucks in the United States to every truck in Alberta. Now it has gone the other way. Under freedom to move, it is almost one for one. Our truckers have healthy businesses in the United States and they employ Canadians.

The trucking industry will thrive under this legislation. It will give truckers the first chance they have had for years to compete ably. I am not afraid at all of American trucks taking over our trucking industry. As a matter of fact, I asked an American who appeared before our committee if he was afraid of the Canadian trucks taking over the American trucks and he said that maybe I had something there. Our truckers are just as wise, knowledgeable and efficient and perhaps even more so than any American trucker. Our truckers are one fine group and I am not afraid at all that they cannot compete ably and provide a service to Canada.

I support this Bill. What about all these wild dreams about the roads becoming unsafe? The roads being built today are built well with good gradients, good sight distances, good curves and they will improve. They will get better and better. We have excellent engineers in Canada and our truckers will be able to operate ably because they will be well trained.

We will not stop training truckers and we will not stop checking motor vehicles because we are changing the system. We will do it more so. It will be in the truckers' best interests to keep their vehicles roadworthy and to give their drivers proper wages and hours of work. In that way, they will make a contribution to Canada that they have never been able to make before, a contribution they have been denied the right to make. I congratulate the Parliamentary Secretary for sponsoring this Bill and I think it will mean great things for Canada.

Some Hon. Members: Hear, hear!

Mr. Jim Fulton (Skeena): Madam Speaker, I listened with interest to the rhetoric of the Hon. Member for Bow River (Mr. Taylor). No one would oppose much of what he had to say. Everyone supports a system that would bring some kind of redress to the Balkanization of the permit system in Canada, but what the Hon. Member and the Government have not addressed is the point raised by my colleague from Regina and my friend from Thunder Bay.

I believe we must look pretty carefully at what this Bill really means. The Hon. Member has said that this kind of competition will be good, but anyone who has taken a close look at the implications of what happened in Australia and various places in the United States like California as a result of deregulation would scratch his head and wonder why the Government did not bring in the safety criteria and the regulations first so that truckers knew what they would get.

As I said earlier this evening, the Members on the government side were always the ones who went after the Liberals whenever they brought in a Bill that had a clause like Clause 8 which provided that the Governor in Council could make all the regulations after the Bill is passed. It provides for Trojan Horse regulatory powers. The Hon. Member for Bow River has always fought against that in the House but he seems to be overlooking it this evening.

This Bill will lead to competition that will lead to monopolies. I would like to put a few facts on the record indicating what this really means for small truckers from Skeena, Newfoundland, northern Ontario and some of the regions where small routes have been developed over time. In those areas, truckers move a little bit of this to there and another commodity over there and back-haul something else. They just manage to find themselves a niche and can keep one, two or ten trucks on the road.

The Hon. Member speaks of fit, willing and able. We know what the definition of that is in the Bill. Anyone who can get a bank or credit union to give him the financing to get a couple of tractors, some insurance and a couple of drivers will be considered under this legislation to be fit, willing and able.

Let us look at the Canadian trucking sector. Trucking accounts for 50 per cent of all the transportation revenue in Canada. That amounted to about $5 billion last year, not including revenue raised by fleets owned by companies that do their own hauling. Some very substantial hauling is done by those fleets. For example, earlier this evening we were talking about a large hauler like Canadian Tire and what happens when Canadian Tire takes a large amount of product from Toronto.

• (2120)

Let us say they take it to Terrace or Gander, Newfoundland, and drop it off where historically a small regional trucking operator would be hauling various commodities in the province and perhaps beyond the province into another region. They cannot possibly compete when Canadian Tire is getting from the consumer the cost of trucking. They simply pay the driver and pay for the rubber, the diesel, the gas and so on, for an empty back-haul. That opens a whole new era of trucking in Canada for such corporations.

Let us take a look at the safety questions. Important evidence was put before the Transport Committee which was not listened to by the government side. In the event of an accident involving a car and a truck, the driver of the car is 40 times more likely to be killed. Twelve Canadians a day are dying right now on our highways. Competition at the expense of safety was blamed for a 40 per cent increase in accidents in California after deregulation there in 1980. It is exactly that kind of competition which the Canadian industry is now alarmed about.

In British Columbia just a few months ago there was a landmark coroner's inquest into brakes and safety matters with regard to large tractor trailer operations. The loosening of front axle brakes on tractor trailers has been proliferating, particularly in British Columbia. Evidence was given by the manager of fleet safety for the Insurance Corporation of B.C. Mr. Fergus Savage told the inquest that 60 per cent of the heavy trucks on B.C. highways are operating without those brakes "the highest per centage in Canada", and that most drivers wrongly believe that they are better off without them. The evidence he gave included a report by NBC in the United States which attributed thousands of road fatalities on U.S. highways to the lack of such brakes on heavy trucks.

The Government says that this is only to break down the Balkanization of the permit system. That seems to be its selling line for this legislation. The fact is that the key issue, which is safety on the highways and safety of the truckers, has not been addressed.

Some of the other evidence in relation to Bill C-19 is very worthy of consideration. Predation should have been more directly addressed in Clause 8. It includes the entire sequence of issuance of licences, public hearings, how to file objections, implementation, limitations and regulation. Predation is clearly an issue which the Government has not fully thought through. If it has, it has simply opted in favour of the very large Canadian trucking operators which will pick up a lot of the smaller rural forward and back-haul routes.

After 30 years of deregulation in Australia three trucker/forwarders control 70 per cent of the interstate transportation market-place. In the United States the degree of concentration in the LTL industry since 1980 has surprised everybody. The fact is that not one new general freight carrier has been able to enter the market-place since U.S. deregulation.

Government Members get up and say that this will create a whole new era, that all kinds of new corporations will be formed, there will be all kinds of new profit, that prices will come down, consumers will be better served, and truckers will be free to haul beef from Alberta to Toronto without having to go through the U.S. and so on. The fact is that that which happened in California which has roughly the same population as Canada and roughly the same amount of traffic tonnage movement was quite different.

There are no new entrants into the market-place. There is no long-term competitive downward pricing for the movement of commodity which is supposed to be to the benefit of consumers. Instead new monopolies which were not there in the past have been created. The monopoly structures get rid of the independent truckers which have always been in the market-place, the small guy, the Ma and Pa operations with one, two, five or ten trucks. Those are the ones which will disappear and there will be massive expansion of the big ones such as Canadian Freightways.

Another thing which should have been looked at more carefully in Clause 8 which the Government likes to skate around is that which has happened in relation to U.S. carriers coming into the Canadian market. The largest U.S. carrier that has been in the Canadian market the longest, Canadian Freightways, while dominant in the western Canadian general freight market, has certainly not been a cut-rate operator. Indeed, Canadian Freightways have been exemplary in creating a separate Canadian identity.

The trouble is that few, if any, of the more recent U.S. entrants have shown similar tendencies. Rather, they seem to regard a few sectors of the Canadian market as nothing more than convenient extensions of their U.S. operations where marketing policies are determined from outside Canada and possibly beyond the purview of BCP in any practical sense.

Let us take a look at what has happened with those carriers. A submission to the standing committee in 1985 relied in large part on the Boucher study which claimed that the big U.S. carriers are complementary to Canadian carriers and no threat at all to domestic carriers in short-haul international LTL or domestically. Approximately two months before BCP's presentation to the standing committee one of the largest U.S. general freight carriers, Yellow Freight, sought and obtained multipoint operating authority throughout Quebec. Two months later another of the U.S. mega carriers, Roadway, obtained broad-based authority throughout Ontario. Now all three U.S. continental giants have broad-based authority in the key Canadian markets.

What has the Government done? It has been in office since 1984. There has been no movement on safety and no movement to deal with the penetration of U.S. carriers. The Member for Bow River says that to haul Alberta beef from Alberta to Ontario we have to go through the U.S. and meet all of their interstate criteria. This is not the way to deal with the Balkanization of permits. No Member of this House should knowingly vote for this Bill telling truckers that that is what it is for. We should be dealing with a different kind of permiting system and with safety first.

Hon. André Ouellet (Papineau): Madam Speaker, I want to deal with the amendments which have been introduced by my colleagues which go directly to the root of this legislation, Bill C-19, which has been vigorously opposed by the truckers' associations. It is surprising that the Government has gone ahead to deal with such legislation while those concerned are so vehemently opposed to it.

I will quote representations made before the standing committee by the Ontario Trucking Association which to me, more than any other, echo the concerns of truckers across Canada and identify the three principal areas of concern, those being, first, that all of the essential ingredients for implementing and enforcing a uniform national safety code will not be in place by the proposed date of regulatory change, second, that there are no measures at hand in the Bill to combat unsafe or predatory pricing and, third, that Canadian carriers will be at

a significant competitive disadvantage with U.S. carriers because of more onerous taxation and social policies.

Let me first deal briefly with the issue of the uneven playing field with which Canadian truckers have to contend and which places them at a significant competitive disadvantage to their American counterparts. I would like to quote from a letter sent by the Canadian Trucking Association to members of the standing committee. I heard my colleagues who spoke earlier, particularly the very important member of the standing committee, the very venerable Member for Bow River (Mr. Taylor). Indeed, he knows a lot about the trucking industry and has a very distinguished career in the Province of Alberta dealing with transportation matters. Therefore, he should be aware of the feeling of the Canadian Trucking Association.

• (2130)

I am sure that he must have received this letter. I was a little surprised by his presentation and I just want to refresh his memory by quoting the letter from the Canadian Trucking Association that was sent to all members of the standing committee. It states: "It is not simply a question of whether U.S. truckers will have a long-term cash flow advantage over Canadian truckers. If the disparity is as great as it appears, the Canadian truckers who are serious about long-term participation in serving an integrated continental transportation market-place will increasingly be persuaded to relocate their international operations in the United States, operating back into this country using U.S. equipment and U.S. employees".

It goes on to state: "The implication of that scenario goes far beyond the immediate interests of truckers".

Yet the Government has failed to move. Numerous representations to the Minister of Transport (Mr. Crosbie) and the Minister of Finance (Mr. Wilson) only met with disinterest. One hopes that when the Minister tables his long awaited White Paper on taxation Thursday night he will address the concerns of the trucking industry, particularly with regard to the issue of compensation for loss of value of operating authority.

I am a little skeptical of the desire of the Government to move so quickly with Bill C-19. It was even asking that we deal not only with report stage, but third reading tonight. Is that because on Thursday night the Minister of Finance will forget the Canadian truckers? Is it because government Members, the Parliamentary Secretary and the Deputy Government House Leader know something we on this side of the House do not know and want to be sure that this legislation is disposed of before the truckers realize Friday morning that the Minister of Finance has forgotten them, thereby putting them in deep trouble in the face of competition from the American truckers?

The Parliamentary Secretary is shaking his head and I suspect that he is saying that he does not know. I hope I am wrong and that indeed the Minister of Finance will not forget the Canadian truckers Thursday night.

At any rate, I support the amendments that have been moved by my colleagues from the New Democratic Party and hope that these amendments are accepted because at least they will improve very bad legislation.

Mr. Iain Angus (Thunder Bay—Atikokan): Madam Speaker, I will not spend much time but since one of the motions is in my name, I feel I should contribute to the discussion.

The motions in the name of the Hon. Member for Regina West (Mr. Benjamin) and myself refer to fundamental matters in Bill C-19 and, as indicated by the Hon. Member for Papineau (Mr. Ouellet), attempt to make a bad Bill better.

We have great concerns about the direction in which the country is heading in terms of truck transportation. We believe that while there needs to be a re-examination of regulation and the manner in which we require motor carriers to operate, the Government has gone too far too fast with this legislation. The whole question of safety has not been addressed to the extent we believe appropriate.

I want to read into the record a letter from the Canadian Trucking Association that was sent to the Minister of Transport (Mr. Crosbie). It is dated June 2, 1987, and is a follow-up to their appearance before the Standing Committee on Transport which was charged with the responsibility of reviewing Bill C-19.

The letter states:

Re: Safety of Commercial Highway Vehicles

During the hearings before the Standing Committee on Transport on Bill C-19 where CTA stressed its concern over highway safety implications of deregulation, we were accused by shippers of having raised a "phoney" issue on grounds that there was no evidence of a connection between motor carrier deregulation and safety deterioration from the U.S. experience. Shippers are still saying that. Indeed, your own departmental advisers appear to have adopted much the same approach.

On the basis that the debate over whether we are going to deregulate is now over, I would like to take this opportunity to hopefully set the record straight based on comprehensive documentation that has come out of the United States relating to the commercial vehicle safety problem.

The attached booklet on highway safety and the relationship with deregulation was prepared on behalf of the Coalition for Sound General Freight Trucking which I take it is a coalition of U.S. trucking associations including American Trucking Associations. The point here is that these U.S. trucking interests are not raising the connection between safety and deregulation for the purpose of turning the clock back. There would be no point in that and the same holds true here.

An objective overview of the attached material can lead to only one conclusion; namely, that there has been a marked deterioration in highway safety for particular segments of the U.S. trucking industry in recent years and the position continues to deteriorate despite serious attempts to introduce more effective highway safety enforcement.

We have a huge job to be done in Canada on safety and time is of the essence, as we tried to tell the Committee.

Due to the erosion of the regulatory process in recent years, the Canadian trucking industry has come under much the same pressure as its U.S. counterpart and the position is anything but satisfactory as things stand. It can only get worse. In that regard, you may be aware that the Quebec Department of Transport recently introduced a comprehensive on-highway enforcement crackdown on highways leading into Montreal and Quebec City. The initial

results from that exercise show that well over 50 per cent of vehicles inspected were in violation of either safety or licensing requirements.

May I add that this is under a regulated system. The letter continues:

More and more Canadian carriers operating in the U.S. are now being picked up for serious safety violations there.

CTA and its provincial affiliates are coming under pressure from individual carriers who are not at all happy with the position we have taken on safety. The fact is that there are established fleets operating on a regular basis that push their drivers beyond 20 hours in a shift. If one carrier does it, everyone has to do it to remain competitive. It is just as simple as that.

In that regard, industry executives who attended the recent CCMTA Safety Code meetings remain concerned over the seeming lack of urgency in getting on with implementation and enforcement of key elements of the National Safety Code.

Extra provincial hours of service regulation is a fiasco as things stand and will seemingly remain so until about 1990. In addition there may be a jurisdictional problem which CTA raised the best part of two years ago concerning private fleets and the issue has still not been addressed as far as we know. Last week at a CTA Conference and Annual Meeting, grave concerns were raised about the delay in getting on with comprehensive enforcement of essential elements of the Safety Code. Clearly the most critical aspect is hours of service followed closely by vehicle inspection, all requiring an effective enforcement regime.

Concerns are heightened due to the exemptions that CCMTA proposes to incorporate into any new hours of service regime.

It is difficult enough to obtain reliable records on hours of service without riddling the regime with loopholes and exemptions. These should be kept to a minimum otherwise it makes effective enforcement virtually impossible.

There is only one way to address the fundamental problems and that is through meaningful and ongoing safety enforcement that treats everyone equally. Having 50 per cent of a paper regime in place by the beginning of deregulation in 1988 will do very little to improve things.

What is required now is hands-on federal involvement in the process of getting the Safety Code in place by assisting the handful of dedicated provincial officials who have taken on this responsibility. Federal funding alone will not do the job.

It is signed by A. K. Maclaren, Vice President, Government Relations, of the Canadian Trucking Association.

• (2140)

I think its letter to the Minister expresses very clearly the concerns of the industry. I know my time is running out, but I just want to say to Members of the House that we are very concerned about safety and about the impact of this Bill regardless of our philosophical problems. We are going ahead much too fast and the industry and the provinces need the time to put the mechanisms in place to ensure our highways will be safe.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The first question is on Motion No. 2 standing in the name of the Hon. Member for Regina West (Mr. Benjamin). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to the order made tonight, the recorded division stands deferred.

The next question is on Motion No. 2A standing in the name of Mr. de Cotret for the Minister of Transport. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

The Acting Speaker (Mrs. Champagne): The next question is on Motion No. 3 standing in the name of the Hon. Member for Thunder Bay—Atikokan (Mr. Angus). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to the order made tonight, the recorded division stands deferred.

[*Translation*]

Hon. André Ouellet (Papineau) moved:

Motion No. 4.

That Bill C-19, be amended in Clause 9 by adding immediately after line 16 at page 6 the following:

"(*f*) to prevent unfair pricing practices by an extra-provincial truck undertaking;".

He said: Madam Speaker, very briefly, I would like to say that unfair pricing practices are a matter of serious concern to

the trucking industry in Canada. Obviously, in an open market where competition is the name of the game, there will be a tendency for shippers to seek out the lowest possible rates. That is of course one of the great benefits of deregulation—

[*English*]

We must be very careful, indeed, because testimony before the California Public Utilities Commission in February, 1987, provides significant insight into the dangers of unfettered price competition. Volume discounts and rate reductions have become the order of the day in California. Several carriers have not had any increase at all in their rate levels since 1980. Moreover, a price floor has never been achieved in California. Some carriers have always been willing to cut their rates further to get a shipment. Indeed, transportation is a perishable product and a missed load could never be recaptured. That seems to be the prevailing philosophy in California and I submit to you, Madam Speaker, that it could be the prevailing philosophy in Canada after deregulation of the transport industry takes place.

[*Translation*]

We feel that the acceptance of Bill C-19 as it now exists would seriously damage the highway transportation industry in Canada. Major American carriers will be among those who will apply for the more readily available licences. According to Canadian industry representatives, foreign take-overs of Canadian highway carriers will multiply over the next five years. Since 1981, the operating costs in Canada have increased by 28 per cent, due mainly to the high tax on fuel and the tremendous costs of liability insurance. Over the same period, the traffic has increased by only 5 per cent. As a net result, the profit margin is now down to 3 per cent, one of the lowest since World War II.

Well, major American firms, sometimes with individual gross sales higher than those of the whole Canadian industry, could enter the Canadian market, lower their rates, offering predatory rates, absorbing losses for a couple of years and finally purchasing completely exhausted Canadian highway carriers.

That is the risk of introducing such fitness criteria at a time when the Canadian industry is operating with a 3 per cent profit margin and when the very survival of the Canadian trucking industry is at stake.

Our major concern is that the Combines Investigation Act would be inadequate to prevent this kind of competition.

[*English*]

In all the history of the provisions, which date back to the early 1950s, only six cases have come to the courts. Only one conviction has been obtained. That was for goods given away in large quantities for a period of one year. The reasons for such an ineffectiveness are clear. Predatory pricing is a criminal versus a civil offence under the Competition Act. All elements of the offence must be satisfied by the criminal standard of proof which is proof beyond a reasonable doubt, and all criminal law defences are available, including now the Charter of Rights.

The pricing inquiry into Canadian newspapers is a good example of how illusory our Competition Act could be. Marshalling sufficient evidence to meet the criminal standards of proof is very difficult and is the reason most often cited by the Director of Combines for discontinuing inquiries. The courts have said that the evidence must be strong in order to convince them to intervene and convict. As Mr. Moore in his book, *How Much Price Competition*?, said: "The battle is likely to be over before the case is completed".

[*Translation*]

It is to remedy these major shortcomings that we have moved motion No. 4, which would allow the Governor in Council, following consultation with the government of each province, to make regulations in order, and I quote:

"to prevent unfair pricing practices by an extra-provincial truck undertaking;"

I hope, therefore, that my colleagues in the House will accept this motion which I feel is essential to reinforce Bill C-19 as well as the Canada Competition Act.

[*English*]

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Madam Speaker, I know we have a ten o'clock deadline we have agreed to, but I would just like to say that one thing many of us as Members have always agreed on with the Hon. Member for Papineau (Mr. Ouellet) are his comments *vis-à-vis* the sugar refinery case under the Combines Investigation Act which had a criminal standard. However, the one thing the Government has done since 1984 is to change the Competition Act where the test is now a civil test, a balance of probabilities. Therefore, there will be far more convictions and charges laid for that type of offence. As well, the National Transportation Act has inquiry mechanisms, as does the Competition Bill itself. So I think there are a lot of ways of meeting the needs.

In terms of the Hon. Member's comments *vis-à-vis* pricing, a recent study completed for Transport Canada by a consultant, which is a subsidiary of an Alberta trucking company and which operates in Canada and the United States, shows that Canadian carriers have approximately a 10 per cent cost advantage over the U.S. carriers. That is certainly good news for us at this time.

• (2150)

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 4 standing in the name of the Hon. Member for Papineau (Mr. Ouellet). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed to the motion will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to order made earlier tonight, the recorded division on the motion stands deferred.

Hon. André Ouellet (Papineau) moved:

Motion No. 7A

That Bill C-19, be amended in Clause 33 by striking out lines 37 to 40 at page 13 and substituting the following therefor:

"33.(1) This Act except this section and sections 3 and 9 shall come into force on a date prescribed by the Governor in Council after the implementation of regulations respecting the safe operation of extra-provincial bus undertakings or extra-provincial truck undertakings including, without limiting the generality of the foregoing, regulation respecting audit, inspection, entry on premises and the provision of information, in at least 7 provinces.

(2) This section and sections 3 and 9, shall come into force on January 1, 1988 or on an earlier date as may be fixed by proclamation."

He said: Madam Speaker, very briefly, in order to meet our timetable, I want to say that this motion is before us because the Canadian Trucking Association indicated to all the members of the committee who studied Bill C-19 that the reverse onus test is equivalent to full deregulation as it is, for all intents and purposes, meaningless as an entry test. Therefore acceptance of Bill C-19 as it is with extended reverse onus for a five-year period means—and I hope the Government and all Members of the House will realize this—a move to full deregulation immediately.

Notwithstanding the fact that the Minister of Transport (Mr. Crosbie) indicated that he and the Government will do their utmost to ensure that safety on the road will be paramount and that they have been dealing with the provinces to reach an agreement to have a national safety code in place, we have now been made aware of a letter sent to the Editor of *The Toronto Star* by the Minister of Transport which states that most of the components of the national safety code will be in place by 1990. I think my colleagues will remember that the Minister of Transport appeared before the committee and said that it would be ready and in place for 1988.

In other words, the Minister of Transport came before the committee and made us believe that it would be ready in 1988. Some of the Conservative members of the committee were ready to vote with us, the members of the Opposition, in order to ensure that a national safety code would be implemented before we move into total deregulation. On the words of the Minister these Conservative members turned down our amendment. We have now been made aware of a letter from the Minister of Transport to *The Toronto Star* which states that not only will it not be ready for 1988 but some of the components of it will not even be in place by 1990.

At this very moment we know that some provinces have not yet signed the so-called unanimous agreement about which the Minister was talking. The bottom line is this. Should we accept enactment of this Bill as it is, we will be accepting full deregulation without a national safety code in place. This is why I have moved my amendment. It is to ensure that the Government will not play with the safety and security of people on the road. Thus I hope this amendment will be accepted.

Mr. Les Benjamin (Regina West): Madam Speaker, there are members from all three Parties on the committee who feel some chagrin and somewhat misled, or at least led astray, as a result of the statements made by the Government with respect to the implementation of a national safety code by January 1, 1988. An amendment which we moved in committee to put the date ahead to January 1, 1989 was pooh-poohed. As my colleague, the Hon. Member for Papineau (Mr. Ouellet), has just said, and as the Hon. Member for Bow River (Mr. Taylor), the Parliamentary Secretary and the Hon. Member for Moncton (Mr. Cochrane) know, we questioned the Minister carefully on this matter. It has all turned out to be a pile of you-know-what, Madam Speaker.

In accordance with the requests of the Canadian Trucking Association and in light of the fact that several provinces have not yet even got around to arriving at a consensus for a national trucking code having to do with licensing, permits and safety, the amendment of the Hon. Member is perfectly reasonable. It does nothing more than require—and I guess this is the old stage of the Constitution—at least seven provinces out of ten to agree, and then there are the two Territories which have been snubbed totally throughout all of this. The committee could not even travel up there. The committee would not let us go to Yellowknife or Whitehorse. The people of the Territories have been snubbed again with respect to the Constitution. All we are asking is that until seven provinces have their regulations and their boards, by agreement with the federal Government, in place this Bill will not take effect. We tried that in committee. We were assured that everything would be ready by January 1, 1988. We will be lucky if it is ready by January 1, 1990.

The Government should try to quit kidding itself, as well as the rest of us, because it is not fooling anyone with respect to this issue. If it was smart it would take this Bill and just not deal with it anymore. It would not call third reading tomorrow. It would leave it sit until next year when we could finish dealing with it. You will be surprised to hear this, Madam Speaker, but we will not be ready to finalize it because the provinces are still horsing around on it. You can bet on that,

Madam Speaker, and I am not a betting man, especially when I think I might lose.

This amendment would impose a partial safeguard for what the Government told us repeatedly would be in place by next January 1. Everyone in this House knows that it will not be ready by January 1. The implementation of this legislation has to be delayed at least one year, if we are lucky. I hope that the Government will support this motion.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 7A standing in the name of the Hon. Member for Papineau (Mr. Ouellet). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed to the motion will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to the order made earlier tonight, the recorded division on the proposed motion stands deferred.

• (2200)

Mr. Thacker: On a point of order, Madam Speaker.

The Acting Speaker (Mrs. Champagne): The Hon. Parliamentary Secretary, on a point of order.

Mr. Thacker: Madam Speaker, there have been some serious allegations made against the Minister based on an article in *The Toronto Star*. I want to assure Hon. Members that the article in question totally misquotes the Minister. In fact, the Minister said that "most would be in place by January 1, 1988". That was not included in the article. It was simply a misquote.

Mr. Benjamin: It is not even a point of order.

The Acting Speaker (Mrs. Champagne): Normally at this time the House would proceed to the taking of the deferred divisions at the report stage of Bill C-19, an Act respecting motor vehicle transport by extraprovincial undertakings, now before the House. However, pursuant to the order made earlier this day, the recorded divisions will stand deferred until tomorrow after the completion of Routine Proceedings.

[*Translation*]

It being 10.00 p.m., pursuant to the Order adopted on Friday, June 12, 1987, this House now stands adjourned until tomorrow at 2.00 p.m., pursuant to Standing Order 3(1).

The House adjourned at 10.00 p.m.

HOUSE OF COMMONS

Wednesday, June 17, 1987

The House met at 2 p.m.

Prayers

STATEMENTS PURSUANT TO S. O. 21

[*English*]

VETERANS AFFAIRS

PLIGHT OF GROUP OF PRINCE EDWARD ISLAND VETERANS

Mr. George Henderson (Egmont): Mr. Speaker, over the last several years I have had many inquiries from veterans denied War Veterans Allowance because of a technicality. When the definition of "theatre of war" was extended in 1981 to include persons who had been transported by ship or aircraft beyond Canada's three-mile territorial water limit while on duty, those veterans of Canada's forces who had crossed the Northumberland Strait became eligible.

However, one class of veterans was left out. These veterans, after preliminary documentation in Charlottetown, had received government warrants to travel from P.E.I. to the mainland. However, years later, when they applied for War Veterans Allowance benefits, they were told they were not considered forces because they had not been attested, or sworn in, in Halifax. But these men had in fact crossed the Strait on orders of the Department of National Defence. They were no longer civilians.

For years, I have written letters and made representations on their behalf.

• (1405)

One veteran, Mr. Douglas Maclaren, did not take no for an answer. He took his case to court. I am indeed pleased to learn that yesterday the Federal Court ruled in his favour.

I hope the Department of Veterans Affairs will now act quickly to give those veterans the benefits which should have never been denied in the first place.

[*Translation*]

CANADIAN BROADCASTING CORPORATION

TELEVISING OF QUEBEC GAMES FINALE IN VAL-D'OR

Mr. Guy St. Julien (Abitibi): Mr. Speaker, for the past few years the CBC has had to cope with even stricter financial restraints, and programming choices are increasingly more difficult to make.

Quebec Games President Claude Poirier-Defoy heard that the broadcast of the Quebec Games finale, to be held from August 7 to August 16 this summer, was definitely not a sure thing.

I immediately got in touch with the CBC and, with the support of the Val-d'Or organizing committee and the President of the Quebec Games, we made strong representations to CBC Vice-President Franklin Delaney so that 4,000 young Quebec athletes might be able to perform before the viewers in the Province of Quebec and before their friends and relatives.

It was in a difficult context that the CBC reconsidered its decision and, following this new examination, President Pierre Juneau assured me on June 11, 1987 that the French network will telecast the 1987 edition of the Quebec Games finale in Val-d'Or.

I can only commend the CBC team, and I thank Mr. Pierre Juneau.

* * *

[*English*]

CAPITAL PUNISHMENT

OPPOSITION TO REINSTATEMENT

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, today the national leaders of the youth wings of Canada's three major political Parties issued an unprecedented joint statement urging Canada's Parliament to vote against the reinstatement of the death penalty. In part they said:

> We are young Canadians, active in the political process, who have come together to express our opposition to the reinstatement of the death penalty. Although we differ on many issues, there are those, crossing all party lines, in which there is clearly a right path and a wrong path to take. While we do not—claim to speak for all those we represent in our respective party organizations, nonetheless, we are allowed, as you are, freedom of conscience and expression as individuals. We agree with the Leaders of our Parties that the death penalty has no place in the Canadian system of justice.

S. O. 21

The statement is signed by Elaine Fox, Chairperson of the Youth Steering Committee of the New Democratic Party; Johnathan Schneiderman, President of the Young Liberals of Canada; and Irene Porter, President of the Progressive Conservative Youth Federation.

All Members of Parliament should salute these young people for their courage and should take heed of their very important message.

* * *

CANADA POST CORPORATION

LETTER CARRIERS' STRIKE—EFFECT ON PUBLIC AND BUSINESS

Mr. Gordon Taylor (Bow River): Mr. Speaker, the Government of Canada gave the workers of Canada Post the right to strike, and now we have a legal strike that can continue indefinitely or until agreement is reached.

In the meantime, Canada Post, the workers, and their families are inconvenienced, but the real sufferers will be the people of Canada—individuals, families, and small businesses.

The last long strike by Canada Post employees caused several businesses to go bankrupt. In other words, a strike injures the innocent third parties, in this case the people, the industry, the farmers, and the businesses. Strikes and lock-outs once had their place, but today the wrong people suffer because of them.

Businesses, industry—everybody depends on getting and receiving their mail, and the country cannot operate without a good postal system. Canada Post is an essential service. Once this legal strike ends, I recommend that the right to strike and the right to lock out workers by Canada Post be withdrawn and a system be set up that will be fair to the workers, the employer, and to the Canadian people.

* * *

SEAMANSHIP

NOVA SCOTIAN'S TRIUMPHANT GLOBAL VOYAGE

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, the House of Commons, Nova Scotians, and all other Canadians will want to congratulate John Hughes, a Nova Scotian who, on Sunday, arrived back in his home port of Halifax-Dartmouth. He had successfully achieved his goal of travelling around the world by sea, a trip of 27,000 nautical miles.

Mr. Hughes was voted as the most courageous and inspirational participant in the race for the BOC Spirit of Challenge Award. What made his voyage outstanding was his ability to overcome an enormous obstacle—the loss of his mast—by fastening a jury-rigged sail. With his makeshift mast, only 80 square feet of sail, John Hughes travelled from the southeast of New Zealand for an incredible 4,400 miles around Cape Horn to the Falkland Islands. His achievement is outstanding.

By the time he reached his final destination, his trip totalled 224 days, 13 hours, 55 minutes, and 24 seconds. John Hughes arrived in Newport, Rhode Island, in time for the awards dinner on May 30, 1987. His perseverance and courage in his yacht, *The Joseph Young*, were recognized by the playing of the Canadian National Anthem.

* * *

[*Translation*]

TAX SYSTEM

TAX REFORM—OBJECTIVES

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, in a few hours the Minister of Finance (Mr. Wilson) will table the long-awaited tax reform project. Once again, by revamping the tax system, we will honour one of the major election commitments made in September 1984.

A number of tax reforms have already been made over the past two years. However the present system still weighs too heavily on individual taxpayers, a situation we have inherited from the previous administration. The only way to improve the situation is to strengthen our economy and create jobs. This happens to be one of the first objectives of the reform.

Canadians want a fairer, less complicated and more understandable tax system, a system which more faithfully reflects our commitment to economic growth and social justice. We can achieve our objectives by taking a concerted and comprehensive approach to the removal of unproductive tax privileges, the review of corporate taxation and federal sales taxes, and through reform propositions based of past progress.

* * *

• (1410)

[*English*]

HUMAN RIGHTS

SOUTH KOREA—LIST OF VIOLATIONS

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, Canada can no longer continue to promote vigorous trade ties with South Korea while ignoring the brute force imposed by the vicious dictatorship of President Chun Doo Hwan. We cannot turn a blind eye to the scores of human rights abuses documented by Amnesty International, or to the military force used to suppress the cries of students, religious leaders and others who are fighting for democratic reform,

freedom of the press, the right to assembly and other civil liberties that we in Canada take for granted.

In 1985 South Korea had a $831 million trade surplus with Canada and a two-way trade of $2.38 billion. About 85 per cent of its exports to Canada, led by the sale of Hyundai passenger cars, are job-creating manufactured products. How long do we continue to provide preference for the products of a country where injustice cheapens wages at the expense of Canadian workers?

How can we meet a commitment to send our athletes to the Olympic Games in a country where oppression sustains national unrest?

How long will the Government pursue a policy of silence before the Prime Minister (Mr. Mulroney) speaks out for an end to repression in South Korea?

* * *

[*Translation*]

350TH ANNIVERSARY OF CITY OF SILLERY

TRIBUTE TO ORGANIZERS AND CONGRATULATIONS TO CITIZENS

Mrs. Suzanne Duplessis (Louis-Hébert): Mr. Speaker, one of the oldest towns in North America is celebrating its 350th anniversary with ten days of festivities. I am referring to Sillery, which is in my riding.

I want to congratulate the organizers under the leadership of Mr. Jacques Ouellet and Mayor Margaret Delisle, as well as their team of advisers, on the beauty and simplicity of these festivities and the many cultural events that are being offered. Everything is being done to show Canadians the breathtaking beauty of our natural sites, and to tell them about the various historic events that took place and especially the people who made those events.

During the last two centuries, the town has been famous the world over for its shipbuilding industry. The climax of the festivities will undoubtedly be the signing of a document, twinning Sillery with the small town of Sillery, in France.

I want to take this opportunity to extend my congratulations, on behalf of the Canadian Government, to all the people of Sillery.

* * *

CANADA POST CORPORATION

REQUEST THAT GOVERNMENT INTERVENE

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, I think the Canadian people should censure this Conservative Government for the way it is behaving in the Post Office dispute.

First of all, the Conservative Government is responsible for the confrontation and for the postal strike we are having now, because of the cutbacks introduced by the Minister of Finance (Mr. Wilson).

Second, it is absolutely disgraceful that this Government and its Prime Minister, who was personally involved in labour relations, should side with the Canada Post Corporation, a Crown corporation that is fooling the unemployed into thinking they will get jobs with Canada Post.

Third, this Government is guilty of aiding and abetting the confrontation we are seeing on the picket lines.

Mr. Speaker, I would urge Conservative Members, who I know disagree privately with the Government's attitude, to make their views known to the Prime Minister and urge him to bring Canada Post into line.

* * *

[*English*]

STATUS OF WOMEN

BATTERED WOMEN—ACCESS TO SHELTERS

Mr. Lee Clark (Brandon—Souris): Mr. Speaker, a recent study estimates that about one million Canadian women are psychologically and often physically abused by their husbands or boyfriends. Services for battered women have increased dramatically over the last five years and yet, for every woman staying in a shelter, another is turned away.

Moreoever, existing shelters, including one in my hometown, are experiencing financial funding difficulties. Although church and community volunteers have laboured hard in the past to provide such services and initially without any government financial assistance, the extent of the problem is now such that Governments at all levels must accept a continuing role to ensure that shelters and services are available on a reasonably uniform basis. For that reason I urge the Minister of National Health and Welfare (Mr. Epp) and his provincial counterparts to act quickly to ensure that women's shelters have the necessary core funding to guarantee both urban and rural women access to shelters and well-trained counsellors.

• (1415)

While we continue to wish the problem of battered women did not exist, the reality is that it does. Therefore, Governments at all levels must respond both quickly and adequately.

Oral Questions

AGRICULTURE

NATURAL SUGAR SWEETENER INDUSTRY

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, sugar-beet and high fructose corn producers need a natural sugar sweetener policy to bring some stability to the industry and hope for the future. The Tariff Board recently released its report on the industry. It studied three possibilities—a minimum floor price, stabilization, or buy-out schemes.

The researchers did not think a floor price of 12 cents a pound was necessary because they believed raw sugar prices are on the upswing and will eventually approach this figure. However, they did not consider cyclical price variations, nor did they address the issue of countries dumping sugar on Canada's doorstep and depressing our price.

The report expresses fear of increasing the price to industrial users and having it passed on to consumers, yet it did not worry about the fact that the price of products with a substantial sugar content has increased substantially since 1981 even though world sugar prices have plummeted. Nor did the researchers they explain why U.S. sugar products sell at less than Canadian prices even though U.S. producers have a substantial floor price.

* * *

[*Translation*]

HEALTH

REHABILITATION SALON

Mr. Marcel R. Tremblay (Québec East): Mr. Speaker, I would like to take this opportunity today to bring to your attention a first for North America, namely, the Salon de la réadaptation which was held at Quebec City from June 3 to June 5 this year, thanks to the co-operation of the Department of National Health and Welfare and the Department of the Secretary of State of Canada.

By electronic and direct means, the Salon has given people a chance to become better acquainted with products and services designed to improve the quality of life of those who are functionally handicapped and of their family and those who care for them.

Mr. Speaker, the Salon also gave us an opportunity to appreciate some very good paintings and sculpture made by artists with functional handicaps, which proves that art overcomes all barriers.

I would like to pay a special tribute to artists from the Quebec City area who met this challenge, and I am referring to Mrs. Ginette Chalifour, Solange Laliberté, Lise St-Hilaire and Yves Bussières, who made the magnificent sculpture in the entrance hall of the François Charron Rehabilitation Centre.

I also want to take this opportunity to emphasize the dedication of all hospital workers in the greater Quebec City area, including the Saint-François d'Assise and l'Enfant-Jésus hospitals and the François-Charron Centre, located in the beautiful riding of Québec East.

ORAL QUESTION PERIOD

[*English*]

TAX REFORM

CONSULTANTS' ACCESS TO INFORMATION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, what is the Prime Minister doing about the fact that today 20 leading tax consultants have inside information about tomorrow night's tax reform statement and documents? What is the Prime Minister doing about the fact that these lawyers and accountants, whose firms make millions of dollars from providing tax advice, are in Ottawa today reviewing that White Paper? Why do some wealthy Canadians have privileged access to information which Members of Parliament and average Canadian taxpayers do not yet have? What is the reason? What is the justification? What is he going to do about it?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, that surprises me coming from the Right Hon. Leader of the Opposition. I understand that when he was Minister of Finance this same sort of thing went on.

Some Hon. Members: Oh, oh!

Mr. Wilson (Etobicoke Centre): If Hon. Members would let me continue? Experts are brought in and asked to take the same oath of secrecy that public servants take. Then they provide guidance to departmental officials on the technical aspects of the proposals put forward on a range of issues.

• (1420)

As I said, this has been going on for a number of years. It was increased following the 1981 Budget because of the problems which arose at that time, in order to avoid the glitches which can come into this type of proposal.

[*Translation*]

GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, this incident is unbelievable, unjustifiable and very alarming for the country. These tax reform propositions to be unveiled tomorrow are so important that the Minister of Finance will wait until all Canadian stock markets have closed down before making his presentation tomorrow night. They are so important that he will make them public in a country-wide televised speech. How can the Prime Minister justify the fact that the Minister of Finance has held secret meetings where 20 accountants and lawyers specializing in tax matters were able to scrutinize these confidential propositions ahead of

the Canadian people and even ahead the Members of this House?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, this is the same process as that followed by previous administrations, including the Government of the Right Hon. Leader of the Opposition, if I am not mistaken. The process is the same, we invite tax experts to avoid the kind of problems we had with earlier budgets, so the situation is the same as in the past.

[*English*]

PRIME MINISTER'S POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, it is not the same procedure at all. Previous Ministers of Finance, myself included, sought all the advice possible, decided how their Budget was to be written, and then closed the doors. This document has already been put to bed. These tax experts can give the Minister no advice now. The document has already been written.

They have been co-opted by the Minister of Finance to try to sell the message across the country. In return for that they get an advantage over their competitors and over every other Canadian. That is exactly what happens.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): The Minister can look for precedents but he will look in vain because this is absolutely unprecedented.

Mr. Crosbie: Question.

Mr. Turner (Vancouver Quadra): How does the Prime Minister respond to this outrageous conduct on the part of the Minister of Finance? Does he not feel that with regard to the importance of this tax reform paper that Minister ought to be fired?

Some Hon. Members: Hear, hear!

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I want to draw one single fact to the attention of the Leader of the Opposition. This is not a Budget. It is a White Paper. It is a proposal on tax reform.

Mr. Turner (Vancouver Quadra): Why have a lock-up? Why have national television?

Mr. Wilson (Etobicoke Centre): Mr. Speaker, we do not have to have a lock-up.

Some Hon. Members: Oh, oh!

Mr. Wilson (Etobicoke Centre): We are trying to allow people from the opposition benches as well as the media to become aware of the range of things in the paper in order that they can make appropriate comments based on more than just hearing me speak from my place at eight o'clock tomorrow evening.

The Hon. Member may want to think back to what happened when he and every other Minister of Finance was in office.

Mr. Gauthier: Not after the fact.

• (1425)

Mr. Wilson (Etobicoke Centre): I can give him chapter and verse that, when previous Governments were in office, throughout the year they took the advice of experts from the tax community, whether it be lawyers or accountants, in order to make the process work better and to make the product better.

[*Translation*]

INQUIRY WHY TAX REFORM WILL BE KNOWN BY EXPERTS BEFORE BEING MADE PUBLIC

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, the Minister of Finance is trying to play with words. Nobody, including the Leader of the Opposition and myself, is blaming the Minister for seeking expert advice.

But, Mr. Speaker, this is the first time I see that, 48 hours before public release, a supposedly confidential document has been given to experts who simply cannot be expected to advise the Minister since the documents have all been printed.

So I would ask the Minister why 20 experts, friends of his, are meeting in Ottawa today to study a document which will be released only tomorrow night to the Canadian people and the Members of this House?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I thank the Hon. Members for their applause.

An Hon. Member: It's not for you.

Mr. Wilson (Etobicoke Centre): Let me remind the Hon. Member that this is a White Paper, not a Budget. That is a very clear distinction that the Hon. Member should recognize.

These people have been involved in this process for, I believe, some six or seven months. They have added immeasurably to the process in order to look at the detailed technical aspects from a practical standpoint so that we have the combination of advice from the officials of the Department and the advice from these experts from the private sector, acting as a sounding board. I think that makes a better process and that Hon. Members opposite should be applauding me for proceeding in this way so that we can have a better process.

MINISTER'S POSITION

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, the Minister of Finance does not seem to appreciate the gravity of the situation. We are not talking about consultation. We are talking about a paper that has already been written

and its privileged access to a few tax people, who are probably friends of the Party, who are allowed to see the paper and seek special advantages for themselves or their firms.

If they are allowed to see the White Paper today, why do Members of this House not have the same privilege? Why should we have to wait until tomorrow to prepare our answer to the Minister when people outside the House have read the paper? Why did the Minister not wait until tomorrow and give the same advantage to all people at the same time? Why this special treatment for your friends?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, let me make it very clear. It is not special treatment for my friends. I do not know many of those people.

Some Hon. Members: Oh, oh!

Mr. Wilson (Etobicoke Centre): I think I know three or four of them. They are technical advisers to the Department of Finance officials. I met with a small group of them on one occasion, but they have been meeting with finance officials on an ongoing basis to provide technical advice, as a sounding board, on a range of alternatives, some of which might be in the White Paper, some of which might not.

The answer to the specific comment that the Hon. Member made is that they have not read the White Paper as a whole.

ROLE OF PARLIAMENT

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, my question is directed to the Prime Minister. It is about the propriety of the situation of which we just learned, that the Minister of Finance has given privileged access to information about his tax White Paper to a group of professionals in the hope of inspiring favourable comment on the tax reform when it is made public in a couple of days.

Is it appropriate in a parliamentary setting that the Prime Minister's Office should have drawn aside groups of journalists from CTV and CBC and other places to try to ensure that they give favourable treatment to the tax White Paper, and that the Minister of Finance should be doing the same? Where does Parliament come in all of this, and why is Parliament not put first?

• (1430)

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, Parliament has been a part of this. Parliament has been involved. I think the Hon. Member himself has been part of briefing sessions—

Some Hon. Members: Oh, oh!

Mr. Wilson (Etobicoke Centre): —from finance officials on various components of the tax reform. If the Hon. Member is referring to backgrounders which are being given to members of the media, that is exactly the same process, with the possible exception that the Hon. Member has been getting more detail than the members of the media.

[*Translation*]

INQUIRY IF IT IS POSSIBLE TO GIVE DETAILS OF WHITE PAPER TO EXPERTS WHILE EXCLUDING PARLIAMENTARIANS

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, I have a supplementary for the Minister of Finance.

In the past few days, the experts, acountants and people in the investment industry have all had the details on tax reform in the White Paper prepared by the Minister of Finance and his department. Meanwhile, Opposition Members have to stay in a lock-up tomorrow until noon to get the details on the tax reform proposals prepared by the Minister of Finance and his department during the last two years.

My question is as follows: Is it fair for the Minister of Finance to give all these details to the experts and try and influence the opinion of professionals, while at the same time excluding parliamentarians from this process?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the Hon. Member has got it wrong, all wrong. These experts have taken an oath of secrecy. I do not believe the Hon. Member would submit himself to an oath of secrecy on this particular issue.

This group of experts, a small group of experts, has been asked by the Department of Finance to act as a sounding board for a range of proposals, some of which may be in the White Paper and some of which may not. That is the basis on which they are doing this and it is a practice which has been followed for years and years by the Department of Finance.

Some Hon. Members: Oh, oh!

Mr. Turner (Vancouver Quadra): That is not true.

Mr. Gauthier: It is not true.

Mr. Crosbie: You are really desperate now. Why don't you get an issue with substance? It is a nightmare to come back and listen to you.

Mr. Turner (Vancouver Quadra): Why don't you go back to Paris and stay there?

Mr. Speaker: The Hon. Member for Ottawa Centre has the floor.

Mr. Cassidy: Just because it was done by the Liberals doesn't make it right to be done by the Progressive Conservatives.

Ms. Copps: False, false, false.

GOVERNMENT POSITION ON CONSULTATION

Mr. Mike Cassidy (Ottawa Centre): My question is about the ordinary Canadians who have not been consulted in this

way by the Government. Did the Government bounce off its ideas on people from the trade unions, on farmers, on fishermen, on small businesses? Did the Government consult them? Or did it just consult tax lawyers and accountants and ask them for their opinions? What kind of equity is there in that, Mr. Speaker?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, during the course of the development of tax policy—and I am not trying to make a distinction between the Liberal Party and the Conservative Party—

Mr. Riis: There isn't any. You can't do it. Don't even try.

Mr. Wilson (Etobicoke Centre): —I am just saying that this is a practice which has been going on for years within the Department of Finance. The officials of the Department of Finance have found it useful to bounce ideas off a group of experts—

Mr. Cassidy: What about ordinary Canadians?

Mr. Wilson (Etobicoke Centre): —so they can understand the technical impact of these proposals to make sure that when the proposals are brought in in the form of either a White Paper or a Budget, they are going to be far sounder than was the case of instances in the past when this sort of advice was not taken as fully as it might have been. That is the purpose for this exercise.

* * *

[*Translation*]

CANADA POST CORPORATION

REQUEST THAT GOVERNMENT PROVIDE MANOEUVRING ROOM TO SETTLE LABOUR DISPUTE

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, my question is directed to the Minister responsible for Canada Post.

The Government caused the postal strike by putting impossible restrictions on the Canada Post Corporation. Union members would be willing to settle for the status quo plus protection against inflation, but the Canada Post Corporation cannot even give them that, because the Government has put it in a financial straitjacket.

If we want to settle this dispute, we will have to deal with the crux of the problem, and the question is: Is the Government prepared to take the only step that would help solve this problem, which is to reconsider its priorities with respect to postal services and give Canada Post the financial flexibility it needs if it is to pursue these negotiations with any hope of success?

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, as the Marchment Committee pointed out in its study released last year, the previous administration left the Post Office in a terrible mess—

Mr. Gauthier: Baloney to you, too.

Mr. Andre: —and its virtual survival is in question. This House agreed unanimously in 1981 to the creation of a Crown corporation with the intent that the Crown corporation, under the direction of its board of directors, would manage that operation in a sound fashion. That is what it is trying to do. The Hon. Member, by bringing issues from the table onto the floor of the House of Commons, is going against the position taken by his Party, the New Democratic Party, and this Party.

Mr. Gauthier: Quit cheerleading.

Mr. Andre: No one wants a strike. Everyone wants to see a resolution negotiated at the table. But it is not healthy to have the Hon. Member bringing forward false, misleading, inaccurate information—

Mr. Gauthier: That is not true.

Mr. Andre: —before the House, claiming he knows what needs to be done.

[*Translation*]

ROOM FOR MANOEUVRING IN NEGOTIATIONS

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, the Minister responsible for Canada Post is very far out to lunch. If he had read the Marchment report, he would remember that it recommended giving the corporation until 1990 to balance its budget, not just until the end of this fiscal year.

Mr. Speaker, the worst of it is that the Government, by using replacements to deliver the mail, is manipulating the unemployed and forcing them into confrontations with regular workers. This can only lead to violence and deterioration of the system—

[*English*]

Mr. Crosbie: Question.

Mr. Guilbault (Saint-Jacques): You are going to get the question. Don't worry about that.

Mr. Crosbie: That's a relief.

An Hon. Member: It will be in Chinese for you, John.

Mr. Rossi: Hey, Crosbie, go back to sleep.

[*Translation*]

Mr. Speaker: Order. The question, please.

Mr. Guilbault (Saint-Jacques): Mr. Speaker, I was saying that the solution is not to use temporary workers but, and I am sure Hon. Members opposite are anxious to hear what I have

to say . . . The question is simple: Will the Government give Canada Post the flexibility it needs to continue negotiations and have some hope of reaching a settlement? That is the kind of action we expect from this Government. Nothing else will work.

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, again the question is based on the totally false premise that the Government is somehow initiating the strike, or the Government is somehow involved.

Mr. Gauthier: You sure as heck are. Exactly.

Mr. Andre: The Hon. Member was here in 1981 when the Canada Post Corporation was created. He knows that right into Bill was incorporated the mandate that it should operate in a fiscally sound, break-even manner.

Mr. Guilbault (Saint-Jacques): In 1990.

Mr. Andre: He knows that this House has provided in that mandate for collective bargaining which can lead to strikes. He knows that what is happening is perfectly legal and understandable. The economic stakes have been raised by both sides. Is he now asking for this House to overturn the decision taken in 1981—

Mr. Gauthier: No, Sir!

Mr. Andre: —and legislate an end to strikes in Canada Post? If so I think it would be useful. The House would benefit from that position on behalf of the Liberal Party, if that is the Hon. Member's position.

Mr. Guilbault (Saint-Jacques): We told you what to do.

SECURITY CHECKS FOR CASUAL EMPLOYEES

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, my question is directed to the Minister responsible for the Post Office. I am sure he is aware from newscasts this morning that the Post Office is hiring casuals to deliver the mail without proper security checks. They are given keys to apartment blocks and they are handling family allowance and pension cheques. Will the Minister take a hand in this situation and make sure that there are some limits here, that the security of the mail will be respected while these work stoppages are going on?

• (1440)

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, when I heard those reports I inquired of the Post Office. I was informed that the procedure being followed in regard to replacement workers is exactly the same—

Mr. Murphy: Off the streets!

Mr. Andre: —as in regard to regular carriers—

Ms. Copps: That is false, completely false!

Mr. Andre: If the New Democratic Party would allow me to answer, as well as the vice-president of the students union over there, I will.

A reliability check is undertaken on all employees following their hiring. That reliability check is being undertaken in terms of replacement workers as well. If any workers fail to pass the test, so to speak, they will be dismissed immediately.

Mr. Keeper: Mr. Speaker, I want to thank the Minister for his assurance that the Post Office is following those regulations. I hope that if evidence turns up that, in fact, they are not, he will take action on his commitment here in the House today.

My question relates to the conciliator's report—

Ms. Copps: Scabs are okay, eh?

Mr. Keeper: Mr. Speaker, if I could have some order in this place—

Some Hon. Members: Hear, hear!

Mr. Speaker: The Hon. Member has called on the Chair for assistance. The Chair, without naming the Hon. Member, will ask her for her assistance, too.

Some Hon. Members: Oh, oh!

CORPORATION'S DEADLINE TO ATTAIN FINANCIAL SELF-SUFFICIENCY

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, my supplementary question to the Minister responsible for the Post Office is this. The conciliator's report acknowledged that the kind of policy framework that the Government puts in place for the negotiations has an impact on those negotiations.

Is the Minister prepared now to reconsider the deadline that he has put out for financial self-sufficiency by next spring in light of the fact that considerable progress has been made with regard to deficit reduction? As long as the trend line of deficit reduction is downward, will he not give the Post Office some elbow-room so that it can negotiate in a real sense? In this way there can be some give and take at the bargaining table and we can get the postal workers back to work and avoid a national strike.

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, first, I point out that in addition to stating in the legislation of 1981 that the Post Office should break even within two years, that deadline was postponed until 1984-85. It was postponed again by our Government to 1985-86. It was postponed again to 1987-88. How many postponements are necessary before it becomes ridiculous?

The important point is that it is not the restrictions of the corporate plan which are causing the difficulties. The Hon. Member knows that it is not on financial matters that the

negotiations are difficult. It has to do with work rules and flexibility. I do not think that we should get into that type of debate on the floor of the House of Commons.

It is simply false for anyone to claim that it is an artificial fiscal discipline that this Government has imposed which is the cause of the difficulties in resolving this particular negotiation.

SECURITY OF MAIL—ADMISSION OF CASUAL EMPLOYEES TO APARTMENT BUILDINGS

Mr. George Baker (Gander—Twillingate): Mr. Speaker, the Government has announced the closure of thousands of rural post offices and the replacement of letter carriers by supermailboxes. Today, we witnessed the dangerous erosion of the security of our mail.

I ask the Minister responsible for the Post Office this. Does he not realize that Canadians do not want hired hands off the street, who have passed no security check because they have refused to sign release forms for the RCMP to do the check, to handle the keys to their apartment buildings, their private mail and their personal cheques?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, first, in dealing with the Hon. Member's preamble, it is false to claim that thousands of rural post offices have closed. It is false to claim that letter carriers are being replaced by superboxes because not a single letter carrier has been replaced by a superbox anywhere in Canada ever in history, nor will that occur at any time in the future that I can see.

Some Hon. Members: Hear, hear!

Mr. Andre: As I said in reply to the Hon. Member for Winnipeg North Centre, all proper security checks are being conducted. I can assure the Hon. Member that I will keep in touch with the Post Office to ensure that the security of the mail continues. I will take whatever action is necessary should it be threatened. However, I do not think that it will be.

GOVERNMENT POLICY

Mr. George Baker (Gander—Twillingate): Mr. Speaker, mail boxes certainly have been replaced with supermailboxes. In these negotiations the Post Office wants to replace the mailman with a supermailman who does not need a lunch hour, who does not need a wage increase, who does not need public transportation, and who can deliver mail twice as fast. It is not a bird, it is not a plane—it is supermailman.

Will the Minister not admit now in the House that the Government, through the postal plan and these negotiations, is deliberately taunting the mail carriers to launch a strike?

Some Hon. Members: Hear, hear!

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, as usual, supermouth has got it wrong.

Some Hon. Members: Hear, hear!

Mr. Andre: Perhaps I should remind the Hon. Member that it was in 1974 under the Liberal administration that a freeze was placed on future door-to-door delivery in suburban areas. It so happened that prior to each election in Liberal ridings that freeze tended to thaw a little bit. But that was the policy of the previous Government.

I can assure Hon. Members that, contrary to statements being made by numerous people, the Government absolutely does not want a strike. No one wants a strike. What we want is a settlement. What we want to see is a Post Office that operates efficiently and delivers the mail that is turned over to it for delivery, on time.

Some Hon. Members: Hear, hear!

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TAX REFORM

CONSULTANTS' ACCESS TO INFORMATION

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question is for the Minister of Finance. It has to do with the elite group of tax lawyers and tax accountants who, reports made clear today, are having an opportunity to view the tax documents as late as today. Is the Minister of Finance saying that if this elite group of tax lawyers and tax accountants find problems as they act as a sounding board for his proposals for tax change, he is prepared to make changes between now and his speech tomorrow night?

Hon. Michael Wilson (Minister of Finance): No, Mr. Speaker.

MINISTER'S POSITION

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, will the Minister of Finance then explain to the House and, more appropriately, to the people of Canada why he feels that it is appropriate for 20 elite corporate lawyers and corporate accountants to have an opportunity to view the documents concerning this very critical matter today, hours before the Minister will make it public? Will he explain why they have this privileged information when he has not provided even the same sounding board opportunity to ordinary Canadians, small businessmen and farmers? Why will the Minister not extend the same opportunity if we are going to have this privileged peek in terms of a sounding board? Why on earth would he provide this inside information to this handful of elite people?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I can only think of one instance in the past when there was a change made as recently as the day before a Budget or a White Paper was tabled. That was when a previous Minister of Finance spent $200 million more of Canadians' money because someone looked over his shoulder at the time he was staging a photo opportunity.

Mr. Riis: These people are viewing the entire document, not just one page.

Mr. Wilson (Etobicoke Centre): Mr. Speaker, this question has been asked a couple of times before. These are experts who have been used from time to time over the years by Department of Finance officials as a sounding board. I presume—

Mr. Riis: Why today?

Mr. Wilson (Etobicoke Centre): The reason why they are in today—

Mr. Speaker: We will probably move ahead somewhat better if the Member who asks the question encourages his or her colleagues to allow the Minister to answer.

• (1450)

Mr. Wilson (Etobicoke Centre): Mr. Speaker, I have answered the question two or three times. These people are here to act as a sounding board for the Department of Finance on technical matters relating to tax reform. We are not trying to do tax reform in the way it has been done in the past, when problems have arisen. We are trying to anticipate the problems as much as we can through the advice of technical people working with the officials on an ongoing basis. That is the basis for their being here today.

REASON FOR CONSULTANTS' ACCESS TO INFORMATION

Right Hon. John N. Turner (Leader of the Opposition): Several of these privileged tax experts have admitted that the fact that they are being given privileged access to the tax reform documentation today gives them an advantage over their competitors.

A Mr. Allan Taitz, a tax partner with Thorne Ernst & Whinney, chortled: "This gives us a bit more time to digest it . . . don't forget, every firm in town is going to write a report for their clients."

My question for the Minister is: Isn't the real reason for this privileged free information to give a select group of tax experts a head start on the tax reform package to the advantage of their clients and at the expense of their competitors, in return for which they are co-opted to sell the Minister's message across the country?

An Hon. Member: Absolutely.

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the Hon. Member is a member of the same profession and has in fact practised with a number of these people, or I presume he has practised with them. He knows them, and I think he probably respects their integrity. I presume he would respect—

An Hon. Member: It is your integrity that is being questioned.

Mr. Wilson (Etobicoke Centre): I presume he would respect the nature of the relationship that these people have with the Department of Finance and that he would not call into question the motives of these people—

An Hon. Member: It is your judgment that is being called into question.

Mr. Wilson (Etobicoke Centre): —the motives of these people in coming to work with the officials of the Department of Finance—

An Hon. Member: It is your integrity.

Mr. Wilson (Etobicoke Centre): —to provide advice and to help make the tax policies of this country better.

PURPOSE OF ACCESS

Right Hon. John N. Turner (Leader of the Opposition): We are trying to get at the real purpose for this peekaboo head start. The books are closed. The Minister has admitted that the books are closed. In response to the Hon. Member for Kamloops—Shuswap he has admitted that, no matter what advice they might give him today, he will not change his mind or amend the document. Their presence seems superfluous. For what other reason are they there than to give them a head start, at the expense of the ordinary taxpayer and at the expense of their competitors?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I should thank the Leader of the Opposition for putting the spotlight on tomorrow night at eight o'clock. When people turn on their television sets right across the country, they are going to have one thing on their minds, and that is whether or not the advice that was given to the Minister of Finance was good advice and is it reflected in the quality of the White Paper.

An Hon. Member: Good for whom?

Mr. Wilson (Etobicoke Centre): I think people across the country are going to decide that, yes, it is reflected and it was good quality advice.

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NATIONAL PARKS

FEDERAL OFFER TO ESTABLISH SOUTH MORESBY NATIONAL PARK

Mr. Jim Fulton (Skeena): Mr. Speaker, my question is directed to the Prime Minister.

The demand by the B.C. Government for $200 million in compensation for designating South Moresby as a national park reserve bears no relation to government or independent evaluations.

Since knowledgeable Canadians and British Columbians know that the federal offer of $106 million is realistic, and since this House just one month ago unanimously adopted a resolution calling for the designation of South Moresby as a

national park reserve, including MPs from all three Parties, from British Columbia as well as the rest of Canada, will the Prime Minister take on the political role of finding a political solution to this national issue?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I am gratified by the observations of my hon. friend that indeed the offer put forward by the federal Government is realistic and is supported by him and, I presume, by members of his Party, as it is no doubt by members of the Official Opposition.

It is indeed a very realistic and powerful commitment to the environment that the federal Government, on behalf of all parliamentarians, has sought. It is our view that this offer is one that ought to be accepted by the Government of British Columbia.

I have strongly urged, in private, the Premier of British Columbia and his colleagues to ensure that this matter is resolved on behalf of all British Columbians and all Canadians.

As described yesterday by the Minister of the Environment, we put on the table an offer of unprecedented generosity to ensure that British Columbians and Canadians benefit from this magnificent habitat forever.

That is the way it was done, and we believe that the Government of British Columbia will indeed endorse that concept.

REQUEST THAT PRIME MINISTER COMMUNICATE WITH BRITISH COLUMBIA PREMIER

Mr. Jim Fulton (Skeena): Mr. Speaker, as I am sure the Prime Minister is aware, more Canadians have written to the Prime Minister and to his cabinet colleagues on this issue than on any other environmental issue in the history of Canada.

The Minister of the Environment has done his best to bring this about, as has the Deputy Prime Minister. This Parliament has unanimously expressed itself as wanting that area set aside as a national park reserve.

Knowing that one week from today the B.C. Cabinet is going to make its final decision, I would ask the Prime Minister to contact Premier Vander Zalm and express to him one more time the view that from co-operation comes co-operation in this nation, and on this issue he should understand that very well.

Some Hon. Members: Hear, hear!

Right Hon. Brian Mulroney (Prime Minister): I have met with Premier Vander Zalm in the past on this issue, and on other matters affecting British Columbia. Most recently, we dealt with each other on the Meech Lake Accord. He played a very positive role in the elaboration of that instrument, an instrument that is very beneficial for Canada.

This environmental question in British Columbia is one that has national implications. I have spoken with the Premier on it, and I shall do so again. I shall use every lever to persuade the Premier of British Columbia that this is an issue that should be resolved, not only in the interests of British Columbians but of all Canadians.

Some Hon. Members: Hear, hear!

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TRADE

CANADA-UNITED STATES NEGOTIATIONS—AUTO PACT INQUIRY

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I have a question for the Prime Minister concerning the existing perilous state of the negotiations on the free trade deal with the United States.

Just a few days ago a group of key Congressmen, representing members of the major trade commissions of the U.S. Congress, said that they would not agree to any free trade arrangement that did not include major revisions to the Auto Pact.

Yet today we have in front of us a letter sent to the Prime Minister by the Premier of Ontario saying that he could not agree to any free trade deal that in any way tampers with the existing arrangements on duties or safeguards under the Auto Pact.

My question for the Prime Minister is: What is the Government's position on this issue? Is it the Government's position that there will no change or modification to the existing formula of duties and safeguards under the Auto Pact, and will he give us the assurance that the Auto Pact will in no way be affected by the ongoing negotiations?

Mr. John McDermid (Parliamentary Secretary to Minister for International Trade): Mr. Speaker, this Government's position on the Auto Pact has been stated many times in the House. We shall repeat it once again for the Hon. Member's benefit.

This Government has not requested that the Auto Pact be on the table for negotiation. To date, neither has the American side requested that it be part of the negotiations.

If they do put the Auto Pact on the table, we naturally will take a look at what their proposals are. But, the proposals, insofar as Canada is concerned, should increase employment for Canada and assure the strengthening of the auto industry, an industry which is so important to this country.

ONTARIO PREMIER'S LETTER

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I will address my supplementary to the Prime Minister.

He has been quoted several times in the past, in Venice and elsewhere, as saying that the U.S. administration must

convince the Congress of the necessity of accepting a free trade arrangement. Yet we have a clear condition put down by members of that Congress that they will not accept such an agreement unless there are changes to the Auto Pact. We also have the Premier of Ontario saying that he cannot accept changes to the Auto Pact.

I do not want any more of this gobbledegook about whether or not it is on the table. I want the assurance today from the Prime Minister that the negotiators for the Canadian side will not accept any changes to the Auto Pact, as requested by the Premier of Ontario.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the record will show that from the very beginning the Hon. Member opposite has done every conceivable thing he can do to sabotage the free trade talks with the United States of America.

Some Hon. Members: Right on.

An Hon. Member: So has the U.S. Congress.

Mr. Mulroney: The record will show that his contributions to this debate have been spurious and negative right from the very beginning. And today is not—

Mr. Axworthy: Are you going to answer the question?

Mr. Mulroney: I will answer the question. He has been consistent right up today—

Mr. Axworthy: And you haven't. That is the problem. Why don't you try being consistent.

Mr. Mulroney: In reference to the letter sent by the Premier of Ontario—and it was a confidential letter, by the way—the letter I received from Premier Peterson is headed: "To the Prime Minister. Confidential." And now I see in *The Toronto Star* today "that some industry sources say the letter, apparently drafted by deputy industry minister, Patrick Lavelle, raises an old bogyman without bringing the issues into focus."

• (1500)

This is a quote from *The Toronto Star*. If it is from *The Toronto Star*, it has got to be dead accurate. Indeed, this is a mischievous attempt if indeed—

Mr. Axworthy: Did you get a letter or not?

Mr. Mulroney: Of course I got a letter from Premier Peterson. I get all kinds of letters from Premier Peterson and from the other Premiers—

Mr. Axworthy: What was your reply to him?

Mr. Mulroney: That is question number four. Let's go for question number five.

Mr. Axworthy: Let's go for question number six.

Mr. Mulroney: What is the question?

Some Hon. Members: Oh, oh!

Mr. Speaker: The Hon. Member for Swift Current—Maple Creek.

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AGRICULTURE

SPECIAL CANADIAN GRAINS PROGRAM—REQUEST FOR INCLUSION OF SOUTH-WEST SASKATCHEWAN FARMERS

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, my question is for the Minister of Agriculture. It concerns the Special Canadian Grains Program, a program which was recently modified to permit payments to irrigation farmers in certain designated areas of Saskatchewan and Alberta.

Southwestern Saskatchewan has over 40 per cent of the irrigated land in Saskatchewan and is not one of the designated areas.

Could the Minister explain to irrigation farmers in southwestern Saskatchewan why they would be excluded from the program? Could he undertake to re-examine the situation in conjunction with the western advisory group under the Special Canadian Grains Program?

Hon. John Wise (Minister of Agriculture): Mr. Speaker, I certainly appreciate and understand the interest which the Hon. Member has taken in this particular subject. He realizes that the guidelines, the rules, and the criteria were laid down by farm leaders in concert with ourselves. We have established the advisory group to ensure fairness and equity.

The Hon. Member has raised a rather unique and particular problem in respect of his own region of the province. I want to give him the commitment today that I am taking his recommendation under advisement and that I am placing some priority on it. I am arranging a meeting this afternoon with the advisory committee to deal with that specific problem, and I invite the Hon. Member to attend.

* * *

PRIVILEGE

TAX REFORM CONSULTANTS' ACCESS TO INFORMATION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I wish to raise a question of privilege of which I gave you notice earlier today. It relates to the principle of secrecy of fiscal matters, whereby information relating to proposed tax changes is revealed first only to the House of Commons. This has been, in my submission to Your Honour, breached by the Minister of Finance (Mr. Wilson).

The reason for this principle is to ensure that no one is able to use inside information for personal advantage.

I rely in part upon a report in this morning's edition of *The Globe and Mail* by Jan Wong, which has since been confirmed by telephone calls from our office. It indicates:

> An elite group of tax lawyers and accountants today will get a privileged first peek at the new White Paper on taxation in Ottawa—one day before the rest of Canada does.
>
> But this hand-picked group of 20 already has a pretty good idea of who wins and who loses. They have been on the inside of the process since last fall. So, before most people have time to read through the five volumes of tax proposals, they will hit the road, giving speeches and seminars.
>
> All have signed sworn statements pledging not to divulge any secrets until Finance Minister Michael Wilson reads his speech to the nation on Thursday night. Still, they admit their insider status gives them a coveted head start on the competition.

During Question Period I read one or two citations from those favoured few.

The Minister of Finance goes to the trouble of scheduling a full presentation in the House tomorrow night at eight o'clock. He deliberately waits until all stock exchanges in the country have been closed in order that no information revealed in the paper can adversely affect individual interests on the exchange or in the money markets; in other words, the full panoply of a budget presentation is attached to this economic statement.

We do not know whether or not there will be budget changes announced in the paper. Of course the Minister has been ambiguous in earlier replies to the Hon. Member for Laval-des-Rapides (Mr. Garneau). In any event, the Minister has given notice of a Ways and Means motion which implies that there must be something affecting the Ways and Means of the country either in terms of tax changes or in terms of expenditure changes.

The story in *The Globe and Mail* and the facts we have substantiated substantiate that people actively involved in giving the Government tax advice have been provided on a systematic basis with information on the Government's final tax proposals which has not been made available to the public at large, including their own commercial competitors.

I am not taking issue with the Minister of Finance requesting, seeking, and obtaining the best advice he can get on his tax reform proposals. What I am complaining about and where I believe the privilege of Members of the House has been breached is that after the books were closed, after the Minister and his departmental officials had drawn their own conclusions and made up their minds, 20 of these experts were given privileged, advance access to the material. This was at a time when their advice was no longer relevant, because the Minister admitted in the House this afternoon that the books had been closed and that, no matter what advice was obtained during this 24 hours, no changes would be made to the paper.

It is clear from the story that these people not only intend to use this information for their immediate personal and professional advantage, but their competitors are already vocally complaining that this unfair advantage has created preference in the professional world of the tax accountant and the tax lawyer.

The precedents show the importance of the principle of secrecy surrounding fiscal matters.

In 1936 in Britain, a Minister was obliged to resign from Cabinet because a friend to whom he had casually mentioned some of the details of the pending Budget used the information to make an advantageous investment.

In 1947, the British Chancellor of the Exchequer was obliged to resign because he told a reporter one small item in his Budget when he was on his way into the House to deliver it, which resulted in premature publication of the information. That was the famous case when a well-known reporter at Westminster saw the Chancellor of the Exchequer walking into the House and smoking a cigarette, and the Minister said, "I hope you bought a number of those before my getting up". That was a budget leak which cost the Chancellor of the Exchequer his job.

This is not the first time that Ministers of Finance have felt it necessary to consult persons outside their Department about tax changes. The most memorable occasion revolved around the 1963 Budget. I was then the Hon. Member for St. Lawrence-St. George, and it was brought to the attention of the House by the then Hon. Member for Port Arthur, Douglas Fisher, who is now a member of the Parliamentary Press Gallery. That promoted and provoked a very serious crisis for the Pearson Government of the day, and I say justifiably so.

However, I want to suggest that at that time there was a major difference. The outside specialists in 1963 retained by the Department of Finance under the authority of Walter Gordon were not only sworn to secrecy but were removed from their commercial activities while the Budget was in preparation; that is to say, they took leave of absence for a specific period of time from their respective firms. For several weeks following the Budget presentation they were kept in Ottawa and were not allowed to return to the practice of their professions, either in accountancy or in law, and one of them was an investment banker. It was made certain that none of the three gentleman concerned at that time could take any professional advantage out of the special relationship they had been given by Mr. Gordon in his capacity as Minister of Finance.

What we have here are people who have been consulted extensively and in detail while they have continued to carry out their own business activities that are directly related to the proposals on which they are working. They have advance information in the course of their regular practices. Not only did they have the opportunity of discussing with the Minister and his senior officials the ideas which were being bruited about, but today they see the final document which can no longer be changed, and the Minister says it will not be changed. They have an advantage over the country, over Members of Parliament, and over their competitors.

The quotes which *The Globe and Mail* reporter retrieved from various of these experts make it quite clear that they have

every intention of advertising their information and using it for their own commercial advantage. This flies in the face of the letter and spirit not only of financial secrecy but of commonly accepted conflict of interest post-employment principles.

This has been done flagrantly, openly, and even boastfully in full contempt of the traditions and practices of the House of Commons.

• (1510)

You, Mr. Speaker, sit in the most revered chair in Canadian democracy. You are the Speaker of the House of Commons. When Parliament became an institution as it evolved in British practice, there were two reasons for people wanting to unite. One was to approve expenditures proposed by the King and the Crown, the other was to approve or disapprove taxes imposed by the Crown.

Nothing is more fundamental to the institution of Parliament, nothing is more relevant to the privileges of Members of this House, than that we as representatives of the Canadian people have the first opportunity in a privileged way, not to be shared with anyone else, to see what the Government proposes in the way of expenditures and taxes. That privilege has been breached by the Minister.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): I would submit that we are dealing not merely with a White Paper but with something that approximates an actual Budget presentation. It anticipates an entire overhaul of the tax system. It involves the personal affairs of every individual Canadian. It will affect the course and conduct of business in Canada for the next generation.

The special order of the House governing tomorrow's presentation clearly refers to the tabling of Notices of Ways and Means, notices of immediate tax changes. This means that we must consider this matter in the full context of a Budget presentation.

I submit to Your Honour that there is a prima facie case of privilege here. I submit that there is nothing more fundamental to the role of Parliament than the review of Ways and Means, expenditures on the one hand and proposed tax changes on the other. Enveloped as it is with all the sanctity, all the paraphernalia and all the panoply of a Budget presentation, nothing goes more to the heart of the privileges of every single Member of Parliament than this breach that I submit has been perpetrated by the Minister of Finance.

If you find that there has been a prima facie breach of the privileges of the House, I would of course be prepared to move the appropriate motion.

Some Hon. Members: Hear, hear!

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is an unfortunate thing that has occurred today. As the Leader of the Official Opposition (Mr. Turner) has indicated, the White Paper that will be presented tomorrow is a very special White Paper. It is one that touches upon the lives of every Canadian. For all intents and purposes, it is being treated in the same way as a Budget. As a matter of fact, it is being treated even more importantly than have some of the Budgets we have seen in the past.

Tomorrow's lockup will last for a full eight hours, the assumed time required for Members of Parliament and others to be fully apprised of the contents of the document. The Minister of Finance (Mr. Wilson) decided that the appropriate time to make a speech outlining the high points of the changes to the tax laws of Canada would be after the stock-market closed, and that means obvious things.

As a matter of fact, when asked on a number of occasions to justify why it was necessary to present the White Paper at eight o'clock at night after the markets had closed, a satisfactory explanation was never given, other than to say that the markets in western Canada would be fully closed at that time. Obviously we are talking about changes to the income tax system of Canada that will have profound implications for all Canadians.

Today there have been people quoted in the media who presumably were participants on a panel of 20 tax lawyers and tax accountants, an elite group of tax advisers, which has now had access to the final documents regarding the tax changes. I think it is only appropriate that since this matter has been raised today this list be made public. It has been referred to by the Minister of Finance throughout today's Question Period and it is only appropriate that the people of Canada know who have been included in this assembly of experts with special information, acquired before Members of Parliament, the duly elected representatives of the people of Canada, have had an opportunity to be apprised of the contents of the tax reform statement.

In today's newspaper, a Mr. Boulanger who worked with the Finance Department from 1978 to 1982 said that he knows how those people are picked, that they are usually the guys who get their names mentioned in the paper, that it is strictly political. Another individual said that he was very flattered because his peers think he is worth talking to, peer recognition being a big thing in this business.

It has been made clear on a number of occasions the value of peer recognition when it comes to tax advice. These 20 special people will now have an obvious advantage when offering advice to corporate clients, and that is something about which we as Members of Parliament must be very concerned. We are concerned about confidentiality and about fairness when it comes to divulging this information.

It is perfectly clear that what has happened is that the Minister of Finance, through the admission of people who know the system well, has politically appointed 20 people who have received special and privileged information. Earlier the Minister of Finance was asked if he would be prepared to make changes to the documents if this so-called sounding

board was to identify problems. He responded by saying no. One must ask what was the purpose of this panel of 20 reviewing the documents of the tax reform if the Minister of Finance had no intention whatsoever of changing his mind on any of the aspects of the tax reform proposal.

It is obvious that these people now have privileged information and they will be in a position to take advantage of that privileged information on behalf of their corporate clients.

Mr. Turner (Vancouver Quadra): A 24-hour head start.

Mr. Riis: As the Leader of the Official Opposition has indicated, they will have a 24-hour head start. The fact that the statement will be made after market hours and the fact that there is an extensive lockup involved indicates that this is very important information and those people who are able to take advantage of this information of course stand to gain substantially.

I believe that this is in fact an infringement on the privileges of Members of Parliament. It is perfectly clear that it has always been the tradition in Canada that the first people to view the final documents after the Minister of Finance has put his final stamp on them are the duly elected representatives of the people of Canada. That a handful of politically chosen elite tax advisers have been given preliminary information and know exactly what the new tax Act will be 24 hours prior to Members of Parliament having an opportunity to be apprised of it is obviously an infringement on the privileges of Members of Parliament.

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I have listened very carefully to the arguments of Members opposite and I think I should draw to the attention of Hon. Members just exactly what we are discussing here. We are discussing the lead- up to a White Paper, we are not discussing a Budget. It is a White Paper and a White Paper is a proposal. It does not represent Budget policy. I believe that is a fundamental point that must be made here.

Some Hon. Members: Why the Ways and Means Motion?

Mr. Wilson (Etobicoke Centre): The Leader of the Opposition (Mr. Turner) has said that under no circumstances should this information be made available to anyone prior to the time it is presented in the House of Commons. The Hon. Leader of the Opposition knows that there are Members of Parliament who are privy to this information prior to my rising in the House of Commons. Members of the Press Gallery are also privy to information—

Some Hon. Members: Oh, oh!

Mr. Speaker: The matter that has been raised by the Right Hon. Leader of the Opposition (Mr. Turner) is a serious one. The Hon. Member for Kamloops—Shuswap (Mr. Riis) has taken the same position. The Chair is listening to argument on a matter which all Hon. Members know is a serious one and I must say that it is easier for the Chair to pay attention to the arguments that are being made if Hon. Members would refrain from arguing with each other across the floor.

• (1520)

I noted that when the Right Hon. Leader of the Opposition was giving his precise and cogent arguments he was received with respectful silence. I ask that all Hon. Members give the Minister the same courtesy when he is responding.

If Hon. Members have something to add in opposition to what the Minister is saying or may say, they know the Chair tends to be generous and always tries to be gracious in making sure those points of view are heard. I will recognize Hon. Members if it is appropriate to do so.

Mr. Wilson (Etobicoke Centre): Mr. Speaker, I very much appreciate your comments.

I believe when I was interrupted by Members opposite I was talking about the fact that there are people who are given information prior to my standing up in the House tomorrow evening. That is understood. We all understand the importance of helping Members of Parliament and members of the media make themselves knowledgeable about what is in the White Paper.

I want to make this point in the context of the discussion paper of May, 1985, called the *Canadian Budgetary Process, Proposals for Improvement*. This was a continuation of a Department of Finance paper put out in 1982. The comment was made in the 1982 paper and quoted again in the 1985 paper that when a political controversy might be precipitated by a budget leak, however trivial it might be and regardless of how it occurs, meaningful pre-budget consultations are naturally inhibited. Budget secrecy impedes consultation when it prevents groups from knowing which options the Government has under serious consideration.

What we are trying to do with this process is take advice from knowledgeable people in advance of making the final decision so we can get the benefit of their technical ability, using them as a sounding board so we are not making budgetary policy in a vacuum. As I said, that process was started many years ago. After the Right Hon. Leader of the Opposition took exception to the fact that I said technical advisors were advising the department during his term of office as Minister of Finance, I checked and, yes, that is true. The same types of advisors were providing advice to officials in the Department of Finance at that time.

There is nothing new here. These people take the same oath of secrecy as do members of the Public Service. They are then given a range of things under consideration by department officials. They are asked to give their advice as to what problems or technical questions there might be in certain elements of the proposals being considered. They are asked for their opinion and they continue on through the process. This has been going on for the better part of six or eight months.

I think it has been a very useful process. They report directly to the Assistant Deputy Minister of taxation in the Department of Finance. I know the advice he received from them is greatly appreciated. Certainly he hopes this process will be able to continue unimpeded by the type of controversy that the Right Hon. Leader of the Opposition is trying to generate today with his question of privilege.

In response to the comments of the NDP House Leader, these people are chosen by Department of Finance officials. I was not asked to designate people who might participate.

Mr. Orlikow: Who are they?

Mr. Wilson (Etobicoke Centre): As a matter of fact, I think I know about one-fifth of them. Some of them I never heard of before I was involved in this process. It is casting aspersions on the integrity of these individuals for the NDP House Leader to suggest that they are political appointees. That is not true. They are chosen by officials in the Department of Finance based on their professional competence.

I listened carefully to what the Right Hon. Leader of the Opposition was saying about how we had chosen these people to give them a head start. I would love to have more people involved in the process, but there is a certain limit, still making it a useful process. There has to be sufficient dialogue with the people involved, so there is a good understanding of the range of proposals which would be involved and decisions can be taken accordingly. To say they are political appointees, or to imply that they are doing this so they can get a head start on their competition casts very serious doubt on the motivations of these people. They are serving as advisors without pay—

Some Hon. Members: Poor them.

Mr. Wilson (Etobicoke Centre): —because they are good Canadians. I think the Right Hon. Member should think very carefully about whether he should be casting the motivation of these individuals in doubt, because again—Mr. Speaker, Members opposite cannot keep their mouths shut. They will not listen to the argument on this side of the House.

Mr. Frith: Who are they?

Mr. Wilson (Etobicoke Centre): If Hon. Members would care to listen they might learn something.

Mr. Speaker: I know Hon. Members will want to hear the Minister. As I said, there may be points he makes that Hon. Members will wish to comment on. I indicated I will recognize Hon. Members for that purpose. I ask Hon. Members to allow the Minister to finish.

Mr. Wilson (Etobicoke Centre): Mr. Speaker, I draw this to your attention because I feel it is a very important consideration in the whole process. We have to be able to have the appropriate consultation during the budget process in order that the best advice can be given to the Government to make the whole process of tax policy a better one which will result in fewer problems. That is why I think it is important that Hon. Members refrain from casting aspersions on the motivation of the people involved or the whole process.

As I said, the thing I found difficult to follow in what the Right Hon. Leader of the Opposition was saying was whether he was concerned that these people got a head start, or whether there is something new in this whole business of seeking advice from this type of individual. It should not be a matter for consideration by this House of whether or not one group of lawyers, because of their involvement in this process, is involved before the actual paper is brought down. The facts are that there is a rotation. I know people who have been involved in this process in the past and who were not involved in the process prior to this White Paper. That is an important consideration.

Both the Right Hon. Leader of the Opposition and the NDP House Leader made an important point of the fact that this is being done at eight o'clock after the markets are closed. Why are we doing it then? I want to point out that the timing of my three Budgets was 4.30 in the afternoon. That is when markets close. If we stayed at 4.30 then there might be some reason to say why then and not at three in the afternoon because we had chosen that time as precisely the time when markets close so we would not have that problem with this statement tomorrow.

• (1530)

The precise reason for choosing the time of eight o'clock for the statement is, as many Hon. Members have said, that tax reform is going to affect a large number of Canadians. In fact, every Canadian will be affected by tax reform in one way or another. For that reason I believed that eight o'clock, when the White Paper proposals could receive maximum exposure, was the best time to choose in order to serve our constituents well.

I know Hon. Members opposite may not like that because they are afraid that there will be a lot of good news in this White Paper on tax reform. That concern is very valid. The point is that that was the reason for choosing the time of eight o'clock.

The Leader of the Opposition has referred to the fact that I have given notice of a Ways and Means motion. It is quite clear that a Ways and Means motion will be tabled tomorrow evening. However, I want to make it very clear that the people who have been involved in this process have not in any way been party to the details of anything that will be in that Ways and Means motion. That is a statement of fact.

The point of the matter which we are discussing is related to whether the Department should expose itself to advice from experts. I think it is very important that we have this advice and recognize that the advice is on-going. The advice from the people who have been involved did not stop two or three weeks ago. It continues today and will continue into the future after the presentation of the White Paper. We have asked them to participate in order to learn whether technical elements in the

White Paper will cause problems of which we can be aware as soon as possible after the presentation of the White Paper.

That is the substance of my presentation, Mr. Speaker. However, I do want to underscore one point very clearly. This is a White Paper of proposals on tax reform. It is not a Budget. That is the fundamental difference which is at the heart of what we are talking about.

In addition, it is very important that we be careful, in order to maintain the validity of the consultation process, not to use the opportunity to make political points which will undermine the integrity of this consultation process thus setting ourselves back a number of years and reverting to the bad old ways of making Budgets in a vacuum, which leads to the problems about which the Party opposite has a good deal of knowledge.

Mr. Speaker: I will recognize the Hon. Member for Kamloops—Shuswap (Mr. Riis) to make a short point.

Mr. Riis: Mr. Speaker, I would like to add a small point to the comments. It is important that we put on the record very clearly that no one is suggesting that the Minister of Finance ought not consult with people from all walks of life in developing a package for tax reform. We are suggesting, however, that to consult with those people virtually hours before making the tax reform public, after all the t's have been crossed and the i's have been dotted, is simply to give a preview and advance notice of what is in the documentation.

The Minister of Finance has not responded to my request for a list of the participants. There is a quarter-page ad in the newspapers today which says:

> On June 18, he'll—

—that is the Minister of Finance—

> —present his white paper on tax reform. On June 19, we'll explain it in black and white.

They will move very quickly. That is an ad by Wood Gundy.

Another firm, Financial Concept Group Inc., is going to hold a seminar to explain the new tax reform proposals, the impact on investments and retirement planning, and what is next, starting at seven o'clock tomorrow night. In other words, at a seminar which will begin an hour before the Minister of Finance stands in this House to deliver his proposals, advisers from Financial Concept Group Inc., Mr. Don Bridgman and Mr. Brian Costello, will be commenting on the new tax changes.

I think it is important that the list of the 20 experts be made public. If that list includes Don Bridgman or other people from Financial Concept Group Inc., it means that they are prepared to start talking about this privileged information before the Minister of Finance even stands in the House of Commons.

Mr. Speaker: The Hon. Member for Kamloops—Shuswap (Mr. Riis) has alluded to a matter which, understandably, is giving me some concern. Perhaps the Minister of Finance (Mr. Wilson) can clarify this.

As I understand it, the oath which this group of advisers has taken would forbid them from releasing any information which they have acquired in the course of their advisory work for the Government of Canada and the Department of Finance until after the Minister of Finance rises in this House at eight o'clock tomorrow night.

I want to know whether I understand completely the effect of that oath. Perhaps the Minister of Finance can give some confirmation of that.

Mr. Wilson (Etobicoke Centre): Mr. Speaker, my understanding is that the oath these people have taken is the same oath as members of the Public Service take. They are sworn, therefore, not to release any of this information and not to take advantage of this information in any way prior to the time that I stand in my place and announce it in the course of my presentation tomorrow.

As a point of clarification, Mr. Speaker, these are lawyers and tax accountants. One of the firms mentioned by the House Leader of the New Democratic Party is an investment dealer. I believe the other is an investment advisory firm. This type of firm has not been involved in this process, only lawyers and accountants have been involved.

[*Translation*]

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, I think the question at issue here is far more serious than many Members of this House would care to believe, especially those on the Government benches.

I had the privilege of working on tax matters for seven consecutive years. I have brought down seven budgets in a legislature, and I am aware of what has to be done to surround ministerial decisions with the greatest possible confidentiality to prevent certain groups and individuals from taking undue advantage of Government decisions.

Mr. Speaker, what is at stake here is Members' privileges, my privileges and the privileges of all Members of this House. I listened carefully to the Minister of Finance (Mr. Wilson) and to the explanations he gave, and I think he does not understand what is at stake here. No one is saying that a Minister of Finance cannot consult with any number of experts and various groups, including chambers of commerce, social partners, tax experts, people in the financial sector and others in the social sector. No one is denying that the Minister of Finance is free to hold such consultations. The reason why the Leader of the Official Opposition (Mr. Turner) rose on a question of privilege is, that after the Minister and the Government made their decision, an elite group of about twenty people met here in Ottawa today to be told, before the Members of this House and before the rest of the Canadian public, about the contents of the tax reform proposal that will be tabled tomorrow at 8 p.m.

Mr. Speaker, the Minister says it is happening behind closed doors. I have a very simple question for him: Will these people who are given preferential treatment today remain sworn in

and behind closed doors, to the extent that they cannot and will not be able to get in touch with their offices, their wives and their children, that even when they go to the washroom they will be accompanied by guards, as is the practice when they are in a Budget lock-up, or tomorrow when Members will gather in a room to examine this question and kept incommunicado until 8 p.m.? Will these 20 privileged people mentioned in today's newspapers be allowed to sleep at home tonight, or will they be locked up in the same room, unable to communicate with the outside world? Mr. Speaker, I have already been led to believe that some of them did in fact get in touch with their offices.

What we are questioning here, Mr. Speaker, and I am not suggesting that these people have revealed the contents—

• (1540)

[*English*]

Mr. Speaker: If I understood the Hon. Member correctly, he seems to be indicating that he has some information that some of these people who have sworn an oath of secrecy have already contacted their offices. This puts the Chair in a great deal of difficulty. If that is so, then somebody has breached their oath.

I want to be sure whether that is, in effect, what the Hon. Member is putting forward as a fact, other than perhaps some rumour that he has heard.

[*Translation*]

Mr. Garneau: Mr. Speaker, what I said is this, and I want to repeat it: I did not suggest that these people had revealed the contents.

[*English*]

I never said that they talked about the content. My argument is in the context of the lock-up. Tomorrow, some of our colleagues will be in a lock-up with research people. We will be kept there from noon until eight o'clock. We will not even be able to go to the bathroom without a guard. That is the rule of the lock-up.

Today, there are 20 specialists who received the privilege of reading the White Paper before any other Member of the House. I am asking the Minister whether the same rule that we are going to follow tomorrow will apply? Will those people stay in their hotel room or a room somewhere on Parliament Hill or in the Minister's office? Will they be there under guard, with no communication?

[*Translation*]

Mr. Speaker, I submit, the question of privilege I am raising is that 20 people are now aware of a document which will not be made public until tomorrow, and it is to that extent that I believe the privileges of the House have been breached.

Mr. Speaker, the Minister referred to consultations a few times. Consultations may open the way to a number of options, and the difference between consultation, with which I agree, and what is going on now is that the people who are consulted have no idea what the Minister's decision will be. While today, the 20 privileged individuals who have gathered somewhere in the Department of Finance are not there to give advice, but to get acquainted with the decisions which have been taken and in that sense they are violating the privileges of this House, since no member, except the Minister or perhaps members of the Cabinet, but certainly no private member of this House has looked at that document.

Mr. Speaker, I submit that there is a breach of the privileges of this House. It is an extremely serious matter and the Leader of the Opposition has raised several points of order and quoted several precedents. Before concluding, Mr. Speaker, I would like to put to you the following question: Why today and not tomorrow? Why have those privileged individuals met today instead of being subjected to a confidential in camera meeting tomorrow with all the others. Why give them that privilege? I think that we cannot question the intellectual honesty of those people, the tax specialists who have been consulted. If we can question something, it is the judgment of the Minister of Finance who allowed those highly qualified persons to be placed in an untenable position. So I rise on a point of order and I believe that there has been a breach of my privileges and if I must question the judgment of someone, it is unfortunately that of the Minister of Finance who allowed such a thing to happen.

[*English*]

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I will not take too long in this debate because I believe the Hon. Minister of Finance (Mr. Wilson) has made most of the relevant points. However, I want to reiterate one or two points.

The Right Hon. Leader of the Opposition (Mr. Turner) has alleged that there are newspaper articles indicating that certain professionals have advance information and that they are going to seek to use this to undue advantage. He went on to cite what we all have come to know as various political controversies over whether or not a budget leak has occurred and whether anything politically harmful has been flowing from that budget leak. I compliment him on his excellent research, but there is absolutely no guilt by association and there is absolutely no question of privilege.

My hon. colleague, the Minister of Finance, has indicated that he is bringing forward a White Paper. No one in the House knows why there is a Ways and Means Motion connected to it and I am sure that this will become evident tomorrow. I am sure there are reasons for that, knowing the Minister of Finance. He is bringing forward proposals for consideration by the taxpayer, by the public, and by this Parliament.

I do take exception to one thing. As a professional, both a chartered accountant and a lawyer, I am sure that the individuals who the Hon. Minister of Finance asked to come to Ottawa to assist in this process could probably have made a lot

more money elsewhere and could probably have spent their time doing other things.

Ms. Jewett: So what?

Mr. Lewis: The "so what" is that if we are to have the best advice of the professionals of the country, then we should bring them to Parliament and not castigate or smear them for political purposes. I take objection to that as a professional.

Mr. Riis: Make the list public.

Mr. Lewis: I will deal with the Hon. Member for Kamloops—Shuswap (Mr. Riis) in a minute. If Members of Parliament want the best advice, whether it is at committee level or at the ministerial level, I think we must treat people properly.

My hon. friend, the former finance critic of the New Democratic Party, has suddenly discovered that on the night and the day after the presentation of a financial paper, accountants and lawyers hold meetings with clients to discuss it.

Mr. Riis: Before his speech begins?

Mr. Lewis: One might have a cup of coffee or a cocktail or even dinner before it happens. I cannot believe that my friend spent two years as finance critic of the NDP and did not realize that those meetings went on shortly after or even during the budget presentation.

Mr. Orlikow: How about before?

Mr. Lewis: Welcome to the world of finance. While we heard an outpouring of emotion over the question of a breach of privilege, there was one thing missing from the presentations across the way. That missing element was precedent. Unfortunately, it has fallen to me to give the Chair the precedents.

First, let me quote from a paper that was written by Mr. Joseph Maingot, Q.C., Law Clerk and Parliamentary Counsel, House of Commons. He states:

> Furthermore, parliamentary privilege is concerned with the special rights of members, not in their capacity as ministers or as party leaders, whips, or parliamentary secretaries, but strictly in their capacity as members in their parliamentary work.
>
> Therefore, allegations of misjudgment, or mismanagement, or maladministration on the part of a minister in the performance of his ministerial duties do not come within the purview of parliamentary privilege. And neither does an allegation that a minister permitted a budget leak constitute a matter of privilege.

In November, 1981, when a budget leak was raised as a possible question of privilege, the Speaker stated, "I will not pass judgment on whether it is or is not a leak or whether the words chosen were wise or cautious". The Speaker went on to state, "I do not feel that in this particular case I can make any kind of pronouncement or judgment on the fact that the secrecy of the Budget may have been breached".

Let me refer to another precedent by Speaker Jerome on April 17, 1978. It is a reference to a question of privilege raised by the Hon. Member for Oshawa (Mr. Broadbent) regarding a leak of budget information.

• (1550)

After allowing a brief discussion, the Speaker intervened to defer the matter. He said, "It awaits the presentation of the Budget this evening and will be subject to further discussion at this time tomorrow". The following day the matter was raised and there was a finding that there was no question of privilege. One of the comments of the Chair was, "The Chair has serious doubts as to whether the convention of budgetary secrecy falls within the area of privilege at all".

The Opposition has, in an effort to smear the whole question of the White Paper, tried to raise a question of privilege. I think the argument has gone well beyond prima facie and I have no difficulty with that. I submit to you, Mr. Speaker, that based on the precedents which have been decided in this House and elsewhere there is absolutely no question that the allegation of a budget leak does not constitute a question of privilege.

Mr. Speaker: I wonder if I could ask the Parliamentary Secretary a question. It seemed to me that at least part of the alleged question of privilege which was raised was that some information which was to be given to all Members tomorrow night had been given to some people outside this place earlier. It seems to me that there was some suggestion that that in itself is a breach of privilege. I am not for one minute putting aside the other issue. However, I wonder if the Parliamentary Secretary could address that. I am familiar with the precedents he has helpfully cited on the other matter, but perhaps the Hon. Parliamentary Secretary could just address that particular point because I would like to hear his view.

Mr. Lewis: I suppose, Mr. Speaker, given the time of day and what my hon. friend is quite rightly basing his case on, that is, comments in the newspaper, I think at that point then the Chair is in a position of having to decide for itself as to whether or not the evidence brought forward in support of the prima facie case of privilege is sufficient for the Chair to decide that those individuals had an advantage over Members of Parliament.

I guess you could go beyond that, Sir, to suggest whether or not that position of privilege is being exercised to the detriment of any Member of Parliament. I just raise that in answer to your question. I appreciate that it is sometimes difficult to make a prima facie case at this point. One has to lead the best evidence one has to lead, and my right hon. friend obviously did that.

Based on the precedents, if the issue is a question of budget secrecy being breached, which is what has been suggested, then it seems to me the precedents say that no matter how annoyed one might be, it is a question for another forum, and not a question of a breach of privilege to be sent to the Committee on Privileges, Elections and Procedures.

Mr. Speaker: I will hear from the Hon. Member for Winnipeg North (Mr. Orlikow) and will come to the Hon. Member for Windsor West (Mr. Gray) in a moment.

Mr. David Orlikow (Winnipeg North): Mr. Speaker, in my many years as a Member of this Parliament I have never experienced a situation similar to this. What the Minister has been promising for months now are not some minor changes in our tax system. What he has been intimating is that we are going to get a very fundamental reorganization of the whole system. It has been said, indeed, reported, that we are going to see that the system will be simpler and fairer, that income tax rates will come down, that consumption taxes such as the business transfer tax will go up, that corporation taxes will go up, and many of the loopholes in the present system for corporations and individuals will be plugged.

If these reforms take place, as has been intimated by the Minister of Finance (Mr. Wilson), and other members on the government side, they will be very important changes which will affect, as the Minister said a few moments ago, virtually every Canadian.

So what we have here is that 20 tax lawyers and accountants have been consulted. I am certain that they have not just given some advice on minor technical points. I am certain that in the period during which they were being consulted they expressed their views on some of the proposed changes, whether they were in agreement or whether they thought they would be detrimental.

A couple of things happened as a result of that. First, these 20 tax lawyers and accountants obviously have an advantage. I am not saying they are going to use their knowledge before eight o'clock tomorrow night, but at eight o'clock tomorrow night when all the Members of Parliament, tax lawyers and accountants are beginning to study what is in the report, these people will have had days or weeks of advantage over all the other tax lawyers and accountants who are in the same business.

I have another major concern. I am sure that the kind of accountant who does my income tax was not consulted. So what we have are 20 lawyers and accountants who, I am certain, have as clients some of the biggest corporations in this country, expressing their views to the Minister and his department. If they are there to express their views and the views of the corporations they represent, where were the representatives of ordinary Canadians? Where were the representatives of the workers, the farming community, the consumers? Are their views, their feelings and philosophical approach to taxation and their desire to see a fair tax system not as valid as these 20 so-called experts? It seems to me that that is a question the Minister ought to answer.

If the Minister wanted consultation, and we all agree that consultation is a good idea, why did he not have consultation with a wide spectrum of our society? Why did he go for advice to representatives who, I am certain we will find out when we receive the list, represent big business? I think that is a very important question to which the Minister should address himself.

Hon. Herb Gray (Windsor West): Mr. Speaker, I want to begin by addressing briefly the point made by the Parliamentary Secretary to the Government House Leader (Mr. Lewis) with respect to precedents. Obviously, I have not had the time to get out the precedents and study them, but the second precedent quoted by the Parliamentary Secretary, I think is relevant. He said that the Speaker in making his ruling said only that he had serious doubts that budgetary secrecy is a matter of privilege. He did not rule conclusively that budgetary secrecy is not a matter of privilege. Therefore, I respectfully submit, Mr. Speaker, that that precedent, at least, is one the Chair does not have to consider binding upon itself.

The Minister of Finance himself has argued that the issue as to whether we have a prima facie case of privilege turns on, among other things, whether or not this group of 20 experts looked at material which was part of a budget. The Minister of Finance himself argued that that was a very relevant consideration and in effect he was saying that if the group of 20 experts did not look at material to be contained in a budget then we are not dealing with a prima facie case of privilege. However, if the group of 20 experts was looking at material which was to be contained in a budget, that would be a different matter.

What did the Minister of Finance himself say in this House in answer to the motion of the Right Hon. Leader of the Opposition (Mr. Turner) on this point? At first he said the White Paper is a proposal, it does not represent budgetary policy. But later when trying to explain why he had this group of 20 experts looking at material that he originally said was to go into a White Paper, he said, "I am getting technical advice so we are not making budgetary policy in a vacuum".

• (1600)

The Minister of Finance has therefore admitted exactly what it is he will be presenting to the House at eight o'clock. This is confirmed by the fact that he will at that time, as he admitted a few minutes ago, table a Ways and Means motion.

Why else would he be tabling a Ways and Means motion if his so-called White Paper was not in fact in the nature of a budget? Is he trying to get us to believe that he is tabling a Ways and Means motion about something completely unrelated to the White Paper and is just choosing this convenient opportunity tomorrow night to table it?

The Minister of Finance has made some valiant attempts to convince people of the unbelievable. But I am sure that even he will not take seriously that type of effort, if that is what he intends.

The evidence from the Minister himself is clear. What he is submitting tomorrow at eight o'clock is in the nature of a budget. If that is the case, then on the argument of the Minister of Finance himself what he has done by allowing this group of 20 to have access to the material to be presented in

his document tomorrow night amounts to a prima facie breach of privilege.

There is a second point I wish to make in support of the motion of the Leader of the Opposition which is this. If we are talking about harm to the role, that is to say the privileges of Members of Parliament, then it is clear that we have the evidence of this, again from the mouth of the Minister of Finance, since he has admitted that this group of 20 is looking at the very material that is to be presented to the House at eight o'clock tomorrow night. They are looking at it today, a full 24 hours before the group of Canadians elected by the people of Canada as Members of Parliament to receive the material from the Minister of Finance have had a chance to receive that material formally in the House of Commons.

He has offered no convincing explanation as to why this group of 20 should today see this material to be presented to the Members of the House of Commons tomorrow night. He has said that the books are closed. He has said that no matter what advice this group of 20 gives him it will be too late.

What we see here then is an attempt to put a group of private citizens in a superior position, a position to which they are not entitled by law or by custom, over the position of Members of Parliament elected to receive the type of information the Minister is presenting to the House and to other people in the country. I again say that out of the mouth of the Minister of Finance himself we see the admission at least of a prima facie breach of privilege.

The Minister, and I believe the Parliamentary Secretary, have asked why Members on this side of the House should be concerned about this group of 20 getting this information today. After all, the Minister says, they are all honourable people. I am not getting up to challenge that. However, what we are dealing with here is appearances. Appearances count when it comes to what happens in the House of Commons, when it comes to the conduct of Members of Parliament who happen to be Ministers. After all, the report by Jan Wong in *The Globe and Mail* quotes one of the people in this group of 20, a Mr. Allan Taitz, a tax partner at Thorne Ernst & Whinney, as saying about the advance look at the material he has, compared to that available to Members of Parliament: "This gives us a bit more time to digest it—every firm in town is going to write a report for their clients." I do not understand why the Minister of Finance is not concerned about what is allowed to happen in terms of the appearances of the matter for himself and his advisors in the Government and this group of 20.

I conclude by saying that I think on the facts and in the absence of clear, convincing and binding precedents to the contrary upon Your Honour you are entitled to find that there is in fact a prima facie breach of privilege. I wish to underscore that point by saying that we are talking not simply about a press report but about what the Minister of Finance himself has admitted in the House in reply to the motion of the Leader of the Opposition, that this group of 20 are looking at the document today in advance of elected Members of Parliament.

For all these reasons the Chair is well entitled to find that there is a prima facie breach of privilege. I hope and say this with the utmost respect, Sir. In view of the importance and significance of this issue, I hope it will be possible to hear from Your Honour, in the difficult decision you have to make in this matter, before the Minister of Finance presents what he calls a White Paper, but what we now know will in fact be a budget with all the consequences for the people of Canada and all the consequences for the Minister because of this inappropriate and questionable release of information to this group of 20 today.

Some Hon. Members: Hear, hear!

[*Translation*]

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, I raised some questions with the Minister today on this matter of privilege which is of utmost importance for the House of Commons because I was deeply concerned that the Government had shared its intentions with a group of senior consultants, accountants and lawyers with an expertise on tax matters, people who had previously been hired without pay to act as a sounding board for the Minister.

However, now that they have the advantage of being privy to every intention of the Minister 48 hours before the Minister himself makes those intentions known to the general public, I am somewhat concerned with this matter of privilege in view of the fact that I had a conversation yesterday with the Minister and I asked him why he insisted to designate the people from the New Democratic party who may take part in tomorrow's lock up to review the draft White Paper.

Mr. Speaker, the Minister insisted that some experts whom we wanted to involve in that process would not be allowed to do so, but that we should have at least four Members of the House out of eight people allowed to take part in the process.

On the other hand, Mr. Speaker, the private sector is entitled to bring in 20 experts who are the trusted friends of the Minister and who will be fully informed of the contents of that Paper. This is clearly indicated for instance in the comments of Mr. Couzin, a lawyer with Stikeman Elliott. He said specifically that the task of those experts will be to provide their colleagues and their clients with an explanation of the Governments' intentions. It is indeed clear why those people accepted to work without pay, since they will be deriving virtually boundless benefits from that process. It means that they will get an appreciation of that Tax Reform Paper well in advance of their colleagues who will get to know the details after 8 p.m. tomorrow when this White Paper is disclosed.

[*English*]

I have to admit somewhat personally—

• (1610)

Mr. McCain: Mr. Speaker, I rise on a point of order.

Mr. Speaker: The Hon. Member for Carleton—Charlotte (Mr. McCain), on a point of order.

Mr. McCain: Mr. Speaker, I take umbrage at the remark of the Hon. Member. Individuals who might be persuaded to participate in the political process in any way should not be subjected to the accusation that it is being done only for personal benefit. The Hon. Member's remark is improper. It is critical of individuals who have no opportunity to defend themselves. In the face of such accusations, who would want to participate in an advisory capacity to governments in any way, shape or form? This is a rank case of impropriety on the part of a Member of Parliament.

Mr. Cassidy: Mr. Speaker, it is an impropriety on the part of the Minister of Finance (Mr. Wilson). That is the problem before us right now.

In response to the comments made by the Hon. Member—

Mr. Speaker: Order, please. The Hon. Member for Ottawa Centre (Mr. Cassidy) has drawn to the attention of the House his concerns about some individuals who are acting in an advisory capacity to the Government of Canada and the Hon. Member has indicated that, as much as is possible in this place, unless it is very much in the public interest, there should be no aspersions cast on the motivation of those who are in a position of assisting the Government of Canada.

The Chair has noted the point, and I would ask the Hon. Member to be careful.

At least one of the individuals concerned has made it quite clear that he looks upon the information gained as providing some kind of an advantage in the world in which he moves. However, I would ask Hon. Members to avoid that aspect of the matter.

The point that the Chair has to decide is whether or not there has been a breach of privilege. While some of the comments are of interest and may be matters of considerable concern in another context, I would ask Hon. Members to concern themselves with the matter of privilege only.

As the Hon. Member for Windsor West (Mr. Gray) has said, the finding on a question of privilege is a difficult one for the Chair. However, it is that which I have to decide. I know that the Hon. Member for Ottawa Centre will assist me in that regard.

Mr. Cassidy: Mr. Speaker, the point that should be made is that when we look at questions which might involve conflict of interest, it is not a matter of proving that a conflict exists; rather, we need to prove only that there is the appearance of conflict.

What we have to decide here is whether there is the perception that there can be some potential advantage in the hands of someone in the private sector. That is a matter on which you, Mr. Speaker, will have to reach a judgment.

I should like to speak for a moment about the question of process and about how, as the complexity of legislation increases, it is possible in fact to deal with a question like this.

If the Minister of Finance felt he wanted to get a device from the private sector, it seems to me that he did have some avenues open to him which would have avoided the charge of breach of privilege which has been made in this House today.

For example, he could have raised this matter with the House Leaders in order to get all-Party consent to a procedure whereby certain people from outside government, people with technical or other forms of expertise, could have been consulted. That, unfortunately, was not done.

As well, he could have raised the matter with the Finance Committee. He could have sought the advice of the Finance Committee, explaining to the committee what he wanted to do and why he wanted to do it. He could have cited the problems experienced in 1981 by the then Minister of Finance, whose proposals, on being made public, were found to be unworkable and unacceptable. He could have sought the advice of the Finance Committee on proposals to avoid a recurrence of that type of outcome. As a member of the Finance Committee, I can tell you that that was not done.

It is, of course, open to the House, through resolution or other means, to agree to change what have been the accepted practices in the past. It is regrettable, in my opinion, that the Minister of Finance did not seek such a resolution.

One recalls what happened in 1963 when the then Minister of Finance brought down a dramatic Budget, a Budget which incorporated a number of very substantial changes designed to reinforce Canadian nationalism. In formulating that Budget, the then Minister of Finance had the aid of "the four wise men" as they became known. These were experts from private sector accounting and tax law firms who were brought in to assist the Minister.

You will no doubt recall, Mr. Speaker, that the Official Opposition of the day, the Progressive Conservative Party, was extremely critical of the fact that those persons had been bought in. The view was expressed that, regardless of the fact that they had taken an oath, they had confidential information.

To what extent the precedents have changed between then and now, I am not sure, but it seems to me that when there is room for legitimate doubt and question, as there most definitely is in this case, the Minister of Finance ought to take the necessary steps to gain consent.

Had our consent been sought, we might have suggested that in addition to consulting with tax lawyers and accountants the Minister might have sought the views of farmers, of fishermen, of the small business community, of women, of immigrants, and others. All sectors of society are affected by potential tax changes. Rather than confine the consultation to the *in camera* type of consultation that it was, the confidential consultation that it was, the Minister might have consulted more widely.

I might say, Mr. Speaker, that far more was revealed in this confidential consultative process than was revealed to me as a member of the Finance Committee. In the one briefing that the Finance Committee had on this, no secrets were revealed. Yet, this group of 20 has been privy to secrets from last fall up until the present.

It seems to me that a better process for consultation might have been worked out. It is regrettable that one wasn't.

It is also my concern, Mr. Speaker, that the Minister of Finance has applied a double standard when it comes to his dealings with Parliament and his dealings with outside groups. It is not unremarkable that the media, which has a lot of columns to fill, a lot of air time to fill between eight o'clock on Thursday evening and the next day, is being allowed almost unlimited access in terms of the number of journalists who may participate in the lock-up. As well, they are permitted to bring in outside tax experts.

My office did not ask for that, Mr. Speaker, when we negotiated with the Minister. We simply asked for some modest increase in the number of people that we could get into the lock-up. The Minister, in his great generosity, said that we could have eight people go in, rather than the six or seven who were permitted for the last Budget lock-up; but then, when we asked for access for five of our researchers along with three MPs, he refused, saying that he would decide who would make up the eight. So, the Minister, in his wisdom, chose to tell each parliamentary caucus who would represent it at the lock-up. And, of course, while the experts from these private sector firms are looking at the documentation today—

Mr. Lewis: What does this have to do with the question of privilege?

Mr. Cassidy: —we will not be able to look at it until tomorrow.

Mr. Speaker: Order, please. While the Chair understands the point the Hon. Member is making, it seems to me that it is a point to be made at another time and place.

The issue before the Chair relates to the fact that there is apparently a group of 20 people who have access to the tax reform papers in advance of the Minister of Finance rising in his place and outlining his White Paper on tax reform. All of these people have taken an oath of secrecy not to reveal anything they learn as a result of that advance look until the Minister of Finance has delivered his statement tomorrow evening.

There is the suggestion that the members of this group of 20 may have some advantage as a consequence of what they have learned in the course of their giving advice to the Government, not just today but over a period of time. That may well be. However, there does not seem to be any suggestion that any member of this group of 20 has wrongfully revealed any information he or she may have, or that the oath of secrecy has been violated. I want to be absolutely sure that I have interpreted the comments of all Hon. Members correctly. It seems to me that no one is making that suggestion. I want to be absolutely sure that that suggestion is not being made.

As well, I want to be absolutely assured that all Hon. Members are confident that I have grasped the point of the question of privilege, the point being that these advisers, notwithstanding that they have taken an oath, are being given information which is being withheld from Members of Parliament. That seems to me to be the essential basis upon which it is being claimed that there has been a breach of privilege.

If I have not fully appreciated the point, I would ask Hon. Members to ensure that I do.

I see that the Right Hon. Leader of the Opposition (Mr. Turner) is rising.

Mr. Cassidy: May I conclude, Mr. Speaker?

Mr. Turner (Vancouver Quadra): Mr. Speaker, there is no allegation from this quarter of the House that, on the facts as we now know them, any of these 20 people have breached their oath. The Minister of Finance has admitted, however, that at the meetings being held today they are getting advance information. The issue is not that they have breached their oath—nobody suggests that from this quarter—but that they have a 24-hour head start over the rest of Canadians in the use of that information. By the time they are allowed to publish it, they have a lead and an unfair advantage over their competitors, over other Canadians, and over Members of Parliament.

• (1620)

The second submission, just in a word, is that the very fact they have been allowed to see this fiscal information,—and I will not argue the point of budget or non-budget—to be followed by a Ways and Means motion, and the fact that they heard this information prior to any Member of the House of Commons in our regular lock-up and prior to the media participating in that lock-up, in so far as Members of Parliament are concerned is a breach of our privileges. As the custodians of the Ways and Means of the country, the power of Parliament to review taxation or proposed taxation or proposed expenditures, our rights have been infringed.

Some Hon. Members: Hear, hear!

[*Translation*]

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, I would also like to support the point made by the Leader of the Official Opposition that the actions and attitude of the Minister of Finance (Mr. Wilson) breached our privileges.

Mr. Speaker, I could blame the Government for not consulting senior citizens who had been misled by this Government and on two occasions forced the Minister of Finance to backstep in the matter of OAS pension deindexing, and in the matter of unemployment insurance for older workers.

Mr. Speaker, I could easily blame the Government for not having consulted families. But my purpose is to prove clearly that this Government is in breach of privilege.

First, this is no accidental but intentional in my view. To begin with, the Minister of Finance announced that on June 18, there would be a reading at 8 p.m. on tax reform.

Second, he informed—that decision was planned—that on June 18, at noon, reporters and representatives of each Party would be locked up. And this is where there has been a serious breach of privilege—and it is your role, Mr. Speaker, to uphold the rights of all Members, not only Opposition Members but Progressive Conservative members as well—at the same time, this Government, this same Minister of Finance summoned 20 people for privileged information, not to be consulted but to hear privileged information, and that was on June 17. He went through that trouble, everything was planned, it is not an accident or an error.

Everything was planned, it was done on purpose to infringe upon Member's privilege. And the Minister of Finance, in answer to questions today, never denied that that was his plan, his scenario.

As I said, Mr. Speaker, I could easily have blamed workers, senior citizens, the absence or the lack of these people there. And the Minister of Finance answered questions and said it was not a budget, it was a paper and it was not urgent. But what was it? That answer proves again that the Minister is wrong. If there was no urgency, why select 20 people, 20 accounting firms selected from across the country, and have them meet beforehand? If the Minister wanted to be fair, he could have waited until next week until Friday, to meet all businesses, all accountants, tax experts, to brief them, in order to correctly inform the public.

I do hope that the Chair will protect the privileges of the House. We could accept excuses and understand that, overwhelmed by his great many responsibilities, the Minister could have made a mistake. This time, however, this is clearly a decision not only of the Minister of Finance, but also of the Cabinet on such an important issue.

This may have serious consequences. Let us assume that you are the customer of an accounting firm and you discover suddenly that it has no privileged connection with the government, contrary to the firm next door which had an opportunity to secure privileged information from the government even before the other ministers and ordinary government members and opposition leaders. Under these circumstances, it is clear that you are going to turn to the other accounting firm to get more benefits and opportunities. The Minister has certainly goofed. If the Prime Minister chose this strategy, he goofed too. But the real issue here, Mr. Speaker, is about the privileges of the House.

Today, a ruling is necessary to protect all Hon. Members, because if this planning strategy is accepted today, I feel Hon. Members will become irrelevant, for there would be no point fighting for a seat and asking people to lect them as their representatives, because 20 tax specialists in the country would enjoy advantages accountable Parliamentarians would not have.

Mr. Speaker, I rely very much on your ruling to protect the privileges of the House.

[*English*]

Mr. Speaker: I will come to the Hon. Member for Regina East (Mr. de Jong) in a moment. The Hon. Minister.

Mr. Wilson (Etobicoke Centre): Mr. Speaker, I should like to make a comment on a point of order. I understand that I am not allowed to make any further comments on the question of privilege.

Mr. Speaker: May I correct the Hon. Minister. I did not suggest that the Minister could not make another point on the question of privilege if it was important in respect of anything which has been said in argument. I would not close off the Minister. I will certainly hear the Minister.

Mr. Wilson (Etobicoke Centre): Mr. Speaker, the point of order I want to make is pursuant to something which I said in my remarks and something which the Hon. Member for Carleton—Charlotte (Mr. McCain) said.

The Hon. Member has drawn a distinction between an accounting firm, one of whose members is part of this group, and another accounting firm, one of whose members is not part of this group.

It gets right to the heart of the point I was making, when people draw politically advantageous conclusions or try to make political points on something like this at the expense of the integrity of the people involved in the process. What the Hon. Member is implying is that the accounting firm, whose member is involved in this process, is allowed some inside information and is using that inside information for the benefit of that accounting firm's clients and to the disadvantage of the people in the other firm.

If that is the case, the Hon. Member is saying that the accounting firm, whose employee or partner is part of this, is breaching the oath of secrecy, and that is quite contrary to what the Right Hon. Leader of the Opposition said.

I ask the Hon. Member to withdraw that because it is an entirely wrong conclusion to draw and it undermines the total process we are trying to use here of drawing good people into the process so that we can have proper consultations in advance and avoid mistakes of the past.

Mr. Speaker: The Chair may not have taken quite the same point as have others in the Chamber. I thought we had clearly established that there was no suggestion by anybody—and I must say that I am not sure I got that suggestion from the Hon. Member from Montreal—Sainte-Marie (Mr. Malépart)—that any one of the 20 persons who took an oath of secrecy has breached that oath of secrecy.

There is a suggestion that even if they have not, their firms get some kind of advantage because of the earlier information which they have and some other firms do not have. That may or may not be the case. I will consider it carefully, but it may not go to the question of privilege at all.

The Hon. Member for Montreal—Sainte-Marie may wish to clarify this, and I would ask him to do so as quickly as possible.

[*Translation*]

Mr. Malépart: Mr. Speaker, I should like to reassure the Minister by saying that maybe the interpretation—or maybe I was not very clear: I never meant to blame these 20 people; I simply wanted to explain, and I am sure the Minister will concur, that the public will feel it is in its interest to do business with someone who appears to have the upperhand a head start. I am blaming those 20 people, but I do blame the Minister who is guilty of creating the impression that those 20 people have a privileged status above the Leader of the Opposition, other Members of the House and even Ministers. It is the Minister who is to blame, not the 20 people.

• (1630)

[*English*]

Hon. Flora MacDonald (Minister of Communications): Mr. Speaker, I have been following the comments made this afternoon. Understanding the importance of the question of privilege that has been raised, I must admit to the fact that I am perplexed by the contributions of many Hon. Members sitting opposite. I say that because, from the outset, they have questioned whether or not there should be any consultation involved in the preparation of this White Paper. Indeed, that has been the basis on which they have laid their arguments, skate around it as they might.

If Hon. Members had been listening for the last number of weeks and months to the intent of the Minister of Finance (Mr. Wilson), who will be presenting the White Paper on tax reform, they would have known that he was consulting widely, and he has re-emphasized that day after day. He has been consulting with farm groups, with labour organizations, with business groups, with women's groups, with social groups and with groups right across the board. He has been dealing with these people so that the process will be better informed than it has been in the past.

The method of consultation is a two-way street. It benefits the Minister of Finance and his officials in their undertakings and it benefits those who will be most affected by tax reform policy. That is the one thing that he has been saying.

He has also made it clear today and on other occasions that the Department of Finance would draw on experts from the community involved with tax policy, including accountants and tax lawyers, in order to better inform the process within the Department. That is what has been occurring over a number of weeks and indeed months.

Experts have been sworn under oath to work with the Department in the preparation of this material. The question arises, has that given them any kind of special advantage? Obviously if we are to say that there should never be experts attached in any way to the Department of Finance or indeed any other Department when preparing policy, then we are saying that all the answers reside solely within this Chamber or solely within the expertise that can be offered by officials. We have not seen the situation that way.

We know that in the past, tax reform policy has been presented to the House inadequately studied, inadequately researched and inadequately informed by expertise. In fact, a previous Minister of Finance, having introduced tax reform policy in the House just a few years ago, made so many mistakes in the way he went about it that he set the whole question of tax reform back by many years. Canadian people were the ones who suffered as a result of that.

The Minister of Finance has explained clearly that there has been use of experts in the field who have been under oath. These experts have honoured that oath and there is nothing more to it than that. It might be that members of the Opposition do not want to see that process carried on, but they should be honest enough to say so and not try to impugn the characters, integrity or motives of people involved in this process.

The Hon. Member for Windsor West (Mr. Gray) asked whether or not this process could be skewed somehow or other by the introduction of a Ways and Means motion. He has been in this House long enough to know that Ways and Means motions are introduced a good many other times than at budget time and because a Ways and Means Motion is introduced, that does not automatically signal that whatever then happens is a budgetary process.

Mr. Simon de Jong (Regina East): Mr. Speaker, I will try not to be too long. I believe the Minister of Finance (Mr. Wilson), and the Leader of the Opposition (Mr. Turner) as well, touched on one of the central points here. The question is not whether people broke their oaths, the question surely is whether some people, advertently or inadvertently, are in an advantaged position.

The tradition for the secrecy surrounding budgets is based upon the notion that no individual should be in an advantaged position, that the knowledge that might be gained from a budget or related documents before those documents are made public would put them in an advantaged position. Through the years, a tradition has arisen whereby there is the utmost secrecy surrounding the budget so that no individual would be put in an advantaged position. Whether an individual takes advantage of that position or not is a second matter.

Throughout the years, Ministers of Finance have had to resign when inadvertently aspects of budgets became public or known to a few unauthorized people. We are dealing with a most serious situation.

Twenty individuals who are highly knowledgeable in the field of taxation have, over some months, been in constant

consultation with the Department or the Department has been in consultation with them. They have known the intricacies of the papers and material the Minister will be making public tomorrow. They have given advice to the department. It is not a question of whether these people have given advice on a little area here or there or have given advice on broad social or policy areas. These are experts in law and in the tax system. They have been asked to advise on the wording of particular measures, how particular aspects of the documents that will be released tomorrow will actually work when implemented.

I am sure the Department of Finance will have asked these people what effect it will have on the market if the document is worded in certain ways, what opportunities will there be—

Mr. Speaker: I hate to interrupt the Hon. Member and I will certainly let him continue, but the Hon. Member has been putting forth a series of rhetorical questions. The Chair would like him to address the question that is before it, and that is, under what circumstances can a Government go into the private sector, swear people to secrecy and take their advice and their efforts as help in the preparation of matters of finance. Is the Hon. Member saying that that cannot be done under any circumstances or is there something about this particular matter which goes to the question of whether or not there has been a breach of the privilege of Members?

Perhaps I am not completely understanding the Hon. Member, but I felt that the effect of what he was saying is that no Government could go to outside sources even though those sources are sworn to secrecy, because what they learn may in one way or another give them some advantage over someone else at some future time.

• (1640)

I am having some difficulty in understanding how you can ever have a situation where, one way or another, for at least a short period of time, these advisors will not have some kind of advantage over others in their field. It seems to me that advantage goes with the fact they have been selected to assist. The Chair is having a little bit of difficulty understanding how you could ever have a situation where you seek advice and the advisor does not then have some knowledge that someone else did not have. I am having difficulty with that being a barrier to receiving advice.

Mr. de Jong: Mr. Speaker, the point I wanted to establish very clearly is that these people are now in a position of advantage. That is a very crucial and important point. They will know the intricacies of the document long before Members of Parliament, the general public, and their professional peers.

Mr. Speaker: I hesitate to interrupt again but we have been listening to a good deal of discussion, all of which is helpful. But let us assume for the moment that they are in a position of advantage. Please direct your thoughts and argument, which is cogent and helpful, to whether or not that is a breach of the privilege of Members of this House. Perhaps the Hon. Member could help me on that.

Mr. de Jong: Mr. Speaker, that was the second point I wanted to deal with, the role of advisors to the Government. I do not object to that. In fact, I encourage and congratulate the Minister for having wider consultation than the previous Government. That Government ran into quite a few problems because it did not do that. I think of the scientific research tax credit where the Department of Finance did not consult and did not have the street smarts to deal with the people who took advantage of this measure at a cost to Canadian taxpayers of well over $3 billion. That is a prime example of the need for outside consultation.

I would now like to ask this question. What kind of consultation can there be 24 hours before the document is released? That is the key question. I understand consultations from time to time, but to see the final document is to know what advice the Government has or has not taken. These people are now in a position of being more than just advisors and consultants. They now know what the final decision is. They have seen the complete document.

My second concern about their advisory role is what further role is there for them? My understanding is that they are to fan out across the country—their role as advisors is not finished. They are to give seminars and explain exactly what is in the package and what the Government means. Therefore, is the Government expanding the very needed role of advisors to that of propagandists for the proposal? In that sense surely there is a breach of our privilege.

On the one hand these individuals have been used as advisors in the preparation of these documents. On the other hand, we in the Opposition will not have had detailed information, yet we will be required after only eight hours in the lock-up to respond to the document. We may very well be facing people who have had knowledge of these documents many days before.

Mr. Cassidy: Or months.

Mr. de Jong: Or months. That puts the Opposition in a very disadvantaged position.

I ask you to consider these two vital elements. There is no disagreement that the Government should have advisors. Yet is their role of advisor finished and another role begun when they see the documents 24 or 48 hours before they are released? Second, what is their role in fanning out across the country to speak on these documents? Those are the two important factors you have to consider and I submit that our privilege has been breached and that the Government and Minister seriously erred in this procedure.

If the Minister wishes to institutionalize the practice of having advisors, which I encourage him to do, he should do so by consulting with the House as a whole so we can help him do it while ensuring that our privileges are not breached and that these people will not be in a position of having an unfair advantage.

Mr. Fred McCain (Carleton—Charlotte): Mr. Speaker, this is not a matter of precedent. The Right Hon. Leader of the Opposition (Mr. Turner), as a former Minister of Finance, sought advice in the process of developing and framing a Budget. From the day the consultative process begins I suppose it can be assumed that anyone party to that process may be in a position to take advantage of the knowledge accumulated by virtue of the agreement or disagreement displayed on the subject matter discussed. There are indicators in the consultative process which those advising the Government could take advantage of.

However, I am very disappointed that this has been presented as a precedent. I am deeply disappointed that we should cast aspersions on any person who has been part of that process at any time unless we have unqualified proof. The Right Hon. Leader of the Opposition is a distinguished lawyer and is certainly familiar with the fact that proof is required. None has been offered, either in verbal or documentary form.

Neither do I think it proper to cast aspersions on the consultative process. That is part of the development of virtually every policy of Government, whether it be budgetary or anything else. Experts have been consulted, sometimes they are paid and sometimes they work for nothing, and I do not think we should cast aspersions, because we need them very badly. If criticism is deserved, and I do not believe it is, it should be levelled purely and simply at the Minister, and not on those employed to advise. The possibility of a breach of confidence has always existed. If we prove breach of confidence at a later date, and it apparently cannot be proven now, then it becomes a very serious matter.

• (1650)

There have been historic examples of opportunity. Did they call their office today? I think that is an irrelevant question because they are under oath. There is no reason why they should not call their offices although there is a major reason why they should not discuss the subject matter on which they were sought as advisers. That would be a gross breach of confidentiality and should be punished as such. However, it has not been suggested that there is proof that such a thing happened. There has been no suggestion that they broke their oath. There has only been an assumption that they could break it. That assumption could have been made for years with regard to the consultative budgetary process.

Was it withheld from Members of Parliament? That has been the subject of discussion in this House for many years but it has never been placed in the rules of the House as an obligation of any Minister of the Crown. If there were a rule of this House which stated that Ministers of the Crown are obligated to make their statements within the House first, there would be a breach of privilege. However, there is no such rule of the House. Therefore, there has been no breach of any rule or any practice of the House with regard to traditional behaviour of cabinet Ministers, including Finance Ministers. While we may possibly wish to adopt a rule, there is no such rule of this House which has been breached.

The only difference between this and other questions which have arisen in the House, as mentioned by the Hon. Member for Brampton—Georgetown (Mr. McDermid), is that these people who are under oath, not the newspapers, have been given a copy of the work to which they have made a contribution. If it can be proven that they have taken any advantage of the information or have disseminated it in any way, I believe they are subject to criminal prosecution.

The question is not whether there is precedent for what has happened, because there is indeed precedent. The question is whether the House is of a mind to adopt rules which would deny Ministers outside advice because we question the confidentiality. Are we treating outsiders as we treat Members of the House? We have breached confidentiality in this House. I have not, but others have. I say unequivocally that I have not, but other Members of this House have breached *in camera* confidentialities. They have gone to the press with them and that has been discussed in this House.

Mr. Turner (Vancouver Quadra): Name them.

Mr. McCain: If we want to assume that everyone outside of this House will breach confidentiality, as has been charged, I suppose it is just that we raise this as a question of privilege. However, I am very concerned about the aspersions which have been cast and the innuendoes which have been made. It is not in the best interests of good government or the consultative process to question the ability of advisers to keep a secret.

Mr. Speaker: I may be able to help the Hon. Member for Papineau (Mr. Ouellet) whom I am going to hear. It is the clear understanding of the Chair that, whether or not these 20 have some advantage, there is no suggestion being made by the Right Hon. Leader of the Opposition (Mr. Turner), the Hon. Member for Kamloops—Shuswap (Mr. Riis), or any of his colleagues, that these 20 people have broken their oath or done anything illegal or contrary to the position of trust which they are in. There is a suggestion that because of what they know they will have some advantage. However, that does not go to the question of moral turpitude.

As I understand the position of the Right Hon. Leader of the Opposition and members of the New Democratic Party, they are not making an accusation against the honour or integrity of these people. They have made the suggestion, for me and others to consider, that apart from integrity they may well have some advantage in the commercial world in which they move as a consequence of what they have learned.

There is no doubt in the mind of the Chair that that is the position of the Right Hon. Leader of the Opposition and others. I see them nodding. I want Hon. Members to disabuse themselves of any concern that the Chair is in any way moved by any suggestion, innocent or otherwise, that there is any wrongdoing or lack of moral propriety and honour on the part

of these 20 people. I would like to exclude that from the debate entirely.

I ask the Hon. Member for Papineau to close the debate as I believe the Chair has heard most of the points, although I think the Hon. Member for Papineau may have one very key point which I should hear.

[*Translation*]

Hon. André Ouellet (Papineau): Mr. Speaker, naturally, I quite appreciate your latest intervention following the comments made by the Conservative Member. Basically, both this Member and the Minister of Communications (Miss MacDonald), in coming to the defense of the Minister of Finance (Mr. Wilson), are trying to lead the discussion to a very different subject matter than that raised by the Leader of the Opposition. The subject of our concern is not the group of twenty friends of the Minister of Finance, but the Minister of Finance himself, and I submit that the Minister has abused my rights and privileges as a Member of Parliament, as well as the privileges of all the Members of this House, both in the Opposition and in the Government.

As Members of Parliament, we must wait until tomorrow evening to hear the Minister announce his decisions. Some of us will have to spend part of the day locked up in a room to receive information on the document which will be made public tomorrow evening by the Minister of Finance.

We have now learned that twenty friends of the Minister of Finance will be able today to learn that we shall hear only tomorrow, without knowing who these twenty friends are. My colleague for Laval-des-Rapides (Mr. Garneau) has asked the Minister of Finance to publish the names of these twenty privileged people. The Minister of Finance did not have the courage to give us these names.

Second, we do not know where these twenty pals will go this evening. Where will they sleep? What will they do when the lock-up is imposed on those who, tomorrow—

[*English*]

Mr. Speaker: The Hon. Member for Papineau is repeating an argument which was heard earlier. These 20 persons are not on a jury. They have taken an oath covering the period of time during which they have been in a particular relationship with the Department. Once the oath is taken it is not the practice to follow the people around or keep them enclosed in a special room or building.

Mr. Gauthier: They do it to us. They do it to the press.

Mr. Speaker: The lock-up is, of course, something else. No oath is taken in that situation.

I know the Hon. Member from Papineau wants to assist the Chair. Perhaps he could put aside that argument and get back to the question of privilege which he is addressing very effectively.

[*Translation*]

Mr. Ouellet: Mr. Speaker, I appreciate naturally that the twenty pals of the Minister of Finance are sworn to secrecy. In fact, all our argumentation on the violation of parliamentary privilege is based on the fact that the Minister of Finance will disclose to an elite group information which will be given to the public only tomorrow evening, and to a few Members of Parliament and media representatives only tomorrow afternoon, and on the fact that these Members of Parliament and reporters will be confined to a room where they will have to wait until the last minute, right up to the time when the Minister is ready to make his statement, to discuss the contents of the White Paper.

We have never questioned the need for consultation. Yet, the Minister of Communications, who is trying to help her colleague, the Minister of Finance, and who has a long experience in this House and is well aware of our Standing Orders and parliamentary traditions, is attempting to invent an argument to get the Minister of Finance out of this mess. Speaking about consultations is perhaps a way to shield the Minister of Finance, but the fact is that we have nothing against the consultation process. We have never opposed the fact that the Minister of Finance might want to have consultations. What we are object to is that, on this very day, as we are objecting in this House to the attitude of the Minister of Finance, twenty pals of the Minister already know what the Minister will say tomorrow evening.

Mr. Speaker, in our opinion, this constitutes a serious abuse of the privileges of this House of Commons.

• (1700)

[*English*]

Mr. Speaker: I think there is a discretion on the part of the Chair to say that after a very lengthy discussion on an important matter I would ask Hon. Members to bear with the Chair and close off the debate. I want to thank all Hon. Members for their interventions. I think that the answers that some Hon. Members have been able to give to some of my specific queries will be of help to the Chair. I shall try to return to the Chamber as quickly as possible and see if my comments will be of assistance to Hon. Members.

Mr. Waddell: Mr. Speaker, I rise on a point of order. I know that you want to end the debate, but I want to add one point that might help with your deliberations. There was a precedent concerning this kind of outside adviser. I believe it was when Walter Gordon—

Mr. Speaker: I appreciate the Hon. Member's contribution, but that point was made. It was in 1963 and the point has been referred to in argument by the Hon. Member for Regina East (Mr. de Jong), I believe, and the Right Hon. Leader of the Opposition (Mr. Turner) in his earlier address.

Some of us were not in this place but, nonetheless, we can well remember exactly what happened at that time. I thank

the Hon. Member for his contribution. I am closing off debate, I shall reserve and return as soon as I can.

ROUTINE PROCEEDINGS

[*English*]

COMMUNICATIONS AND CULTURE

PRESENTATION OF GOVERNMENT RESPONSE TO FOURTH REPORT OF STANDING COMMITTEE

Hon. Flora MacDonald (Minister of Communications): Mr. Speaker, pursuant to Standing Order 99(2), I have the honour to present the Government's response to the fourth report of the Standing Committee on Communications and Culture in both official languages. That report was made on February 17, 1987, and was entitled: "CBC's Financial Management and Accountability: Review and Recommendations arising from the 1985-86 Annual Report".

* * *

PETITIONS

GOVERNMENT RESPONSE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table, in both official languages, the Government's response to petitions nos. 332-2103, 332-2148, 332-2149, 332-2311 to 332-2317 inclusive, 332-2382 to 332-2385 inclusive, 332-2425, 332-2428, 332-2437, 332-2438, 332-2447, 332-2452, 332-2453, 332-2455, 332-2497, 332-2575 to 332-2581 inclusive, 332-2583 to 332-2585 inclusive; 332-2587, 332-2588, 332-2590 to 332-2594 inclusive, 332-2597, 332-2599, 332-2637 and 332-2638.

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FINANCE AND ECONOMIC AFFAIRS

PRESENTATION OF EIGHTH REPORT OF STANDING COMMITTEE

Mr. Don Blenkarn (Mississauga South): Mr. Speaker, I have the honour to present in both official languages the eighth report of the Standing Committee on Finance and Economic Affairs in relation to Bill C-42, an Act respecting financial institutions and the deposit insurance system.

Introduction of Private Members' Bills

ANIMAL PEDIGREE ACT

MEASURE TO ENACT

Hon. Thomas Siddon (for the Minister of Agriculture) moved for leave to introduce Bill C-67, an Act respecting animal pedigree associations.

Mr. Deputy Speaker: Shall the Hon. Minister have leave to introduce the Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

BRETTON WOODS AND RELATED AGREEMENTS ACT

MEASURE TO AMEND

Hon. Thomas Siddon (for the Minister of Finance) moved for leave to introduce Bill C-68, an Act to amend the Bretton Woods and Related Agreements Act.

Mr. Deputy Speaker: Shall the Hon. Minister have leave to introduce the Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

[*Translation*]

PATENT EXTENSION (ASPARTAME) ACT

MEASURE TO ENACT

Mr. Claude Lanthier (Parliamentary Secretary to Minister of Public Works) moved for leave to introduce Bill C-259, an Act to extend the term of a patent relating to a certain food additive.

Mr. Deputy Speaker: Shall the Hon. Member have leave to introduce the Bill?

Some Hon. Members: Agreed.

Mr. Lanthier: Mr. Speaker, I would seek the unanimous consent of the House to have this Bill adopted as soon as possible since the date limit is July 8 and it will require Royal Assent before it can become law.

Is there any possibility that it be adopted tomorrow?

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

Mr. Deputy Speaker: When shall the Bill be read the second time? At the next sitting of the House?

Some Hon. Members: Agreed.

* * *

[*English*]

PETITIONS

REQUEST FOR INQUIRY INTO USE OF CHEMICAL PESTICIDES

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is my pleasure and, indeed, my honour to present a petition on behalf of a number of residents of Hinton, Alberta; Edmonton, Alberta; Kaslo, New Denver, Ainsworth, Meadow Creek, Nelson, Winlaw, Slocan, South Slocan, Fruitvale, Johnsons Landing and other centres.

These petitioners are concerned about the increasing number of chemicals used as herbicides and insecticides that have been proven to have harmful effects on human health. They believe that these chemicals also produce short and long-term harmful effects on non-target organisms, soil and water.

They call on the House of Commons to initiate a full public inquiry into the safety, testing, registration and regulation of the use of pesticides, and the examination of alternative ways of controlling pests such as biological control and plant derived pesticides.

• (1710)

OPPOSITION TO PROPOSED EXPANSION TO DORVAL AIRPORT

Hon. Bob Layton (Lachine): Mr. Speaker, I have the honour to present to the House of Commons a petition signed by many members of the riding of Lachine.

This petition supplements an earlier petition to the Minister of the Environment (Mr. McMillan) and the Minister of Transport (Mr. Crosbie) signed by more than 1,300 residents. They are concerned about a proposal made by the Department of Transport to expand the Dorval Airport, which would mean taking over the Dorval Municipal Golf Course which has acted as a recreational buffer zone between their community and the airport for 27 years. The petitioners are concerned that the loss of this green space will negatively affect the quality of life in their community.

They humbly pray and call upon Parliament to reconsider the present development plans and to maintain the existing golf course which guarantees an adequate buffer zone between the Dorval International Airport and the neighbouring residential area.

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I am pleased today to table the reply to Questions Nos. 123 and 132.

[*Text*]

MR. KURT WALDHEIM

Question No. 123—**Mrs. Finestone:**

1. Since June 1, 1986, did the Government issue instructions to Canada's ambassador to the United Nations with regard to halting payment by the United Nations of an annual retirement allowance to Mr. Kurt Waldheim and, if so, what were the instructions and what specific steps have been taken by the ambassador to halt payment of the said retirement allowance?

2. Since June 1, 1986, has Canada consulted with other nations about the Kurt Waldheim dossier and, if so (*a*) which countries (*b*) with what results?

Right Hon. Joe Clark (Secretary of State for External Affairs): 1. The Canadian mission to the United Nations in New York was instructed to find out and report if it was possible for the UN to cancel the retirement allowance of an ex-Secretary General.

The Mission reported that Mr. Waldheim's pension was established by a resolution of the United Nations General Assembly. To rescind that pension a resolution to that effect would be required. This being a budgetary item, a two-thrids majority would be needed. It is very doubtful that such a resolution would carry a sufficient number of votes.

2. Yes. (a) U.S.A., Austria, Israël, the U.K., Yugoslavia, the Netherlands, France, Australia, New Zealand, Greece. (b) These consultations have helped to keep the Government abreast of developments and were helpful in determining Canada's position.

ASSISTANCE TO NEW BRUNSWICK POTATO FARMERS

Question No. 132—**Mr. Howie:**

In 1986, did the Government assist New Brunswick farmers with payments for the potato crop and, if so, what was the total amount paid?

Hon. John Wise (Minister of Agriculture): Yes, $3,130,000.

[*English*]

Mr. Lewis: I ask that all the remaining questions be allowed to stand.

Mr. Deputy Speaker: The questions enumerated by the Parliamentary Secretary have been answered. Shall the remaining questions stand?

Some Hon. Members: Agreed.

MOTIONS FOR PAPERS

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I would ask that all notices of motions for production of papers on the Order Paper be allowed to stand.

Mr. Rod Murphy (Churchill): Mr. Speaker, I have a question with regard to a matter which was on the Order Paper on June 10, 1987. On page 6963 of *Hansard*, I put a motion as follows:

That a humble address be presented to Her Excellency praying that she will cause to be laid before this House a copy of the Cape Breton Development Corporation's five-year plan.

That motion was agreed to by the House. The Parliamentary Secretary to the Government House Leader indicated that the five-year plan would indeed be given to the House. What I received instead was a summary of the five-year plan. I indicated to the Government office that that was not satisfactory, that it was not what I was asking for in my motion. I would think by the very fact that the House has actually passed this motion that I am entitled, and the House is entitled, to a complete five-year plan and not an office summary.

By the way, Mr. Speaker, I have given the Parliamentary Secretary some notice of this.

Mr. Lewis: Mr. Speaker, I have investigated my hon. friend's suggestion. We are talking about terminology here. Summaries of five-year plans are customarily tabled in the House. In fact, I believe this one was tabled on May 26, 1987. It is my understanding that that is the normal practice, and that has been done.

My hon. friend has asked for something which I understand has Privy Council confidences in it. We are unable table the complete five-year corporate plan referred to by my hon. friend. I think it is a matter of terminology. I would be glad to take another look at it for my friend and see if we cannot come up with a compromise.

Mr. Murphy: Mr. Speaker, I am not going to delay matters because I realize we have a lot before the House this afternoon. However, I would ask the Speaker if this is not strictly a matter of the Parliamentary Secretary looking at what the Government may or may not wish to make public?

I would submit that by the very fact this motion has been passed by the House, which calls for a copy of the Cape Breton Development Corporation's five-year plan, that indeed this House has said it will be given to us. There is no reference to a summary. There is no reference to which items the Government wishes to give. The House has indeed spoken and that motion was agreed to.

Mr. Deputy Speaker: Shall all notices of motions stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

MOTOR VEHICLE TRANSPORT ACT, 1986

MEASURE TO ENACT

The House resumed from Tuesday, June 16, consideration of Bill C-19, an Act respecting motor vehicle transport by extra provincial undertakings, as reported (with amendments) from the Standing Committee on Transport.

Mr. Deputy Speaker: Pursuant to the order made Tuesday, June 16, 1987, the House will now proceed to the taking of the deferred divisions at report stage of Bill C-19, an Act respecting motor vehicle transport by extra provincial undertaking.

Call in the Members.

And the division bells having rung:

• (1720)

Mr. Deputy Speaker: The first question is on Motion No. 2. Mr. Benjamin moved:

Motion No. 2

That Bill C-19, be amended in Clause 8 by striking out lines 36 and 37 at page 4 and substituting the following therefor:

"satisfies the board that there are reasonable grounds to believe, the operations of the"

The House divided on the motion (Mr. Benjamin), which was negatived on the following division:

(*Division No. 212*)

YEAS

Members

Althouse	Gray (Windsor West)	Nicholson (Trinity)
Angus	Grondin	Nunziata
Benjamin	Guilbault (Saint-Jacques)	Nystrom
Boudria	Heap	Orlikow
Cassidy	Henderson	Ouellet
Copps	Hopkins	Parry
de Corneille	Hovdebo	Penner
de Jong	Kaplan	Prud'homme
Epp (Thunder Bay—Nipigon)	Keeper	Riis
Finestone	Killens	Robichaud
Foster	Langdon	Robinson
Frith	MacLellan	Rossi
Fulton	Manly	Skelly
Garneau	McCurdy	Waddell
Gauthier	Murphy	Young—45

NAYS

Members

Belsher	Blenkarn	Brisco
Bernier	Blouin	Browes
Bertrand	Bouchard	Cadieux
Binns	Bourgault	Cardiff
Blackburn (Jonquière)	Boyer	Champagne (Champlain)
Blais	Brightwell	

Clark (Brandon—Souris)
Clifford
Clinch
Coates
Collins
Comeau
Cossitt
Côté (Lac-Saint-Jean)
Crofton
Crombie
Crosbie (St. John's West)
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Domm
Dorin
Duplessis
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gagnon
Gass
Gottselig
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamilton
Harvey
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Jelinek
Joncas
Jourdenais
Kelleher
Kempling
King
Ladouceur
Layton
Lewis
Lopez
MacDonald (Kingston and the Islands)
MacDougall (Timiskaming)
Mailly
Malone
Mantha
Mayer
Mazankowski
McCain
McCrossan
McDougall (St. Paul's)
McInnes
McKenzie
McKinnon
Merrithew
Minaker
Mitges
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Porter
Ravis
Redway
Reid
Ricard
St. Germain
St-Julien
Schellenberger (Wetaskiwin)
Scott (Hamilton—Wentworth)
Scowen
Shields
Siddon
Sparrow
Stackhouse
Stewart
Tardif (Charlesbourg)
Taylor
Thacker
Towers
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Van De Walle
Vankoughnet
Vincent
Weiner
Wilson (Swift Current—Maple Creek)
Winegard—119

● (1740)

Mr. Deputy Speaker: I declare the motion lost.

Mr. Lewis: Mr. Speaker, I rise on a point of order. Perhaps Your Honour might inquire as to whether or not the House, in the interest of proceeding with business, would be willing to apply the same vote to Motions Nos. 3, 4, and 7A.

Mr. Prud'homme: Mr. Speaker, I think we would be in agreement, with the condition that the name of the Hon. Minister of Supply and Services (Mrs. Vézina) who just came in is added. Otherwise, her vote would not be counted.

Mr. Lawrence: Mr. Speaker, I also rise on a point of order. That would require unanimous consent. I would be glad to add my consent, provided my vote is counted with the Government.

[*Translation*]

Mr. Malépart: Mr. Speaker, I notice that a moment ago my colleague from Montreal—Saint-Denis (Mr. Prud'homme) referred only to the absence of Conservative Members. I would like to have my name recorded on the division list with the Liberal Party.

[*English*]

Mr. Dingwall: Mr. Speaker, I wish to have my name added.

[*Translation*]

Mrs. Vézina: Mr. Speaker, I too would like to have my vote recorded.

Mr. Hamelin: I would like my vote to be recorded for the next four divisions, Mr. Speaker.

[*English*]

Mr. Deputy Speaker: I understand there is unanimous consent to apply the results of the vote on Motion No. 2 to Motions Nos. 3, 4, and 7A, with the addition of Hon. Members who have asked that their names be counted.

Some Hon. Members: Agreed.

Mr. Deputy Speaker: Therefore, the next question is on Motion No. 3. Mr. Angus moved:

Motion No. 3.

That Bill C-19, be amended in Clause 8 by striking out line 15 at page 5 and substituting the following therefor:

"taking or not, while at the same time accounting for the impact on the continued viability of existing motor carrier undertakings; and"

The House divided on the motion (Mr. Angus), which was negatived on the following division:

(*Division No. 213*)

YEAS

Members

Althouse
Angus
Benjamin
Boudria
Cassidy
Copps
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Frith
Fulton
Garneau
Gauthier
Gray (Windsor West)
Grondin
Guilbault (Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
McCurdy
Murphy
Nicholson (Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young—47

NAYS

Members

Belsher
Bernier
Bertrand
Binns
Blackburn (Jonquière)
Blais
Blenkarn
Blouin
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Cardiff
Champagne (Champlain)
Clark (Brandon—Souris)
Clifford
Clinch
Coates
Collins
Comeau
Cossitt
Côté (Lac-Saint-Jean)
Crofton
Crombie
Crosbie (St. John's West)
Crosby (Halifax West)
Dantzer
Darling
Daubney
de Cotret

Della Noce
Domm
Dorin
Duplessis
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gagnon
Gass
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Harvey
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Jelinek
Joncas
Jourdenais
Kelleher
Kempling
King
Ladouceur
Lawrence
Layton
Lewis
Lopez
MacDonald
(Kingston and the Islands)
MacDougall
(Timiskaming)
Mailly
Malone
Mantha
Mayer
Mazankowski
McCain
McCrossan
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
Merrithew
Minaker
Mitges
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Porter
Ravis
Redway
Reid
Ricard
St. Germain
St-Julien
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Siddon
Sparrow
Stackhouse
Stewart
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Van De Walle
Vankoughnet
Vézina
Vincent
Weiner
Wilson
(Swift Current—Maple Creek)
Winegard—122

Mr. Deputy Speaker: I declare the motion lost.

The next question is on Motion No. 4. Mr. Ouellet moved:

Motion No. 4.

That Bill C-19, be amended in Clause 9 by adding immediately after line 16 at page 6 the following:

"(f) to prevent unfair pricing practices by an extra-provincial truck undertaking;"

The House divided on the motion (Mr. Ouellet), which was negatived on the following division:

(*Division No. 214*)

YEAS

Members

Althouse
Angus
Benjamin
Boudria
Cassidy
Copps
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—Nipigon)
Finestone
Foster
Frith
Fulton
Garneau
Gauthier
Gray
(Windsor West)
Grondin
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
McCurdy
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young—47

NAYS

Members

Belsher
Bernier
Bertrand
Binns
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Cardiff
Champagne
(Champlain)
Clark
(Brandon—Souris)
Clifford
Clinch
Coates
Collins
Comeau
Cossitt
Côté
(Lac-Saint-Jean)
Crofton
Crombie
Crosbie
(St. John's West)
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Domm
Dorin
Duplessis
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gagnon
Gass
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Harvey
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Jelinek
Joncas
Jourdenais
Kelleher
Kempling
King
Ladouceur
Lawrence
Layton
Lewis
Lopez
MacDonald
(Kingston and the Islands)
MacDougall
(Timiskaming)
Mailly
Malone
Mantha
Mayer
Mazankowski
McCain
McCrossan
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
Merrithew
Minaker
Mitges
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Porter
Ravis
Redway
Reid
Ricard
St. Germain
St-Julien
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Siddon
Sparrow
Stackhouse
Stewart
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Van De Walle
Vankoughnet
Vézina
Vincent
Weiner
Wilson
(Swift Current—Maple Creek)
Winegard—122

Mr. Deputy Speaker: I declare the motion lost.

The next question is on Motion No. 7A. Mr. Ouellet moved:

Motion No. 7A.

That Bill C-19, be amended in Clause 33 by striking out lines 37 to 40 at page 13 and substituting the following therefor:

"33.(1) This Act except this section and sections 3 and 9 shall come into force on a date prescribed by the Governor in Council after the implementation of regulations respecting the safe operation of extra-provincial bus undertakings or extra-provincial truck undertakings including, without limiting the generality of the foregoing, regulation respecting audit, inspection, entry on premises and the provision of information, in at least 7 provinces.

(2) This section and sections 3 and 9, shall come into force on January 1, 1988 or on an earlier date as may be fixed by proclamation."

The House divided on the motion (Mr. Ouellet), which was negatived on the following division:

Motor Vehicle Transport Act, 1986

(Division No. 215)

YEAS

Members

Althouse
Angus
Benjamin
Boudria
Cassidy
Copps
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—Nipigon)
Finestone
Foster
Frith
Fulton
Garneau
Gauthier
Gray
(Windsor West)
Grondin
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Kaplan
Keeper
Killens
Langdon
MacLellan
Malépart
Manly
McCurdy
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Prud'homme
Riis
Robichaud
Robinson
Rossi
Skelly
Waddell
Young—47

NAYS

Members

Belsher
Bernier
Bertrand
Binns
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Cardiff
Champagne
(Champlain)
Clark
(Brandon—Souris)
Clifford
Clinch
Coates
Collins
Comeau
Cossitt
Côté
(Lac-Saint-Jean)
Crofton
Crombie
Crosbie
(St. John's West)
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Domm
Dorin
Duplessis
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gagnon
Gass
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Harvey
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Jelinek
Joncas
Jourdenais
Kelleher
Kempling
King
Ladouceur
Lawrence
Layton
Lewis
Lopez
MacDonald
(Kingston and the Islands)
MacDougall
(Timiskaming)
Mailly
Malone
Mantha
Mayer
Mazankowski
McCain
McCrossan
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
Merrithew
Minaker
Mitges
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Porter
Ravis
Redway
Reid
Ricard
St. Germain
St-Julien
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Siddon
Sparrow
Stackhouse
Stewart
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Van De Walle
Vankoughnet
Vézina
Vincent
Weiner
Wilson
(Swift Current—Maple Creek)
Winegard—122

Mr. Deputy Speaker: I declare the motion lost.

Hon. John C. Crosbie (Minister of Transport) moved that the Bill be concurred in.

Mr. Deputy Speaker: Shall I reverse the vote and apply it to the motion for concurrence?

Some Hon. Members: Agreed.

The House divided on the motion (Mr. Crosbie), which was agreed to on the following division:

(Division No. 216)

YEAS

Members

Belsher
Bernier
Bertrand
Binns
Blackburn
(Jonquière)
Blais
Blenkarn
Blouin
Bouchard
Bourgault
Boyer
Brightwell
Brisco
Browes
Cadieux
Cardiff
Champagne
(Champlain)
Clark
(Brandon—Souris)
Clifford
Clinch
Coates
Collins
Comeau
Cossitt
Côté
(Lac-Saint-Jean)
Crofton
Crombie
Crosbie
(St. John's West)
Crosby
(Halifax West)
Dantzer
Darling
Daubney
de Cotret
Della Noce
Domm
Dorin
Duplessis
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gagnon
Gass
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Hamelin
Hamilton
Harvey
Hawkes
Hicks
Hnatyshyn
Hockin
Holtmann
Jelinek
Joncas
Jourdenais
Kelleher
Kempling
King
Ladouceur
Lawrence
Layton
Lewis
Lopez
MacDonald
(Kingston and the Islands)
MacDougall
(Timiskaming)
Mailly
Malone
Mantha
Mayer
Mazankowski
McCain
McCrossan
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
Merrithew
Minaker
Mitges
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Peterson
Porter
Ravis
Redway
Reid
Ricard
St. Germain
St-Julien
Schellenberger
(Wetaskiwin)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Siddon
Sparrow
Stackhouse
Stewart
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Van De Walle
Vankoughnet
Vézina
Vincent
Weiner
Wilson
(Swift Current—Maple Creek)
Winegard—122

NAYS

Members

Althouse
Angus
Benjamin
Boudria
Cassidy
Copps

de Corneille	Heap	Orlikow
de Jong	Henderson	Ouellet
Dingwall	Hopkins	Parry
Epp	Hovdebo	Penner
(Thunder Bay—Nipigon)	Kaplan	Prud'homme
Finestone	Keeper	Riis
Foster	Killens	Robichaud
Frith	Langdon	Robinson
Fulton	MacLellan	Rossi
Garneau	Malépart	Skelly
Gauthier	Manly	Waddell
Gray	McCurdy	Young—47
(Windsor West)	Murphy	
Grondin	Nicholson	
Guilbault	(Trinity)	
(Saint-Jacques)	Nunziata	
	Nystrom	

Mr. Deputy Speaker: I declare the motion carried.

When shall the Bill be read the third time? Later this day, pursuant to the Order made on Tuesday, June 16, 1987?

Some Hon. Members: Agreed.

* * *

WAYS AND MEANS

CUSTOMS TARIFF AND DUTIES RELIEF ACT

Hon. Tom Hockin (Minister of State (Finance)) moved that a Ways and Means motion to amend the Customs Tariff and the Duties Relief Act, laid upon the table on Wednesday, February 18, be concurred in.

Motion agreed to.

Mr. Hockin moved that Bill C-69, an Act to amend the Customs Tariff and the Duties Relief Act, be read the first time and be printed.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

NATIONAL TRANSPORTATION ACT, 1986

MEASURE TO ENACT

Hon. John C. Crosbie (Minister of Transport) moved that Bill C-18, an Act respecting national transportation, be read the third time and passed.

He said: Mr. Speaker, of course I regret that I have not been here for the last several days to listen to all the points made by my hon. friends in the Opposition.

Mr. Deputy Speaker: Order, please. I am sure all Hon. Members would want to listen with great care to the speech of the Minister of Transport (Mr. Crosbie).

Mr. Crosbie: However, I am happy to say that I have been most capably represented by my Parliamentary Secretary, the Hon. Member for Lethbridge—Foothills (Mr. Thacker), who has done a first-class job. He is a gentleman upon whom I intend to continue relying heavily because he is a man of great talent and great capacity.

While speaking on third reading of the Bill, I should like to say a special word about the Deputy Prime Minister (Mr. Mazankowski). He deserves special recognition because it was his drive, vision, and comprehension of the national transportation system of Canada which provided the genesis of the reforms that are known collectively as *Freedom to Move*. Much, if not all, of the credit for the work now before the House, which will pass in the next day or two, is due to him.

In addition, I want to thank the Chairman of the Standing Committee on Transport, the Hon. Member for Annapolis Valley—Hants (Mr. Nowlan) for his fine work in this connection. I should also like to thank all members of the committee, including those of the Official Opposition and those of the unofficial opposition or the New Democratic Party. They all attended diligently to their responsibilities and made many worthwhile suggestions.

Of course I also thank the government members of the committee for their hard work. I do not know whether I have the full list of their names, but I want to thank the Hon. Member for Bonaventure—Îles-de-la-Madeleine (Mr. Gray) who was a constant attender. As well I thank the Hon. Member for Bow River (Mr. Taylor) who is an enduring miracle and an expert in the field of transportation. For many years he was the Minister in Alberta. Also, the Hon. Member for St. Catharines (Mr. Reid) was a diligent worker on the committee, as was the Hon. Member for Fraser Valley East (Mr. Belsher). I think I have covered all government members of the committee but in any event—

• (1750)

Mr. Ouellet: London—Middlesex.

Mr. Crosbie: Oh, we mustn't forget Middlesex.

I would like to put on the record as well the names of government officials who I think deserve special mention in connection with the tremendous work put into this Bill over a period of two and a half years. Mr. Keith Thompson was certainly one of the architects of this legislation. Mrs. Margaret Bloodworth, the Acting General Counsel to the CTC, is a very capable woman who did a marvellous amount of work on this legislation. Mr. Nick Mulder, Assistant Deputy Minister for Policy and Co-ordination; Mr. Jim Miller, the Director General of Strategic Policy; Mr. John Pringle, Director of Motor Carrier Policy; and Mr. Jacques Pigeon who was Legal Counsel to Transport Canada and is now with the Treasury Board, all helped out as well. Of course, I would like to thank the Hon. Member for Fraser Valley East who attended committee meetings very diligently on behalf of the Government.

I do not want to take too long because this has been a long process in any event. The White Paper containing the *Freedom*

to Move proposals was released almost two years ago. During the fall of 1985, it was studied extensively by the standing committee which held hearings across Canada. Its findings were a key element in shaping Bill C-18. This spring, the committee studied the Bill in depth again, heard witnesses, received briefs and travelled from coast to coast.

I do not think that anyone can say that this legislation has been hurried or rushed through the House. It was carefully thought out and everyone interested has been given every chance to put forward views and to have them considered.

I think the committee examined this matter in the spirit of parliamentary collegiality. We benefited from its analysis of the issues and I believe the committee provides another example of the success of parliamentary reform and the rules that give committees more power. The amendments proposed by the committee have made the Bill a better Bill.

I would like to reiterate the principles of the Bill. The first and overriding principle is that our transportation system must be safe. Our commitment to this is firm. Clause 3 of the Bill enshrines that principle in legislation for the first time. Safety is part of the entry test and the ongoing operating requirements for carriers in every mode.

As well, and this has to be repeated time and time again because opponents of the Bill are constantly putting out erroneous information on this, a uniform national safety code for trucks and buses has been implemented by both the federal and the provincial Governments. It will be incorporated in regulations under Bill C-19, the Bill which accompanies this Bill. Those Bills complement other initiatives the Government has taken to improve safety.

Hon. Members will recall major safety amendments to the Aeronautics Act and the Canada Shipping Act. In the fall, we will bring forward a rail safety Bill and a Bill to create an independent board to investigate accidents in rail, air and marine travel. We are improving safety requirements in all modes.

What about economic regulation, the focus of this Bill? We are adding two important principles to complement the long-standing objective which has been to have an efficient, effective and adequate transportation system. This Bill adds several other important principles to that.

First, transportation systems exist to serve the needs of shippers and of travellers. That is one important principle. Second, competition and market forces wherever possible should be the prime agents in providing for or spurring on viable and effective transportation systems. Those principles are not new, they are not foreign, but they do represent a major shift in the philosophy of regulation for transportation in Canada.

The current regime was put in place in 1967. Since then, the world economy, the Canadian economy and Canada's transportation industry have changed significantly. The regulatory regime simply did not keep pace. As a result, at the present time it impedes rather than supports growth and development, it stifles competition in all modes of transportation, it reduces the competitiveness of producers and it hinders the free movement of goods and people. That is why the *Freedom to Move* legislation has received such widespread support.

Bills C-18 and C-19 will affect air travellers and shippers throughout Canada and businesses of all types in all regions, from the small family-operated concern to the large integrated corporation, from the manufacturers of goods to resource producers. All will have new choices in getting their goods to market.

The Bill will increase competition in air, rail and trucking. The objective is to provide the best service at the best price to shippers and to air passengers through competition. We need an efficient transportation system for economic growth in all regions of Canada. This is part of the Government's over-all economic framework and its commitment to put Canadians back to work.

Enduring, meaningful jobs will be created or maintained in all regions wherever transportation service at a better price will make a resource producer, a manufacturer or any other business more competitive in the market-place. This Bill and the principles behind it are badly needed and more than warranted in the cause of regional economic development. The producers and those who have had to deal with non-competitive conditions in transportation will be most benefited.

There were a number of amendments made to the Bill by the Standing Committee on Transport. First, the Bill as tabled recognized the principle that transportation is a key to regional economic development. However, committee members felt that that statement in the Bill should be strengthened, and I agreed. The question of commercial viability of transportation links will be balanced with regional development objectives so that the economic strengths of each region can be realized. That principle will be part of the definition of public interest to be applied by the new agency in the decisions it makes.

Bill C-18 will give us what is required for lasting economic development in all regions and for an efficient, effective and competitive transportation system. As well, to ensure that the agency takes full account of regional needs and opportunities, the legislation will now require that at least one member of the agency be from British Columbia, and that there be one from the prairie provinces, one from Ontario, one from Quebec and one from the Atlantic provinces. The Bill now provides that if the agency establishes regional offices, one will be in Atlantic Canada and one will be in western Canada.

The Government is also ensuring that disabled persons have access to the transportation system. That commitment is reflected in the policy statement contained in Clause 3 of the Bill. A year ago the Government announced its intention to fulfil this commitment through human rights legislation. Transport officials and the Advisory Committee on Transportation of Disabled Persons have been drafting accessibility standards to be adopted as regulations. Representations were

made to me and to the standing committee arguing that transportation legislation rather than human rights legislation should be used to enforce these accessibility standards, and I have agreed.

I am pleased to inform the House that accessibility standards when finalized will be adopted as regulations pursuant to transportation legislation, either new or existing. We make a commitment to consult with the disabled in all aspects of that work. In the meantime, the disabled will not lose any rights they now have for access to the transportation system. The Bill has been amended to remove any uncertainty on this point.

Some Hon. Members: Hear, hear!

Mr. Crosbie: The standing committee heard a great deal of evidence concerning competitive access provisions for rail. Manufacturers explained why they need extended inter-switching limits and bulk-resource shippers explained why they need competitive line rates. These competitive access provisions are Canadian solutions to Canadian problems.

The committee was not persuaded nor am I that lower rail rates arising from greater competition between Canadian railways or with American railways on transborder traffic will threaten the viability of our railways. I believe Canadian railroads can and should compete.

• (1800)

I agree with the committee that we should proceed with the inter-switching and competitive line rate reforms. I appreciate as well the committee's wisdom in adding a safety net just in case rail revenues are too hard hit or the U.S. Government takes steps that disadvantage our rail carriers.

To accomplish these ends the Bill now authorizes the Governor in Council to suspend the competitive line rate provisions if the annual or four-year reviews of the Act show that the financial viability of Canadian railways is in jeopardy as a result of these provisions. It provides the Governor in Council with the authority to take appropriate retaliatory action if the U.S. Government engages in unfair, discriminatory or restrictive practices against Canadian railways and consultations fail to result in the elimination of those practices.

The Bill has also been amended to delete the third competitive access provision, that being terminal running rights. It would have benefited a few shippers, but the committee was persuaded it should be deleted because of the serious problems it might cause for small railways and the type of short line railway we hope to encourage as an alternative in some cases to branch line abandonment.

Concern has been expressed, especially in Quebec and the Atlantic provinces, that new branch line abandonment procedures might result in the loss of many branch lines soon after this legislation is proclaimed. Obviously it is in the interests of a more efficient transportation system to deal first with those lines which incur the greatest losses. This is also the most understandable approach for shippers and affected communities. From a practical point of view the new National Transportation Agency can only deal with a certain number of applications at any time. In view of those factors the committee added a provision to limit abandonments by any railway to 4 per cent of its total mileage in any of the first five years after proclamation. I think that should provide the necessary safeguards for those in Quebec and eastern Canada who are concerned about it.

As well the Bill, when introduced, did not recognize that it may be necessary to continue operating passenger service and branch lines no longer needed for freight operations. Therefore the Bill has been amended first to give VIA an opportunity to acquire a line which is to be abandoned but is currently used for rail passenger service. Second, it was amended to remove any obligation on VIA to provide freight operations should it acquire a rail line. Third, it has been amended to protect VIA's interest in the event that another railway acquires the line. These and other amendments are contained in the revised version of Bill C-18 reported to the House by the standing committee, and certain other fine tuning has been done by the House during report stage.

As we all know, our job is to seek the best balance among competing interests if we are going to achieve reforms that will best serve the interests of Canadians in all regions. There is always strong pressure on every side, particularly in the field of transportation, from conflicting and competing interests. I believe this Bill has successfully achieved the best balance among all those competing interests. If it has not, and if in the future it turns out we have gone too far in one direction or another, then the annual and four-year reviews will point that out and the Government can ask the House to pass any amendments that may be found to be necessary.

We sought a balanced package. We sought to advance the interests of all Canadians by removing obstacles to growth in international trade. We believe Bill C-18 and Bill C-19 achieve that. The work of the standing committee gives me even greater confidence that that belief is correct. The need for these reforms is clear. The benefits are clear. Now is the time to complete the job of making these reforms a reality.

I might say that the Government is responsible for the Bill now before the House. We have listened to all of the competing interests. We have listened to Members on both sides of this House. We have listened to the standing committee and acted on many of the changes it suggested. That is the proper process, but we remain responsible for the Bill. We stand behind it. We believe it is going to mean a great breakthrough for success in transportation, giving us a better, more efficient and viable transportation system. It will help our shippers and help economic growth, and regional development. We persisted in this direction despite a great deal of opposition, some of it from my good friend from Regina West who has been very active and vociferous in committee and in the House in opposition to the Bill. We know there are strong groups, including organized labour, who have not been supportive of the Bill. However, I believe history will show that this has been

a great move forward in the history of transportation in this country. When people look back in 15 or 20 years they will say that the Deputy Prime Minister, who initiated this, and the people who supported it did a great job for Canada and that is has worked well.

[*Translation*]

Mr. Deputy Speaker: The Hon. Member for Papineau (Mr. Ouellet), on a point of order.

Mr. Ouellet: Mr. Speaker, as the Official Opposition Critic, I would normally have the right to speak now for an unlimited period. However, as many Members of this House are aware, we are celebrating a very important anniversary today, that of the Hon. Member for Regina West, (Mr. Benjamin), who has now been sitting in Parliament for nineteen years. There is a reception the Hon. Member will have to attend very shortly, and with the consent of the House, I would like to give him the opportunity to speak now, without of course waiving my right to speak subsequently, for an unlimited period.

[*English*]

Mr. Deputy Speaker: Is that agreed?

Some Hon. Members: Agreed.

Mr. Les Benjamin (Regina West): Mr. Speaker, I want to thank my friend from Papineau for allowing me to speak now. I also thank government Members for agreeing that the Hon. Member for Papineau retain his right to the time he is allowed under the rules as the second speaker even though he is speaking third.

For some two years now we have been engaged with the issue of deregulation. We started with a paper called *Freedom to Move* in the summer of 1985 and we are now in the summer of 1987. I want to say at the outset that as far as we are concerned, there is a three-part package being put together: Deregulation, privatization, and free trade. They are all inextricably linked. That is why the Government, as well as the previous Government, is and was in such a hurry to try to deregulate, privatize, and what-have-you. It has little or nothing to do with the welfare and good order of Canada and her people. It has to do with pacifying and satisfying the United States on things it does not like about the way we do things in Canada.

The U.S. does not like our freight rate programs. It does not like the Maritime Freight Assistance Act, the Atlantic Provinces' Freight Assistance Act, or the Western Grain Transportation Act. That Act in itself was a betrayal of the Crowsnest Pass rate. The U.S. does not like our marketing boards, including the Canadian Wheat Board. These efforts to deregulate and privatize are essentially to satisfy American complaints about the way we do things because the Government is desperate to get a free trade agreement. I submit that that is the is the main agenda behind this Bill and others like it.

• (1810)

The Americans do not like compulsory public medical care plans. They do not like the Canada Pension Plan or our unemployment insurance plan. They say that our fishermen are subsidized because they are eligible for UIC. I do not give a damn whether they like it or not.

Mr. Crosbie: Neither do we.

Mr. Benjamin: Yeah, it sounds like it. It looks like it. If I have ever seen an example of supine acquiescence, grovelling, and crawling on hands and knees to Washington, it is the Government, which is even worse than the previous one.

Mr. Crosbie: Bunk. Absolute bunk.

Mr. Murphy: Okay, you are just as bad.

Mr. Benjamin: The United States' conditions for a free trade deal mean that they will demand things of Canada which will be a direct interference with our sovereignty and independence. This Bill is one of them. The attitude over there is to do anything to make a buck. They will go to any length on an ideological binge that competition and free market forces will be the end-all and be-all. The Tories are working hard to prove that Karl Marx was right that capitalism and free enterprise will destroy itself.

There is a perfectly good reason why there are rules and regulations in Canada and in the United States about cartels and monopolies. There are regulations to control stock markets, corporations, et cetera, because when the market is open wide to a free enterprise jungle it becomes dog-eat-dog, what's in it for me, to hell with everybody else, and I don't care what happens to my country as long as I can make a buck. That is the attitude behind this Bill and others like it.

I for one, Mr. Speaker, do not want to be party to the kind of thing which makes us nothing more than a fifty-first state, a groveller and sniveller to Washington.

Mr. Crosbie: Such trash. We don't grovel or snivel to anyone. I don't. I certainly am not going to grovel or snivel to that kind of talk.

Mr. Benjamin: You have been doing that for a long time.

Mr. Crosbie: Cut it out and get to the Bill.

Mr. Benjamin: This attempt to—

Mr. Crosbie: That's political garbage.

Mr. Benjamin: The hon. gentleman talks about competition and the market forces. How has it been working so far?

Mr. Murphy: The Minister is leaving.

Mr. Benjamin: He has not been around for most of the Bill anyway so it does not matter. I wish we would get a Minister who is interested in it.

The Minister and the Government talk about competition and free market forces. There has been more concentration in the airline industry. We used to have eight large airlines, six regional and two national, and we now have the two. Both of them have operating and licensing arrangements with small feeder airlines which ensure that between the two of them they will control between 80 per cent and 90 per cent of all airline traffic in the country, and these guys talk about competition.

The market is only large enough for a certain number of airlines. When it is thrown wide open one of two things result. There are either a whole lot of new entrants which take turns going broke, or mergers, takeovers, bankruptcies and concentration. There were new entrants, which are now all tied in with the two majors. There are very few left which are not tied in because they could not survive by themselves out in the jungle in competition with the big boys.

The Government talks about market forces. A good free-enterpriser in the free market lets the market decide whether you have to cut the cost down to damn near nothing or charge all you can get. If the Government believes that, why are there confidential rates? That is probably the most anti-competitive thing that can be done.

It is inevitable that small shippers and not-so-small shippers in the Atlantic provinces and western Canada, such as small manufacturers of farm implements in western Canada which might ship 50, 100, or 200 carloads a year, will be unable to negotiate a confidential contract in competition with J.I. Case, IHC or Massey-Ferguson which ship thousands of carloads a year. When the Tories say that they will be able to do that, they are dreaming in technicolour. It is anticompetitive. The very principles expressed at the beginning of the Bill are destroyed by the subsequent sections of the legislation.

Canada will always have a higher cost of economy, particularly in transportation. It is interesting to note that for years railroads in the United States have benefited from a better tax environment. As a consequence, they have higher levels of investment which has led to younger fleets of rolling-stock and has assisted them in other plant investment. That comparative tax environment is changing, but the U.S. continues to have a major advantage over Canadian railroads. U.S. railways have a much higher traffic density than Canadian roads which provides a larger base over which to spread their fixed cost load, particularly Canadian Pacific Rail's two main competitors, Burlington Northern and Conrail.

In addition to that, joint line rates are nothing more than a licence to raid the revenues of Canadian railroads, both of which have been in some financial difficulties for the past year or two and will continue to be for another year or two. To allow American railroads to do things in Canada which Canadian railroads cannot do in the United States is more grovelling and snivelling to Washington.

The Americans do not allow competitive line rates, but we do. Therefore, Burlington Northern, Conrail and Milwaukee Road, with their connections at the Canadian border, can move their trains on Canadian tracks at less than the fixed costs of Canadian railroads. What kind of competition is that?

Deregulation leads to another kind of extension of the jungle, the ease of entry and exit in the case of the airline and trucking industries. If you can get a loan at the bank, lease some tractors or second-hand aircraft, hire laid-off crews at one-third the pay, and get your insurance, you are in business. That is why there are so many jerkwater, fly-by-night trucking companies and airlines operating in the United States today, some of which are trying to operate in Canada. The reputable, long-established transporter who has good maintenance and safety practices, infrastructure, mechanics, and employees in all categories, are given a bad name because of this.

The whole Bill is an appeal to mediocrity and a decrease in the quality and frequency of service for Canadians. It destroys job security. We have lost tens of thousands of jobs in the transport sector, particularly on the railroads. Both railroads have told us that by 1991 they want to get rid of another 15,000 miles of track and another 15,000 employees.

They forget that transportation is a public utility whether publicly or privately owned. It is there to provide a service. Transportation is the foundation of any economy which will grow and thrive. To turn it into a deregulated jungle will be doing a major disservice to the people of this country.

• (1820)

We are not objecting to getting rid of obsolete regulations that no longer apply. We are not objecting to making the CTC function better so that it is more responsive. However, the lengths to which the Government has gone prevents that from happening. We need constructive regulations that balance the public interest, the interests of the shippers and receivers with the requirements of the transportation industry to be economically viable. That is an economic imperative.

The transportation industry must relate to the size of our country, our geography and our climate. It must relate to the size of our markets, the viability of the carriers and to the rights of the public the and employees.

This legislation is another classic example of union busting by contracting out and leaving employees, who are highly trained technical people, feeling insecure about their jobs. Men and women who worked from 20 to 30 years at the Moncton shops were kept on the edge for three years until the axe fell. Employees of their calibre cannot simply be found at the downtown Canada Employment Office.

Constructive regulation must make both the publicly and privately-owned transportation sector compete under a deregulated regime. Otherwise, reputable railways, airlines and trucking companies will have to make the bottom line their top priority. These reputable companies with good business practices and standards will be forced to cheat. Corners will be cut and safety, security and maintenance will not be the prime requisite in the transportation industry. It is not good enough for the parties to agree that there will be no

downgrading of safety, maintenance and security, and that safety will not be compromised. While safety pays, it also costs money and reduces the bottom line, particularly if companies are forced to cut one another's throats by reducing the cost of freight rates or airline tickets.

That is the worst kind of risk management because it not only places transporters at risk, more important, it places the employees and the public at risk.

No sector in the transportation industry in Canada for the last 150 years, whether private or public, has been able to start up and continue functioning without public funding for the infrastructure and capital.

I suggest that no private airline would be operating in this country if it were not for the public purse. Last year, the deficit on airports was almost $700 million because the public provides the navigational and meteorological aids, the airports, the fire-fighting and rescue services. The airlines would be unable to function if they had to provide such services.

An Hon. Member: That is the same in all modes.

Mr. Benjamin: Exactly. All of them are and continue to be subsidized. Those who believe that these industries can operate in a deregulated free market regime with minimal regulations and be able to provide the same quality of service to Canadians are dreaming in technicolour.

Canada has always attempted to find mechanisms which try to equalize as much as possible the delivery of transportation service no matter where one lives. There is still too much discrimination against people because of where they live, where they produce or manufacture their goods. I would be a fool to invest $100 million in a manufacturing plant in the Prairies, in Atlantic Canada, or up North rather than near Toronto, Montreal or Vancouver. This legislation is designed to inhibit regional and economic growth.

The railroads have already indicated the length of line they want to remove, and even want to remove a thousand miles of tracks in the Laurentian Division, mostly in the Ottawa Valley from North Bay to Montreal. I suspect that CN wants to do this in order to force the Government into buying the track and giving it to VIA Rail, thereby relieving Canadian National of the responsibility.

It wants to get rid of all the track in Prince Edward Island and would like to eliminate the Newfoundland Railway if a deal can be made with Newfoundland. However, that railway comes under the 49 Articles of Confederation with Newfoundland. Yet the railway is in jeopardy if a deal can be made to remove the tracks and build some roads in Newfoundland.

We are scheduled to lose not less than 3,000 more miles of track in the prairie provinces.

Air Canada has already pulled out of six or seven cities. Today, I read the application by Air Canada to pull out of Yarmouth, Nova Scotia. Before Pacific Western Airlines took over Canadian Pacific, it pulled out of eight locations in northern British Columbia and Manitoba. These are the areas taken over by the jerk water fly-by-nighters who do not even have mechanics or the proper equipment.

An Hon. Member: And the accidents.

Mr. Benjamin: As I indicated yesterday during debate on one of the report stage amendments, an airline operator can lose his licence and go bankrupt, while there is an airline in Schefferville in which seven passengers and a pilot were killed. That operator had no operating authority but had the licence to fly. That airline still has no operating authority, yet eight people were killed. One must wonder with this deregulation whether the Tory transportation agency would consider cancelling the licence of Air Canada or Canadian Airlines International for filing late statistics with respect to fuel consumption and the number of passengers carried. It boggles the mind.

This legislation is based on a bad principle and poor philosophy. We attempted to move 107 amendments to make this bad Bill less offensive.

It is ironic that today's paper contains a front page headline: "U.S. Airlines Reeling From Deregulation". Let us consider what is happening to the travelling public in that country. The last six times I visited the United States, I was in 12 different airports. I have yet to find a clean airport, let alone arrive on time. One never knows whether one has a reservation or must stand in a long line trying to get a boarding pass. That is deregulation. That is the Tory version of competition and the role of free market forces. American airlines cancel flights at will and feel no responsibility to the travelling public because the bottom line is its primary motive of operation. There are not enough inspectors and insufficient regulations.

The Canadian Trucking Association, which is not made up of a bunch of socialists, is pleading with the Government not to bring in deregulation of the trucking industry for at least another year. Until those national safety regulations and the safety board are in place we should not bring in deregulation. We do not have a railway safety Act or a railway safety board. The Canadian Aviation Safety Board is understaffed. It is only a year old but it is under-equipped and it cannot do the kinds of inspections it should do. But the Government wants to bring in deregulation and throw it wide open for competition. That is an invitation to disaster. It is a compelling reason for otherwise reputable transporters to cheat. It is an invitation to disaster and it will cost hundreds and hundreds of Canadian lives.

• (1830)

Mr. Gray (Bonaventure—Îles-de-la-Madeleine): Mr. Speaker, I rise on a point of order. I wonder if my hon. colleague, who has travelled so extensively, both nationally and internationally, having travelled on airlines, buses, cars and whatnot, would explain why since 1978, with the beginning of economic regulatory reform, the airlines are so safe?

Mr. Deputy Speaker: I believe the Hon. Member for Regina West (Mr. Benjamin) had finished his speech so I will allow that comment in the question and comment period. Perhaps the Hon. Member for Regina West would like to reply.

Mr. Benjamin: The two remaining major airlines in Canada are still safer, more efficient, the cleanest, and still have a reliable reservations system far ahead of all the airlines in the United States, and we are inviting them to join the ranks of that mediocrity south of the 49th parallel. I am not about to agree to that and neither are my colleagues.

The other tragedy in this country is that we do not have decent passenger trains because this Government starves the passenger service, treats it like an orphan. We have had, relatively speaking, a good transportation system. That does not mean that it does not need a lot of improvement. It needs billions of dollars more of investment over the next 10 to 20 years. However, we used to lead the world, and now in many areas we are running 20 or 30 years behind. It does not matter whether it is rail, the trucking industry or our highways, we need a massive amount of public investment to keep our status as one of the leading countries in the world in transportation. We need that investment to make sure that Atlantic Canada, the North and the West receive equitable treatment compared to the three or four major market centres in Canada.

I invite my hon. friends to talk to the people in southwestern Ontario, who sent in scores of requests for the Transport Committee to come there. The Transport Committee did not go to Yellowknife or Whitehorse. It did not go to Prince George or Prince Rupert. They should talk to the mayors of those two towns and all the municipalities around them. The Transport Committee did not go to the Peace River country or talk to the folks in Dawson Creek, British Columbia or Grand Prairie, Alberta. This thing has been a sham. The deck has been stacked and loaded ever since the White Paper *Freedom to Move* came down. That is why I submit it is an ideological binge which is going to cost this country dearly.

Mr. Clifford: Mr. Speaker, I am just delighted to have the opportunity to address the Hon. Member for Regina West (Mr. Benjamin) formally because I really believe the Hon. Member has missed the point. Bill C-18 is an invitation to Canadians to access. It is an invitation for the Canadian public to travel in at least 20th century style. I hope the Hon. Member for Regina West can understand this.

He talks about Bill C-18 and the market-place and all the worries Canadians should have. I want to tell him that there are no worries in southwestern Ontario. The people there did not get the luxury of having the Transport Committee go there and listen to them, but they are really pleased because action is a lot louder than going to a meeting hall. There has been action on the part of this Government to move ahead with Bill C-18 and offer opportunities to the good burghers in southwestern Ontario so they can finally travel in the style of the 20th century before we get into the 21st century.

Let us just talk about London, Ontario and the opportunities which have arisen there. A year and a half ago Members opposite all said to me: "Air Canada is pulling out. There go the jets. There goes the service. Nothing else will happen in southwestern Ontario because the lights are going out". I did not know how I was ever going to travel between Ottawa and London. But what has happened in the interim? We did not just have one airline come forward and say that it wanted to provide that service. We did not have two come forward or even three. Yesterday it was announced that the fourth airline has come forward in southwestern Ontario. It wants to be a part of Bill C-18 and the future of transportation in Canada. I am sorry the Hon. member for Regina West missed this page. I am sorry about that.

We are frequently seeing all kinds of airlines coming to our community and giving us this opportunity to travel. It is like the Americans in 1978 when they passed their legislation. We expect 51 per cent more travellers to have access to this kind of transportation. They should not all have to walk and carry a lunch pail. They should have the opportunity to fly. They should have time on their hands and be able to move silently and quickly in the skies of Canada.

The jets are back in London, Ontario, and those Members opposite said that they would never come back. The market-place brought the jets back. We now have the regular service of jets, and safety came with them. Members opposite said we would never have safety, that safety would be finished because of this new Bill C-18. I want to tell those Hon. Members that Amertek brought in state-of-the-art fire crash rescue equipment to Canada and to the world. It came first to London, Ontario. We have it there to protect our travelling public. We have the best. We have all kinds of frequency of service. We are a model for Canada. We have all kinds of airlines which want to come into the market-place. They want to provide cheap transportation and state of the art technology for Canadians, and they want to do it with safety. The Minister has ensured that the standards will never be surpassed by any country in the world. So we have it all, and this Government should be congratulated.

I want to ask the Hon. Member for Regina West what this is all about? What is this bogeyman? What is wrong with the market-place deciding? What is your problem? What happened to Regina West? Does no one want to fly out there?

Mr. Benjamin: Mr. Speaker, that was a combination of the Hon. Member's third reading speech, I guess. I thought the Hon. Member for Papineau (Mr. Ouellet) was scheduled to be the next speaker.

I want to tell my hon. friend from London that what happened in Regina is going to happen in London. The Government threw it open. We got one airline and then a second airline. We were told we had to have more competition, and we got a third airline. The market is not big enough for three airlines, so one of them stayed for a year and then pulled out. Then we have to become an international airport, so we

get Frontier Airlines which flew to Saskatoon, Regina, North Dakota, Denver, and so on. That lasted 14 months. Frontier Airlines is now belly-up. It is bankrupt.

We see this chamber of commerce syndrome, champagne ideas in a beer market. Mark my words, all these little jerkwater airlines will end up merged, taken over or entering into an operating agreement with one of the majors. The result will be that air fares will not be reduced. The going rate will have to be paid, something which has taken place in cities the size of London and cities even bigger than London in the great U.S. of A.

• (1840)

Mr. Reid: Mr. Speaker, I have heard the Hon. Member for Regina West (Mr. Benjamin) point out that the transportation system is a good, safe system. Can the Hon. Member produce any evidence with respect to differences in attention given to safety between the publicly-owned Air Canada and the private sector operation of Canadian Airlines International? Since 1983 or 1984, whenever deregulation in the air industry commenced, has there been any diminution of the airlines' concern for safety? Is the Hon. Member's concern with respect to the majors in the industry? Or is he saying that the smaller airlines are less conscious about safety? Why does the Hon. Member respond with such concern when there is a rationalization or consolidation of the airlines industries under major carriers which have as an obvious concern the safety of their passengers?

Mr. Benjamin: Mr. Speaker, I was not complaining about being down to two airlines. That is about all that Canada can handle. I was not complaining about that. I was just pointing out how that occurrence came about under the aegis of the so-called deregulation which threw the doors wide open to free enterprising market forces. It is inevitable to see either bankruptcies or mergers in such cases. It is one or the other. There cannot be too many fellows trying to warm the same spot on the bench.

When it comes to safety procedures, Air Canada has received an international medal for safety three years out of the last six or seven. It is one of the most efficient and safe airlines in the world. We rank in the top 10 airlines in the world. It still remains that way.

The same thing applied to Canadian Pacific and Pacific Western. Rate setting, exit and entry requires cutting costs to the bone, as any good corporate manager will do. It is inevitable. It has been shown and proven many times. The Arrow Airlines accident was a deregulation accident. The Florida Air airplane which hit the bridge in Washington was a deregulation accident. Because there are not very many accidents that is no reason to sit around all self-satisfied and say: "Well, we have not had any accidents lately". What are Members opposite doing? Begging for one?

The operations of an airline and the amount of money it needs for capital investment and so on will perhaps be reduced when put into deregulated regimes. They have to cut corners, and they will cut them.

I do not believe for one minute that Air Canada or Canadian Airlines International will cut corners on safety. I do not believe it. I do not think they will. But they will cut a great many other things. They will reduce the number of places they serve. The ones I worry about are the ones that are called the Schedule 3 or Schedule 4 operators which do not have the wherewithal to carry on a safety and maintenance regime, something which a big airline can do.

Mr. Deputy Speaker: I would remind the House that the period for questions and comments is over.

Mr. Reid: Mr. Speaker, I rise on a point of order. When the Hon. Member quotes the differences between the United States and Canada, is he in a position to point out figures to back up his statement as to air carrier fatalities in the United States versus air carrier fatalities in Canada?

Mr. Deputy Speaker: To conclude the intervention of the Hon. Member for Regina West (Mr. Benjamin), would Hon. Members consider allowing the Hon. Member to have one minute in which to complete his remarks? We will then proceed to the speech of the Hon. Member for Papineau (Mr. Ouellet).

Mr. Benjamin: Mr. Speaker, I only wish that I could join with the Hon. Member for Papineau in his unlimited time. If I had that I would be glad to read a whole book to the Hon. Member for St. Catharines (Mr. Reid). I would be glad to recite all these statistics to the Hon. Member. Much of this information he received from witnesses and in submissions given to the Transport Committee, something which he and his colleagues chose to ignore.

[*Translation*]

Hon. André Ouellet (Papineau): Mr. Speaker, I welcome the opportunity to speak at this point in the debate on third reading of Bill C-18. Bill C-18, an Act respecting National Transportation, has been the subject of comments and debate and has aroused the attention of the public in general far more than many other Bills.

At this stage, I think it would be interesting to go back in time to provide a brief historic overview and see how we got to where we are today, when we are debating the last stage of a Bill that will most certainly cause disruptions in Canada's transportation industry. In my view, there will be a disastrous impact on safety and on several sectors of our economy. The transport sector and our regulatory system have helped to strengthen the unity of this country since Confederation.

Except for coastal regions and the centre of the country, where maritime transport was possible, railway companies at the time had a nearly exclusive monopoly on freight and passenger transport, except perhaps over what can be considered short distances.

This had two important consequences. First, the railway companies developed major sectors and, second, the Government got involved in regulating their operations, obviously in the public interest because these companies had control over economic activities, and over the industry and the regions which depended on them.

[*English*]

The 1920s saw massive government expenditures in the field of transportation. The federal Government unified several financially-troubled railways into CN Rail, advanced massive funds for improved shipping, expanded other enterprises and provinces greatly expanded their network of highways.

This was also a period of legislation imposing public duties on railways. For example, the Crow grain rates were extended by law across the West and subsidies were begun for Maritime provinces transport.

[*Translation*]

About the middle of the century the monopoly of the railway companies began to weaken as a result of progress in the trucking industry, particularly with the advent of powerful diesel engines, road construction, competition from ships plying the new seaway between the Great Lakes and the St. Lawrence River, new pipelines carrying oil to regions where railway companies used to deliver coal, and the growth of airlines and bus companies transporting passengers who were once railway customers. From then on, shippers and travellers then had several options. They abandoned the train and turned increasingly to transport by truck, bus or even airplane when speed was of the essence, cost not a significant factor, and in the case of goods, the weight not too high.

• (1850)

Of course, what followed was to be expected. The railroads focussed on the sectors they found most profitable because of their very nature, such as the transport of heavy goods over long distances, while local interest services and passenger service were losing ground to other means of transport.

Unfortunately, the heavy regulation which had been necessary to control the monopolizing expansion of railway companies in their glory years was not relaxed soon enough to take into account the evolution of transport in this country. The Governments continued to regulate railway freight transport. The railroads had to interfinance their various services to continue to meet the commitments imposed on them in the name of national interest many years before, especially the transport at regulatory rates of grain and grain products for the export market,the maintenance of unprofitable passenger services, and the provision of local services which they could abandon only under very strict conditions.

These circumstances led to the creation of the MacPherson Royal Commission on Transport, which examined this issue from 1959 to 1962 and did some very useful work. I submit that the latest major reform of the National Transportation Act came as the result of a royal commission which took two years to examine the issues involved. We of the Official Opposition are shocked to see how quickly the Conservative Government is imposing this measure which will fundamentally transform the whole transportation sector in Canada.

I would remind the House that the recommendations of the MacPherson Commission led to passage of the National Transportation Act in 1967, to the decision of the then Government to subsidize directly railway companies in compensation for some of the commitments imposed on them by the national interest, such as passenger service, and even, to a certain extent, to passage of the Western Grain Transportation Act in 1983 which set new tariffs for grain transport.

With the adoption of the National Transportation Act, the Canadian Government ceased to be actively involved in rate setting within a rather wide margin which existed between the minimum rate as set under section 276 of the Railway Act and the maximum rate set under section 278 of the same Act. The legislation thus allowed the railways to set their freight rates as they saw fit, after due consultation and agreement with their clients, of course. At the same time, the Act defined a procedure for the abandonment of local services and provided mechanisms to compensate railway companies which were not allowed to drop certain services.

The results of this legislative review were impressive. New specialized freight services were offered and Canadian railways became more and more competitive. In effect, Mr. Speaker, it is quite obvious that this National Transportation Act which was put in place by the Honourable Jack Pickersgill in 1967 has been a great asset for the Canadian economy over the last 20 years. The transport industry is not ailing. The Canadian rail, air, and sea transportation industry as well as the trucking industry provides a decent livelihood for vast numbers of workers throughout Canada.

Some changes are indeed required to accommodate a new situation. Some of the regulations of the National Transportation Act must of course be streamlined. But the Government is not trying to streamline or to accommodate. It is in fact litterally trying to do a hatchet job and destroy everything we have now to start again from scratch and it is willing to do so in fact just to accommodate a request by the large Canadian carriers and shippers.

The bill before us is the Government's response to the pressing demands of large Canadian shippers. Although the provinces, most transportation companies and the public in general as well as workers in the field of transportation in particular, oppose this bill, the Goverment has decided to stick with it and go ahead in forcing this new transportation act upon Canadians in spite of all the objections that have been put forward.

People often say: If it works, why change it? And we should indeed be asking ourselves at this moment: why is the Government insisting to overhaul the National Transportation Act and jeopardize thousands of stable and well-paid jobs with transportation companies throughout Canada?

As I said earlier, the Canadian transport industry is not static. It is indeed a dynamic, developing industry which changes constantly. As everything else, its reactions to change may be good or bad. But the change which we are undergoing is in many ways a technological change. Sometimes, it takes the shape of a competitive challenge from our neighbours south of the border, and it is indeed this change, those developments and those challenges which prompted the previous Liberal Government at the time to review the industry's regulatory framework. In fact, in 1984, my colleague, the Honourable Member for Winnipeg—Fort Garry (Mr. Axworthy), the then Minister of Transport, first suggested that some deregulation might take place in the transport industry. I am saying "some deregulation" on purpose, for what our Government had in mind at the time was the implementation of a more flexible regulatory framework, a framework that would be more in keeping with new economic structures and with the changing face of the transport industry. Our purpose at the time was to set up a regulatory framework to ensure the full development of that industry, thereby improving our competitive position.

But the major difference between us and the current Tory government is that if our policy was future-oriented, it was also deeply rooted in the best traditions of the transport industry in Canada, in both realism and pragmatism which have demonstrated their usefulness in the past.

So, the government is asking us to approve this very heavy and all transforming bill. It had expressed its views in its White Paper entitled *Freedom to Move*.

• (1900)

Well, *Freedom to Move* means going full speed and without any limitation towards full, urgent and complete deregulation. My colleague, the former Liberal Minister of Transport, on the contrary, had proposed a strategy of regulatory flexibility which we had described as small-step progression. At first, this strategy was directed to the air transportation industry. We meant to soften the impact on the Canadian economy. This Tory government, by electing to change the whole transportation industry all at once, has caused a wind of panic to blow on several sectors of our economy.

I must say that the small-step approach adopted by the former Liberal government had already started to be felt, resulting in a reduction of the rates granted to the travelling public by the airlines of the day.

Guarantees have been provided for services in distant areas of this country to make sure that those with vested interests, such as those held by various airlines, would be protected by the measures announced by the then Minister of Transport.

Well, we need only look at what has been happening for the past two years to realize to what extent the hasty and misdirected action of this Tory government has resulted in a disturbingly large number of small airlines being taken over by major carriers. Also, the trucking industry in Canada is starting to experience a disturbing concentration. When he introduced his bill, the Tory Minister of Transport told us: the purpose of this deregulation is to favour and encourage competition. Well, both in the air and highway transportation industries, we see the opposite happening. We do not have more competition, but a larger degree of concentration in the hands of a few big carriers, and the danger is clear—more concentration leads to lesser competition and greater disruption of market forces. And needless to say, it is clear the transport industry in Canada is very much concerned by the Conservative Government's Bill C-18.

So, while accepting the major thrusts of the bill, the Liberal position is quite different from that of the New Democratic Party. While the latter want no change, we say: A degree of de-regulation is needed, existing rules must be made more flexible. We therefore support the principle of Bill C-18. But while accepting the major thrusts of the legislation, we cannot support the way it was put forward by the Conservative Government, nor the hasty legislative process chosen by the Government that to us is totally unacceptable and shameful in the circumstances. Indeed, the importance of the transport industry to our Canadian economy's development is clear. The Government itself recognizes that in the policy statement included in Clause 3. And it is because of that basic importance that we feel the Government should have used a much more balanced approach. And that same basic importance leads us also to suggest the Government should have held wider consultations, it should have listened to the many representations it received when it tabled the White Paper, the *Freedom to Move* document, and also when Bill C-18 was discussed. What is unfortunate is that apparently the Government only listened to associations controlled by large, affluent shippers in Canada. Clearly, it should have listened as much and perhaps more so to small shippers, small shippers from the Maritimes and some small shippers from Western Canada who made representations and submitted that confidential contracts for domestic traffic in particular may force them out of business.

When small and medium size business people in Canada appear before a commons committee, they make urgent representations, saying: Be careful, if you provide for confidential contracts as proposed in your bill, this may force us into bankruptcy, please do not do that. It seems to me that a Government that has the public interest to mind, a Minister who finally wants to have the best possible legislation, should listen and accept that kind of representations. We cannot understand that the Conservative Government turned a deaf ear to the many urgent representations made by small and medium size businesses that opposed major aspects of Bill C-18.

Evidently, I do not have to tell you that if the Tories did not listen to small businessmen, they listened even less to the unions which also appeared before the Committee on Transport and made very insistent and eloquent representations about the inherent dangers of the legislation for a number of

jobs which could be lost in the transport industry if the government blindly proceeded with total deregulation. Some statistics which I find indisputable were given by Canadian unions which appeared before the Committee on Transport and which told us explicitly that to copy the Americans as this Tory government wants to do in the deregulation of transport would have in Canada the same results as the deregulation of transport has had in the United States, that is the loss of many jobs in that industry. However, the government has been entirely relentless as far as those representations were concerned.

The government could have also consulted, Mr. Speaker, all aviation professionnals, pilots and others, who appeared before the Committee on Transport and clearly told us that deregulation would inevitably lead to reduced service and what is more important, reduced safety. We are not imagining those things, this is what those experts, the pilots who earn their living in that field and are the first ones on the line told us: "Take care, what has been done in the United States resulted in decreased air safety." Now the present Minister of Transport as well as the former one told us time and time again that everything would be done to maintain total safety. At one point, the Prime Minister even said that we were going to be number one on safety. We were going to make sure we would have the best safety record. However, if we take a closer look and analyze what the Government has done, we realize that these were just empty promises. We have nothing in our legislation to protect safety standards, and as for the Department of Transport and the various agencies that would be created to monitor Canada's new transportation system, they do not have the person-years and will therefore be unable to provide for the necessary resources to monitor and enforce the most important safety standards.

• (1910)

Only yesterday, when we were considering the report stage of this Bill, we tried to amend the legislation to ensure that the most important safety standards would be enshrined in the text of the Bill. However, the Government would not accept our amendment.

So we have nothing tangible here at all. When the Government talks about safety, it is just talk, since no concrete action has been taken in this respect.

Furthermore, the Government should have listened to our Canadian railway companies when they told us that Bill C-18 constituted a threat to their survival. The railway companies, both CN and CP, testified before our Committee and told us that the new constraints imposed by Bill C-18 would be a threat to their survival, lead to a substantial drop in revenue and business, and force them to cut back severely their operations across the country.

The Government was unmoved by these representations. In fact, it preferred to impose time frames that were entirely unrealistic. For instance, when the Transport Committee was to study the White Paper *Freedom to Move*, we were handed the document and told to submit our report within two months. We would be able to hear a number of witnesses, but the report had to be tabled in Parliament before Christmas. Next, when we got the Bill, we were told the Bill had to be reported back to the House before Easter and that it was all very urgent.

Mr. Speaker, I may remind the House that the last time the legislation was revised, a Royal Commission of Inquiry sat for three years before any changes were made in the National Transportation Act.

In fact, in addition to the very short time frames, the Government even had the gall to impose time allocation on consideration of the report stage, and we are now limited to a maximum of four hours at third reading. I think this is hardly the way to deal with a sector that is one of the most important components of our economy. And I think it is hardly acceptable and entirely inappropriate to make such radical changes in the legislation that regulates transportation in this country.

Gagging the Opposition may be something the Government can afford to do in the circumstances because of its crushing majority, but although the Government may be able to gag us here, although it may be able to force Parliament's hand to pass this legislation, it cannot gag the general public. It cannot gag the workers in the transportation industry who will be affected by this Bill. It cannot gag the transport companies whose activities will be seriously disrupted by this new legislation. I am convinced that within a very short while, we of the Official Opposition will have to repair the damage done by this Government which has set its mind on forcing us to adopt a bad piece of legislation much too quickly. I have no hesitation in predicting that, within two or three years at the most, the Government will have to deal with a new Bill to correct the harmful impact of Bill C-18 on our transport industry.

We of the Liberal Party are vigorously opposed to many of the provisions contained in this Bill as we believe that they will seriously harm the economy of Canada for several years. We regret that this Bill does not contain the provisions required to provide such things as serious and credible safety standards for air travellers; adequate services for handicapped travellers; measures to protect jobs in the transport industry; and guarantees that the national transportation network will remain the cornerstone of regional development in Canada.

In a few words, those are the major points on which we of the Official Opposition have tried to suggest improvements, and I am thinking especially of my college, the Hon. Member for Westmorland—Kent (Mr. Robichaud) who has proposed several amendments. We have not been as successful as we had hoped.

We believe that the review of such a blue-print legislation, which is essential to the socio-economic balance of this country, deserves a much more responsible approach than that taken by the Conservative Government. I emphasize that, in such a major review, much more care should have been taken

to measure the impact of the deregulatory process on such matters as passenger safety, consumers, especially as far as rates are concerned, jobs, the acceptable level of foreign control, and finally, regional development.

Mr. Speaker, I would like to take the next few minutes to try to point a picture which we Liberals want to be as objective as possible of the harmful effects of comprehensive deregulation such as proposed by the Government in Bill C-18 now under consideration at the third reading stage.

I would also like to review some of the most noteworthy comments made on these issues before the transport committee. To some extent, we Liberals want to act as spokesmen for all Canadians whose views were not taken into account by the Minister of Transport when the Bill was being prepared, and later when the Opposition proposed amendments on their behalf. In so doing, we wish to join those Canadians in denouncing a piece of legislation which, while it may have been based on a sound principle, has become very bad in its various provisions.

First, I would like to deal with the issue which is of greatest concern to the users of our various means of transport. In my opinion, when they hear the word "deregulation", people are most worried and scared about the safety issue.

We Liberals regret that this Bill contains no provision to prevent situations which could actually reduce air safety. The American experience has shown that this is a real danger.

I will not refer to trucking safety—I will get back to that when dealing with Bill C-19—which is also a source of deep concern. Nor will I say anything about safety in rail transport because, as we see it, the Government has proved to be utterly unrealistic by failing to provide adequate financial backing to the railway companies, and particularly the two Crown corporations—CN and Via Rail—for which the Government has the responsibility to meet minimum safety standards in the railway sector.

Every week or every two weeks we are told about derailments, we are told about railway accidents, a clear indication that the Government has failed to take urgent action to revamp a defective system.

But here is where our fears are the greatest and what I want to emphasize again, three fundamental observations in the field of air safety. First, deregulation encourages the arrival of new companies on what is supposed to be a free market. Oftentimes these new airline companies have inexperienced workers who have not been properly trained in aircraft maintenance. Second, one of the effects of deregulation is that carriers are forced to exact concessions from their workers, which often results in longer shifts, stress, lower wages and fatigue, so many factors which can translate into human errors. Sadly enough, more carriers does not automatically mean more inspectors.

As we have seen, in 1979 the U.S. Federal Aviation Administration had 2,000 inspectors for 237 air carriers.

Well, five years later, in 1984, it had 1,300 inspectors for 407 air carriers. The same situation is bound to develop in Canada.

The Government is imposing budget restraints on the Department of Transport. Since the number of inspectors will not match the increase in air traffic, it can be expected that the same shortcomings which prevail in the United States will also prevail in Canada.

In our opinion, these three situations speak for themselves. It is inconceivable that these direct consequences of deregulation might lead to anything other than reduced air safety.

• (1920)

[*English*]

There is more. Indeed, in the U.S. the number of near misses has increased steadily over the last five years, from 311 in 1982, to 776 in 1985. In the first five months of 1986, 305 were recorded, an increase over the same period in 1985. While the number of commercial flights has grown by 31 per cent from 14.7 million in 1980 to 19.2 million in 1986, the number of air traffic controllers has declined by 13 per cent. While the number of aircraft increased by 68 per cent between 1980 and 1984, the percentage of operating revenues spent on maintenance has declined from 8.9 per cent in 1980, to 7.6 per cent in 1984. Clearly that indicates the American skies are not as safe today under deregulation as they were before 1978.

Earlier today my hon. friend from Regina West was asking for statistics. I am giving him uncontested statistics which are a clear indication that deregulation has created a lowering of safety in the U.S., and it is predictable that exactly the same thing will happen in Canada.

[*Translation*]

Indeed, in the United States air travel is not as safe as it was before deregulation. Accident and mortality rates are on the rise, and I would like to quote Mr. Ronald Cape, President of the US Cetus Corporation, who has this to say: "Commercial flights are less safe now than they were before deregulation". The President of Bache Prudential Securities, Mr. Harry Jacob Jr., stated: "Air travel is now much more dangerous". To us in the Liberal Party, and not only to us but to a countless list of organizations that appeared before the Committee on Transport, the US deregulation experience should have been more closely studied by the Conservative Government. That American experience should have led the Conservative Government to be more cautious before acting with such haste to de-regulate air transport. I cannot understand such haphazardness, such irresponsibility from this Government. I would like to quote from the evidence given by Mr. John Nance, professor, author, and himself a former Braniff Airlines pilot, who appeared before the Committee on Transport. Here is what Mr. Nance revealed, and I am quoting from his evidence before the Committee on Transport:

[*English*]

"The most serious objection of all, and the one taken with the least degree of seriousness on Capitol Hill, was the issue of airline safety. It seems obvious to the technically adept members of the airline industry that price wars will lead to cost cutting, and cost cutting will lead to cut-backs in the amount of money available within any carrier to fund training programs for pilots, flight attendants, maintenance workers, operational line workers, and hundreds of others, and would lead to cut-backs in the funds available for maintenance personnel and parts.

With abject ignorance of the realities of the very delicate balance in the human systems of airline operations, the proponents of the deregulatory experiment assume without justification that safety standards will not be compromised as long as the Federal Aviation Administration maintains its surveillance of the airline industry in order to prevent a decline in standards. In addition, they reason it is not good business to denigrate safety standards and cause crashes which kill people and destroy public confidence in one's airlines. Therefore, the natural propensity of airline managers will be to maintain their safety standards regardless of cost pressures.

Based on those two incredibly naive assumptions, the Congress promised that deregulation will never be allowed to lower the level of safety then enjoyed by the people of the U.S., and the government agency charged with maintaining that promise would be the FAA".

That is exactly what the Minister is telling us. That is what the officials in the Department of Transport are telling us. Do not worry. We will continue to carry on business as usual. There will be no problem. We will not compromise safety. That is exactly what was promised to the U.S. Congress and it never materialized. That is exactly what will happen here, to the peril of the Canadian public.

• (1930)

I will cite another part of the text submitted to us by Mr. Nance. He said:

Congress never understood these basic truths:

A. The level of safety in the airline system of the U.S. in 1978 was, and historically always has been, far, far above the minimum standards mandated by the Federal Air Regulations;

B. The FAA was empowered to enforce only the Federal Air Regulations, also referred to as the "minimums" in airlines operations—the lowest level of compliance to which any carrier would be allowed to drop before the FAA would be empowered and required to step in and take action to prevent further decline.

Since it was obvious that deregulation would bring massive cost-pressure to bear on established carriers in the sure-to-result feeding frenzy of competition, and since existing carriers would have to find ways to cut their costs to match the lower costs of new entry carriers with overheads no greater than a PSA or Southwest, airline leaders were sure to notice that their level of compliance in many areas of maintenance, training, and operations was far above the minimums mandated by the FAA. Since the FAA was powerless to stop or even influence the decision of any carrier to cut its previous level of standards as long as it remained above the minimums, the FAA would thus be powerless to prevent a general decline in the standards of safety—as long as those standards did not sink below the FAR minimums.

Thus, from the very first, the promise of the Congress to absolute guarantee that there would be no cost-pressure generated decline in the levels of safety of the U.S. airline industry was inoperative and impossible to keep. Furthermore, through ignorance and refusal to do their homework, Congress virtually guaranteed that those standards would have to drop in order for the existing carriers to have a fighting chance to remain in business.

I want to point out to the Ministers and government Members that the same situation could prevail in Canada. My colleague, the Member for Westmoreland—Kent (Mr. Robichaud), says that that is exactly what will happen, and he is right. Mr. Nance was saying that Congress was naive in thinking that safety would be preserved. I submit that the Ministers and the government Members are naive to think that safety will be protected. I am afraid that there will be a repetition of the terrible American experience.

I will continue quoting Mr. Nance's remarks as follows:

But what of the natural propensity of airline managers to have and maintain the highest level of safety available? Once again ignorance plays a role in the story of the U.S.'s experience.

Incidentally, Mr. Speaker, ignorance cannot be pleaded by the Minister and the Government because they know of the American experience. It may be that the U.S. Congress could plead ignorance, but the Minister of Transport (Mr. Crosbie), who knows what happened in the U.S., does not want to look and see the danger. He continued:

Because of the entry into the business of thousands of bright and honorable business school graduates and other managers with no exposure to the nuts-and-bolts operational realities of the human system we refer to as an airline system, the incorrect idea was sure to grow rapidly that the highest level of airline safety and the FAA minimums were actually one and the same, and that as long as an airline complied faithfully with the minimum standards the public trust had been upheld. Therefore new entry carriers run by non-airline people were certain to enter the business at a lower level of safety compliance (fewer hours of training, lower maintenance stocks, lesser quality of operational experience in the people hired) than the major carriers whose routes they were determined to raid.

Since cost control would now become the arbiter of who would succeed and who would fail, arguments on the Vice Presidents of Operations or Vice Presidents of Maintenance for extra funds over and above the minimum necessary were increasingly discounted even in the established carriers, and never considered in too many new entry carriers. While there was and is no doubt that the national propensity of airline managers is to have the greatest level of safety possible—

—and I think the same is true in Canada—

—the definition of what was possible was arrived at through cost analysis and examination of the subterranean FAR minimums, and thus the overall level of safety of the system began to decline.

This is exactly what we think will happen in Canada. The new entries will try to compete and take away some of the routes of the existing companies. The danger is grave that we will have a lower level of safety in Canada.

[*Translation*]

In his book *Blind Trust*, Mr. Nance had this to say:

[*English*]

The airline business is a human business. Humans think and act subjectively, try as technology may to mold us into objective perfection, humans fail in the cockpit, on the ramp, in the executive office—and in Congress. Such failures are predictable, and if we do not build in enough of a safety buffer that is being thinned drastically and dangerously by the free-market forces of cost accountability unleashed by deregulation.

[*Translation*]

In Canada, Mr. Speaker, we simply want to ensure that we do not take the same route. On the other hand, we want for Canada a safe, comfortable air transport system, with fair rates and a high quality of service, and we sincerely believe that on those matters, Bill C-18 fails miserably. This leads us to the matter of air fares over the last two years.

The Minister of Transport attempted to promote his de-regulation proposal by suggesting to Canadians that Canada's air carrier rates would be reduced because of de-regulation. In the meantime, both the President of Air Canada and the President of CP Air stated in evidence before the Committee on Transport that air fares had reached their lowest level, that was the bottom line, there would be of course competition between the main airlines but across Canada air fare reductions were no longer to be expected. In other words, the Canadian consumer was misled by the Minister who wanted him to believe air fares would fall significantly because of de-regulation. Indeed, the former Minister of Transport attempted to tell the same story. But to his credit, I must add the Deputy Prime Minister had the courage in June, 1986 to admit that the new National Transportation Act would have no impact on rates.

[*English*]

So much for lower fares, Mr. Speaker. It is clear that again the Government has lost one of its reasons for bringing total deregulation in the air industry.

[*Translation*]

Mr. Speaker, this Government was elected almost three years ago by promising jobs, jobs, jobs. Those were the three commitments made by the Conservative Government and, at that time, by Mr. Mulroney. Jobs, jobs, jobs! Unfortunately, he has been forced to admit that, in this area as well, the Government has not delivered. We believe that this bill will have a detrimental effect on the employment level in the transport industry. Far from creating employment, Bill C-18 will bring about a drop in highly paid full-time employment in the transport sector. Workers in the air transport industry face important layoffs and displacements. The United States transportation industry was deregulated in 1978. From 1978 to 1985, 40,000 workers in that industry lost their jobs. We think that repeating the American experience here would have the same effects. It is obvious to us that in their effort to rationalize their operations, the air carriers would cut down on their staff. This is already being felt ever since CP Air has been taken over by Pacific Western and there is talk of rationalizing operations. And I predict that we will see between 1,200 and 2,000 layoffs or job losses in that Canadian company alone.

And I am not talking about other companies which could be affected by the bill but about the new company which is now called Canadian Airlines and which, in a context of deregulation, has benefited from the happy-go-lucky attitude displayed by the Minister of Transport (Mr. Crosbie) and by the Minister of Consumer and Corporate Affairs (Mr. Andre), who is responsible for competitions policy in Canada, in allowing an excessive degree of concentration in the air transport sector which will directly result in the layoff of hundreds of workers of the former companies, that is to say Quebecair, Nordair, Pacific Western or Canadian Pacific, or even Eastern Provincial.

What will happen as a result of the consolidation of these five companies into one? Jobs will be lost. It is bound to happen. What we in the Liberal party find is wrong with this legislation is that it does nothing to protect jobs in the air transportation industry. Nothing is provided to force air carriers to compensate workers who would have to move in order to keep their jobs or give them proper notice in case of lay off. We consider that the increased competition will lead the companies to cut their costs, to take up a strategy of bare minimum, to abandon certain routes and to run a greater risk of bankruptcy. All those consequences will result in less job opportunities and more lay offs.

This legislation does not include any provision able to counter the likely negative impacts deregulation will have on the work force in the transport industry, while we have before us the most eloquent example of problems generated in the United States by deregulation.

Allow me to quote from the brief presented by the Brotherhood of Railways and Airline Clerks before the Standing Committee on Transport at our hearings in Vancouver last March. We would have hoped that the Government had paid careful attention to that brief submitted by that union which had done an outstanding work to bring to the attention of the committee members some very relevant points of view, and I quote:

• (1940)

[*English*]

However, one fact about deregulation that we will not dispute is that the airlines will use it as an opportunity to cut costs. The supporters of deregulation have clearly indicated that the major portion of this cost-cutting will be achieved at the expense of workers.

At a hearing of this Committee in November, 1985, when asked "what specific steps would an organization" such as his take in order to change the profit picture, Donald Carty, (then President of CP Air), provided the following action plan: 1. "go from three-fleet types to two" 2. increase the use of "automation"; and 3. make changes to "our labour contracts."

It would appear accurate to suggest that such cost-cutting measures would have a negative impact on both present and future workers of any organization. The recognition of who will suffer most in the implementation of deregulation has also been highlighted by transport economists. Professor Tretheway of UBC has suggested that, "some of the gainers from deregulation, consumers, may have some obligation to the losers, the employees—"

While the proposed Canadian legislation has followed the U.S. direction of recognizing the needs of shippers, consumers and carriers, it has failed to follow the U.S. legislators in at least attempting to provide for the needs of workers in the transportation industry. The Transport Minister has suggested that the Canadian Bill is an improvement on the U.S. law as "We (learned) our lessons from what has happened there." One improvement which we believe Canada should have made on the U.S. legislation, is a more effective employment protection package . . . To ignore this issue is to fail to recognize that the elements which have created the stable industrial relations system in the airline sector are a natural product of having operated in a regulated environment.

The results of such a failure for Canada can be extrapolated from the U.S. experience. For as Professor John T. Dunlop has asserted in reviewing the U.S. scene: the inadequate consideration given to the question of "how deregulation would impact on the relevant labour markets and the process of collective bargaining "exacerbates the industrial relations problems created by deregulation.

[*Translation*]

It is clear that the government has failed to take into account this proposal made before the Transport Committee. And this is regrettable because there is no doubt that Canadian workers, in the transportation area, deserved more protection.

Now, I should like to deal briefly with the issue of foreign control over our industry. Always anxious to kowtow to our neighbours to the South, the government introduced a bill without any provision limiting foreign control over Canadian transportation companies. Mr. Speaker, this is surprising, when we know that even in a country as powerful as the United States, there is a 25 per cent limit on foreign takeovers in the transportation industry. We fear that a great many Canadian companies will fall into foreign hands. We said so to the government. We have tried to move amendments to protect against this possibility. But the Tory government has decided to live dangerously.

While disregarding the need to safeguard Canadian control over our transportation industry, leaving everything to the discretion of the Minister responsible for Investment Canada, and failing to set any statutory limit to foreign control, the government, we feel, has left the door open to foreign control over this industry which is so important to the economic well-being of Canada.

We have tried to move an amendment which could have offered a certain protection to the workers within the transportation industry by incorporating to Bill C-18 the provisions of the Labour Adjustment Benefits Act.

Mr. Speaker, I should like to refresh the memory of some of our colleagues on this major legislation which was adopted by Parliament in May 1982. The purpose of this legislation, which comes under the Minister of Labour (Mr. Cadieux) is to extend protection through income support to some workers who have been permanently laid off by industries designated by the federal government, who are no longer entitled to collect unemployment insurance benefits and who have no employment outlook. These last resort benefits, authorized by the Labour Adjustment Benefits Act, are aimed at people who have been laid off and who, because of their age or particular qualifications, could not avail themselves of the manpower placement programs and who experience therefore tremendous adjustment problems.

I respectfully submit, Mr. Speaker, that many railway and other Canadian transportation employees who worked for 20, 25, 30 or even 35 years in the industry will soon loose their jobs as a result of this deregulation process.

If in its great wisdom, the Government could in the past offer benefits to laid off workers of designated industries until they reached the age of 65 so they would not rely entirely on welfare assistance, if the Government could offer such a useful program to textile, shoe, and mine workers in many areas of Canada, I think that it would only be fair to offer a similar treatment to transportation workers because these Government measures will undoubtedly create absolute chaos for many experienced workers.

If, for example, such a program had been set up for the workers at the CN shops in Moncton, we would not see as we do now, a Conservative member of Parliament being contradicted by his own Government after having declared that the Minister of Transport abdicated his responsibilities by allowing the Crown Corporation to go ahead and lay off many good workers from Moncton who spent many years working for the government. Well, these adjustment benefits have been in existence for several years and are helping many Canadians. In reality, these adjustment benefits account for about 60 per cent of the average weekly insurable earnings, based generally on the last 20 weeks of employment preceding the lay-off. These benefits are entirely geared to the inflation rate and are paid until the beneficiary finds a job or reaches the age of 65.

I therefore submit that the Conservative gouvernment has a responsibility towards all these workers that could be laid-off in the transport industry. The amendement I had moved which would have made it possible for these workers to take advantage of this program was of course rejected by the government. Yet, I think that sooner or later, in view of the slump that this bad legislation will eventually create, the government will have to intervene and I think that this program, however imperfect, could meet to a large degree some of the pressing needs of these workers who will be faced with unemployment and no job opportunities.

Another striking deficiency of Bill C-18 is the fact that it includes no qualification tying the enforcement of the legislation to the aims of regional development. We are now told at the very most that the commercial viability of transport services is to be weighed against the aims of regional economic development. It is an amendment which I introduced in the Committee on Transport, amendment that was reintroduced as such by my colleague the Member for Moncton (Mr. Cochrane) and that was also introduced at the same time in the Committee on Transport. I must say, Mr. Speaker, that I cannot but be pleased to see that the amendment was accepted. However, while I was pleased to have my amendment approved by the government, I must indicate that I find it insufficient. The amendment is not strong enough to compel the government and its officials to take regional development into account when decisions are made and transport policies are drawn up.

Mr. Speaker, history has clearly shown us that if we want an efficient regional development policy, all federal departments must take it into account. If the aims of regional development are only weighed against the commercial viability of transport services, there is no guarantee. It is too vague, too general for a minister or his officials to take that into consideration. The

aims of regional development must prevail over commercial interests when both are in conflict. Such was the view of several witnesses which were heard when the Standing Committee on Transport visited the different regions in Canada. Indeed, that opinion was almost unanimously held in the Atlantic provinces. For example, let me tell you what the Leader of the Official Opposition in New Brunswick and very soon the Premier of New Brunswick, Mr. Frank McKenna said in Moncton on April 1 last and I quote:

• (1950)

[*English*]

It is essential that Bill C-18 be amended to ensure that economic development objectives will take precedence over commercial viability when the two objectives conflict.

There is bi-partisan agreement across the Maritimes on this fundamental point. In its present form, Bill C-18 does not offer this assurance. It is not acceptable to Maritimers. It is not acceptable to New Brunswickers.

The inclusion of this clause will reaffirm transportation as an important instrument of economic development.

It will clearly indicate that the federal Government will not allow commercial viability to be the sole determinate in any decision affecting the transportation service.

As it now stands, Bill C-18 stresses the right of the market place to regulate itself through competition. The point of the included clause will be to insist that the transportation services essential for our economic development will not be endangered by the more competitive atmosphere.

It will ensure that we will continue to enjoy full access to these services even if they cannot prove commercially viable. It will ensure that we are recognized as equal Canadians even though we do not live in central Canada.

[*Translation*]

One could say that this is a Liberal speaking and playing politics but, Mr. Speaker, it is not only the Leader of the Opposition in New Brunswick who said that but also the present Premier who appeared before the Standing Committee on Transport on April 1 last and said:

• (2000)

[*English*]

The federal government's reluctance to date to incorporate into Bill C-18 satisfactory protection against the possible downside effects of the proposed legislation has increased the province's concern regarding the potential negative impacts of the new act on transportation services in New Brunswick, and in the Maritime provinces in general.

This is why New Brunswick is adamant that paragraph 3(1)(d) of Bill C-18, recognizing transportation as a key to regional economic development, be expanded to include the statement that regional economic development objectives will take precedence over commercial viability objectives when the two are in conflict.

[*Translation*]

On of the best briefs presented to the Committee on Transport was that of the Harmon Corporation of Stephenville, Newfoundland. This is what they had to say:

[*English*]

Section 3 of Bill C-18 contains the statement of policy governing the whole of the proposed legislation. The Section accentuates commercial viability. In subsection (d) it states that transportation is a key to regional economic development. Sprinkled throughout the bill are provisions relating to the maintenance of essential rail and air services, however, it is not a positive commitment to foster economic development. There is no evidence of a positive commitment whereby regional economic development is given greater status than commercial viability.

It was a condition precedent to British Columbia joining Confederation that a railway be built through the mountains.

It was a condition precedent in the Terms of Union with Canada that a ferry and rail link be continued between Newfoundland and Canada. One of the key reasons for these conditions was economic development.

The Canadian Premiers, in 1985, met in St. John's, Newfoundland and stated that they desire economic development objectives to have supremacy over the objective of commercial viability where the two conflict.

It is therefore the position of Harmon Corporation, in accordance with its mandate in the public statement of Canada's provincial Premiers that Section 3, subsection (d) of Bill C-18 be amended to read as follows:

"(d) Transportation is recognized as a key to regional economic development and where commercial viability objectives conflict with regional economic development objectives the latter objectives shall prevail."

• (2010)

[*Translation*]

Clearly, Mr. Speaker, all those evidences should have moved the minister of Transport and touched the Conservative members sitting on the Transport Committee, because I want to underline that the governments of Nova-Scotia, Prince Edward Island and that of New Brunswick which I just mentioned, as well as several other witnesses, all approved that amendment to the Bill. They wanted that section to be amended. They clearly wanted a firm undertaking that regional development would be preserved. Such a position had also been expressed by the Transport Commission of the Atlantic Provinces and by the Atlantic section of Transport 2000. I repeat, all those parties wanted and still want that regional development objectives to prevail over the commercial viability whenever the two are in conflict.

We think as Liberals that the priorities and understandings concerning regional development should never be jeopardized by transport policies that do not take into account the special needs of the most distant, the most remote regions of this country.

In the absence of such a declaration in the act, it is clear that the impact on regional development will be negative, because until now it is through regulations that we could alleviate a number of difficulties linked to regional economic development.

In a framework devoid of any transport regulation, Government intervention no longer will be possible. The Conservative Government would not recognize the importance of regional economic development. Such a position is totally unacceptable in our view, and points to a lack of awareness of the fact that Canada is a nation with a population that is relatively sparce and scattered over the second largest country in the world.

I would like to take this opportunity to commend my colleague the Hon. Member for Westmorland—Kent (Mr. Robichaud), who worked very hard to put the case submitted by all Maritime representatives, who himself moved a very important amendment that incorporated almost word for word

the agreement reached between the then Minister of Transport (Mr. Otto Lang) and the Maritime Premiers after Mr. Lang submitted a draft that met the aspirations and hopes of Maritime representatives and was committed to include in the National Transportation Act, when that act would be amended, the very clause we attempted to have accepted by this Government, and that we Liberals, had we been in Government and had we put the legislation forward, would have enacted.

I must say that the Hon. Member for Westmorland—Kent did everything to convince his Conservative colleagues on the Committee on Transport to accept his amendment that met the expections of Atlantic witnesses who appeared before us. It was a splendid fight, but unfortunately Conservative Members closed their eyes, pinched their noses and blindly followed the Minister's Parliamentary Secretary by rejecting the motion. Nobody was more embarrassed than the Chairman of the Standing Committee on Transport, the Hon. Member for Annapolis Valley—

An Hon. Member: —Annapolis Valley—Hants!

Mr. Ouellet: —Annapolis Valley—Hants (Mr. Nowlan), Mr. Speaker, who as Chairman could of course not vote, but probably was at a pain when he called the vote and saw his colleagues, especially the Hon. Member for Gaspé (Mr. Marin), the Committee Vice-Chaiman, vote against such an important move to Canada's regional development. But we now realize why the Government refused that amendement. It is because the Government does not believe in regional development. As we just found out, the Minister in charge of Regional Development is being stripped of everything. Like a strip-teaser, he is stripped of one responsibility after another. Very soon he will be stark naked, without any power to look after the interests of Canadian regions. Not only is the Conservative Government rejecting an amendment that would protect regional development interests under the transportation legislation, but it is also dismantling the Department of Regional Industrial Expansion which had been set up in the best interests of Canada and specially for the prosperity of the regions of Canada. We cannot help become indignant when we see this Government destroy what was built by the Hon. Jean Marchand and created out of a deep concern for social justice to allow Canadians wherever they live to share in Canada's prosperity. And the main mandate of the regional development department is to ensure that this prosperity enjoyed by major urban centres of Canada and some wealthy areas of the country be spread around in the interest of everybody, in all regions of Canada.

I say this: the Government has rejected our amendment. That is reason enough for us to vote against Bill C-18, because a fundamental pillar of the Canadian economy is missing, that is the recognition of an economic development opportunity for all Canadians who live outside the big cities of Montreal, Toronto, Vancouver, Calgary and Edmonton.

Outside those large cities, there are people who are entitled to an opportunity to work and prosper, and we have tried to amend the legislation. The Government did not go along. We will vote against the bill because we believe it is totally unacceptable under the circumstances.

I wish to revert to the suggestion made repeatedly by the Minister of Transport to the effect that this legislation is the result of successful consultations with the provinces. Such a statement is absolutely unfounded. We know how deeply the Premiers of the Maritime provinces are disappointed and aggravated by this lack of understanding on the part of the Minister of Transport. But let me tell you a little about the reaction of the Quebec Minister of Transport on Bill C-18.

As free trade negotiations are underway between Canada and a partner which spares us no blow, what with restrictions on lumber, pork, potash, etc., how can we justifiably give free access to our railway system without any counterpart? This is what the Quebec Minister of Transport, Mr. Marc-Yvan Côté, was asking his Federal counterpart, Mr. John Crosbie, when he submitted a paper outlining the official position of the province of Quebec with respect to Bill C-18, a Bill to redraft the National Transportation Act.

We should remember that under this Bill, a shipper may enter an agreement with a company which does not serve his area, including a U.S. company, for the purpose of transporting his goods. The province of Quebec as well as several western provinces have seriously questioned the relevance of such a concession, for it is obvious that, although those shippers might benefit from it in the short term, it might have a negative impact on the economy in the long run.

The submission sent by Minister Yvan Côté to Mr. Crosbie was drafted in line with a decision of the Cabinet, and therefore represents the official position of Quebec on this matter. Here is a brief outline of some of the amendments to Bill C-18 suggested in that memorandum:

Specifying the powers of the Governor General in Council and providing for early consultations with the provinces on matters of concern to those provinces.

Extending the funding provisions for modal conversion to include the rehabilitation of lines that may be taken over by other companies.

Establishing at net salvage value the sale price of businesses and lines abandoned by a railway company when an interested party is willing to take over.

Including in the branch line grant mechanisms some form of incentive for businesses to try and upgrade their revenues and services.

Provide for the preservation of unused branch lines for five years, with a possible further delay as required.

Giving provinces which may subsidize or take over services which are about to be abandoned an assurance that they will be provided with the cost and market data of railway companies.

Granting provinces a right of appeal to the Governor in Council with respect to maintaining services subsidized for reasons of public interest.

Establishing a consultation process with the provinces with respect to the reciprocal agreements on international air transportation.

Finally, use accessibility rather than geographic criteria to identify protected areas in the North under air regulations.

Mr. Speaker, not only the federal Minister of Transports has not studied carefully the representations from his provincial colleague, or taken them into consideration, but he has not accepted a single recommandation from the Quebec Minister of Transport. Nevertheless, the federal Minister would have us believe that he has the support of the provinces to proceed with his Bill. He does not. Provincial Premiers are very upset by the attitude of the Minister.

One of the biggest aberrations of this Bill deals with the competitive line rates. I do not know whether people watching us understand what is involved in this Bill C-18, which is divided in several parts. The first one deals with the new National Transportation Agency; the second with air transportation, about which I was talking just now; the third part is about railway transportation and includes a section about railway lines which sets out various terms and conditions for the railway companies regarding their lines. A fourth part concerns motor vehicle transport, and has a section on trucking, although there is a separate Bill C-19 also about motor vehicle transport. The fifth part is about northern marine resupply services, the sixth about commodity pipelines, the seventh about acquisitions of Canadian transportation undertakings. The last part contains a series of general and transitional provisions and related and consequential amendments.

One of the most complex and difficult sections in this Bill is the one about railways and the new constraints the Government has decided to impose on them. Whereas, on one hand, he recommends a comprehensive deregulation of air, road and sea transportation industries, he says he wants to deregulate rail transportation but at the same time, he is imposing conditions and commitments on both Canadian railways, which is hard to believe. It is for good reason that Minister Côté referred earlier to the free trade negotiations with the Americans when he said: You are about to give everything to the Americans in the transportation area without asking for anything in return. In particular, it is true for rail transportation. American railways will enjoy benefits that their Canadian counterparts will not have. In order to please a few major shippers, the Government is jeopardizing the future of both Canadian railways, but to whose benefit? To the benefit of American railways and trucking companies that will soon be under U.S. control.

One of the worst nonsense which we heard of is the section on competitive line prices. An American expert, Mr. Dempsey, has appeared before the Committee on Transport, and what he had to say is very significant. I will quote him because this will enlighten us about the lack of concern and the recklessness of the Minister, who was fully at the mercy of a few officials of the Department of Transport who had decided to play a dirty trick on the railways. And if, on one hand, the Liberal Party has no objection and indeed supports this process, namely that we should enable major Canadian shippers to have better prices, we are not prepared on the other hand to go as far as undermining at the same time the very viability of railway companies. As I said in the second reading debate, some officials of the Department of Transport are vengeful or have a hidden agenda. They want to hurt railways, and they used this legislation on deregulation to substantially undermine their viability and prosperity. This is entirely unacceptable, I find it hard to believe that the Minister of Transport (Mr. Crosbie) has not been perceptive, brave or competent enough to see what was happening. Mr. Dempsey said the following:

• (2020)

[*English*]

We do not have anything in the United States comparable, as you know, to your proposed competitive line rates. It might be or it might not be and I pass no value judgment on it—

He is an American citizen who obviously does not want to put his nose into Canadian activities. The President of the United States and some Congressmen are not following his example, and they should. Indeed, sometimes we wonder who is running this country, whether it is the President of the United States or the Prime Minister of Canada. However, he said:

It might be or it might not be and I pass no value judgment on it, a good thing to have a rail system in the United States that is like the interstate highway system. It might be a good thing to have railroads compete with one another like supermarkets do. All that I can say about it, without passing a value judgment, is that it would wreck the system in the United States, it would just wreck it, that is all.

He is one of the authorities in the United States who is telling us that competitive line rates in the U.S. would wreck the system.

However, the Minister of Transport of Canada joyfully goes ahead with the competitive line rates idea and imposes it upon Canadian railway companies. It is absolutely unacceptable.

CN, which is a Crown corporation under the umbrella of the Minister of Transport, despite the obvious displeasure of the Minister, had the courage to say the following about competitive line rates:

Nowhere in the world is the arrangement of physical access to one railway's line from another forced by legislation.

Some of us have called the provision a confiscation of assets, because our railways, respectively, have spent millions upon millions in building roadbeds, tunnels, bridges and other infrastructures to win freight and intermodal customers.

Others refer to the idea as turning the railways into a communal right of way over which anyone could move without guaranteed proper recompense to the owner.

Certainly the view of CN is shared by CP. The idea of competitive line rates is unprecedented; nowhere has it been

done. As Mr. Dempsey said, it only means one thing: it means big, big trouble for Canadian railways.

We are wondering why the Government wants to do it. The Canadian Industrial Transportation League has been following the testimony, advocating the passage of the Bill without amendment, urging us to speed up the process, and advocating the change. Obviously the league had the ear of the Minister much more than the workers and the companies. Here is what the league had to say about it:

> The CITL believes that competitive joint line rates will only be used as an exceptional safeguard procedure for the following reasons: Imagine yourself a shipper who is local to one Canadian railway after Bill C-18 has become enacted. If you wished to apply for competitive line rates, you would have to go through a formal legal proceeding which might take several months, whereby the specific CLR which you would pay would be argued before the National Transportation Agency, as well as whether your designated routing was "cost effective" or to the "nearest" interchange, et cetera.
>
> Once you have endured these additional legal expenses and delays to obtain your competitive line rate, the merchandise might be further delayed by a day or more per shipment due to the local railway's resistance in adjusting their work schedules for an hostile interchange with the competing railway which was obtaining the long haul.

I did not invent these words. These were the words submitted to us on April 3 by the Canadian Industrial Transportation League.

On one hand, the railways do not want it and, on the other hand, those who might benefit from it are saying that it is unworkable, too costly, and unproductive.

Why on earth is the Minister of Transport insisting upon bringing in legislation with measures that are not satisfactory to anyone? I submit that the Minister, who unfortunately has not been very studious, to say the least, about Bill C-18, did not know what he was doing and what he was pushing. I also believe that he has been badly influenced and misled by some of his officials in the Department of Transport who wanted to get at the railway companies. Again this is an aspect of the legislation which is terribly bad.

[*Translation*]

This policy, by substantially reducing the revenue of railroads, will provoke abandonment of many branch lines in Canada. I must say that, in this regard, both our railroad companies, that is the CNR and the Canadian Pacific, were very frank with the members of the parliamentary committee. When they appeared before us and were asked this question, they replied quite honestly that, in the case of the Canadian Pacific, over one third of existing lines would be abandoned. Even more, the CNR will abandon half its lines. There is no doubt that the railway companies have no other option than to abandon branch lines throughout Canada.

The Hon. Member for Jonquière—

Mr. Côté (Lac-Saint-Jean): The most beautiful riding in Canada!

Mr. Ouellet: The Hon. Member from Lac-Saint-Jean in Quebec says it is the most beautiful riding in Canada. Even though he interrupts me constantly—

Mr. Robichaud: He thinks he is a Minister.

Mr. Ouellet: —he will probably pay attention to what I am about to tell him—

Mr. Côté (Lac-Saint-Jean): It will be the third time you say it.

Mr. Robichaud: Not at all. You are not listening.

Mr. Ouellet: —because the documents clearly show that the Canadian National in particular is about to abandon important services. I suggest to the Hon. Member for Lac-Saint-Jean (Mr. Côté) that he should take notes and have enough courage to take part in this debate later on, because the only thing he seems to be warming up right now is his backside, not his brain.

The Department of Transport in the province of Québec contemplates a whole string of actions to counter this now almost irrevocable decision by the CN. Indeed, according to the document made public by the Quebec Minister of Transport, Mr. Côté, many applications are anticipated from the CP for the abandonment of the following subdivisions, that is the Chaudière Line (Valley-Jonction to Lac-Frontière) and the Tring Line (Tring-Jonction to Courcelles). And as for the CP, Chandler Line (Sainte-Adélaïde to Gaspé), Taschereau Line (Cochrane to La Sarre and Miquelon to Chapais), in the Danville area, Charny to Plessisville Line, and in the Val-D'Or area, Senneterre to Rouyn Line are all at stake.

I recognize that the Hon. Member for Abitibi (Mr. St-Julien) has been the only Conservative member to make active and sound representations for the sake of his own region, so that Val-D'Or would not be deprived of its Senneterre to Rouyn line. And because of his representations, we have heard evidence from representatives in the Abitibi region who appeared before the Transport Committee in an effort to have some amendments made so as to protect concerned regions from those unilateral abandonments of railways by the CN.

Some colleagues in the Opposition are tempting me with a sandwich in order to make me conclude now. I feed myself with all those documents we have been handed in the transportation committee. They contain a wealth of good sense and ideas on how to amend this piece of legislation.

It is unfortunate that the Minister of Transport is not with us now. He did not show up often neither in the committe when we considered this bill. He could have found food for thought in all those briefs submitted by various people and we could have made use of them to make this bill acceptable. Unfortunately, because the Minister of Transport was so uncompromising, so eager to sabotage the transportation sector in Canada, none of those briefs have been considered and accepted. Now, the Department of Transport of Quebec is protesting against those abandonment orders at a time when the Federal Government itself admits that the present system is obsolete by proposing a reform of the corresponding economic regulations.

In all those instances, the track could be dismantled, and it would then be very costly to put it back in place. In the case of the above-mentioned CN subdivisions, the request concerns a section of transit line which would then become sidings and which would be less useful for inter-regional transport. Moreover, the great flexibility given to railways in this regard could lead to requests for the abandonment of lines which are presumed viable now.

In this respect, the—

Mr. Deputy Speaker: Order, please!

• (2030)

[*English*]

Mr. Thacker: Mr. Speaker, I rise on a point of order. I was just wondering if my friend opposite would like to put in his order for breakfast because we are having bacon and eggs brought in. I wondered if he wanted his eggs over easy or straight up.

[*Translation*]

Mr. Ouellet: Mr. Speaker, I appreciate very much the kindness of the Parliamentary Secretary who allowed me to take a few seconds' rest to continue with more enthusiasm to criticize this bad Government legislation.

I was quoting from a memorandum prepared by the Governmment of Quebec—

Mr. Gray (Bonaventure—Îles-de-la-Madeleine): Point of order, Mr. Speaker.

Mr. Deputy Speaker: The Hon. Member for Bonaventure—Îles-de-la-Madeleine (Mr. Gray).

[*English*]

Mr. Gray (Bonaventure—Îles-de-la-Madeleine): Mr. Speaker, on a point of order, I wonder if my hon. colleague from Papineau could give some indication to the House of the length of time he will be speaking. What he has been saying we spent the last 16 years living and I wonder if he intends to go for another 16 years.

[*Translation*]

Mr. Deputy Speaker: The Hon. Member for Papineau (Mr. Ouellet) has the floor.

Mr. Ouellet: Mr. Speaker, the Hon. Member should know that on third reading the spokesman for the Official Opposition has unlimited time. Considering that the Government wants to speed up things and has imposed time limits, we were prevented from discussing properly a series of amendments we would have liked to introduce, we had to vote without debate on a number of significant amendments introduced at the report stage. Since debate on third reading will be limited to four hours, I feel perfectly free to speak for as long as I wish.

Moreover, I am not really speaking for myself, I am merely speaking for the thousands of Canadians who made representations to the Standing Committee on Transports and were ignored by the Government. I am sure that they are glad to see that, through me, their objections will be on the official record of proceedings of the House of Commons Debates.

I was talking about a document put out by the Quebec Government which says, and I quote:

"A leaked internal document from the CNR, about ceasing all marketing efforts for about 1,600 kilometers of lines in the St. Lawrence area, has the Quebec Minister of Transports worried and he is asking the federal Minister of Transports to act to prevent the CNR from destroying a rail system which is very useful to Quebec."

It is essential, before these transport infrastuctures are finally withdrawn from service, that all parties involved have access to a range of alternative services better suited to the present needs of the economy. This underscores the need for an abandonment policy flexible enough to take into account the different requirements of the various regions of Canada.

Obviously, this Government which is tightening the budgets of its Crown Corporations and is litterally starving a company such as the CN will do nothing to convince it not to abandon some of its branch lines.

So, it must be recognized that in spite of our efforts and the amendments we have presented, the Government decided to go ahead. Our railways will have problems because American railways and trucking companies will take a large share of the Canadian market, and all the Government has to say is this: You are going to incur losses, but if you wish, you will be allowed to abandon some lines in order to save on maintenance costs.

This is a short-sighted policy which is indeed contrary to the national interest and which is not only going to impede regional development and disadvantage the most remote areas of the country, but also completely strangle Canadian railways in the short or medium term.

Furthermore, this is a bad and deficient legislation because this Government refused to establish clear accessibility standards for the disabled in the National Transportation Act.

We have witnessed some kind of a tragi-comedy in the Transport Committee when the time come to vote on the amendments that our party moved—there was also one amendment from the NDP—relating to the legitimate requests of the associations for the disabled.

The Parliamentary Secretary for the Minister felt suddenly in a minority position because a few tender hearted Tories were ready to support our amendments, which would have allowed us to amend Bill C-18 as requested by the groups representing the disabled.

At the last minute, the Parliamentary Secretary said: No, do not vote now, I would first like to consult with the Department's officials and legal advisors to make sure that this

amendment is in order and meets the requirements of the Justice Department.

Instead of being passed in the morning, the amendment was deferred to the afternoon sitting, when the Parliamentary Secretary came back with a new wording which was, I must admit, more atuned to some of the concerns expressed by the associations of handicapped people, although it did not go exactly as far as a legislation on transportation services accessibility standards for handicapped persons. Consequently, we were satisfied with the amendment because it was better than nothing, although the handicapped certainly expected more than that. Of course, we agreed to the amendment in the afternoon, and the Conservative Members, who felt good about it, voted in favour.

Since then, we have received a letter-

• (2040)

[*English*]

We have just received a letter from the Advocacy Resource Centre for the Handicapped. They said that Bill C-18 was coming back to the House for third reading and they wrote to request that we move further amendments which will permit the enactment and enforcement of accessibility standards. That is what we were ready to do in the morning. The amendment would have been accepted in the morning except at the last minute the Parliamentary Secretary saved the day for the Minister and the Government and said "do not vote immediately, wait until the afternoon". We have an amendment which has been accepted, but it is imperfect. The Advocacy Resource Centre for the Handicapped is now telling us that what we did is far short of what they were expecting. They are absolutely right.

The letter goes on to say that these standards have been under development since 1983. They are concerned that it may be many years before the Act is open again. They say now is the ideal time to make legislative provisions for standards which are nearing completion. The Minister has been informed through the chairperson of the Transportation for the Disabled Implementation Committee of its support for these amendments. They ask that we contact the Minister and indicate our support for this objective and agree to work in a co-operative fashion to develop a mutually acceptable set of amendments.

Last night, in the spirit of co-operation, I rose in the House to indicate to the Parliamentary Secretary that if he wanted to bring in the amendments referred to in this letter, we would accommodate the Government and allow it to implement the change requested. The Parliamentary Secretary said no. He refused the offer of the Liberal Party, seconded by the NDP. If the Government had wanted to do so, with the help and support of the two opposition Parties, it could have amended the Act to favour the handicapped.

They also refer to an enclosed letter to Transport Canada official Jim Miller which makes clear that these amendments were under active consideration by the Minister. The Minister's executive assistant, and they even give his phone number, (613)-996-7501, indicated the Minister was still hoping for an all-Party agreement which would allow for this insertion prior to third reading. It said that senior officials in Transport Canada support the intent of the amendment and the Minister is known to be personally supportive.

Either the Parliamentary Secretary did not know what he was talking about last night, or the executive assistant to the Minister has misled the Advocacy Resource Centre for the Handicapped. It is one or the other. According to this letter and the Minister's executive assistant, he was ready to accept the amendment. In fact, he is supposed to have been studying these amendments since 1983. Surely they should be ready to be implemented now.

Mr. Côté (Lac-Saint-Jean): 1983?

Mr. Ouellet: Yes. We have no difficulty in saying that the Liberal Government was ready to implement in legislation amendments that would guarantee appropriate enforcement of accessible standards for the handicapped.

I do not think the Minister, the Parliamentary Secretary, or the Government have come clean with the handicapped on this issue. I think it is a shame. This is a major and regrettable flaw in the legislation and there is no doubt that the handicapped have been, to say the least, short-circuited by officials or the Minister's staff. That is not the way to treat the handicapped and I regret it very much.

• (2050)

[*Translation*]

To conclude, I would like to refer to the new agency created under Bill C-18 to replace the Canadian Transport Commission. It has been said and repeated time and again that this new agency will not enjoy the same authority and independence as the former CTC. The latter had an exceptional expertise and could count on conscientious and dedicated employees and commissioners who looked after the interests of transportation in Canada.

On behalf of my colleagues in the Liberal party, I want to thank all those who worked for many years at the Canadian Transport Commission and who well served their country. I must say that I deeply regret that the Government, in its desire to dismantle, to change and to rebuild everything, has decided to abolish the Canadian Transport Commission. Clearly, the Conservative Government could have made a few changes in the best interests of orderly operations at the Canadian Transport Commission. But there was absolutely no need to abolish the Commission to meet their new need for deregulation. There was a research team, an outstanding pool of expertise which could have carried on and be quite useful to the new National Transportation Agency. However the Conservatives wanted to start again from scratch,they wanted to start afresh, they wanted to do everything over again and consequently they abolished an organization which in my view

has played an important and useful role in the transport sector in Canada.

I hope that several of the employees and even some of the present members of the Commission will be transferred to the new National Transportation Agency.

I thank the Parliamentary Secretary who on behalf of the government agreed, following my request last evening, to introduce an amendment which to some extent will protect the employees of the Canadian Transportation Agency.

As I said yesterday, at the very last minute, before the proceedings of the Committee on Transport ended, the legal adviser of the Department of Transport introduced an amendment to clause 273 of the bill which, with all the adjustments, became section 272. Moreover, he added a subsection which was liable to frighten greatly the employees of that agency. I refer specifically to section 272 to which was added at the very last minute that clause which stated: Exclusion from compensation. The persons appointed as Members of the former authority, the former Canadian Transport Commission, are in no way entitled to claim or receive compensation for damages, indemnity or any other form of indemnification from Her Majesty in right of Canada nor her agents by reason of the abolition of their functions under subsection 9 and under this Act, except for any indemnification the Governor in Council may authorize or provide for by order in council.

Clearly, Mr. Speaker, this was much more than a minor technical amendment, it was purely and simply carte blanche for the Government to fire outright people who, in good faith, a few years ago, three or four or five years ago accepted to leave their jobs or their communities and come to Ottawa to work for the Canadian Transport Commission and take a position for a specified period of time.

Mr. Robichaud: —to work for Canadians.

Mr. Ouellet: And as my colleague for Westmorland—Kent suggests, to work for Canadians.

Clearly, that amendment allowed the Government to decide the next day that a Member of the Commission was fired, he had to go, because the Commission no longer existed, and he was stripped of everything he became entitled to when he accepted that appointment.

This is a kind of retroactive legislation that should not be done, and if there is something that is ignominious it is to pass a retroactive legislation that strips individuals from rights and privileges that were freely and properly conveyed to them. I commend and I thank the Parliamentary Secretary for accepting that we add subclause 11 to clause 272 of Bill C-18, thereby inserting an exception to subclause 10, the preceding paragraph, which states that notwithstanding subsection 10:

The Governor in Council may, by order, authorize or provide relief of a form described in that subsection.

I therefore take for granted that this is an indication of magnanimity from the Government. I am very grateful to the Parliamentary Secretary for having very rapidly corrected the situation, and I hope that good intention that is now inserted in the act will be reflected in concrete steps, appropriate, fair and proper settlements for all those who are now employed by the Canadian Transport Commission and who, because that Commission is abolished, will not be unfairly and rudely treated by the Government.

In conclusion, let me say that the Liberal Party not only has reservations on Bill C-18 and that desire for quick deregulation, but is also concerned about what this Government will want to do with its Crown Corporations. We also believe that regional development is a major component of any transportation policy, that transportation in Canada must be complemented by Crown Corporations. We cannot leave Canadian transportation in the hands of private enterprise alone.

That is why the Liberal Party has always believed in the usefulness of such Crown corporations as the CN, Air Canada and VIA Rail. We are concerned about this desire to privatize at any cost which seem to haunt the minds of Tory ministers.

One of the finest success stories in the area of Crown corporations is Air Canada. When it marked its 50th Anniversary, the Liberal Party emphasized the important role played by this Crown corporation. Together with my colleagues the Hon. Member for Westmorland—Kent (Mr. Robichaud) and the Hon. Member for Humber—Port au Port—St. Barbe (M. Tobin), we prepared a press release to demonstrate that we continued to believe in the important and crucial role played by this Crown corporation in the development of our country, a role which we felt it should continue to play, especially in the light of deregulation.

It was as a response to that persistent rumour to the effect that the Tory government was about to privatize Air Canada that my colleague, our party's critic in the area of privatization, and my other colleague, who is associate critic in the area of transportation, and I prepared this document and insisted on emphasizing the raison d'être of Air Canada, our national carrier.

From the time it was established to this day, Air Canada has provided the travelling public with transportation services from sea to sea, while reflecting the federal government's commitment to the principles of bilingualism, employment equity and regional procurement policy.

A privatized Air Canada would no longer pursue the same objectives and there would be a definite danger of certain routes and regions being abondoned, because they are not so profitable as some others.

Henceforth, the objective of a universally accessible air passenger transportation service, for which Trans-Canada lines were first created, would become out of reach.

We wanted to emphasize that Air Canada has played a significant role in the past and that it will have to play a similar one in the context of deregulation. For as the Tory government is about to adopt Bill C-18, which will bring about the complete deregulation of the air transportation industry, we must wonder what is the wisdom and the need at this time to privatize Air Canada.

We suggest that Air Canada is a profitable and well administered corporation. It was awarded in the past on several occasions a number of international prizes. We believe that this Crown corporation, especially in view of the great concentration which seems now to happen in the air transportation industry, ever since the government implemented its deregulation program—it is becoming more than ever essential for the Government to retain, through its own Crown corporation, a vehicle to provide services, maintain and even further develop services in some regions which would be completely abondoned by the private sector which would concentrate its operations in the most lucrative centers in the central regions of Canada where the costs of operation are lower and which are more densely populated.

I said a moment ago that Canada is a country with a small population scattered over an immense territory. Air transportation is therefore a necessity for many Canadians, and not only for travelers but also to move goods to people who need them in remote areas. Air Canada, a Crown corporation, is essential in the new context of deregulation, because the Government will have a company to provide transportation services to those remote areas.

Of course, this may not be the opinion of the Governement and of the Conservative Party. Tories want to privatize all Crown corporations. The Governement does not believe in regional development. It is not aware of all those essential services remote areas need.

That is why we fear that Air Canada will be sacrified for the sake of deregulation and privatization.

I will conclude with a word of warning. The battle the Minister had to fight to get Bill C-18 through is nothing compared to what he should expect if he ever tries to privatize Air Canada. We are going to oppose such an initiative systematically and relentlessly, because we think that public interest dictates that we keep this Crown corporation.

• (2100)

[*English*]

Mr. Malone: Mr. Speaker, I have had the privilege of listening to my friend, the Hon. Member for Papineau (Mr. Ouellet), for some two hours. He has been very successful in turning off every television set on the parliamentary channel. I simply want to ask if he intends to make us numb on both ends in this exercise he is going through?

[*Translation*]

Mr. Ouellet: Mr. Speaker, I believe I have had the opportunity to give not only my point of view, but also the point of view of all my colleagues in the Liberal caucus, and to say that we are deeply concerned with this hectic, hasty and thoughtless deregulation process by the Conservative Government.

In the few moments which I have been able to use, I have not only given the views of the Liberal caucus, but also acted as the spokesperson for countless Canadians who do not approve of that decision by the Government, and in particular thousands of Canadian workers in the transportation sector who feel that their jobs are threatened by Bill C-18. I have been very pleased to be able to put that disagreement on the record on their behalf, for the Government has proceeded with such haste, has refused to let the Parliamentary Committee travel to all those areas of the country, all the cities, all the villages which requested hearings of the Transport Committee, which would have liked the Committee to visit them and hear their views.

I wish Members from both sides of the House had been able to travel throughout the country to listen to what the people have to say about this Bill. Since that was not possible, I have tried tonight in their name to exercise the privilege of an Opposition Member who feels frustrated, thwarted, and stifled by this Government which has restricted the time for this debate, I have tried at least, as I said, to convey the disagreement not just of one person, but of a very large number of Canadians throughout the country.

Some Hon. Members: Hear, hear!

Mr. Darryl L. Gray (Bonaventure—Îles-de-la-Madeleine): Mr. Speaker, now that we have heard all the speeches by the Members of the NDP and the Official Opposition, and I am thinking of the Hon. Member for Papineau (Mr. Ouellet), I think we can say that today in the House, and I say this as a junior Member of Parliament who was elected in 1984, that two hours of the precious time of Canadians have been wasted, listening to the foolishness we have just heard from the Liberal Party. Mr. Speaker, as politicians from every part of this country, we feel this is a disgrace.

We have had some very serious messages from NDP Members who told us they were against the Bill and against deregulation.

As usual, the Liberal Party told us it was for but then again it was against. And it took the Hon. Member two and a half hours to put his case.

Mr. Speaker, as a very good Conserative, I would like to take at least five or six minutes to give you some idea of what the Government, the Prime Minister, the Minister of Transport and our Transport Committee have been doing.

• (2110)

[*English*]

For the people who have been listening this afternoon, I think it is important that we understand what has been going on for 20 years. We listened to the Official Opposition for the 16 years when it formed the Government. It did absolutely nothing for our transportation sector. We have taken charge

now and it is important for all Canadians, carriers, users and consumers, to know the impact of Bill C-18 and Bill C-19. My Hon. Colleague, the Hon. Member for Papineau (Mr. Ouellet), said we were bullying through the Bill. There was a three-year Royal Commission in 1961. The former Liberal Government had 16 years to do something about that and it did nothing.

On February 21, 1985, the then Minister of Transport for the Conservative Government stated the Government's objectives regarding economic regulatory reform. When we talk about economic regulatory reform in transportation, there should be no fear placed in the hearts and minds of Canadians because of a couple of Opposition Parties which do not believe that we should advance and develop in our country. After extensive consultations with the former Minister of Transport and our present Minister of Transport (Mr. Crosbie), we set up a committee and travelled across the country with our Freedom to Move.

[*Translation*]

Aller sans entraves, in French. The committee was set up in July 1985. We consulted the Canadian people across the country, from East to West.

[*English*]

I come from the riding of Bonaventure—Îles—de-la-Madeleine and I know the importance of transportation to our economic development, and it will become even more important to Canadians with Bill C-18 and Bill C-19. In the past we have always gone with the carriers, and I allude to the reference made by the Hon. Member for for Papineau in his hour and 45 minute speech. He was saying the lines from—

[*Translation*]

—Chandler to Ste. Adelaïde in Gaspé were closing. That is not true, Mr. Speaker. As vice-chairman of the Committee on Transport, I spoke on that matter and CN has given a written in a letter, guarantee, that the line would remain open for us. What the Hon. Member says is false, Mr. Speaker. For him to spread false rumours is not doing Canadian men and women any good.

[*English*]

Our transport committee travelled in May of 1986 to the North. You know as well as I, Mr. Speaker, that transportation in our great North is a problem because of our isolated regions. I come from an isolated region. That problem is covered in our Bill. The Minister of Transport and all Members of the Government will continue the commitment we as Conservatives made in 1984 to the Canadian population. We are not only interested in talking in the House of Commons. We want to take action, and we are doing so.

On November 4, 1986, after we had our discussion in committee on Bill C-18 and Bill C-19, we heard from other witnesses who came to Ottawa. We remodified our Bill. We listened to Canadians from the West Coast and the East Coast. This Bill is made in Canada.

It makes me angry when I, a Member who spent 16 years on the government side, stands up and uses a reference from the United States. We looked at how deregulation has affected the United States and we have a made in Canada policy for us, and that is important for all Canadians.

The over-all objective, as summarized in Clause 3 of Bill C-18, is clear. The objective is to create the conditions necessary for a safe, adequate, effective and efficient transportation system which best serves the needs of shippers and travellers. That is what we will do with this legislation. In total, the various transportation Bills will reform the economic and safety regulation of each and every mode of transportation within the federal jurisdiction. They will remove obstacles to economic growth and make the system safer for everyone. They will put Canadians in a position to meet the challenges of the late 1980s and the 1990s. We will be competitive.

I would like to briefly mention four points with regard to Bill C-18 and Bill C-19.

[*Translation*]

The first concerns mostly safety. The matter has been raised several times in committee and even here in the House. What I want to say has been said before by our Minister of Transport and also by his predecessor. There is no question that safety will never be neglected, Mr. Speaker. The Minister of Transport said that safety is and will remain the first concern of our Government. That commitment was set forth in our national transport policy, in clause 3 of the Bill, and it is reiterated every time we talk about transportation in Canada.

Allegations that the National Transportation Act will jeopardize air safety are unfounded. For all modes of transport, individuals or corporations applying for a licence will first have to prove the safety of their methods of operation. This is important, Mr. Speaker. The air transport industry has always given the highest priority to safety. Under the new safety regulations, the Government will ensure that this remains a priority concern by requiring any new carrier to implement the training, inspection and application programs of the Government. This remains our priority.

[*English*]

Point number two is a greater reliance on our market forces. We have spent the last 20 years with absolutely no development in our transportation system. We know that to get to markets we must have an efficient transportation system. Greater reliance on market forces and less reliance on economic regulation is a very important factor. This will lead to more innovation and enterprise and to more competitive transportation services and prices. It will give a fair and level playing field for everyone.

My third point is that widespread consultation has been done and will continue to be done, and we have produced a balanced package of reforms in our legislation. I have already mentioned point number four. A gradual relaxation of regulation enables all concerned to adapt to change with a minimum of dislocation. That is very important because our

country is vast and our transportation system must adapt to what we have in 1987, and what we will have in 1990 and the year 2000.

• (2120)

The Minister of Transport, my honourable colleague and friend from St. John's West, in his usual eloquent style has said that it is important for Canadians on all the four points I have mentioned. With the cost of transportation as it is in our country, we must compete. We must have fair prices in the transportation market.

The increased competition between railways which will result from Bill C-18 will have a significant impact on the relationship between shippers and carriers. This impact has implications for the role of the regulatory agency.

Currently, all rail rates are in the public domain, and any shipper may take advantage of them. Under Bill C-18 confidential contracts will be permitted, that is, a shipper will be able to negotiate with a railway for a rate and terms of service unique to his circumstances. We have not seen that in the past. Shippers have been unjustly prejudiced because they have not had fair rates for the transportation of their products. We are addressing that problem.

This new way of doing business may in some instances lead to difficulties between the parties in reaching an agreement. To resolve any such private disputes, Bill C-18 introduces the concept of mediation and final offer arbitration. It is important that the federal Government, with 10 provinces and two Territories, says that it is willing to listen to the people who use our modes of transportation.

If a shipper and carrier are having difficulty reaching agreement on a rate or service conditions, they may jointly request a mediator from the proposed national regulatory agency. The mediator is simply a facilitator of communication between the parties. If the two parties reach a true deadlock, with or without the help of the mediator, the shipper may ask the agency to appoint an arbitrator. Arbitrators will be independent persons knowledgeable in the transportation field.

The arbitration process will be quite straightforward and speedy. That has not been the case in the past. The arbitrator will assess the parties involved and choose one or the other of them. Unless they have otherwise agreed, the parties will be bound by the result for one year.

I could go on to talk about the number of hours that we spent in the Transport Committee. I would not be fair to the committee if I did not pay tribute to its work. As the vice-chairman of the committee, I commend the work of the chairman, the Minister of Transport and the Parliamentary Secretary. To push it to the limit, I even have to mention members of the Opposition in this regard. As I mentioned in my opening remarks, we know where the NDP stand. It is against development. The Liberal Party does not know where it is. I congratulate the people who had a positive input into our committee. I can guarantee you, Mr. Speaker, and the Canadian population, if they have not already been put to sleep by the former speaker from the Liberal Party, an efficient, safe and secure transportation system for Canada under a Progressive Conservative Government.

[*Translation*]

Mr. Robichaud: Mr. Speaker, at the beginning of his speech, the Hon. Member told us that he was concerned about the regions as he is himself from Bonaventure—Îles-de-la-Madeleine which could itself be called a remote region. He also tried to suggest that he is concerned about regional development.

My question is very simple. How can he explain to the people of his region that he voted against Motion No. 5 which dealt with regional development, as my motion would have provided for a mechanism to save jobs and protect our transportation system, especially in remote areas? How can he explain to his constituents that he voted against this motion which dealt with regional development?

Mr. Gray (Bonaventure—Îles-de-la-Madeleine): Mr. Speaker, I am very happy to reply to the question asked by my colleague for Westmorland—Kent.

As I mentioned earlier, if we look at Bills C-18 and C-19, we find, as the Minister himself and his predecessor have both pointed out, that the transportation system is a key to regional development.

However, Mr. Speaker, I would like to add something. I was elected in 1984 in the constituency of Bonaventure—Îles-de-la-Madeleine. The situation I inherited on September 4, 1984 in the Gaspé peninsula and my own constituency of Bonaventure—Îles-de-la-Madeleine included an unemployment rate of 28 per cent and the transportation network of the former Government supported by my colleague for Westmorland—Kent and others.

Within twelve months, the Progressive Conservative Government had lowered unemployment from 28 per cent to 18.4 per cent in Bonaventure—Îles-de-la-Madeleine. Is that not wonderful, Mr. Speaker? It is. This was not done by myself as a Member of Parliament, but by the Government. The proof is there. We wanted change.

My hon. friend for Westmorland—Kent is saying that I am voting against regional development. His party did nothing for sixteen years. We lowered unemployment by 10 per cent and brought in a new transportation network. Indeed, the old Liberal transportation system is finished. Bills C-18 and C-19 will address the problem, and because of this, there will be regional development in the Maritimes, in Newfoundland, in Eastern Quebec and everywhere else in Canada.

Mr. Robichaud: I realize now the reason why, Mr. Speaker, the Hon. Member for Bonaventure—Îles-de-la-Madeleine voted no. He is trying to convince us an 18 per cent plus unemployment rate is acceptable.

So now I can understand what frame of mind that Member was in when he voted. But he did not answer my question, namely, how he would explain to his people why he voted against the motion that dealt with regional development.

Mr. Gray (Bonaventure—Îles-de-la-Madeleine): Mr. Speaker, I think that at the same time the Hon. Member wants to play with figures. But as I said, during 16 years 28 per cent unemployment rate was acceptable in my area, at home. Never will I say that 18 per cent is acceptable. It will never be as long as I am a Member in this House.

But under the Liberal Government, such was the situation—28 per cent was okay. Because we, in the Gaspe Peninsula, in the Madeleine Islands, we did not count. That is not the situation, Mr. Speaker.

As far as regional development is concerned, since he is mentioning that in respect of transportation, we voted for the clause under which transportation is a key to regional development.

Mr. Speaker, my colleague says that I am against regional development, but past experience shows that his own colleagues have always been against any development.

But, Mr. Speaker, we in the Progressive Conservative Party are in favour of our regional development.

[*English*]

Mr. Belsher: Mr. Speaker, I would like to compliment the Hon. Member for Bonaventure—Îles-de-la-Madeleine (Mr. Gray) on his excellent address to us concerning Bill C-18 and also the balanced explanation that he has given of the Bill that is before us. What I would like to ask the Hon. Member is this. He will recall that when representatives of CN and CP appeared before the committee, they drew attention to the fact that they felt that their revenue was at risk. Yet, under questioning, we heard their freight would not be at risk, that there would not be any lessening in the amount of goods that would have to be carried because of the two Bills under discussion.

• (2130)

Would the Hon. Member care to comment in terms of whether or not we have been able to strike a reasonable balance between the interests of the shippers and the carriers in the Bill that is before us.

Mr. Gray (Bonaventure—Îles-de-la-Madeleine): Insofar as the railroads are concerned, the evidence is clear that there will be no lack of volume of traffic. There is always the matter of competition.

This Bill strikes a balance between the interests of the users and the carriers. In the past, our transportation system has always benefited the carrier. Under Bill C-18 and Bill C-19, not only will the carrier benefit, but so too will the shipper and the consumer. This country is made up of not only carriers, Mr. Speaker, but users and consumers, and this Government is ensuring fairness for all sectors.

Mr. Deputy Speaker: The Hon. Member for Winnipeg North (Mr. Orlikow) on a question or comment.

Mr. Orlikow: Mr. Speaker, no Member of Parliament from Winnipeg, regardless of the Party to which he or she belongs, could do other than take a vital interest in the question of transportation and the need of the Canadian people for an efficient and safe transportation system.

Transportation is the reason that Winnipeg became an important city. It is a city that has had an historic role in terms of the evolution of road, rail and air traffic in this country. Even before Winnipeg became a city, the lakes and rivers of Manitoba served as important highways for goods moving from eastern Canada to the West.

Winnipeg is home to a large number of CNR, CPR and VIA employees. As well, it is home to a large number of airline employees—and this despite the fact that Air Canada, in the Liberal Government years, saw fit to move its headquarters and most of its main operations from Winnipeg, where it started, to Montreal. As well, Winnipeg is the historic centre of the Canadian grain industry.

We would support any legislation, Mr. Speaker, which enhanced the role of transportation in the West, and in Winnipeg in particular. But in looking at Bill C-18, we see that it fails spectacularly in terms of meeting the coming needs of the Canadian people for the efficient and safe movement of goods and people. Bill C-18 does nothing, Mr. Speaker, to make good on the many promises which have been made concerning rail safety.

I remind Hon. Members that in recent years we have had the disastrous crash at Hinton, Alberta; a major failure of equipment in Mississauga which could have led to a tremendous loss of life; and in the City of Winnipeg, a major spill along the main line of the CPR. This Bill does nothing to stop the pending lay-off of air traffic controllers, 17 of whom work in the Winnipeg area. This Bill does nothing to meet the problems caused by deregulation in the air transport area, problems that are documented almost daily in the United States.

What we see in the U.S. as a result of airline deregulation is lateness, overcrowding, poor service, dangerous flying conditions, and galloping mergers which limit rather than promote competition. Coincidentally, Mr. Speaker, in today's *Globe and Mail*, the *Globe and Mail* of June 17, 1987, we have an article headed: "U.S. airlines reeling from deregulation." This is the kind of thing that this Government invites in passing Bill C-18.

Let me just read a couple of sentences from that article. I quote:

> Lineups, sloppy service, flight delays, missed connections and unexplained cancellations have plagued U.S. air passengers since economic deregulation of the airlines went into effect in 1978.

Further along in the article, we read the following:

—there were 1,144 flight delays daily in 1986 and 367,000 delays throughout the year.

Let me ask Members of Parliament who live away from Ottawa and who try to get home on a fairly regular basis how they would like to have the kinds of delays that U.S. passengers experience. They will, Mr. Speaker, experience these types of delays once Bill C-18 comes into force.

Bill C-18, Mr. Speaker, does nothing to meet the concerns of the Canadian railways in terms of opening their traffic to U.S. competition without any reciprocal concessions from U.S. carriers. That is typical of this Government, Mr. Speaker. It bargains when it shouldn't bargain; and when it bargains, it bargains badly when it comes to the interests and concerns of the Canadian people.

This Bill does nothing to meet the concerns of Canadian truckers, who are aware that U.S. deregulation in that sector has brought intense competition for truckload shipments but very little for less than truckload shipments.

Steinbach, which is a few miles from Winnipeg, Mr. Speaker, is headquarters for many of the major trucking companies in Canada. I know the owners and managers of those companies, and no one could be further away from the philosophy of the New Democratic Party than those owners and managers. For the first time in my years in Parliament, Mr. Speaker, I find myself advocating the same position, the same point of view, as the owners and managers of the trucking companies.

The Manitoba Trucking Association, the Ontario Trucking Association, and the Canadian Trucking Association have all voiced opposition and criticism in relation to major clauses of this Bill. The New Democratic Party is opposed to this Bill, Mr. Speaker. We are totally unconvinced of the Progressive Conservative ideology that the free market offers solutions. We are totally unconvinced that deregulation will lead to a comprehensive and efficient transportation system for Canada.

Let us look at some of the problems which should be dealt with by this Bill but which are ignored. Let us start with railway safety, something which has been a long-time preoccupation in Canada. We have tens of thousands of miles of rail lines in Canada. We have a small population. The rail lines are used frequently. We have had too many accidents, some of which, Mr. Speaker, have been very serious.

The lack of safety provisions, Mr. Speaker, in Bill C-18, the lack of provisions which would force the railways to operate as safely as they should, the fact that the need for competition will cut back on the already too few safety precautions taken in terms of the maintenance of rail stock and rail lines in this country, means that we are going to see more rather than fewer accidents.

• (2140)

The fear that there will be more accidents and more problems has been voiced by many people in the railway workforce—carmen, maintenance of way, shop crafts, and operating crews. In order to cut costs and to reduce personnel, the railways are moving to substitute, increasingly, technological solutions for safety problems.

I should like to quote just a couple of paragraphs from an article which appeared in the May 1, 1987 edition of *The Toronto Star* entitled "Layoffs signal rail disaster unions charge" and written by Pat McNenly. In part the article reads:

Canadian National Railways without fanfare has switched the inspection of freight trains and their hazardous cargoes from experienced carmen to members of the train crew at many check points across Canada.

It continues:

Since 1980 the reassignment of inspection duties and the installation of rail-side electronic devices to detect "hot boxes" (overheated wheel bearings) have cost 2,250 carmen jobs in CP Rail and another 1,900 CN jobs.

It goes on to explain that carmen serve a five-year apprenticeship and knew what they were doing. CN has now cut back on carmen, and the prediction is that there will be many more accidents.

Let us look at what is happening with air traffic controllers. Perhaps no issue is more controversial or vital to the travelling public. A few minutes ago I spoke about what was happening in the United States as a result of deregulation. We have seen a dramatic increase in U.S. air traffic, and we have seen a similar increase in Canada. Each deregulated airline in the United States wants to fly at the optimum peak period time. They want to get as many customers as they can.

U.S. air traffic controllers are understaffed and greatly overworked as a result of the firing of air traffic controllers a few years ago by President Reagan. What is happening in Canada? The same conditions are now being replicated with lay-offs of air traffic controllers at a time of increasing air traffic.

I should now like to quote from an article which appeared in the June 3, 1987 edition of the *Winnipeg Free Press* entitled "Job-cut proposal angers air traffic controllers". I want Hon. Members on the government side to keep in mind what I pointed out is happening in the United States. In part the article reads:

A federal consultant's report recommends Transport Canada eliminate 17 of 99 air traffic control jobs in the Winnipeg control area.

It continues:

CATCA vice-president Carl Fisher said the proposed cuts come at a time when controllers in the Winnipeg control area have handled 27 per cent more traffic in the first quarter of this year (57,543 aircraft) than in the same quarter of 1984—

Then the article goes on to say:

"It is only a matter of time before we have a major disaster on our hands," said Jack Butt, president of the 19,000-member CATCA. "There is Russian roulette in air traffic control."

If that is happening in Winnipeg, one can imagine that the situation in Toronto is much more serious and much more dangerous. There has been a number of near misses in many Canadian cities.

We are following the American example. I do not mind following American examples when they are successes. What bothers or disturbs me is how often the Government follows American examples even when there is ample evidence that they are a failure.

Let us look at the U.S. experience; perhaps it is the biggest fallacy of all. The success of deregulation in the United States is supposed to solve all our problems in Canada, but we must ask ourselves: Was the American experience a success? It was not a success if we measure consumer complaints, safety, and corporate concentration.

Even as pro business a publication as *Business Week* in the United States showed the defects of the U.S. experience in its December 22, 1986 issue, when it found considerable fault with the United States airline, railway, trucking, and telephone system. I should like to quote a couple of paragraphs from the *Business Week* article. With regard to airlines, it indicated:

> The six largest carriers control 84 per cent of the market, vs. 73 per cent in 1978. Consultant Lee R. Howard of Airline Economics Inc. foresees by 1990 a "tight oligopoly" with a share of more than 90 per cent.

That is the real effect of deregulation. It is not more competition but less competition. With regard to railroads, the same article indicated:

> Mergers have reduced the ranks of large rail freight carriers from 13 in 1978 to 6 huge regional systems—3 in the West and 3 in the East—that carry 86 per cent of the rail freight and earn 93 per cent of the profits.

Our railways, CN and CP, will have to compete with those giants that can compete for Canadian traffic. However, American law will not permit Canadian railway companies to compete for American business.

We say that the Bill is a mistake of colossal proportions. We also say that the people of Canada will get less service and that we will see more accidents on the railways, airlines, and trucking systems. Consumers, particularly consumers in small and isolated areas, will pay through the nose for the folly contained in the Bill brought forward by the Conservative Government.

We intend to vote against the Bill, and time will show that we are right.

Mr. Prud'homme: Mr. Speaker, I rise on a point of order. I just want to be the first to offer best wishes to the Hon. Member for Winnipeg North (Mr. Orlikow) on his twenty-fifth anniversary in the House of Commons tomorrow.

I thought he would speak until midnight so that we could celebrate it then. However, we are ahead of time and we wish him a good start to his twenty-fifth anniversary in the House of Commons.

Some Hon. Members: Hear, hear!

[*Translation*]

Mr. Deputy Speaker: It being 9.48 p.m., pursuant to order made Monday, June 15, 1987, the four hours allotted to the consideration of the third reading stage of the Bill now before the House have expired.

Accordingly it is my duty to interrupt the proceedings and forthwith put every question necessary to dispose of the third reading stage of Bill C-18.

[*English*]

Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: The question is on the motion standing in the name of the Hon. Minister of Transport (Mr. Crosbie). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the yeas have it.

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Order made Tuesday, June 16, 1987, the recorded division on the motion stands deferred until the completion of Routine Proceedings on Thursday, June 18, 1987.

* * *

MOTOR VEHICLE TRANSPORT ACT, 1986

MEASURE TO ENACT

Hon. Bill McKnight (for the Minister of Transport) moved that Bill C-19, an Act respecting motor vehicle transport by extra-provincial undertakings, be read the third time and passed.

• (2150)

Mr. Gordon Taylor (Bow River): Mr. Speaker, it is a very great honour for me to move on behalf of the Hon. Minister of Transport (Mr. Crosbie) third reading of Bill C-19, the Motor Vehicle Transport Act, 1986. This Bill will bring Canada closer and closer to nationhood.

Bill C-19 is a companion to Bill C-18, the new National Transportation Act which is close to being passed by the House and will likely be passed tomorrow morning. It contains the reforms to economic regulation of trucking and buses.

The Bill has undergone some changes since it was first introduced last November. Members of the Standing Committee on Transport have worked hard and are to be commended for their diligence in revising the Bill. They have listened to Canadians from coast to coast express their satisfaction and in some areas their dissatisfaction with this Bill. Provincial Governments have also expressed their views, both to the committee and to the Minister. We have listened carefully, and when appropriate, changes have been made.

Over three decades ago, the Motor Vehicle Transport Act of 1954 gave the provinces responsibility for trucking regulation in both their own and federal government jurisdictions. That delegation worked reasonably well at the beginning when interprovincial and international trucking was an immature industry but now, the for-hire trucking industry generates close to half the total surface freight revenue in Canada. Furthermore, trucks carry over 50 per cent of our exports to the United States.

If the industry has grown, so have economic regulations. Since 1954, different regulations have sprung up across the country. Each province has its own requirement for entry, for rates, for commodities, for safety regulations and so on. Instead of a nation, we now almost have 10 Balkan states.

These inconsistencies from province to province have placed a burden on truckers, the costs of which are inevitably passed on to their customers, the consumers. For instance, costly and time-consuming hearings are required to obtain an operating licence in each province a carrier wishes to serve or even to drive through. Needless to say, such practices have frustrated both carriers and shippers alike. Effectively, services have been restricted and unnecessary costs have been imposed on the industry, its customers and ultimately on the economy as a whole. In the final analysis, the consumer pays it all.

It became increasingly evident over time that this was no way to meet future needs and no way to build a nation. An efficient, flexible transportation system is critical to Canada to link up East and West, to connect us to major markets in the United States and to provide good transportation in the far North and to every nook and corner of this vast country.

The origins of this Bill are to be found in the February 1985 Memorandum of Understanding agreed upon by provincial and federal Governments. It was the source of three main initiatives.

First, all jurisdictions agreed to eliminate public convenience and necessity as an entry test and to move to a reverse-onus public-interest test as soon as possible. That date has now been established as January 1, 1988.

Second, all jurisdictions agreed to implement a uniform fitness entry test. They subsequently agreed to make it effective January 1, 1988, as well. The latter test requires that all applicants have insurance and demonstrate that they can operate safely. It was approved by all provinces eight months ago. While the test will apply to all extra-provincial traffic, most provinces have agreed to apply it intra-provincially as well.

We hear many people decrying the accidents that will arise out of this legislation. We must recall that the provinces that have been administering this have been working on it for a number of years and are now presenting an excellent if not a perfect package.

Third, the federal and provincial Governments have agreed in principle to the elements of a uniform national safety code, its implementation and its cost sharing.

Using these building blocks and several concepts from the existing law, this Bill contains these basic principles: first, it will shift the regulatory emphasis from entry and price control to safety performance. That is an excellent move toward better and safer highways and streets. Second, it links entry into the industry with safe performance, not simply necessity. Third, it will provide the Governor in Council the power to make national safety regulations for trucks and buses. That is something we need as well, national regulations that will be effective across the entire nation.

Fourth, it will continue the delegation of administrative responsibility to the provinces. The provinces are becoming more and more mature. They have grown greatly in the administration of motor vehicle laws over the last 15 or 20 years and now they are becoming mature and can work with the federal Government to put in place an excellent system across the nation. Fifth, it will provide a transition period for existing transportation companies to adapt to change.

Many people have said that we are doing the same thing as the United States did. The Hon. Member for Bonaventure—îles-de-la-Madeleine (Mr. Gray) mentioned that a few moments ago. This is a Canadian-made policy. They may have deregulation in the United States but we are not going into it holus-bolus without preparation. We will provide existing transportation companies time to adapt to change, and that is important.

As I said earlier, this Bill has undergone some changes since second reading. The transition period during which economic regulation will be phased out has been extended from three years to five, to January 1, 1993. The provinces have generally been relaxing economic controls on the industry for some time so this gradual approach to change is already under way. The extension of the transition period will give truckers well over a decade to adjust to a less regulated environment.

That transition period will vary from province to province. Those in the Province of Alberta have been working under a more or less deregulated system, a Freedom to Move type system, for a number of years. Other provinces have not, but they will have a good long time to adapt to change. There will not be suddenly one thing one day and then the next day a complete change. It will be done gradually and effectively.

Some shippers feel that this may be too long to wait. Some of the people who appeared before the committee cried about

the fact that the Minister of Transport had extended the transition period. As we indicated in Montreal, the provinces will administer this. Why should we go against their wishes when we want to have a safe and gradual approach to this change? The change was made because we listened to the provinces. The Government has listened to the provinces and the trucking industry. A five-year transition represents a reasonable balance of opinions as well as a consensus among the provinces that will be implementing the reforms.

The Minister met with the provinces and they came to these agreements. I believe they even signed written agreements indicating that they want these things to be done and done gradually. After all, the provinces are the ones that have had experience in administering this for the last 20 or so years.

In response to uneasiness expressed by a few provinces concerning the final step to fitness only, Bill C-19 now includes a provision to study the effect of the reform in the fourth year of the transition phase, which will be 1991. I am confident this study will not show serious problems but if it does, the Governor in Council has the authority to extend the transition period.

I see your sign, Mr. Speaker. I beg leave now to adjourn the debate.

Mr. Deputy Speaker: It being 10 p.m., pursuant to order made Friday, June 12, 1987, this House stands adjourned until tomorrow at 11 a.m. pursuant to Standing Order 3(1).

At 10 p.m. the House adjourned.

HOUSE OF COMMONS

Thursday, June 18, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

PETITIONS

GOVERNMENT RESPONSE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table, in both official languages, the Government's response to Petitions Nos. 332-1980, 332-2283, 332-2424, 332-2441 to 332-2444 inclusive, 332-2496, and 332-2573.

* * *

INTERPARLIAMENTARY DELEGATIONS

PRESENTATION OF SIXTH REPORT OF CANADA-EUROPE PARLIAMENTARY ASSOCIATION

Mr. J. R. Ellis (Prince Edward—Hastings): Mr. Speaker, pursuant to Standing Order 101, I have the honour to present to the House, in both official languages, the sixth report of the Canada-Europe Parliamentary Association.

PRESENTATION OF REPORT OF CANADIAN BRANCH OF COMMONWEALTH PARLIAMENTARY ASSOCIATION

Mr. Dan McKenzie (Parliamentary Secretary to Minister of Veterans Affairs): Mr. Speaker, pursuant to Standing Order 101, I have the honour to present to the House, in both official languages, the report of the delegation of the Canadian Branch of the Commonwealth Parliamentary Association, which participated in the annual Commonwealth parliamentary visit to Britain from May 6, 1987 to May 22, 1987.

[*Editor's Note: See today's Votes and Proceedings.*]

[*Translation*]

COMMITTEES OF THE HOUSE

STRIKING—TWENTY-SECOND AND TWENTY-THIRD REPORTS OF STANDING COMMITTEE

Mr. Scott Fennell (Ontario): Mr. Speaker, I have the honour of tabling the twenty-second and twenty-third reports of the Striking Committee.

[*English*]

If the House gives its consent, I intend to move concurrence in the report later this day.

[*Editor's Note: See today's Votes and Proceedings.*]

[*Translation*]

CONCURRENCE IN TWENTY-THIRD REPORT OF STANDING COMMITTEE

Mr. Scott Fennell (Ontario): Mr. Speaker, if the House gives its consent, I move, seconded by Mr. Lewis, that the twenty-third report of the Striking Committee tabled earlier today be concurred in.

Mr. Speaker: Shall the Hon. Member have leave to move this motion?

Some Hon. Members: Agreed.

Mr. Speaker: The House has heard the motion. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

* * *

PETITIONS

REQUEST FOR CHANGES TO ROAD SAFETY MEASURES

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, I have the honour of tabling a petition signed by residents of Moncton, New Brunswick, who are asking for changes in our road safety regulations.

The petitioners believe that rear seat-belts in passenger cars are inadequate and that the suffering of crash victims could be reduced or avoided through improved seat-belts.

They also believe that the cost of medical care can be reduced or eliminated.

For these reasons, your petitioners call upon Parliament to institute mandatory installation of three-point adjustable lap/shoulder seat-belts for rear-seat passengers. As well, petitioners request the mandaroty installation of front seat air-bags.

• (1110)

[*English*]

SUPPORT FOR THE RESTORATION OF CAPITAL PUNISHMENT

Mr. Jim Jepson (London East): Mr. Speaker, I am pleased to present on behalf of the citizens of the Province of Ontario and indeed Canadians from all across Canada 2,318 signatures calling upon Parliament to pass a motion favouring the return of capital punishment in Canada. These signatures which now total 8,320 represent the strong will of the Canadian people on this very important issue.

Mr. Girve Fretz (Erie): Mr. Speaker, I am pleased to present on behalf of the citizens of Erie riding in the Province of Ontario 1,980 signatures calling upon Parliament to pass a motion favouring the return of capital punishment. These signatures represent the strong will of the Canadian people on what we believe to be a very important issue.

Mr. Ross Belsher (Fraser Valley East): Mr. Speaker, I rise to present on behalf of 1,971 citizens of Canada, from eastern Canada right through to the West Coast, who feel that Canadians have consistently supported the reinstatement of capital punishment in principle and in practice and they are calling upon all Members of Parliament to vote in favour of the motion that calls for the return of capital punishment.

Mr. Jack Shields (Parliamentary Secretary to Minister of Energy, Mines and Resources): Mr. Speaker, it is my duty to present on behalf of the citizens of Alberta and Canadians from all across the country over 2,000 signatures calling on Parliament to pass a motion favouring the return of capital punishment in Canada. These signatures represent the strong will of the Canadian people on this very important issue.

Mr. Bill Domm (Peterborough): Mr. Speaker, through the co-operation of the Ontario Police Association, the Canadian National Police Association and the Coalition for the Return of Capital Punishment in Canada, I am pleased to present 1,913 signatures from people in the Peterborough federal riding and from right across this nation. This brings the total number of signatures as of today to 10,233 and it is the intent to honour these petitions as long as they keep arriving at the House of Commons.

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, it is my privilege to present on behalf of over 400 residents of my constituency a petition as follows. Whereas troubles in many parts of the world are causing people to seek safety from persecution by coming to Canada; whereas Canada has established standards of refugee status determination but our existing procedures have broken down under unexpected strains; whereas the Standing Committee of Parliament has proposed a new procedure for refugee determination which is quicker and fairer than the one now in force; whereas this proposal has support among all Parties in Parliament as well as the Canadian Council of Churches, the Canadian Bar Association, the Canadian Jewish Congress and other groups and individuals; whereas procedures recently adopted are turning away refugee-status claimants from ports of entry and putting real refugees at risk, therefore we the undersigned your petitioners humbly pray and call upon Parliament to ensure that Government and Parliament enact legislation that will embody the principles of fair and quick oral hearings of refugee claimants before a refugee board independent of the Immigration Commission, universal access to such hearings for every claimant in Canada and adequate opportunity to arrive in Canada to make this claim.

REQUEST FOR DOOR-TO-DOOR POSTAL SERVICE

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I would also like to present on behalf of a number of residents of the southern part of Winnipeg, and this should be of some interest to the Hon. Member for Winnipeg—Assiniboine (Mr. McKenzie) since it includes many of his constituents, this petition. Whereas we the undersigned feel that as taxpaying Canadians and supporters of the postal system, through stamps and other services, it is our right to receive mail delivery to our own door, and whereas we as yet do not have postal delivery to our door, and we do not have any intention of accepting supermailboxes as an alternative to door-to-door delivery, and whereas approximately 80 to 90 per cent of our development has door-to-door delivery, we feel that that courtesy and right should be extended to the rest of us, therefore, we the undersigned your petitioners humbly pray and call upon Parliament to instigate door-to-door postal service to the remaining few homes in the area of Vista South in Winnipeg, Manitoba.

TRANSPORTATION—ECONOMIC REGULATORY REFORM

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I have a third petition on a different topic. This petition contains the signatures of several hundred employees of the airlines resident in the Winnipeg, Montreal and Toronto areas. The petitioners say that the experience of airline deregulation in the United States has resulted in a diminution of safety standards and practices and an over-all reduction in services to many communities and cheaper fares but these effects are already apparent in Canada in the form of airline mergers and the deterioration of labour relations within the industry. The social fabric of Canada is based on an accessible transport system which is jeopardized by deregulation. Wherefore, the undersigned your petitioners, humbly pray and call upon Parliament to defeat this legislation and as in duty bound your petitioners will ever pray.

REQUEST FOR INQUIRY INTO USE OF CHEMICAL PESTICIDES

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is my pleasure to present a petition on behalf of residents of Kamloops, British Columbia, and residents of Nakusp, Beaton, Revelstoke and Trout Lake and the communities of Hinton, Jasper and Grande Cache in Alberta.

These petitioners are calling upon Parliament to initiate a full public inquiry into the safety, testing, registration and regulation of the use of pesticides and the examination of alternative ways of controlling pests such as biological control and plant-derived pesticides because the petitioners are of the opinion that increasing numbers of chemicals used as herbicides and insecticides are being proven to have harmful effects on human health.

OPPOSITION TO PROPOSED CHANGES TO UNEMPLOYMENT INSURANCE PROGRAM

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I have the honour to present a petition signed by a large number of residents of my constituency of Burnaby who note the very high level of unemployment in western Canada and particularly in the Province of British Columbia and urge the Government to reject any proposed legislation designed to eliminate federal contributions to the unemployment program, to weaken that program in any way or to reduce UI benefits for unemployed Canadians.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I am pleased to advise that Question No. 136 will be answered today.

[*Text*]

DOMESTICS DENIED REFUGEE STATUS

Question No. 136—**Mr. Kaplan:**

Since September 4, 1984, by month, were any domestic applicants denied refugee status in Canada and, if so, of these, how many (*a*) remained in Canada (*b*) left Canada, and on what basis?

Hon. Gerry Weiner (Minister of State (Immigration)): If the term "domestic applicants" means household domestics or people who receive permission to enter and remain in Canada as maids, nannies, handymen or butlers, there is no cross referencing between that category of person and those who claim refugee status.

If, on the other hand it means how many people were denied refugee status after making a claim to refugee status in Canada, the following data is relevant:

1984		1985			
Sept.	102	Jan.	245	July	333
Oct.	194	Feb.	227	Aug.	349
Nov.	188	Mar.	243	Sept.	196
Dec.	213	Apr.	167	Oct.	195
		May	187	Nov.	203
		June	247	Dec.	295

1986		1987	
Jan.	303	Jan.	490
Feb.	290	Feb.	563
Mar.	188	Mar.	627
Apr.	332	Apr.	458
May	150	May	N/A
June	156		
July	104		
Aug.	195		
Sept.	180		
Oct.	257		
Nov.	297		
Dec.	535		

(a) and (b) It is not possible to report on how many of these people left or remained in Canada, because the majority were eligible for consideration under the administrative review of the backlog which was commenced on July 15, 1986; almost 85 per cent of the 25,000 persons in the process will be granted permanent residence.

Those who have been refused under the administrative review remain at various stages of the current claim process. Those who cannot substantiate a claim to refugee status will be moved as expeditiously as possible into the immigration enforcement stream.

*Determinations made by the Refugee Status Advisory Committee

[*English*]

Mr. Speaker: The questions as enumerated by the Parliamentary Secretary have been answered.

Mr. Lewis: Mr. Speaker, I would ask that all the remaining questions be allowed to stand.

Mr. Speaker: Shall the remaining questions be allowed to stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

NATIONAL TRANSPORTATION ACT, 1986

MESURE TO ENACT

The House resumed from Wednesday, June 17, consideration of the motion of Mr. Crosbie that Bill C-18, An Act respecting national transportation, be read the third time and passed.

Mr. Speaker: Pursuant to order made Tuesday, June 16, 1987, the House will now proceed with the deferred recorded division on third reading of Bill C-18, and Act respecting national transportation.

Call in the Members.

The House divided on the motion (Mr. Crosbie), which was agreed to on the following division:

● (1120)

(*Division No. 217*)

YEAS

Members

Andre
Attewell
Beatty
Belsher
Bernier
Blais
Blenkarn
Bouchard
Bourgault
Boyer
Bradley
Brightwell
Browes
Cadieux
Cardiff
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Clifford
Clinch
Collins
Comeau
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crombie
Crosbie
(St. John's West)
Crosby
(Halifax West)
Dantzer
Darling
de Cotret
Della Noce
Dick
Domm
Dorin
Ellis
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gagnon
Gass
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Guilbault
(Drummond)
Gustafson
Hamilton
Harvey
Hawkes
Hees
Hnatyshyn
Holtmann
Horner
Howie
James
Jelinek
Jepson
Joncas
Jourdenais
Kempling
Kindy
King
Lanthier
Lawrence
Layton
Lesick
Lewis
MacDonald
(Kingston and the Islands)
MacDougall
(Timiskaming)
MacKay
Mailly
Mantha
Masse
Mayer
Mazankowski
McCain
McCrossan
McCuish
McDougall
(St. Paul's)
McInnes
McKenzie
McKinnon
McKnight
McMillan
Merrithew
Minaker
Mitges
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Pennock
Peterson
Pietz
Plourde
Porter
Ravis
Redway
Reid
Reimer
St-Julien
Schellenberger
(Wetaskiwin)
Scott
(Victoria—Haliburton)
Scowen
Shields
Siddon
Sparrow
Speyer
Stackhouse
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Valcourt
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Weiner
White
Wilson
(Swift Current—Maple Creek)
Wilson
(Etobicoke Centre)
Winegard
Wise—137

NAYS

Members

Allmand
Althouse
Angus
Axworthy
Baker
Benjamin
Berger
Blackburn
(Brant)
Broadbent
Copps
de Corneille
Epp
(Thunder Bay—Nipigon)
Foster
Frith
Fulton
Garneau
Gauthier
Guilbault
(Saint-Jacques)
Heap
Hopkins
Hovdebo
Johnston
(Saint-Henri—Westmount)
Kaplan
Keeper
Killens
MacLellan
Manly
Marchi
McCurdy
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Penner
Prud'homme
Riis
Robichaud
Robinson
Tobin
Young—42

● (1140)

[*English*]

Mr. Speaker: I declare the motion carried.

Bill read the third time and passed.

* * *

CAPITAL PUNISHMENT

ESTABLISHMENT OF SPECIAL COMMITTEE ON REINSTATEMENT

The House resumed from Friday, June 5, consideration of the motion of Mr. Mazankowski:

That this House supports, in principle, the reinstatement of capital punishment and directs that a special committee on reinstatement, composed of 15 members, be established, hold hearings and make its final report to the House no later than three (3) months following the adoption of this motion, such report to provide recommendations on:

(a) which offence or offences should carry the death penalty, and in what circumstances;

(b) which method or methods should be used to carry out the penalty of death, and in what circumstances;

That, pursuant to Standing Order 107(1), this special committee be hereby appointed as a committee to prepare and bring in a bill no later than three months following the adoption of this motion, founded on the committee's recommendations on (a) and (b) above; such a bill shall be the object of a separate and distinct report of the special committee, and such a report shall be its final report;

That such bill, when reported from such special committee to the House, be deemed pursuant to Standing Order 107(1) to have been introduced and stand on the Order Paper, in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business"; and that, when the said bill has been read a second time, it shall stand referred to a Legislative Committee;

That the Striking Committee be empowered to name the Members of the special committee, provided that once the Striking Committee report is laid upon the Table, it shall be deemed concurred in;

That the special committee have the power to sit while the House is sitting and during periods when the House stands adjourned;

That the special committee be empowered to report from time to time and send for persons and papers, and to print such papers and evidence from time to time as may be ordered by the committee and to retain the services of expert, technical, professional and clerical staff;

That the special committee be empowered to adjourn from place to place inside Canada and that, when deemed necessary, the appropriate staff accompany the committee;

That a quorum of the special committee be eight (8) members for any vote, resolution or other decision; and that the chairman be authorized to hold meetings to receive evidence and authorize the printing thereof whenever six (6) members are present;

That any substitution of membership on the special committee be made pursuant to Standing Order 94(4); and

That, notwithstanding the usual practices of this House, if the House is not sitting when the special committee is ready to issue its final report and the said bill, the special committee shall present its report and the bill to the House by filing them with the Clerk of the House provided that the report shall then be deemed to have been laid upon the Table, and the bill shall then be deemed, pursuant to Standing Order 107(1), to have been introduced at the first sitting of the House thereafter and to stand on the Order Paper in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business".

Mr. Speaker: Resuming debate. The Hon. Member for Yorkton-Melville (Mr. Nystrom).

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, I am very pleased to participate today—

Mr. Lawrence: Mr. Speaker, I rise on a point of order. I move:

That the Member for Ontario (Mr. Fennell) be now heard.

Mr. Nystrom: I was speaking.

Mr. Speaker: On Orders of the Day, resuming debate was called and the Chair recognized the Hon. Member for Yorkton-Melville (Mr. Nystrom) who, in the opinion of the Chair, was clearly speaking.

Some Hon. Members: No.

Mr. Speaker: The Hon. Member has risen and moved a traditional motion that another Member be now heard.

It is important that all Hon. Members and the public that is watching understand exactly what this procedure is, because it is a very difficult one for the Chair.

I am going to refer to what the procedural law is in this matter so that there is no misunderstanding. I am referring to a ruling of Speaker Sauve on October 27, 1983. It is as follows:

—Members may on a point of order ask that an Hon. Member be now heard as long as no other Member has the floor legitimately. Beauchesne states that a motion that a Member be now heard must be moved before the Member recognized has begun speaking. If the Member recognized has simply said "Madam Speaker," that is enough to be in possession of the House and, therefore, under those circumstances a motion that another Member be now heard is not in order.

• (1150)

There is always a difficulty for the Chair in these cases, because there is what amounts to a physical contest for the floor. However, in this case, clearly the Hon. Member for Yorkton—Melville (Mr. Nystrom) had begun to speak, and I must advise the Hon. Member that he is out of order. The Hon. Member for Yorkton—Melville has the floor.

Mr. Nystrom: Mr. Speaker, what we are dealing with today is a very important decision about the future of our country. Our decision will tell us how civilized our country is and what kind of country it will be for our kids.

Many Canadians have said there should be capital punishment. They say that because there is a lot of crime. They see violence on television and hear about it all the time. For these reasons I want to ask the Canadian people and my fellow Members of Parliament about 12 questions today with respect to whether or not we should reinstate capital punishment.

The most important question, of course, is if capital punishment is a deterrent, is it going to protect our society? Even those who believe in capital punishment have never been able to prove that it is a deterrent. They have not been able to prove it is a deterrent in this country, or in any other country. Therefore, if it is not a deterrent, why do people want to bring back capital punishment? If capital punishment is not a deterrent, then why bring it back?

I suggest the only reason for bringing back capital punishment is pure and simple revenge. It is vengeance. It is a belief that we must have an eye for an eye and a tooth for a tooth. It is a belief that if someone robs you, you have the right to rob them. It is a belief that if someone were to punch you in the eye, you have the right to punch them in the eye. It is pure revenge. It is a vengeful vendetta. I suggest that basing the argument for capital punishment on revenge and retribution is not right.

My third question asks, if we bring back capital punishment, what kind of society will we have in this great country of ours called Canada? What kind of society will we be if we give the state the legal right to take a life, the right to kill someone? I say to you, Mr. Speaker, that would not be a very nice society.

Bringing back capital punishment may indeed provoke even more murders, even more violence and killing. In his speech the Hon. Member for Ottawa West (Mr. Daubney) outlined in detail some statistics on what we call the brutalization effect, that is, when a state legally kills someone it can provoke someone who is sick and demented to go out and kill someone or commit an act of violence.

The Hon. Member in his speech before the House cited some studies made in New York State and in South Carolina where indeed when the state did murder someone, there was concrete evidence that it provoked more killings and violence in those particular states. That evidence proves that there is a strong chance that if we bring back killing by the state, capital punishment, all we will do is create more violence and murder.

We have seen evidence time and time again that violent acts on television may provoke some violence of one kind or another. I remember when I was a young boy that a cousin of mine was always watching westerns on television. He saw how they kept hanging the bad man, and that in the next show the bad man came back. This little cousin of mine, who was about four-years old, went out to the barn, took his favourite cat and he hung the cat. This is the kind of message he was receiving from the television set.

I suggest that Canadians should be influenced by the fact that by executing people, we in turn may be provoking more violence and killings by sick and demented people.

My fourth question asks, are we going to get as many convictions for first-degree murder if we have capital punishment? Are juries going to convict people as readily of first-degree murder if we have capital punishment? I suggest that is highly unlikely. We will have more convictions for second-degree murder and murderers will be running around our streets a lot sooner if we have capital punishment rather than a 25 minimum first-degree sentence.

I refer again to studies which show that out of some 30 juries, at least 29 would have been affected by the fact that capital punishment was the law of this land. There are many Canadians in Canada who would never convict someone of first-degree murder if they knew that the conviction would result in someone being executed. As a result there would be more convictions for second-degree murders and murderers would be out on the street in a position to do more harm and violence to our society. I ask Members of Parliament to think a lot about that.

In my Province of Saskatchewan a couple of years ago Jo-Ann Wilson was murdered. We had the conviction of Colin Thatcher, a very prominent citizen of Saskatchewan. It was a very difficult case. The jury, if I remember correctly, took some five days to make a decision. I wonder whether Colin Thatcher would have been convicted of first-degree murder, which he was, if capital punishment was in force. I rather doubt it. The decision was difficult enough without the issue of capital punishment. With capital punishment, it would have been made a lot more difficult.

I believe if we had capital punishment, there would be millions of Canadians sitting on juries who would never knowingly send someone to the gallows and have blood on their conscience for the rest of their lives. That is an absolute fact. There are a lot of Canadians who would not convict someone if they knew that person had to face the executioner.

A Conservative friend of mine back here is laughing. I suggest it is no laughing matter. We are talking about something very serious.

My fifth question asks, can an innocent person be executed if we had capital punishment? I think the answer is very clearly yes. Again, the Conservative Member of Parliament from Ottawa West put some statistics on the record which proved that where they have capital punishment, over history, many, many innocent people have been executed. I do not want this to happen in this country. I could not have that on my conscience. So I ask Members of Parliament to think very seriously about the possibility of an innocent person being executed.

Along that line, I would like to refer to a letter in the *Prairie Messenger*, which is a newspaper of the Roman Catholic Church in the Province of Saskatchewan. It was a letter written recently by Mr. Robert Eisler of Regina. I wish Members of Parliament who are leaning towards capital punishment would listen to Mr. Eisler's arguments. He says in part:

> As long as we are human there is always the danger of putting an innocent person to death. So long as that possibility exists it completely destroys all arguments in favor of the death penalty.
>
> How can I in all conscience vote for a return of the noose? In so doing, and should an innocent person be put to death, I would be compelled to spend the rest of my life with blood on my hands.

That is what Mr. Eisler wrote in the Catholic newspaper in Saskatchewan.

With the return of capital punishment, it is only a matter of time before an innocent person is put to death, and once someone is put to death there is no way of making amends or issuing apologies. Once that person is dead, that person is dead, and it is much too late. So I ask Members of Parliament to think very carefully about that issue before they rise in this House and ask that people be put to death in this country.

I refer to the Donald Marshall case recently in Nova Scotia. He was convicted of murder and after a number of years it was proven that Mr. Marshall was innocent. This was second-degree murder, but it is only a matter of time before someone is convicted of first-degree murder and put to death. As the Hon. Member for Ottawa West said, this has happened hundreds of times throughout history in countries and states which have capital punishment. Again I ask Members who want to vote for capital punishment, for hanging, to think twice before they do so.

My sixth question asks, if we bring back capital punishment, who is going to be executed? There was a study done of all the executions in Canada since we became a country back in 1867. It was found in this study that in the main it was the poor people who were executed; it was the disadvantaged who were executed; it was the native Indians who were executed in great numbers; it was the eastern Europeans, people of Ukrainian descent who, historically, were more likely to be executed than Anglo-Saxons. In the United States it is blacks who go to the gallows much more often then white Americans. That is so because they do not have the money to hire the best lawyers. They do not have the privileges that the wealthy have in our society.

• (1200)

Once again I say to Hon. Members, if we bring back capital punishment we will be bringing in a law from which the rich will once again be protected to a greater degree than the poor,

the deprived and the disadvantaged. I ask some of my wealthy friends in the House who are intending to vote for capital punishment to think very carefully about who, in the main, they will be sending to the gallows.

My seventh question is this. Will we save money by bringing back capital punishment? I have heard some people say, "Hang them, execute them, you will save money. Look at how much it costs to keep someone in jail. It costs thousands of dollars to keep someone in jail". Once again I say that that is a wrong argument. It is wrong to even base this type of argument on financial matters.

However, even if it is based on financial matters, I argue that it would cost the state more to bring in capital punishment than it would to keep someone in jail. There would be appeal after appeal, and millions and millions of dollars would be spent in the appeal process which would, once again, cost the Canadian people a great deal of money.

The next question I want to ask my fellow MPs who are thinking seriously about voting in favour of the return of capital punishment is this. Even if we bring back capital punishment, even if we bring back the hangman, will people be executed anyway? My answer to that is probably not. I cannot foresee any Prime Minister of Canada in the next number of years who will want to have on his conscience the fact that he had not commuted the death sentence for some Canadian. When we pass a Bill on capital punishment I assume that the power to commute a death sentence would rest with the Cabinet.

I cannot see the present Prime Minister (Mr. Mulroney) ever agreeing because he believes in abolition. He does not believe in vengeance. He does not believe in capital punishment. In my opinion the present Prime Minister would never in effect, sign a death warrant, to have blood on his hands by agreeing to have someone sent to the gallows. That would not happen if the Leader of the Opposition (Mr. Turner) were Prime Minister. It would not happen if the Leader of the NDP (Mr. Broadbent) were Prime Minister. It did not happen with the former Prime Minister, Mr. Trudeau. It did not happen with the Prime Minister before that, the current Secretary of State for External Affairs, the Hon. Member for Yellowhead (Mr. Clark).

I am also proud to say that the present Minister of Justice (Mr. Hnatyshyn) has strongly hinted to the people of Canada that he would have to reconsider staying in his post as Minister of Justice if capital punishment were brought back and if he was faced with the possibility of having to send someone to the gallows.

Again, if we pass a resolution to establish a Bill to bring back capital punishment we will be setting up a process whereby legally we will have capital punishment but the final result will be that we will not send people to the gallows.

I ask another question of Hon. Members. Supposing someone in the family of an Hon. Member was convicted of murder, what would they do? I suspect there is not a single person in the House who would not fight as hard as possible and use all the money they had to try to free that particular person. I want once again to quote Mr. Eisler's letter as it appeared in the Catholic Church's *Prairie Messenger*:

> I have one question for those favouring a return of the death penalty. God forbid, but if some member of their family were charged with murder, would they still be in favour of capital punishment? Or would they be willing to spend their last dollar to prevent the ultimate? If not, I would hesitate to refer to them as caring and loving parents.
>
> How can I promote capital punishment for someone else's son or daughter when I refuse to accept it for one of my own?

I think that is a very strong and compelling argument. There are a great many other arguments. There are a great many churches and a great many people who want to make those arguments. Because of that I want to move an amendment to the motion before the House, an amendment that will give the churches and the people of Canada more time to present their cases. My amendment is seconded by the Hon. Member for Burnaby (Mr. Robinson) and it reads as follows:

> That the word "three" in lines 5 and 14 be deleted and that the word "six" be substituted therefor.

This amendment would mean that instead of having three months to study the issue of capital punishment the committee would take six months to study it. The people of Canada, namely, the churches, which have shown tremendous leadership on this issue, would have more time to talk to Canadians about how wrong it is in a decent and civilized society to bring back capital punishment, to provide the same laws in our country as exit in the Soviet Union, China, Iraq, Iran, Libya, Chile, and other countries in South America. Surely to goodness we can strive for higher ideals and higher moral values than there are in some of the countries I have just named. I appeal to my friends in the House not adopt the same mentality as those in the Soviet Union, Chile, South Africa, Iraq or Iran. For God's sake, we are a more decent, democratic and civilized society than some of those countries.

I say that it is not morally right to have capital punishment in Canada. It is not morally right, and the churches have said that to us. The Catholic Church has said time and time again that it is not right, as has the Anglican Church, the Lutheran Church, the United Church, the Mennonites and other churches. Representing the moral leadership of the country they have said no, no, no to capital punishment on moral terms. This House should be saying no, no, no to capital punishment as well.

I want to conclude by asking a few more questions. Can I ever vote for a Bill on capital punishment? Obviously, my answer is no, for the nine or ten reasons I have already given. If I cannot vote for capital punishment, then how can I pass a law which will state that another Canadian must make the decision to kill? If I cannot kill myself, if I cannot be the hangman myself or the executioner, how can I pass a law that will make it mandatory for another Canadian to do that job? How can I pass a law that states that a jury must make a decision on life or death? I cannot pass such a law.

How could I pass a law which would state that a judge must make a decision on life or death? I cannot morally do that. I do not know why I should then pass that decision on to a judge or a jury.

I ask you, Mr. Speaker, is it fair to expect, if capital punishment is returned, to have a medical doctor stand and verify that somebody has been hung by the neck until dead and then pronounce that person dead? Should we expect a medical doctor to do that whether the method of execution is by hanging, electric chair or lethal injection? Is it fair to force the people in the medical community to go through that type of uncivilized act? It is not fair. I would not do it. How can I pass a law saying that we expect doctors to do it?

Is it fair to expect a minister of the cloth, a reverend or a priest, or what have you, to be there when someone is executed and to give them their last rites, to be with them and try to comfort them? That is not fair.

I ask you, Mr. Speaker, is it morally right to leave someone who is condemned on death row year after year after year while the appeals go on and on, while the date of execution is pushed back and back? Do Members of the House really believe in that kind of torture? I ask them if they believe in that type of torture for someone who is condemned?

I also ask if Members of the House really believe that it is fair to the family of the condemned woman or man, to see their brother, sister, father, mother, cousin or loved one on death row waiting week after week and month after month and year after year while appeals are being exhausted and retried and exhausted once again?

Finally, I ask whether any Member of this House of Commons would volunteer to be the hangman? Someone has to pull the trigger, someone has to push the button. I suggest that there is no one in the House of Commons who would do that.

Mr. Gagnon: Yes, there is, right here.

Mr. Holtmann: Yes, I would.

Mr. Nystrom: The Hon. Member for Calgary North (Mr. Gagnon) would do it, and so would the Hon. Member for Selkirk—Interlake (Mr. Holtmann). They are exceptions. They would volunteer to be the hangman, to push the button.

Mr. Gagnon: We had a million people go serve in the war who do not want to fight against crime.

Mr. Nystrom: Almost no one in the House would do it. If we would not do it or they would not do it, how can they vote for a Bill that forces someone else to do it?

Mr. Holtmann: As long as you were standing there we would do it.

• (1210)

Mr. Nystrom: We have had hangmen in this country who have committed suicide because of the job they had to do. These are people who lived a life of sheer hell because of the job they had to do.

Mr. Speaker, if we would not do it ourselves, how can we pass a law that obligates another member of our society to be the executioner, to be the hangman?

We live in a civilized society. We have a great country. I believe we now have to reach for higher morals, for a higher standard in society. History will judge us on how we vote on this issue. Years down the road, when I am asked where I stood on this very historical debate, I will be able to say with pride that I stood on the side of decency, that I stood on the side of higher morals in our society, that I stood on the side of a democratic society, a just society; that I did not stand on the side of those who want to bring back the noose, taking us closer to the kind of society we see in the Soviet Union, or China, or Iraq, or Turkey, or Iran, or Chile, and other countries of South America, or South Africa. I do not believe in the kind of society that exists in those places. I believe that Canadian people reflecting on this issue will overwhelmingly come down on the side that capital punishment is morally wrong and dangerous for Canada as a country.

Mr. Deputy Speaker: The House has heard the terms of Mr. Nystrom's amendment. The Chair finds the motion for amendment in order.

Questions or comments?

The Hon. Member for London East (Mr. Jepson), on debate.

Mr. Jim Jepson (London East): Mr. Speaker, it is a privilege for me to rise in the House today to speak on the issue of capital punishment, an issue on which there are deeply held convictions on both sides. It is wrong for those on either side of the issue to claim the high moral ground. Those on both sides of the question have deep convictions. It is wrong to impute that one side has the high moral ground and the other not.

In the debates that I have had with the former Solicitor General, the Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand) and Mr. Edward Greenspan, it was generally agreed that the statistics will not conclusively prove either side of the issue.

I am in favour of capital punishment for first degree murder, or premeditated murder. I believe the courts must have the capital punishment option. The Government must make it clear that society will not tolerate the premeditated taking of a life. The clear message must be that the sanctity of life is foremost in our considerations.

Today, Mr. Speaker, we see a focus on the rights of the accused as an individual. But, what about the collective rights

and the protection of society as a whole? Are those rights not deserving of consideration and protection?

We hear that the guilty party is a product of his or her environment and is therefore not responsible for his or her actions. I believe that we are all ultimately responsible for our actions, and must be held accountable. When are we going to see a focus on individual responsibility and accountability in our society?

Some Hon. Members: Hear, hear!

Mr. Jepson: I respectfully suggest, Mr. Speaker, that responsibility fosters a just society; an undue focus on individual rights fosters rebellion. Our criminal laws must be based on justice, and under those laws a person must be responsible for his or her actions.

The 1978-79 statistics show that the average time served in prison for attempted murder before being granted parole was four years and nine months; for manslaughter, two years and nine months; for kidnapping, two years and six months; for rape, two years. What kind of a message do those statistics send to society about the sanctity and value of life, about justice in our society.

In looking at the issue of capital punishment, it is important that we look at the over-all justice system. And in looking at the plea bargaining system, at the parole system, at the bail laws, and all other aspects of justice, we see that there has to be a tightening up, there has to be more accountability. We must send a stronger message to society. It must be made clear that we will not tolerate blatant abuse of the laws of our land, blatant abuse of the protection and rights of all Canadians.

The abolitionists in this debate have a concern about error, about the possibility of an innocent person being executed. Since Confederation, there has not been one person executed who was later found to be innocent. Yet, since 1920 there have been eight murderers released, with the resultant loss of 11 more innocent lives. Many of those victims had a full life ahead of them, with expectations and dreams. They were simply snuffed out.

We speculate about the margin of error in the court system, with no concrete evidence that in fact it works against the innocent. We do, however, have concrete evidence to support the fact that 11 innocent lives have been snuffed out by repeat offenders, by murderers who had been released.

I have faith in our judicial system. I have faith in the men and women of Canada who are involved in the judicial system. I have faith in the due process of law, with the exhaustive appeal system that is in place.

Those on the other side of this issue are constantly throwing out this red herring about the possibility of an innocent person being executed. They cite the Donald Marshall case as an example of a situation where an innocent man could have been taken to the execution chamber. We know better than that. Donald Marshall was charged with, and convicted of, second degree murder, not first degree murder. What I stand for is capital punishment for first degree, premeditated murder.

We hear the Biblical quotation "an eye for an eye, a tooth for tooth" as justification for vengeance.

Mr. Speaker, what that scripture is saying to us is that we must have sentences that are commensurate with the crime committed. It is not that the punishment for cutting a person's arm off is to cut off the arm of the perpetrator of that act; that the punishment for killing a person is necessarily that the perpetrator of that act should be killed.

What we are saying is that we must have punishments commensurate with the crime committed, and I do not believe we are seeing that in the operation of our judicial system today. I repeat the statistics cited earlier. For attempted murder the average prison sentence is four years and nine months; for manslaughter, where a life has actually been taken, the average time in prison is two years and nine months. I find such sentences hard to comprehend in our society today.

We also hear those on the opposite side of this question quoting scripture, "Thou shalt not kill". What the scripture says is, "Thou shalt not murder". It cannot be said that the state, in carrying out an execution, is murdering or killing; what the state is doing is executing judgment.

Romans 13.1.6 tells us that God places Governments in authority over the people, to provide for the protection of society. Those who commit no wrongdoing or evil have nothing to fear; but those who do break the law, those who do commit crimes of violence, have to fear the "execution of the sword", as it is quoted in scripture. In other words, they have to stand fully accountable under the law.

Furthermore, Genesis 9.6 says, "Who so sheddeth a man's blood by man shall blood be shed."

I believe scripture very clearly states that capital punishment is in order for first degree premeditated murder.

We heard the New Democratic Member for Yorkton—Melville (Mr. Nystrom) talk about the stands of the various churches. There is no question that the executives of the United and Anglican Churches, as well as the Conference of Catholic Bishops, have stated that they are against capital punishment. There is no question about that. However, they are not speaking for their memberships. If they were speaking for their memberships, it would be clearly reflected in the polls, yet we see that for a number of years the percentage of Canadians in favour of capital punishment has hovered between 60 per cent and 70 per cent. It is quite obvious that they are not speaking for their memberships; they are speaking as executives of the respective churches.

• (1220)

Turning to the question of deterrence, I agree with my friend from Saskatchewan who spoke before me that it cannot be conclusively proven that capital punishment is a deterrent.

However, it cannot be proven conclusively that there is not a deterrent factor.

If capital punishment does not deter crime, why do criminals fear it more than any other penalty? Why does almost every criminal sentenced to death appeal for life imprisonment? Life is irrefutably the murderer's most valuable possession.

According to J. Edgar Hoover, a Director of the FBI, professional law enforcement officers are convinced from experience that hardened criminals have been and are deterred from killing based on the prospect of the death penalty.

If we reflect back to 1971 and the Kingston Prison riots, at that time capital punishment was in effect for the killing of prison guards. Although 12 lives were lost in that sad event, not one prison guard was killed. In fact, the prisoners murdered two inmates and dressed them up as prison guards, hoping to fool the media and those with whom they were negotiating to try to bring it to an end which was to their satisfaction.

I find it ironic that we live in a day and age when we see 66,000 unborn babies murdered each year. Yet, we see a Party like the NDP to my right, which is kind of ironic, standing for abortion on demand, to continue the wanton killing of innocent lives. At the same time, as a bloc, as a Party, it stands against capital punishment.

In conclusion, may I say that I am grateful for the opportunity to speak on this important issue. I move, seconded by the Hon. Member for Simcoe North (Mr. Lewis):

That the debate be now adjourned.

Mr. Deputy Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed will please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the yeas have it.

And more than five Members having risen:

Mr. Deputy Speaker: Call in the Members.

The House divided on the motion (Mr. Jepson), which was agreed to on the following division:

• (1230)

(*Division No. 218*)

YEAS

Members

Attewell
Belsher
Bernier
Blais
Bouchard
Bourgault
Boyer
Bradley
Brightwell
Brisco
Browes
Cardiff
Champagne
(Champlain)
Clifford
Clinch
Collins
Comeau
Corbett
Cossitt
Côté
(Lac-Saint-Jean)
Dantzer
Darling
Domm
Fennell
Fontaine
Forrestall
Fraleigh
Friesen
Gagnon
Gottselig
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gurbin
Hamilton
Harvey
Hawkes
Holtmann
Horner
Howie
Jelinek
Jepson
Joncas
Jourdenais
Kempling
Kindy
King
Lanthier
Lawrence
Lesick
Lewis
MacDougall
(Timiskaming)
Malone
Mayer
Mazankowski
McCain
McCrossan
McCuish
McKinnon
McKnight
Nickerson
Nowlan
Oostrom
Pennock
Peterson
Pietz
Plourde
Porter
Ravis
Redway
Reimer
St-Julien
Schellenberg
(Nanaimo—Alberni)
Schellenberger
(Wetaskiwin)
Scott
(Victoria—Haliburton)
Scott
(Hamilton—Wentworth)
Scowen
Sparrow
Speyer
Stewart
Suluk
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Van De Walle
Vankoughnet
Warner
White
Wilson
(Swift Current—Maple Creek)
Winegard—92

NAYS

Members

Allmand
Angus
Benjamin
Berger
de Corneille
Epp
(Thunder Bay—Nipigon)
Foster
Gauthier
Grondin
Heap
Hopkins
Johnston
(Saint-Henri—Westmount)
Kaplan
Keeper
Lapierre
Malépart
Manly
Marchi
McCurdy
Murphy
Nunziata
Nystrom
Ouellet
Penner
Prud'homme
Riis
Robichaud
Robinson
Young—29

• (1300)

Mr. Deputy Speaker: I declare the motion carried.

[*Translation*]

Mr. Grondin: Mr. Speaker, on a point of order.

Mr. Deputy Speaker: The Hon. Member for Saint-Maurice (Mr. Grondin) on a point of order.

Mr. Grondin: Mr. Speaker, I simply wanted to say that I would have voted against the motion, like my Party colleagues.

Mr. Deputy Speaker: Very well, your vote will be recorded.

[*English*]

It being 1.05 p.m., I do now leave the Chair until 2 p.m.

At 1.05 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p. m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

ABORIGINAL RIGHTS

ANNOUNCED TERMINATION OF RESEARCH FUNDING

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, following the failure of the most recent First Ministers' Conference on aboriginal rights, the Prime Minister (Mr. Mulroney) said: "That was not the end of it . . . I deeply regret we did not succeed but—we shall try again to make sure that justice comes about for the native peoples of Canada".

All Hon. Members can applaud, approve and wholeheartedly support that affirmation of the Prime Minister of Canada. That being so, I ask this House if it is not curious, therefore, that the Government is terminating its constitutional funding to the national native organizations for aboriginal rights research and negotiation, with special reference to the right of self-government?

The Minister of Justice (Mr. Hnatyshyn) has no reply except to say that funding will end as of June 30. I ask him and I ask the Prime Minister is it not really the case that aboriginal issues have been pushed off the agenda of the Government and the hope is that a few good words and nice sentiments from time to time will suffice as those unresolved rights are permitted to disappear from our sight?

* * *

CAPITAL PUNISHMENT

SUPPORT FOR REINSTATEMENT

Mr. Gordon Taylor (Bow River): Mr. Speaker, I believe the death penalty for people who deliberately plan and then murder a human being is a deterrent. However, whether it is or not, I support the execution of such murderers. Why? Primarily because Biblical evidence in both the Old and New Testaments supports capital punishment.

"Whoso sheddith man's blood, by man shall his blood be shed . . . "(Genesis 9:5,6). No later statements in the Holy Book cancel this principle of civil government.

Again, Paul the Apostle endorsed capital punishment when he said: "If I be an offender or have committed anything worthy of death, I refuse not to die: (Acts 25:11). And when

God gave us the Ten Commandments to guide our behaviour in life, the verse says: "Thou shalt not kill" (Exodus 20:13). But if we disobey this commandment then we are punished, and for premeditated murder under the Mosaic Law the punishment was death.

When Christ was on the cross he forgave the sins of the thief, but He did not stop the execution and He could have, had He chosen to do so.

* * *

STATUS OF WOMEN

FEDERAL FUNDING OF WOMEN'S GROUPS

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, the Standing Committee on Secretary of State has recommended that the budget of the Women's Program be at least maintained at current levels, indexed to the cost of living and, if possible, be increased to meet the needs of new groups and address emerging priorities. The Women's Program gives the Government excellent value for its money in terms of volunteer hours and staff dedication.

Additional funds are required for projects aimed specifically at improving the status of women who are doubly disadvantaged, such as women who live in remote regions, those who are disabled or are members of a visible minority. Government must not pit established groups against new groups in a futile battle to divide up a pie which isn't large enough to go around. Instead, we must recognize that until economic, social and political barriers to equality have been removed, the Women's Program will require government support.

I would ask that the budget for the Secretary of State's Women's Program be increased so that women's advancement toward equality may continue.

* * *

[*Translation*]

DRUMMONDVILLE SIXTH WORLD FOLKLORE FESTIVAL

INVITATION TO ATTEND

Mr. Jean-Guy Guilbault (Drummond): Mr. Speaker, I want to draw attention to a special event which will take place in my riding, the sixth edition of the World Folklore Festival. I extend an invitation to all my colleagues and to all Canadians to attend the festivities. During the July 3-13 period we will be welcoming groups from every corner of the world: Africa, Asia, Europe and North America. Spend 10 days with us and discover the popular traditions and culture of various nations through songs, music, dances, and a wide variety of most enlightening activities.

S. O. 21

In five years Drummondville's World Folklore Festival had become the most important folkloric event in North America. More than 600,000 visitors attended last year's festivities. We have various activities, including craft exhibits, more than 400 dance shows, religious events, public events, and day and night parades.

I should like to commend the Mackinaw folkloric ensemble for their outstanding contribution in first hosting this festival. I expect to see you at the World Folklore Festival between July 3 and July 13, for this is a unique event.

* * *

[*English*]

CHILDREN

REPORT ON ABUSE OF CHILDREN SUFFERING UNDER APARTHEID IN SOUTH AFRICA

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, the Defence for Children International, a Swiss based organization dedicated to children's issues, has just released a report "Children under Apartheid" detailing incidences of child abuse in South Africa. This report outlines massive evidence that members of the South African Government's security forces are abusing the powers granted them under the state of emergency in effect since last June, and children are being arrested and detained without cause.

The South African Government has admitted it is guilty of these allegations. Since 1985, police have shot and killed more than 300 children and wounded more than 950 children with gun-fire.

The report also alleges that an estimated 10,000 children under the age of 18 years are held in custody without trial in South Africa.

• (1405)

The Canadian Government has known for a long time of the brutal treatment of innocent black South African children. The Secretary of State for External Affairs (Mr. Clark) has been reluctant up until this point to impose full economic sanctions against South Africa. But his other avenues of recourse are not stopping the cruel and oppressive treatment of South African blacks.

It is good that the Secretary of State for External Affairs has condemned the treatment of blacks by the Botha Government. Will he now commit his Government to helping innocent children? These children deserve a future, not one that is marred with a loss of dignity, torture, and even brutal slaughter.

MULTICULTURALISM

1987 CONSTITUTIONAL ACCORD—FOUNDATION OF MULTICULTURAL IDENTITY

Mr. William G. Lesick (Edmonton East): Mr. Speaker, I rise to address the House with respect to the provisions for Canada's multicultural community in our constitutional Accord.

It is with honour that I allay misgivings expressed in this Chamber and in the media that the large number of Canadians of neither French nor English background may be overlooked in the Accord. In both spirit and actual wording our rich cultural language of ancestral traditions and heritage languages is portrayed and assured of protection.

Canada's respect for its multicultural roots has always been government policy and it will be further entrenched next autumn when the Secretary of State (Mr. Crombie) tables Canada's first ever multiculturalism Act. More than ever, our unique multicultural identity will be seen as a fact of law, not just as a fact of life.

Our constitutional Accord serves as a firm foundation by which the Government upholds its cherished multicultural character. The new Act will further affirm this symbol of Canadian ancestral pride.

* * *

PROVINCIAL AFFAIRS

PROVISIONS OF SASKATCHEWAN BUDGET CRITICIZED

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, yesterday in Saskatchewan the Conservative Government of Grant Devine brought in a Budget. In this Budget the Government increased the flat tax, increased the sales tax from 5 per cent to 7 per cent, brought back the gas tax, and brought in all types of other taxes. During the campaign members of the Conservative Party promised not to increase taxes. They have now brought in tax after tax after tax.

Once again this action shows us that Tory times are taxing times; that Tory times are tough times.

In addition, medical care services have been cut back, as have dental care services, nursing homes, and services to ordinary people.

The present Government of Saskatchewan is similar to the Government of R. B. Bennett of the 1930s. That was the Government that brought us the Great Depression. I learned as a little child that Tory times are tough times. After R. B. Bennett the Conservative Party disappeared in the West for about 35 years. It was not until Diefenbaker revived it that it reappeared.

With this latest Budget of Grant Devine and with the help of the Prime Minister of Canada (Mr. Mulroney), once again

the Conservative Party will become extinct in the West and the legacy of John Diefenbaker will disappear.

Tory times are tough times.

* * *

• (1410)

[*Translation*]

NATIONAL DEFENCE

CANADA'S PARTICIPATION IN NATO—POSITION OF NDP

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, as official spokesman for the socialist Party in matters of defence, the Hon. Member for Brant (Mr. Blackburn) should clarify his position concerning Canada's NATO participation in the defence of the interests of western communities.

We know that all Members of his Party, including their leader, are systematically opposed to Canada's participation in NATO, and we know that the resolutions which have been in force since the 1985 socialist convention confirm the policy concerning Canada's withdrawal fron NATO and other military alliances, as evidenced by Resolution 43 of the Convention of 85.

At their latest convention in March of this year the delegates and the leader of the socialist Party were not honest enough to include this question and explain their position to Canadians.

Mr. Speaker, Canadians support the western world's common defence system.

This bunch of leftists and Kremlin sympathizers must forthwith state their official position on our defence policy.

The leader of the socialist Party should listen to me. Is he going to throw out the Hon. Member for Brant (Mr. Blackburn)? Is he going to ignore the resolutions of his delegates? One way or another, Mr. Speaker, as usual he will have to flip and flop.

* * *

REGIONAL ECONOMIC DEVELOPMENT

DAMAGE TO REYNOLDS PLANT AT CAP-DE-LA-MADELEINE—REQUEST THAT GOVERNMENT OFFER HELP

Mr. Gilles Grondin (Saint-Maurice): Mr. Speaker, as most of us already know, the fire earlier this week at the Reynolds plant at Cap-de-la-Madeleine has caused serious damage.

This is very unfortunate for our region, and although long term lay-offs do not seem likely, the tragedy will have an impact on the region's economy, at least for some time.

That is why I hope the Government will do everything it can to help that industry overcome the adverse effects of the fire as soon as possible.

I want to ask all departments concerned to take action immediately and offer government assistance to Reynolds' management.

Since many people in my riding work at the plant, I want to take this opportunity to say they have my full support.

* * *

IN REMEMBRANCE OF RABBI DAVID FEUERWERKER

Mr. John Oostrom (Willowdale): Mr. Speaker, Canadians commemorate this week the passing of Grand Rabbi Dr. David Feuerwerker, Z.T.L., on June 20, 1980.

This Lamed Vav was more than a builder of our communities. He was the guide and master of many generations.

We cannot omit some reference to the work of Grand Rabbi David Feuerwerker who saved thousands of human lives from the horrors of the death camps.

Chamir, FFI Captain, co-founder of the Combat movement, Rabbi of Tournelles, director of the *Cercle d'Études du Marais*, General Chaplain, professor at the Sorbonne and at the University of Montreal, author of *L'émancipation des Juifs*, Grand Rabbi of the Canadian Jewish Cultural Association, he rests in peace beside the judges of the Sanhedrin at the foot of the Temple in Jerusalem.

With his wife, Antoinette Glück, we publicly sanctify the name of God and declare that the chain of tradition is intact, and we shall recite, with all God's peoples, a fervent Kaddish in memory of Grand Rabbi Dr. David Feuerwerker, Zichon Tzadik Livrocho.

* * *

[*English*]

FISHERIES

NEWFOUNDLAND CAPELIN FISHERY

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, yesterday in St. John's, fishermen and processors could not reach an agreement on the capelin fishery. In a press release issued yesterday, the Minister of Fisheries stated:

> —it appears unlikely that production of capelin product in excess of 15,000 tonnes would be of benefit to the fishermen of Newfoundland and Labrador. Given the current unsold inventory of capelin in the Japanese market, and the increase of production in Iceland in 1987, the previously established harvesting quota of 69,000 tonnes seems far in excess of market demand for this year.

Since the Minister can clearly identify the problem, one wonders why he has failed the fishermen of Newfoundland

miserably by not having the courage to come through with a solution. He has rejected any form of price supports—"the free market must prevail at all costs."

He has failed to create any form of marketing boards or use existing infrastructures to help this ailing fishery and, finally, he has refused to move quickly on the industry's call for a reduction in the capelin quota to more appropriate levels.

No wonder Newfoundlanders call this a 100 per cent failure.

* * *

THE CONSTITUTION

1987 CONSTITUTIONAL ACCORD—ABORIGINAL AND MULTICULTURAL DIMENSIONS OF COUNTRY

Mr. Sergio Marchi (York West): Mr. Speaker, Canadians whose origins are other than French or English have serious concerns over their status within the present constitutional Accord.

When I raised this issue on Tuesday with the Prime Minister (Mr. Mulroney), rather than dealing with the issue with the sensitivity and seriousness that the matter deserves, he preferred, instead, to suggest, very falsely, that I was at odds with my Leader and with my Party by raising these concerns.

It should be made very clear to the Prime Minister that at our policy conference last November, unlike the present Accord, in the preamble of our constitutional resolution, a resolution that was adopted very enthusiastically, we suggested that Canada is defined by its French, English, aboriginal, and multicultural dimensions.

Furthermore, on May 11, my Leader in the House of Commons, three times in the body of his speech, repeated the concerns about the lack of any "multicultural" reference in the Accord. Moreover, in his national address on CBC to the country, he voiced regret that the Premiers and the Prime Minister did not go further and recognize, fundamentally, the contributions and aspirations of our indigenous and multicultural community in Canada.

The Prime Minister has not given good reasons for rejecting, in Clause 1, the addition of a very integral part of Canadian society.

* * *

CORPORATE AFFAIRS

HIGH INTEREST RATES CHARGED BY DEPARTMENT STORES

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, almost two months ago a parliamentary committee recommended that the major department stores reduce their charge card rates to the level of the bank-issued credit cards. Almost two months later, with the banks having lowered their rates significantly, store chains like The Bay, Canadian Tire, Eatons, Sears, Simpson's and Woolco are still charging 28.8 per cent on outstanding balances.

• (1415)

I ask those companies the following questions. Are they saying "the Parliament of Canada be damned"? What do we need? What are they waiting for? Do we have to take a legislative club and beat them over their corporate heads?

Some Hon. Members: Hear, hear!

* * *

THE HONOURABLE STANLEY KNOWLES

CELEBRATION OF SEVENTY-NINTH BIRTHDAY

Hon. Edward Broadbent (Oshawa): Mr. Speaker, it gives me great pleasure to rise this afternoon to mark an important occasion. Today, a very special former parliamentarian is celebrating his seventy-ninth birthday. I refer of course to the Hon. Stanley Knowles.

Some Hon. Members: Hear, hear!

[*Translation*]

Mr. Broadbent: Mr. Speaker, Stanley Knowles likes to tell the story of how goat's milk saved his life when he was a child. He grew up to be a man whose kindness and strength of character are legendary, and we hope to celebrate many more anniversaries with him.

[*English*]

When Stanley was 21 years old, his father wrote to him and said the following in his letter:

I note how your soul is burning with the vision and zeal of youth to carry the message of good news to the peoples of the earth that will make this earth more heavenly and certainly a better place to live in.

Well, Stanley followed that up.

[*Translation*]

The wisdom that comes with age has in no way diminished Stanley's vision of a fairer and more compassionate world. He has worked very hard to realize this vision for Canadian men and women. Ever since he was elected Member for the riding of Winnipeg North Centre in 1942, he has led the fight to improve living conditions for the poor and the needy. And he keeps reminding us that the fight is not over yet.

[*English*]

Over 60 years ago when Stanley first visited Ottawa in 1924, the Peace Tower had not yet been completed. Today, the image of Stanley personifies Parliament as indelibly as the Peace Tower for Canadians from coast to coast.

I should like to ask all Members of the House to join with me in wishing Stanley a most happy birthday.

Some Hon. Members: Hear, hear!

* * *

PRIVILEGE

TAX REFORM CONSULTANTS' ACCESS TO INFORMATION

Mr. Speaker: I am now prepared to rule on the question of privilege raised yesterday by the Right Hon. Leader of the Opposition (Mr. Turner) concerning the principle of secrecy as it relates to fiscal matters. Yesterday I allowed extensive argument on this matter because I recognized that it was one of overriding importance. Because it affects a major fiscal issue which is to be brought before the House later today, I have decided that I should not delay my ruling.

The question of privilege of the Right Hon. Leader of the Opposition was based to some extent on a report in yesterday's *Globe and Mail*. The right hon. gentleman supplied the Chair with a copy of that report, and I have read it very carefully. There is no doubt that the report gives the impression that the 20 experts engaged by the Hon. Minister of Finance (Mr. Wilson) to study the final text of his White Paper are a privileged group who will be able to provide advice to their clients with the benefit of advantages that others working in their field will not have.

The facts, as I understand them, and which are not disputed, are as follows. Twenty experts have been engaged by the Hon. Minister of Finance to give technical advice on the White Paper which is to be presented to this House tonight. They have been involved in the process for a matter of months but have been given a preview of the final text, or parts of the final text, of the White Paper prior to its tabling in the House this evening. These 20 people have all been sworn to secrecy and have taken the same oath as that administered to members of the Public Service.

The complaint of the Right Hon. Leader of the Opposition, which was supported by a number of Hon. Members who participated in the discussion, is that these 20 individuals have been given a special privilege of which they could take advantage. I emphasize the word "could", the conditional tense, because it was not suggested by any Hon. Member that any of these people had in fact breached their oaths of secrecy or were likely to do so. The integrity of these individuals is not in question, and Hon. Members will remember that I intervened several times during the discussion to establish this point. I want it to be clearly understood.

• (1420)

The question of privilege is based exclusively on the suggestion that the privileges of Hon. Members of this House have been breached because 20 individuals have been given access to the final text of the White Paper before it has been made available to Members of the House. The Hon. Minister of Finance made the point that the White Paper was not a budget, that it is nothing more than a proposal and that it does not even represent budgetary policy. While I appreciate the distinction, I feel that the White Paper nevertheless has very important budgetary implications.

The Hon. Minister of Finance also made the point that there was nothing new in the Government hiring experts to advise it on budgetary matters. The Right Hon. Leader of the Opposition and those who supported him saw a distinction between the hiring of experts during the formulation process and giving those same experts access to a final document before its presentation to the House.

I have examined the precedents available and have come to the following conclusions. Budgetary secrecy is a matter of parliamentary convention. Its purpose is to prevent anybody from gaining a private advantage by reason of obtaining advance budgetary information. The Right Hon. Leader of the Opposition referred to two British cases which involved the resignations of Ministers, in one case a Chancellor of the Exchequer because of a budget leak. However, the issues were never raised as matters of parliamentary privilege.

In this House, issues of this nature have in the past been raised as questions of privilege. The Hon. Parliamentary Secretary to the President of the Privy Council (Mr. Lewis) referred to two such cases. In a ruling relating to one of them given on April 17, 1978, Mr. Speaker Jerome expressed serious doubts as to whether the convention of budgetary secrecy fell within the area of privilege at all. I must inform the House that in these circumstances I have arrived at the same conclusion.

I do not believe that this issue was one of privilege because Hon. Members of this House, and this is very important when one considers what is privilege, have not in any way been obstructed in the fulfilment of their duties by the fact that these 20 experts were given a preview of the White Paper. I must emphasize, however, that I am not ruling on the issue of propriety. The limits of parliamentary privilege are very narrow and it is not a responsibility of the Chair to rule as to whether or not a parliamentary convention is justified or whether or not the matter complained of is a breach of that convention. That is a matter of political debate and not one in which the Chair would wish to become involved.

I draw to Hon. Members notice of the fact that during argument yesterday, Hon. Members rose to say that they were not rising against the principle of a Government consulting with people in the private sector. I must therefore rule that on the evidence presented to me, I cannot accord this matter precedence over all other business. I stress, however, that I am ruling on this matter only as it relates to parliamentary privilege.

I would also emphasize that nothing which has been said in this House implies any reflection on the integrity of the 20 individuals to whom reference has been made. In that regard, I am indebted to the Right Hon. Leader of the Opposition who made that point abundantly clear toward the end of argument

yesterday and was supported by other Hon. Members, keeping in mind my admonition that I have I asked Hon. Members to remember that we must always guard the reputations of those outside this Chamber and respect their integrity and innocence in these matters.

I thank Hon. Members for their interventions yesterday, interventions which were lengthy but which I believe were important.

• (1425)

ORAL QUESTION PERIOD

[*English*]

TAX REFORM

TAX SPECIALISTS' ACCESS TO ADVANCE INFORMATION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, we of course accept your ruling on the question of privilege on the basis of our knowledge and your knowledge of the facts as they are now available to us. We note that you left the question of propriety open, so my question is directed to the Prime Minister.

As a result of a letter written today by the Minister of Finance to my colleague, the Hon. Member for Laval-des-Rapides, who is currently quarantined, we know 31 specially privileged lawyers and accountants were given advance information on tax policy. I suggest in the strongest terms that was wrong, unfair, and unethical. It is as simple and clear as that. What is not clear is whether the Government knows the difference between right and wrong and, if it does, whether it really cares.

Did the Prime Minister know that 31 leading specialists in tax law and accounting were to be given privileged access to the White Paper in advance of Members of Parliament and other Canadians, and did he personally approve?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my right hon. friend of course knows it is not wrong, not unfair, and the conduct was not unethical. Surely he just heard the Speaker purport to speak in the name of the Right Hon. Leader of the Opposition where, as I understand it, he, the Right Hon. Member, did not suggest there was anything improper or unethical regarding the conduct of those people who participated. The question then becomes is this kind of consultation conventional? I think it is.

The tradition for some considerable period of time has been that, given the progressive complexity of tax legislation on the social policy, labour and legal sides, Ministers of Finance reach out to various experts from all walks of life to seek guidance and counsel in the application of tax policy. That is what was done by the Minister of Finance and the Government, and I think it is entirely proper and helpful.

Mr. Turner (Vancouver Quadra): Mr. Speaker, the Prime Minister does not understand or is not willing to understand. The Speaker left open the question of propriety. He left it open to debate and to the judgment of the Canadian people. His Honour dispensed with the question of privilege but left open the question of propriety.

Mr. Shields: He said it was political debate, John.

Mr. Turner (Vancouver Quadra): We are not questioning the ethics of those who accepted the invitation from the Minister of Finance. We are questioning the ethics of the Minister in giving an unfair advantage to experts at the expense of the Canadian people.

[*Translation*]

Mr. Speaker, how unfortunate that the Prime Minister should be unable to understand this question.

INQUIRY WHY 31 PRIVILEGED PERSONS WERE ENABLED TO EXAMINE DETAILS IN ADVANCE

Right Hon. John N. Turner (Leader of the Opposition): The question is this: Why did the Prime Minister allow these 31 privileged persons to gain advance knowledge of some of the details of the tax reform, ahead of Hon. Members and ahead of other Canadians? Can the Prime Minister tell us why he did not chastise the Minister of Finance for inviting these experts and giving them preferential treatment, thus completely ignoring all other Canadians?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the Leader of the Opposition knows full well that nobody was given preferential treatment, that it was a perfectly normal practice, followed by other Ministers of Finance, to consult experts in this field in an attempt to come up with a tax policy which is consistent with the interests of all Canadians. This process dates back to a few years. The Leader of the Opposition is asking me why the Prime Minister allowed . . . Yes, but as far as I know many Prime Ministers before me not only allowed but even urged their Ministers of Finance to consult even more, and I would suggest that is precisely what the Minister of Finance did under perfectly normal circumstances.

NATURE OF OBJECTION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, we did not say the Minister of Finance had no right to consult experts. No. We do object to the fact that the Minister gave these experts an advantage after making his final decision. That is the difference which the Prime Minister fails to understand.

• (1430)

[*English*]

The books were closed and these gentlemen had a cosy advantage over the rest of the country.

Some Hon. Members: Shame, shame!

Mr. Turner (Vancouver Quadra): The Government sinks into more disrepute with every answer.

Mr. Crosbie: Question.

Mr. Turner (Vancouver Quadra): A small dose of frankness would do wonders.

Some Hon. Members: Question.

Mr. Turner (Vancouver Quadra): Mr. Speaker, does the Prime Minister not recognize that his Minister of Finance has breached a centuries-old tradition of tax secrecy which ensures that all the citizens of the realm are treated equally? If he does, why is his Minister of Finance still the Minister of Finance today?

Some Hon. Members: Hear, hear!

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my right hon. friend says that he is not questioning the integrity of the outside advisers and then proceeds to do precisely that.

Some Hon. Members: Oh, oh!

Mr. Mulroney: He proceeds to imply very categorically that they had a "cosy advantage" which they were going to abuse notwithstanding their oath of secrecy and position of trust which this Government and other Governments have used with regard to—

Mr. Turner (Vancouver Quadra): Give me a precedent for this particular situation.

Mr. Mulroney: I will give a precedent on giving out tax information. When Marc Lalonde was Minister of Finance the Budget was put out to all Canadian people. When they were caught they changed it, which cost Canadians $200 million. That is a fundamental violation.

Some Hon. Members: Hear, hear!

CHOICE OF MEMBERS OF SPECIALISTS GROUP

Mr. John Nunziata (York South—Weston): Mr. Speaker, my question is directed to the Prime Minister and is on the same subject. The Prime Minister says that the chosen few, the group of 31, were not given an unfair advantage. Canadians do not believe that and the facts suggest otherwise.

Some Hon. Members: Hear, hear!

Mr. Crosbie: Question.

Mr. Nunziata: How were the chosen few in fact chosen? How was this elite group of 31 put together? Can he explain why, for example, the major firms of Laventhol & Horwath, Peat Marwick, and Samson Belair were not invited to participate in this elite group? Can he explain how the others were chosen?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I can only tell my hon. friend that which has been conveyed publicly, that is, that the officials of the Department of Finance who have dealt with tax matters over the years under successive Governments have consulted with people from the private sector. I was not aware of who was being consulted. If some people have been left off the list, I am sure we would be happy to correct it.

Ms. Copps: I bet you would.

Mr. Nunziata: Mr. Speaker, perhaps when the Prime Minister is correcting the list he might want to invite the Consumers' Association of Canada, the Canadian Labour Congress, the poverty organizations, and all the other major groups in the country who have an interest in the White Paper.

CRITERIA USED IN SELECTING GROUP MEMBERS

Mr. John Nunziata (York South—Weston): Mr. Speaker, is it mere coincidence or pure happenstance that the firms of Ernst & Whinney and Thorne Riddell contributed over $164,000 to the Conservative Party between 1984 and 1985? Was it mere coincidence that they contributed this amount of money and were subsequently invited to select two people to participate in this elite group?

Mr. Penner: Now we know.

Mr. Speaker: Order, please. Hon. Members will of course understand that that question does not go to the administration of the Government or any particular Department thereof. It is, of course, in the hands of Ministers whether they wish to answer the question.

Mr. Nunziata: Perhaps I can rephrase the question, Mr. Speaker.

Some Hon. Members: Sit down.

Mr. Gauthier: How were they chosen?

Mr. Speaker: The Hon. Member has indicated that he is prepared to accept my admonishment and rephrase the question.

Mr. Nunziata: Mr. Speaker, we in the Opposition and indeed all Canadians would like to know how this list was put together. I will direct the question to the Minister of Finance.

What criteria were used to choose the major firms invited to participate in this elite group? Can he explain why certain major accounting firms and certain major law firms were not invited to participate? Would he not agree that those invited to participate would have an unfair advantage in the situation?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I made it very clear why these people were invited to participate. They were invited by the officials of the Department of Finance on the basis of their professional qualifications. These people are seen by the tax community as the best tax experts in the country. If the Hon. Member wants to ask around about the qualifications of these people in their community, I think he would find that that is exactly the basis on which they are regarded by their peers.

Ms. Copps: What about Peat Marwick?

CHANGE MADE TO BUDGET BY FORMER MINISTER OF FINANCE

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Prime Minister. I preface it with the observation that the Speaker has said that he ruled the question of privilege out of order because privilege is defined in very narrow and strict terms. However, he went on to say that the White Paper "has very important budgetary implications".

With regard to the Prime Minister's answer about Marc Lalonde, I suggest that the conclusion is the opposite to the one he reached. Is it not the case that Marc Lalonde changed the Budget precisely because it was discovered that he had done something wrong?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my recollection is that British parliamentary practice calls for the Minister's resignation when information with regard to a Budget is made public. As I understand it, with regard to the case of Mr. Lalonde that information was made public. The Minister did not resign, in violation of British parliamentary practice. He changed the Budget and then came back into the House and said he did not have to resign because the information was different from that in the document which had been filmed.

I think my hon. friend would agree that that is a complete violation of British parliamentary practice while the present Minister of Finance is in total conformity with British parliamentary practice.

• (1440)

MINISTER'S ACTIONS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I say with respect that I think the Prime Minister has drawn the wrong conclusion again. As I understand the case, the Hon. Marc Lalonde would have had to do one of two things—either change the budget document in respect of the information that was revealed to the public, or resign. He changed the document. In this case a Minister gave privileged access to budgetary information—

An Hon. Member: It is not budgetary.

Mr. Broadbent: —information that has direct budgetary implications, as the Speaker has said. The Minister in question neither changed the document afterwards nor submitted his resignation. When will he do the right thing?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend says that Mr. Lalonde had to do one of two things. That is where we part company. Mr. Lalonde should have done one thing, that is, resign. He made that Budget public and the photographic evidence was obtained. There is a fundamental difference. He did not have two options. Pursuant to parliamentary practice that is cited so well by a former Minister of Finance, who is presently the Leader of the Opposition, there was one inevitable conclusion which Mr. Lalonde ought to have made. He chose not to, and changed the practice, and changed his Budget.

Ms. Copps: You are doing neither.

Mr. Mulroney: The White Paper is not a Budget. It is something entirely different from a Budget, as White Papers have traditionally been since this country was founded. My hon. friend knows that.

PRIME MINISTER'S POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, those were not my words, they were the words of the Speaker who said that this White Paper is not merely a discussion document of some kind. He said it "has very important budgetary implications".

Perhaps a difference between the Marc Lalonde situation and the present one is that at least all the people in Canada had access to the particular point that Mr. Lalonde incorrectly revealed, whereas this Minister just gave it to a handful of people.

Miss MacDonald: They are under oath.

Mr. Broadbent: Would the Prime Minister not agree that there is an important distinction to be made between consulting people before preparing a document, whether it is a White Paper or a Budget, and giving them the information after the document has been prepared, which is this case? If he agrees that they should not have privileged access, why were the documents not taken back and held for at least 24 hours to make complete changes, or why did the Minister not do the correct thing, which is indeed to resign under the circumstances?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I think my hon. friend will agree that he has asked a number of questions. Let us deal with the fundamental issue.

A White Paper is not something that is truly exceptional. We are considering one tonight and there was one some two weeks ago on the question of national defence. It is the same kind of instrument that is used in a parliamentary democracy for a Government to put forward plans and invite debate and consideration of a great national issue. It sets forth the general thrust of government thinking, but it is not a Budget in the

sense that it does not, *per se*, take effect the very same day pursuant to a Ways and Means Motion.

I think my hon. friend would agree that there is a world of difference between the White Paper on national defence or a White Paper on tax reform, and a formal Budget which has its own conventions and has acquired its own traditions and requirements over the decades and centuries.

I am asked for a view in regard to what took place with Mr. Lalonde who was presenting a Budget. There was clearly no option. That required the Minister's resignation because that was an impropriety of the highest parliamentary order.

What has taken place here is consultation pursuant to the publication of a White Paper, as happened with the White Paper on defence two weeks ago. Surely my hon. friend would agree that there was nothing improper two weeks ago, and there is really nothing improper today.

CONSULTANTS' ADVANCE ACCESS TO DOCUMENTS

Hon. Bob Kaplan (York Centre): Mr. Speaker, my question is directed to the Prime Minister. I do not see how the Government can get away from the characterization of this White Paper as a document in the nature of a Budget. That is clear from answers given by the Prime Minister today and from answers that the Minister of Finance gave yesterday.

Consultation is fine until the preparation of the final document. However, what precedent is there for giving privileged access of final documents to members of the public before the document is revealed here to Members of Parliament?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, this particular question has been answered. It was referred to in the Speaker's ruling. These people have taken an oath under the Official Secrets Act in the course of their work advising on the preparation of the White Paper. That is the substance of the position they have taken.

Mr. Kaplan: Parliamentary tradition is clear that members of the public not be given that type of access whether or not they take oaths.

Some Hon. Members: Oh, oh!

GOVERNMENT POSITION

Hon. Bob Kaplan (York Centre): Mr. Speaker, if the Minister of Finance and the Prime Minister claim to rest on long established precedent, what precedent is there for giving members of the public under any circumstances—oath or no oath—privileged access to the contents of the document before the revelation of a Budget here?

An Hon. Member: It is not a Budget.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the former Prime Minister and former Ministers of the Crown would know that in any Government there are dozens of consultations going on that involve highly sensitive information about which Canadians are invited to assist the Government, pursuant to the Official Secrets Act. There is nothing new in this.

It took place most recently in regard to the White Paper on national defence which was designed to put forward a position paper that Canadians could then debate more fully in public. There were intimate consultations involved in that before.

There is nothing new in this, and the Minister's conduct in this regard has been consistent with tradition and perfectly proper, as one would expect from this Minister of Finance.

QUERY CONCERNING PRECEDENTS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question is also directed to the Prime Minister. I think we all agree that proper consultation on matters such as tax reform is very appropriate. However, I want to indicate to the Prime Minister that this is a White Paper which is government policy by definition, and our information is that it will be accompanied by the tabling of a Ways and Means Motion. It goes far beyond a simple statement of intent by the Government.

The Prime Minister indicated in his response to my Leader that there were all sorts of precedents regarding this matter, where public individuals had access to the final document, whether it was a Budget or a White Paper on taxation to which people from the private sector, not on the payroll of the Department of Finance, had access the day before its tabling in the House of Commons. To what precedent was he referring?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think the Hon. Member must realize that there is a wide range of precedents of people being involved in the process leading up to a White Paper. I think this has been the case with previous Governments and certainly has been the case with this Government. That is the basis on which these people have been invited, as part of an ongoing process of advice which started last November and will continue until the completion of the process.

ACCESS TO WHITE PAPER CONTENTS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my supplementary question is directed to the Prime Minister because it was the Prime Minister who indicated that there were many precedents for this particular action by the Government.

We have no quarrel with advice being received leading up to the drafting of a White Paper. The point concerns private sector individuals having access to the White Paper in its final form. The Minister of Finance said no changes would be made.

The Prime Minister indicated that there were many precedents of people seeing the final draft. Will he name one

precedent in Canadian history where individuals in the private sector had access to this kind of draft?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, this is precisely the question that was dealt with by the Chair.

Mr. Broadbent: No, it isn't.

Mr. Mulroney: Indeed, it was. In his response the Speaker said that, in regard to the question of propriety, it is a matter of political debate.

Mr. Broadbent: That is what it is.

Mr. Mulroney: As a matter of political debate you can have your opinion and I can have mine, and I disagree with you.

Mr. Broadbent: What an answer.

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CANADA POST CORPORATION

LETTER CARRIERS' STRIKE

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, my question is directed to the Prime Minister. The Government has consistently denied the role that it has played in bringing about the postal strike. However, a certain Harold Dunstan, General Manager of Labour Relations for Canada Post, sees it differently. He said this morning, and I quote:

> The agency is still looking for the flexibility it needs to implement a sweeping restraint program ordered by the Conservative Government.

He also said he is getting fed up with the unions' refusal to accept at least some of the concessions the agency needs to wipe out Post Office deficits by next March as the Government wants.

• (1450)

Will the Prime Minister recognize now that his Government has in fact caused the strike? And will he do the proper thing, which is to remove the handcuffs and shackles the Government has imposed on Canada Post and allow it to make reasonable offers which would bring the strike and the violence to an end? This is what we want to know.

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, when the Crown corporation was created in 1981, it stated right in the Bill the object was for it to operate on a fiscally break-even basis. The then Government set that for 1982-83. It was extended to 1984-85. Our Government extended it to 1985-86 and then there was an extension to 1987-88. The fact is there have been a lot of extensions to that corporate plan, but more fundamental is the question of whether these negotiations, as they are going on, are restrained by the fiscal or corporate plan or whether in fact it is a matter of the usual kinds of conflicts one sees in many collective bargaining situations in the search for power between the union and management. We have here, in my view, that normal situation.

The corporation made an offer at ten o'clock this morning, or at noon. There has been an indication by the union that it will make a counter offer this evening. The process is proceeding as envisaged by the collective bargaining process. I think that we should let that proceed and ought not to interfere in those talks by continually raising these issues on the floor of the House of Commons.

[*Translation*]

SERIOUSNESS OF SITUATION—GOVERNMENT POSITION

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, the Minister says the situation is normal, while television has shown us some incredibly violent scenes where people got hurt. I suppose someone will have to die before the Government decides to intervene.

Is the Government going to wait until the social climate further deteriorates in this country before it takes the only reasonable action it should take, which is to take away the constraints it has imposed on Canada Post—constraints the Corporation admits do exist—and let the Corporation make reasonable offers and thus put an end to a dispute that is getting dangerous, that may lead more violence and even totally paralyse our postal services?

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I agree with the Hon. Member. There is no place for violence. I have asked Canada Post and, indeed, before I made the request, it had already instructed its managers across the country to avoid situations which have the potential for violence. I hope Mr. McGarry, if he has not yet, will ask his members to avoid violence and I hope we in this Chamber will all counsel that violence be avoided. It is unnecessary.

As I just indicated, negotiations are going on as envisaged by normal collective bargaining. An offer has been made and there is an indication that a counter offer will be made. The Hon. Member is not serving the process well, or the country, by implying that in fact all the blame is on one side and there are distortions in the process.

Mr. Gauthier: It's on your side.

Mr. Guilbault (Saint-Jacques): It's the government strike breakers.

Mr. Andre: The Hon. Member may consider that to his partisan advantage but—

Mr. Speaker: Order.

AGRICULTURE

SPECIAL CANADIAN GRAINS PROGRAM—REQUEST FOR INCLUSION OF HAY PRODUCERS

Mr. Gordon Taylor (Bow River): Mr. Speaker, compared to most of the questions from the Opposition this afternoon, my question—

Some Hon. Members: Order.

An Hon. Member: Sit down.

Mr. Taylor: —my question to the Minister of Agriculture.

Some Hon. Members: Order.

Mr. Turner (Vancouver Quadra): Next?

Mr. Speaker: The Members cannot compare the Hon. Member's question with other questions until we have at least heard it. Would the Hon. Member put his question?

Mr. Taylor: In view of the fact that subsidies paid for the production of barley and greenfeed enable the producers to sell these products to the feeders at a price which undercuts the price of hay, and since the subsidies paid to U.S. farmers for the exportation of compressed hay to Japan stops Canadian hay producers from selling to that market, will the Minister qualify Canadian hay producers for assistance under the Special Canadian Grains Program?

Hon. John Wise (Minister of Agriculture): Mr. Speaker, I appreciate the question and I appreciate the Hon. Member's continuing interest in the problems of Canadian agriculture. However, the Hon. Member will know that the rules, guidelines and criteria were established by ourselves in close co-operation and concert with 35 or 40 farm leaders across the country.

The Hon. Member will know as well that to be eligible for the Special Canadian Grains Program market prices must have been directly and detrimentally affected by the U.S. Farm Bill and the Export Enhancement Program. It was the decision of the farm leaders that, of course, hay would not meet the criteria. The Hon. Member will know as well that we established advisory groups in both eastern and western Canada.

Some Hon. Members: Order.

Mr. Wise: They have considered and, indeed, reconsidered, and have decided that it would not meet the guidelines.

CANADA POST CORPORATION

SECURITY OF MAIL

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, my question is directed to the Minister responsible for the Post Office. He assured me yesterday that security of the mail would be taken care of and that replacement workers would have to meet the same kinds of standards as regular post people. We find now that in fact a member of the CBC was able to get a job as an alternative worker with just a telephone number and an insurance number, whereas the regular workers have to be bondable, finger printed, and checked out before they actually touch the mail.

Will the Minister now admit that he is playing fast and loose with the security of the mail and is giving out keys to people who have not been properly checked?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, as I indicated yesterday, I checked with Canada Post Corporation and was informed this is standard practice and that permanent employees, when they are hired, start on salary and the security check by the RCMP, in terms of criminal record, is subsequently undertaken as quickly as possible. If it is found they are unsuitable for employment in the Post Office, they are dismissed. That is the same procedure that applies in this case.

Mr. Manly: Just like Roch LaSalle's office.

Mr. Andre: Obviously, in this circumstance, where we are talking about a lot of people in short order, there is not a guarantee that 100 per cent were done within first half hour they started work. Every precaution has been taken and anyone who steals from the mail will be committing a criminal offence and will be taken care of.

TRAINING OF PERSONNEL AND SECURITY CHECKS

Mr. Cyril Keeper (Winnipeg North Centre): Obviously the Minister and the Post Office should not be hiring these replacement workers anyway because of the provocation that presents. But I must point out to the Minister that when a regular post person is hired, they are trained for a couple of weeks—

Some Hon. Members: order.

Mr. Speaker: The Chair always tries to accommodate Members with preambles but I think the Hon. Member has laid the foundation for the question and I would ask that the question be put.

Mr. Keeper: Is the Minister not aware that a regular post person when hired has a training period during which the security check can take place before the person actually goes out and delivers the mail, not the way it is happening now with these casual employees where someone can just walk in off the street, is given the mail, and there is no basic security for the mail?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, responding to the preamble of the Hon. Member, he is quoted in a Canadian Press article that he hesitated when asked if an NDP Government would move to ban the use of non-union labour during a legal strike. He said: "Frankly, I really don't know. It's difficult for me to know what we would do if we were in office".

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

Mr. Keeper: Answer the question.

Mr. Speaker: In view of the fact the Chair had to make a ruling at the beginning of Question Period, I would ask the co-operation of all Hon. Members to continue for another five minutes. I say this, realizing that some Members and perhaps some Ministers may have to leave. I would ask for as much co-operation as we can get.

* * *

• (1500)

TAX REFORM

WHITE PAPER—COMPOSITION OF CONSULTANTS GROUPS

Hon. Herb Gray (Windsor West): Mr. Speaker, I want to return to the matter of the privileged access of the 31 big-name accountants and lawyers to the White Paper on taxation.

The Minister of Finance said earlier in Question Period that the people on that committee were the best qualified to serve. Will he tell us and the country what is wrong with the qualifications of firms such as Laventhol & Horwath, Peat Marwick and Samson Belair? Why are they less qualified? What is wrong with them?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, Mr. Guy Lord of Samson Belair is a member of this group.

Some Hon. Members: Hear, hear!

Mr. Wilson (Etobicoke Centre): Mr. Norman Guerin, also of Samson Belair, is a member of this group.

I would like to qualify what I have said, if I might. I do not want to say that these are the only good lawyers and accountants in the country. They are among the best. They are understood to be among the best. There is some rotation among members of the group depending on their specific technical qualifications. That has resulted in some firms not being represented because, maybe, their top person is not particularly qualified for a particular function for which he is required. But these are clearly among the best in the country.

ACCESS TO CONTENTS

Hon. Herb Gray (Windsor West): Mr. Speaker, both the Minister of Finance and the Prime Minister said that the consultation involving this group of 31 was just part of the normal process of consultation that goes on all the time with White Papers and other similar documents. I wish to ask the Minister this.

Were there representatives of workers, low-income Canadians, senior citizens, farmers and fishermen sworn and shown the White Paper in the Department of Finance yesterday in exactly the same way as this group of 31 was shown it? If that is not the case, if they were not given exactly the same access yesterday, then is this a form of privileged access on the part of this group of 31?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I have had full consultations with representatives of social groups, labour groups, business umbrella groups, sectoral groups, the provinces, and farm associations. This is probably the widest range of consultations that we have had with respect to any document in the Department of Finance.

Some Hon. Members: Hear, hear!

Mr. Wilson (Etobicoke Centre): I can assure the Hon. Member that the views of these groups have been very carefully taken into account in the production of this White Paper.

* * *

[*Translation*]

CANADIAN SECURITY INTELLIGENCE SERVICE

REQUEST FOR EXPLANATION CONCERNING CONFEDERATION OF NATIONAL TRADE UNIONS COUNSELLOR

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, my question is directed to the Prime Minister.

Two weeks ago, a union advisor with the CNTU in Quebec, Mr. Marc Boivin, was arrested by the Quebec Provincial Police.

Could the Prime Minister confirm to the House that Mr. Boivin was an informer or a secret agent for the Canadian Security Intelligence Service since 1984, and if so, how can the Prime Minister justify this shocking infiltration of a democratic organization in Quebec, the CNTU, considering that this action was criticized yesterday by Mrs. Paule Gauthier, a member of the committee monitoring the CSIS?

[*English*]

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, in response to the Hon. Member, obviously criminal charges have been laid with respect to this matter. I think it would be improper for any comment to take place at this time. I certainly recommend to

the Hon. Member that he be very, very careful in making allegations on the floor of the House of Commons, under its protection, with respect to a matter that is before the courts.

Mr. Robinson: Mr. Speaker, curiously, no charges have been laid against Mr. Boivin arising out of this incident.

POLICY OF CANADIAN SECURITY INTELLIGENCE SERVICE

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, in view of the fact that CSIS can plant informers in any democratic organization in Canada without even obtaining a judicial warrant, and given the history of abuses by the security service in the past in failing to distinguish between subversion and dissent, I wish to ask the Prime Minister this. Will he not instruct the Security Intelligence Review Committee to review urgently CSIS policy with respect to planting informers? Meanwhile, will he tell CSIS to stop spying on the labour movement in Canada?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, as you know, it is not our practice, my practice or the practice of the Solicitor General to comment with respect to any particular set of circumstances under investigation which is before the courts.

I would only say to the Hon. Member that in general terms CSIS operates under legislative mandate approved by Parliament. There is a very exhaustive set of scrutiny processes involved in that legislation which involves the observation of its activities to ensure that it does in fact operate within the law. In this particular case I think that the Hon. Member would agree that there is a very, very good set of safeguards available to ensure that Canadian interests are protected.

Mr. Speaker: I would advise Hon. Members that there will be one question only from the Hon. Member for Montreal—Sainte-Marie and also one from question from the Hon. Member for Drummond. The Hon. Member for Montreal—Sainte-Marie.

* * *

[*Translation*]

ENERGY

EXPORTATION OF ELECTRICITY BY QUEBEC—GOVERNMENT POSITION

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, my question is directed to the Minister of Energy, Mines and Resources. Today we heard that unfortunately the National Energy Board turned down an application by Hydro-Québec to export electric power to New England. Because of the time, I have only one question, Mr. Speaker, so I would like to ask the Minister of Energy, Mines and Resources whether he intends to ask the National Energy Board to review its decision, to support the application by Hydro-Québec and accelerate the process. I would like to know what explanation the Minister has for the decision to turn down the application, supposedly because there was no evidence the power was surplus to the needs of the other provinces, who, in fact, are themselves exporting power to the United States.

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, it is up to Hydro-Québec to lodge a complaint.

* * *

TAX REFORM

EFFECTS

Mr. Jean-Guy Guilbault (Drummond): Mr. Speaker, my question is directed to the Minister of Finance and has to do with the White Paper on tax reform which he will make public this evening. Can the Minister assure the House and the Canadian people that tax revenues after this reform will not exceed current taxes, that it is not a trick which will yield more revenues for the public treasury to reduce the deficit, something which would put a heavier tax burden on small wage earners?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I can comment on that in a general way and repeat for the benefit of the Hon. Member one of the key objectives that we established for ourselves last October in tax reform, that is to say, that it would not be a revenue grab. We would take the same amount of revenue as a percentage of the total size of our economy after tax reform as before.

I have also indicated that I think that it is important that corporations as a whole pay a greater share of our revenues than would individuals. These are two objectives that I think the Hon. Member will see fulfilled later on this evening.

Mr. Speaker: I understand that there may be some representations from the Right Hon. Leader of the Opposition with respect to two of our colleagues who have given some considerable service to this place. The Right Hon. Leader of the Opposition.

Some Hon. Members: Hear, hear!

* * *

MEMBERS OF PARLIAMENT

TWENTY-FIFTH ANNIVERSARY OF ELECTION OF MR. GRAY (WINDSOR WEST) AND MR. ORLIKOW

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, we have occasion again this week as Your Honour has so generously suggested to recognize two Members of the

House for dedicated and long service to the people of Canada and to this Chamber. I rise to pay particular tribute to my seat-mate and friend, the Hon. Member for Windsor West (Mr. Gray), and the opposition House Leader for celebrating today the twenty-fifth anniversary of his first election to the House of Commons.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): Mr. Speaker, I use the same privilege you have accorded to me to extend the same good wishes and admiration to the Hon. Member for Winnipeg North (Mr. Orlikow) who has served this House with distinction in a very historic seat in a great tradition from that city, in the House of Commons.

Some Hon. Members: Hear, hear!

• (1510)

Mr. Turner (Vancouver Quadra)): Mr. Speaker, we are in a happy mood, and you ought to take advantage of it. I hope the Clerk of the House will transmit to Stanley Knowles our best wishes, from this quarter of the House, on his seventy-ninth birthday.

I want to say to the Minister of Veterans Affairs (Mr. Hees), whose seventy-seventh birthday it was yesterday, that he is looking better than ever; that he is sounding better than ever.

Some Hon. Members: Hear, hear!

Mr. Beatty: It is his first seventy-seventh, too!

Mr. Turner (Vancouver Quadra): As a matter of fact, the Minister of Veterans Affairs has a younger approach to life than does the current Minister of National Defence (Mr. Beatty).

An Hon. Member: He is not nearly as stuffy.

Mr. Turner (Vancouver Quadra): I am sure the House will allow me a personal remark or two in tribute to my friend from Windsor West (Mr. Gray). He has served this House and Canada as Minister of National Revenue, Minister of Consumer and Corporate Affairs, Minister of Industry, Trade and Commerce, Minister of Regional Industrial Expansion, and President of the Treasury Board. In all of those capacities, and in his capacity as a Member of Parliament, he has fought assiduously for his constituents in Windsor West and for the rights of individual Canadians.

The cause that the Hon. Member is most noted for is his passionate dedication to a strong independent Canada. I reckon that no one in the House can question his unequalled record as a defender of the independent sovereignty of this country over the period of his public life.

I shall have the honour tomorrow evening to attend a dinner in tribute to the Hon. Member for Windsor West, attended by a few hundred, or perhaps a thousand, of his closest and intimate friends, and I am privileged to count myself among those.

While there may be some disagreement around the House about this, the House Leader and I think we make a great team: he does all of the work and I get all of the publicity. Recent events have prompted me to say, why don't we exchange roles?

Let me be personal for a moment.

[*Translation*]

—I had the honour to introduce the Hon. Member, when he was first elected to the House, to his wife Sharon, and we are very glad and privileged to have the Grays among our best friends.

[*English*]

He has served in this House under six Prime Ministers, seven Opposition Leaders, nine Speakers and, because of the nature of things, countless Ministers of Finance.

Some Hon. Members: Oh, oh!

Mr. Turner (Vancouver Quadra): I point that out, Mr. Speaker, only to reveal the depth of understanding and appreciation that the Hon. Member has for this institution and the love he has for Parliament.

We in this House, and indeed the people of Canada, owe him a great debt for his unstinting service to the traditions, to the honour, to the privileges of this House, and particularly to the people of Windsor, whom he has served now for 25 years. Lest there be any doubt about his current intentions, he told me privately, before I rose in my place today, that he has every intention of serving another 25 years.

Some Hon. Members: Hear, hear!

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I welcome this opportunity to join with the Leader of the Opposition in paying tribute to two quite distinguished colleagues, the New Democratic Party Member for Winnipeg North (Mr. Orlikow) and the Liberal Member for Windsor West (Mr. Gray), both of whom have served their constituents and this country for a quarter of a century.

A few words first about my colleague. Many Members here will know that the Member for Winnipeg North has worked hard as a Member of Parliament. I have had the pleasure to serve with him for some 19 of his 25 years here. But, what many Members will not know is that the Hon. Member for Winnipeg North was in municipal politics, in a variety of capacities, for some 14 years before becoming a Member of Parliament.

So, Mr. Speaker, we have here a man who has truly served the community in which he grew up with incredibly fine and durable distinction.

Some Hon. Members: Hear, hear!

Mr. Broadbent: I wish to make two particular points about the Member for Winnipeg North. First, he is one who knows what some of us don't learn—and I think perhaps it may be why some are eventually defeated as Members of this House—that we must always remember those who vote for us. The men and women in his particular constituency are the people who elected him here, and their concerns are front and centre when it comes to his participation in this place.

One does not normally talk about what goes on in caucus, but I can tell Hon. Members that when there are matters that may affect the City of Winnipeg, those matters are brought to the attention of our caucus and this House by the Hon. Member for Winnipeg North. He remembers those who vote for him.

I should like to pay particular tribute to David Orlikow, if I may so refer to him in these formal procedures, for his commitment to the principles of social democracy. There have been few men and women in this interesting historical period of our country who have more passionately devoted themselves to that philosophic framework, that commitment to improving the human condition by achieving a better mix of liberty and equality in our country, and beyond. The Hon. Member has reached beyond his commitment to the people of Winnipeg to include Canada, and beyond Canada, the people of the world, in terms of his very serious commitment to the improvement of the global family, if I may put it that way.

I thank him from the bottom of my heart for the work that he has done for the New Democratic Party and for the work that he has done here in the House of Commons on behalf of all of the people of Canada.

Let me turn now to the Member for Windsor West (Mr. Gray). Given that he is a distinguished opponent, I of course cannot say something that is too positive, and particularly since the Leader of the Opposition (Mr. Turner) has just assured us that he plans to be a Member for another 25 years. So, I shall choose my words with care and will perhaps be less fulsome than the circumstances warrant.

In all sincerity, there is no Member who has devoted himself to the cause of an independent Canada, a sovereign Canada, and for a working out of economic and social arrangements that are of a higher and more just order, according to his principles, as the Hon. Member for Windsor West.

Some Hon. Members: Hear, hear!

Mr. Broadbent: He has held many Cabinet portfolios, with a wide variety of obligations, and he has carried out his duties with a great dedication to work.

Both Hon. Members are known readers—and that is a refreshing aspect to their respective natures. Most Canadians, I am sure, would probably appreciate it if more Members of Parliament spent more time reading the type of material that is reflected in what these two Members have to say in the House. That is something that the two have in common.

Let me conclude with a personal wish for the Hon. Member for Windsor West, and that is that he succeed abundantly in all of his personal endeavours.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, on behalf of the Prime Minister and my colleagues on the government side of the House, it truly is a pleasure to join with Members opposite in paying tribute to the Hon. Member for Windsor West (Mr. Gray) and the Hon. Member for Winnipeg North (Mr. Orlikow) on the occasion of the 25th anniversary of their election to this great institution.

Mr. Speaker, the fact that these two men have been returned to this place in each election since 1962 speaks volumes for their integrity and abilities as parliamentarians and the high regard in which they are held by their constituents.

Of course, I want to associate myself with the remarks of the Leader of the New Democratic Party in the tribute that he paid to the Member for Winnipeg North. I can attest to the fact that in the 19 years that I have been a Member of this House, he has always served his constituents well. He has stood for the interests of Winnipeg, for Manitoba. Indeed, he represented himself as an outstanding Canadian and an outstanding fighter for the issues which affect western Canada.

• (1520)

In offering my congratulations, I also want to say that in the 19 years I have been here I can truthfully say that I have never witnessed, on any occasion, either of these gentlemen not acting in the best traditions of this institution. Clearly they are men of integrity, and clearly they act in the best traditions of the House. They are men of integrity and honour who have always placed the nation's welfare and interest high above partisan gain.

To the Hon. Member for Windsor West (Mr. Gray)—and the Right Hon. Leader of the Opposition (Mr. Turner) and the Leader of the New Democratic Party have already referred to his very distinguished career as a parliamentarian—may I say on a personal note and as one who negotiates with him on a week-to-week basis with regard to the legislative program of the House, that he is certainly a man of integrity. He is a man of his word. He is a good and fair negotiator. He has always worked toward facilitating the business of the House in the best parliamentary tradition. I want to thank him and assure him that indeed that kind of co-operation is appreciated by the Government and, I am sure, by all Members of the House.

Parliament and Canada are indeed fortunate to have men of such calibre and dedication. I am sure they will continue to retain the confidence of their constituents and return to this place for many years to come.

In conclusion, I want to join with other Members of the House in congratulating the Hon. Stanley Knowles on the occasion of his seventy-ninth birthday. I do not think we could

itemize all the tremendous contributions which this gentleman has made to Parliament and to Canada. It is always a pleasure to have him in our midst. We always sense that he is a sort of guardian angel that presides over this institution and one who sort of provokes us into doing those things which are clearly right and clearly in the best interest of the parliamentary tradition.

To my great friend and colleague, a truly great Canadian, the Minister of Veterans Affairs (Mr. Hees), who celebrated his seventy-seventh birthday on Wednesday, let me say that I agree with the Right Hon. Leader of the Opposition that he is getting younger and better looking every day. I am sure he will be around for a long time to come.

Some Hon. Members: Hear, hear!

Mr. Speaker: I want to recognize the Hon. Member for Windsor West (Mr. Gray) who must rise on this day each week to ask the usual question of the Deputy Prime Minister (Mr. Mazankowski). I know, after all the marvellous things which have been said about him, that today's exchange will be an absolute model of civility.

Hon. Herb Gray (Windsor West): Mr. Speaker, I hope you will permit me to postpone asking the customary weekly question about the business the Government intends to call, so that I may have a minute or two to respond to the comments of my Leader, the Government House Leader, and the Leader of the New Democratic Party.

First, I want to join with the good wishes extended already to the Hon. Stanley Knowles and to the Minister of Veterans Affairs (Mr. Hees) on the occasion of their birthdays. May they go on for many years to come.

Using the precedent of the Leader of the New Democratic Party, may I say in a personal sense, in respect of the Hon. Member for Winnipeg North (Mr. Orlikow) who entered the House in the same election as myself in 1962, that frankly it does not seem all that long ago that I first arrived here. Perhaps it is because—and I think the Hon. Member for Winnipeg North would agree with me—I have had the marvellous privilege of being able to serve in the House of Commons and the marvellous privilege of being able to serve the people of my community, of the City of Windsor, and the people of Canada as a Member of Parliament and also as a Minister. Very few people have had that kind of opportunity. I am deeply grateful to all those who have helped me achieve what I have been able to achieve, no matter how little it may be.

I express my thanks to my own family. I express my thanks as well to the thousands of people in my own community who have worked with me and have supported me over past years to enable me to have the privilege of serving in the House of Commons as a Member of Parliament and, from time to time, the privilege of working as a Minister.

I think I can say that whatever I have done and whatever I hope to do in the House of Commons, the people of my community share with me in these efforts and, hopefully from time to time, in some achievements. In a sense they are here with me, because I feel very much that I am here working with and for them.

Certainly I have been privileged to be able to work for and speak out on behalf of individual Canadians, ordinary Canadians and their families, as workers, consumers, and small business people. I have been privileged to be able to speak out and work for the preservation of Canada as a strong, sovereign, and independent country.

I am grateful for the words of my Leader in that regard, but I want to say to him that I am not sure I am even ready to consider rushing in to accept the offer he made a few minutes ago. I think I would like to see the present situation continue, hopefully crowned with even greater achievement and success in the next election.

Some Hon. Members: Hear, hear!

[*Translation*]

Mr. Gray (Windsor West): In conclusion, Mr. Speaker, I want to say how much I appreciate the great privilege of being a Member of the House and representing thousands of electors, thousands of constituents who have allowed me to serve them as their Member of Parliament and, from time to time, as a Minister. It is a great privilege and a challenge to work for one's country, to do one's best to build it, and to make a better life for its whole population.

[*English*]

I thank very much those who have spoken for their kind words. I hope, with the support of the Almighty and my electors, to be able to continue to try to live up to the sentiments expressed in those remarks.

Some Hon. Members: Hear, hear!

Mr. David Orlikow (Winnipeg North): Mr. Speaker, I want to take this opportunity to thank the Right Hon. Leader of the Opposition (Mr. Turner), the Deputy Prime Minister (Mr. Mazankowski), and of course the Leader of our Party, the Hon. Member for Oshawa (Mr. Broadbent) for the kind words they have expressed.

It has indeed been an honour and a privilege for me to have been able to be here for 25 years, to be able to do the things I want to do, and to be able to express the views and to push for the ideas in which I believe.

I want to recognize and thank the people of my part of Winnipeg for letting me do this. I have not been too surprised, because it is a tradition which goes back to 1900.

In 1900, the first Labour Member of Parliament in Canada, Arthur Putee, was elected in Winnipeg. In 1925, Winnipeg North sent a Labour Member, Mr. Heaps, to Parliament, who stayed here until 1940. We had one Liberal for one term in 1945, then we elected a CCF Member, Alistair Stewart, who stayed here until 1958. We had a Conservative Member for

one term, and after that I was elected. The people of my part of Winnipeg support our Party consistently.

I want to thank the people of my constituency. I want to thank the members and supporters of our Party. I want to thank particularly members of my family, some of whom, to my great surprise, are here today. I know I speak for all Members of Parliament when I say that it is our families who sacrifice when we are Members of Parliament. Every Member of Parliament knows how little their families see of them because of their work.

It has been a great honour for me to represent what I consider to be one of the finest constituencies in Canada which has representatives of every racial, religious, and ethnic group in Canada living in it. We have native people, the original inhabitants of our country and we have representatives of some of the newest ethnic groups including Koreans and El Salvadorans. We have people from every economic group, from people who are on welfare through to a few people who are quite wealthy.

• (1530)

I am proud of the fact that I have been able to represent these people. I am proud of the fact that I have been able to speak for a vast majority of them in a way of which they approve. I hope to be able to continue to do that for some years to come. I thank you, Mr. Speaker, and Hon. Members of the House.

Some Hon. Members: Hear, hear!

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BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Hon. Herb Gray (Windsor West): Mr. Speaker, I suppose the best way I could confirm what I said a few minutes ago is to seek your permission to ask the government House Leader what business the Government intends to call for the next week.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, this afternoon we will call Bill C-55, amendments to the Immigration Act. Tomorrow we will debate the motion respecting capital punishment, as we will on Monday. Tuesday it is proposed that we will deal with Bill C-63 in all stages, the Small Businesses Loans Act.

We will deal with third reading of Bills C-15 and C-41 and second reading of Bills C-53, C-61 and C-54 as well as the resolution respecting Pentecostal schools in Newfoundland. We will be working with Parties opposite to work out the best arrangement as to when those Bills will be called so that we can ensure that the Ministers and the official critics are available in the best time slots to expedite the business for those days. Wednesday the House will not sit.

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PRIVILEGE

ALLEGED DIVULGENCE OF COMMITTEE REPORT

Mr. Sergio Marchi (York West): Mr. Speaker, I rise in my place on a point of privilege that arises from what I happen to believe is a very serious and erroneous act of one of the Standing Committees. It concerns the Standing Committee on Multiculturalism, a meeting of which I attended this morning.

The committee is in the process of preparing a very thorough and long-ranging report on the status of multiculturalism policy in Canada for the next decades to come. The report is completed and is at the printers. We expect to table the report in the House of Commons on June 29, the day before we break for the summer.

However, I found out this morning at the committee meeting that the committee has given an advance copy of this report to the Hon. Member for Rosedale (Mr. Crombie) who is also the secretary of State. I believe that that act runs counter to the spirit of parliamentary reform and to the independence of the Government and of Ministers enjoyed by committees.

I would suggest that the supplying of the report to the Hon. Member for Rosedale is an affront to the rights and privileges of all 282 Members of Parliament. The report is still confidential. It was to be tabled on the floor of the House of Commons for all Members and therefore for all Canadians on June 29.

We can all concede that once the report is tabled, we would hope that the Government, and particularly the Minister responsible, would take a very serious look at the report and would try to implement those very concepts that have been articulated in and recommended by it. However, I find it completely unacceptable as a Member of Parliament who has worked on this confidential report that it be sent before it is tabled in the House of Commons to the Minister responsible for Multiculturalism (Mr. Della Noce). I believe that I have worked on no other committee that has followed such a course.

The fact remains that there are still two weeks left and the Government could have waited to see what was recommended in the report rather than trying to justify that it is proper and fit that the Department and the Minister ask the committee for an advance copy before it is tabled and deposited with the House of Commons.

I draw your attention, Mr. Speaker, to Citation 647 of Beauchesne's which reads as follows:

> No act done at any committee should be divulged before it has been reported to the House.

It goes on to read:

The publication of proceedings of committees conducted with closed doors or of reports of committees before they are available to Members will, however, constitute a breach of privilege.

Without taking any further time, I would request that you, Mr. Speaker, look into this matter, because I think it sets a very dangerous precedent. It undermines the independence of a Standing Committee of Parliament. It undermines the privilege of all Hon. Members of the House to know of the contents of the report at the same time the Member for Rosedale and Minister responsible for Multiculturalism do. I believe this is a sad day for the independence of a committee and a sad day for parliamentary reform. If you rule in favour of a prima facie case of privilege, I am prepared to move a motion accordingly.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, in assisting you in coming to a conclusion on my hon. friend's prima facie case, I would like to draw your attention to two items which I think should be brought into play. First, breaches of privilege in committee may be dealt with only by the House itself on report from the committee. Therefore, I would submit that if there has been a breach of my hon. friend's privileges as a member of that committee, it would first be required that the committee itself report that breach to the House.

There is no proof before the House of what my hon. friend has suggested. There are no committee minutes, there has been no reference to it in the media, there is no correspondence and there is nothing to show that in fact the Hon. Minister, either in his capacity as a Minister or in his capacity as a Member, received a copy of the report.

Obviously I am prepared to entertain the comments of my hon. friend who would not mislead the House. He has said that the Hon. Minister has in either capacity received what I would guess would be a draft copy of the report because there can be no final copy of the report until it is presented in the House.

The second point I want to make deals with the citation to which my hon. friend referred, Citation 647 of Beauchesne's. In this case, I believe we should read the heading of that citation which is "Premature Disclosure of the Report". The full citation reads as follows:

No act done at any committee should be divulged before it has been reported to the House. Upon this principle the House of Commons of the United Kingdom, on April 21, 1937, resolved "That the evidence taken by any select committee of this House and the documents presented to such committee and which have not been reported to the House, ought not to be published by any member of such committee or by any other person".

It is the publication of the proceedings of committees which are conducted behind closed doors which constitutes the breach, not the giving of a report to another Hon. Member of the House.

I would suggest that were that report to be published in the media as a result of the actions of any Member, my hon. friend would be absolutely correct. However, since the report has gone to a Member of the House in his capacity as a Member, there is no breach until it is published.

Drawing upon my meagre experience as Chairman of the Public Accounts Committee at one time, when we were drafting reports it was the nature of the beast that from time to time Members would take draft reports for consideration prior to returning to a meeting for a final rewrite. That was done on the understanding that all Members of the House are honourable Members and that it would be a very serious breach for the committee report in draft form to be published before it was presented in the House.

I would suggest that until such time as the report is prematurely disclosed and published, there can be no breach of my hon. friend's privilege.

• (1540)

Mr. Speaker: The Hon. Member for York West (Mr. Marchi) has raised a matter which is obviously of concern. As I take his representations, his complaint is that it was his understanding, and perhaps that of others, that at this stage a report being prepared would not be divulged to anyone other than committee members. That may very well be a serious complaint in the context of all that has been happening in the committee. In this case the Hon. Member has advised the Chair and other Hon. Members that he has learned the report was given to a Minister.

I have listened with care to the Hon. Parliamentary Secretary, who I think has very properly pointed out that having given the document to a Minister, or for that matter to some other Member of this place, that is not—also in the opinion of the Chair—that sort of publication which would be the basis of a question of privilege.

The Chair is also concerned about another procedural rule, which Hon. Members will recall, that the Chair, except in some exceptional circumstances, ought not to entertain a question of privilege with respect to proceedings in a committee until the committee has brought the matter to the Chair.

Under the circumstances, perhaps the Chair could suggest to the Hon. Member for York West that the complaint, which is certainly real enough, ought to be taken back to the committee and then, depending on what happens there, he might want to raise the matter again with the Chair. Indeed, depending on what happens there, the Chair may be seized of the matter as a consequence of a report coming from the committee.

I would say again with respect to the affairs of a committee, there has been a long-standing tradition that it is not for the Chair to meddle in the internal workings of a committee. At the same time the Chair does ask all members of committees and committee chairpersons to take appropriate steps to ensure that there are a minimum number of complaints with respect to the proceedings in committee. Inevitably, if there are complaints, those complaints are brought to the Chair primarily because it is to the Chair that an Hon. Member can

at least air the grievance, even if in procedural terms the matter may have to go back to the committee.

I ask the Hon. Member to abide by the long-standing rules of this place and take the complaint back to the committee. I would hope that it could be properly dealt with there.

I thank the Hon. Member for his concise and well-reasoned argument and I thank the Parliamentary Secretary for quite properly pointing out that there are procedural rules, traditions, and judgments by which I am bound in this case.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

Hon. Gerry Weiner (for the Minister of Employment and Immigration) moved that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be now read the second time and referred to a legislative committee.

He said: Mr. Speaker, I am pleased to speak to Bill C-55 now before this House for second reading. I do so encouraged by the broad public support the people of Canada have already shown for this proposed legislation, less because it excludes those who seek to abuse Canada's generosity than because it confirms our country's determination to do everything possible to help the genuine refugee in need of our protection. We can take pride that 75 per cent of those taking part in the recent Goldfarb poll on this issue responded positively to this long-standing commitment which lies at the very heart of this Bill.

Bill C-55 is about one thing. This Government will protect the genuine refugee in need of that protection, period. That is what C-55 is about, and that is all C-55 is about. Yet it has been opposed by many of those who share with us this one important principle.

It was John Locke who wrote almost 300 years ago that new opinions are always suspected and usually opposed without any other reason but because they are not already common. I do not question for one moment the sincerity and conviction of those who have criticized C-55. They speak with a voice that comes from the heart, from values and beliefs which go right to the core of what we Canadians are, what we as a society and nation stand for. It is precisely because these values are so important to all of us that we must not belittle them, either through intemperate rhetoric or actions which only serve to divide us, or through our inherent distrust of new ways and new ideas of achieving the same objectives that the old ways and the old ideas failed to achieve.

I understand the concerns about access, review, and the concept of safe third countries which in particular led to opposition to and criticism of this legislation. What I ask those critics to understand, however, is the intent of C-55, an intent which I believe answers those concerns.

[*Translation*]

We want it to enable us to process the cases and give the same importance to the factors speed, justice and equity. We want it always to give the benefit of the doubt so as to ensure that genuine refugees who really need our protection will indeed get that protection.

That is our only objective. There is no other, absolutely no other. However, the points we are debating and the reasons why it has been necessary to design a new refugee status determination process are more complex.

Consider these reasons for a moment: the ever increasing world-wide pressures of migratory movements of an economic nature; the shameful manipulation of people desperately seeking better conditions elsewhere, which led to the mushrooming number of false claims; the adoption of new immigrant and refugee legislation in the United States and in certain European countries, with the resulting scramble here in Canada to obtain landing rights or some sort of official status.

[*English*]

Clearly the old refugee determination system is unable to handle these and other new realities. It was never intended to. It was designed for circumstances and for a time which, while only a few short years ago, today we can look back at as being far more innocent and far less sophisticated than our own. We could all wish it were otherwise but we cannot turn the clock back. We simply do not have that luxury.

The reality is that before we introduced control measures on refugee claims in February those claims were being made at a weekly rate equal to the annual rate just six or seven years earlier. Those control measures have been a temporary answer to the most blatant abuse, but they are not a solution.

• (1550)

It is the Government's view, and one I believe is implicit in Bill C-55, that such a solution will not come about unless we adhere to one principle above all others, namely, that Canada's refugee determination system be able to distinguish between the genuine refugee in need of our protection and all other claimants not in need of that protection.

You may call it maintaining the integrity of our refugee determination system, although the expression seems to set off alarm bells. "Integrity" has become a dirty word. However, I have no trouble with the idea of preserving the integrity of our system and process here in Canada if it means this principle will be met.

I have no trouble with that at all because distinguishing between need and no need, between genuine and false claims, is not dumping, orbiting, or any of the other practices by which some nations may be reneging on their obligations and commitments. We place no limit, in theory or in fact, upon refugees in real need whom we will help today or tomorrow.

This, of course, goes to the heart of one major concern of those who oppose Bill C-55—access. Yet, who is denied access under this legislation?

If the claimant is already recognized as a refugee by another country he or she will be denied access unless they can demonstrate a fear of persecution in the country which accorded them protection. If the claim has no credibility it will be denied access to the refugee determination system. If it is a rejected claim that has not been 90 days outside Canada, it will also be denied.

However, the legitimate refugee with no prior possibility of protection from another country will not be prevented from obtaining that protection in Canada and access will not be denied on the basis that the claimant simply passed through another country on the way to Canada. It will not be denied if there is the slightest danger of *refoulement*. The legitimate refugee in need of our protection is who we are obliged to help, who we want to help, and who we will help.

Every claimant will have an opportunity to argue why his or her claim should be heard. It is not correct that the initial hearing before an immigration adjudicator and a refugee board member is a prescreening. It is an integral part of the fair and impartial process which we intend to establish.

This question of screening or prescreening is more than a matter of semantics. It is unfortunate that materials released at the introduction of Bill C-55 used the expression because to me screening is what happens before the first stage. If there is a screening it is the initial examination by an immigration officer at the port of entry, an examination which cannot by itself exclude any claimant.

If you want screening, look to the border police of many European countries with records of humanitarian assistance equal to our own. Some can turn claimants around and send them back from whence they came in a matter of hours. Others have set aside a budget greater than Canada's federal government grants to NGOs for settlement services. That $5 million plus a year is to buy airline tickets to launch claimants back into orbit.

In one or two cases they put armed police on aircraft as they arrive to check papers and make summary decisions on any doubtful cases, decisions which expel such cases before they even set foot on the soil of the countries concerned, without formal hearings, without counsel, and without translation.

That is not the way in Canada. Under the initial hearing before an immigration adjudicator and the refugee board member there must be absolutely no doubt that the claim is false for the claimant not to be allowed to proceed—not some doubt, not hardly a doubt, but no doubt, none.

[*Translation*]

Never will we even take a chance of returning a legitimate claimant to a country where he might be persecuted or experience a worse fate still. This is why the provisions of Bill C-55 to set up an official list of safe third countries have been more carefully drafted than those of any other country where a similar procedure is followed.

The notion of a third country is definitely not a way of turning our backs to those refugees whom we would not be prepared to welcome here. On the contrary, mindful of the fact that genuine refugees often are educated people with good training and superior motives, I believe that many of them are precisely the type of people Canada would like to attract during a period when immigration is given more importance. As it happens, we are at the beginning of such a period.

But here is the important point, the distinction to make: a person who already enjoys the protection of another country or who has had enough means and opportunities to obtain such protection should not be able to enter Canada as a refugee status claimant. That person can very well file a standard immigration application and stands very good chances of being selected.

On the other hand, a refugee who is already under protection elsewhere may be sponsored by the Government or a private group for relanding purposes. Once Bill C-55 has been adopted we will continue to reland refugees with the same determination, without lessening our commitment in that respect. This year alone we expect to admit 18,000 refugees this way.

At the risk of repeating myself, I say again: By adopting the concept of safe third country, we want to extend through Bill C-55 all the resources of our refugee determination process to those who have nowhere to go and really need our protection. It is not a hard-noses means to exclude those we do not want to accept.

If such had been our goal, we would not have subjected the list of safe third countries to so many stringent criteria.

First, the Cabinet is directly responsible for that list. This is very important because if someone goofs or an error happens, or if pertinent information is not taken into account, the Cabinet will be responsible rather than the process.

[*English*]

Knowing the degree of scrutiny which attends its every single decision, I cannot think of a better safeguard than to give this responsibility to Cabinet. The Members of this House, the NGOs, the media, and the people of Canada themselves will know exactly who is accountable. It will not be some faceless bureaucrat and not the system, but the Ministers of the Government themselves.

You may be certain, therefore, that the list and the document centre which will be created to support it will be recipients of the most up-to-date information possible. It will come from our own External Affairs, from the United Nations High Commission for Refugees, from the Refugee Board itself, and from many other sources. It will be accurate and comprehensive.

It will not become a complex and impossible system to manage, as some have suggested, because of our absolute

insistence on criteria of the highest standard and because under such criteria the number of potential safe third countries is, sadly for the world, pitifully small. We have stated in our announcement that a safe third country for one group of nationals may not be safe for another.

In actual operation, however, our safeguards will go even further because the third country provision will not work successfully unless we have some degree of understanding, an arrangement with the countries themselves. We do not intend to act as have some and use the process to place refugees in orbit. The possibility of *de facto* protection and safe return must be entirely clear or it shall not be exercised.

I am confident that this kind of insistence, this kind of quality, which I believe and know is built into both the intent and the actual operation of Bill C-55, will not fail us, neither today nor tomorrow.

• (1600)

We knew we had to create a determination system to meet the present crisis, but also one which would withstand future pressures equally well. Our obligation on both counts, therefore, was to insist that quality be the hallmark of the proposed new system, and quality there is. It is in the third country list. It is in the initial hearing which, in my opinion, puts the odds greatly in favour of the claimant going to the full refugee board if he or she has any grounds whatsoever for a legitimate claim. Of course, there is quality in the new board itself.

Hearings before the board will be oral. They will be non-adversarial. The claimant will be entitled to counsel, provided, in many cases, at government expense. The claimant will also have full access to the document centre. The board itself will be fully and completely independent.

The board members must be hand-picked for their knowledge and expertise in refugee issues. They will be trained further upon appointment. I can assure Members of the House that in seeking the best qualified people to serve as members of the new refugee board, we will not hesitate even to look to those communities active in refugee issues which are most vocal in opposition to Bill C-55.

Why would we do this? Because, again, as far as the intent of C-55 is concerned, in its one central purpose of helping those who truly do need our help, we are not in disagreement with the non-governmental organizations, the Members opposite, the churches or anyone else in Canada who shares this objective.

Again, I appeal to our critics to look at the over-all intent before they judge the specifics. Before they ask why there is no review of fact, for instance, look at the system as a whole, as it has been designed. Look at the insistence upon quality and the insistence upon fairness. Look upon the benefit of doubt given at every stage, which is itself review.

Mr. Berger: Mr. Speaker, I rise on a point of order. Looking around the House, I do not believe that we have a quorum in the Chamber.

Mr. Deputy Speaker: We do now have a quorum.

Mr. Weiner: Mr. Speaker, only one of the two board members at the board hearing need find in favour of the claimant for the claim to be accepted.

Yes, there are many "what ifs", and I am aware that a review process would satisfy many of the doubts about Bill C-55. But where would it end? How long before there would be the demand for a review of the review? How long before we would be back with the same year upon year impossible process we have now? Justice has an obligation to be accurate, but also to be swift.

If new circumstances unfold during a hearing itself, they can be taken into consideration right there. If the process itself has not been adhered to, then leave to appeal on a point of law will be granted.

Finally, let us not forget that at any time, if the facts merit it, permission to remain in Canada on humanitarian grounds may be granted by the holder of my present office.

It is my belief that within Bill C-55 lies not only a workable but also a fair refugee determination system.

Surely I do not need to explain to any Member of the House who disagrees with the opportunity afforded by the legislative process for debate, for the gathering of evidence or for the proposition of amendments.

Bill C-55 calls for swift determination because speed in this case is an agent of justice. Refugees want and need to pick up the pieces of their lives. But accuracy will not be sacrificed.

Bill C-55 upholds the idea of integrity because without it the system cannot work. Integrity is important because without it we cannot for long maintain the support of our partners in this undertaking, the people of Canada.

Public opinion is important, and I applaud the people of Canada who support this Bill and who share our determination to assist the refugee in legitimate need of our protection. Let none of us who is privileged to sit in this Chamber ever forget that it is the people of Canada, not we ourselves, who have built the great traditions of humanity which we all honour and in which we all take pride.

[*Translation*]

Refugees are sponsored by Canadians. It is because of them that immigration is such an essential and decisive factor to build the open, welcoming society in which we live. They make relocation a positive, successful experience.

And Canadians in the final analysis pay the bill. It is with their taxes that we discharge our obligations and commitments internationally to help both development and refugees. In both cases Canadians are generous.

Canada will remain true to the remarkable reputation it has built up since Wold War II in the area of help to refugees by allowing more than half a million refugees to relocate on our soil.

We will continue to do so because we are aware of our heavy responsibilities. Because we respect the commitments we freely undertook under the Geneva Convention, which to us is neither a condition binding us to admit refugees from certain countries, nor a set of restrictions applicable even to refugees we accept, denying them for five years the right to work, restricting their freedom to move and forcing them to live in camps even though they have parents in the same country.

We will keep on showing our traditional humane attitude in our will to put an end internationally to political agitation and economic depression, injustice and intolerance, racism and persecution.

And we will maintain the same attitude in our personal commitments aimed at improving all our mechanisms and institutions which make it possible for us to govern and enforce the law.

Bill C-55 is part of this process. It is not an end in itself. It is not a universal remedy for all ills, under any circumstances, something which would be immutably and forever engraved in stone.

[*English*]

But within it there lies that fundamental commitment upon which we should and must agree.

Almost two generations ago the fledgling United Nations issued a proclamation which began with the following words:

> Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.
>
> Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people.

As we approach the fortieth anniversary of the Universal Declaration of Human Rights, we can number the world's refugees in the millions; 10 million, 15 million, perhaps even 20 million.

In this age of cynicism there is no great difficulty in finding grounds upon which to distrust the world's commitment to the refugee and to human rights.

But I say to Members of the House and to the people of Canada that they will not find such grounds within the actions of this Government.

[*Translation*]

As we were able to see last week or the week before at the Venice Summit, a voice continues to place human rights at the top of all agenda.

Our Prime Minister (Mr. Mulroney) and our Secretary of State for External Affairs (Mr. Clark) continue to fight against tyranny and injustice wherever they show their ugly heads. They made every effort to convince their opposite numbers that there is no room for compromise when human dignity is at stake.

Under their guidance, we are seeking solutions, whether abroad through our diplomatic action and development assistance, or even here in Canada, through our settlement programs which have never been so successful.

But we should have no illusion. Whatever its refugee status determination policy may be, Canada cannot solve this problem all by itself.

Yet, our first concern should be to help all those who need our assistance and protection.

As far as all the other people are concerned, whether they are recognized in other countries as refugees or economic migrants, Canada will always be prepared to entertain applications from thoses who meet our immigration criteria.

• (1610)

[*English*]

We hold that possibility open to all peoples of all races, all colours and all religions. We want new people, we need new people, and this Government is actively working to find those people. We have already increased immigration levels from what they were when we took office by almost 50 per cent. We are now working to see that actual landings correspond to those levels. For the future, we are seriously considering raising both levels and landings. These are not the policies of a Government which is anti-immigrant or anti-refugee. They are the policies of a Government which welcomes both and is committed to both.

Bill C-55 is an integral and honourable part of this commitment, a part which will work swiftly, fairly and justly. To the refugee in genuine need of our protection, it will say but one thing, welcome.

What have we actually done by bringing forward this refugee process? What is it that our process will do?

Mr. Berger: Bring shame on Canada.

Mr. Weiner: I am sure the Hon. Member does no justice or service to the real refugees, the people whom he and I would like to help, by his very unhelpful interventions.

The purpose of this Bill is to provide protection to those who need protection, a safe home to those who have no home. For people who already have a home, a roof over their heads, indeed, there is less priority and they should be applying as regular immigrants to this country. We have brought forward a process which is fair, quick and which balances reason with compassion. It is a very practical solution because in a very decisive manner it identifies and welcomes real refugees. However, abusers will be kept out. There is no room for fakes in this particular system. We are managing our resources

effectively to the benefit of the real refugees. This is a real world, not a theoretical world. It requires subjective criteria not subjective opinion. We are putting common sense to what we are doing.

Mr. Berger: We have heard that before.

Mr. Weiner: Of course you have, and you are going to hear it again. I know the Hon. Member does not like to hear it, but the majority of Canadians understand and know that what we are doing is about to be for the benefit of all real refugees. I hear a lot of naivete, but we have a realistic solution. We are creating a hospitable environment where genuine refugees will benefit.

We cannot take the public attitude for granted for the support which is needed to build broader refugee programs with the type of refugee problem the world is facing. We must continue to build that feeling in Canada. We must build a broader immigration policy because of the benefits immigrants and refugees bring to this country.

We have built a lot of safeguards into the process. Those are the strengths of what we are doing. We have given the benefit of the doubt to the claimant. Every claimant will be seen and heard by an independent, objective convention refugee board member. This person will be represented by counsel at all stages at quality hearings. All of those things will be done. With respect to a Third World country, we will be very, very careful. The human rights record of that country will be carefully examined, its record in protecting refugees and all nationals. We are going to seek the widest possible advice in building that list. We will be consulting the very people who have worked for years in the refugee community, the organizations, our own embassies and high commissions abroad and the international humanitarian agencies. A documentation centre will be set up, and indeed I have underlined that there must be an *ad hoc* arrangement. The country we are going to be asking the person to go back to and seek protection in must be willing to receive him back. What we are doing is good for the refugee, it is good for the community and good for Canada. I will repeat the words of the Montreal *Gazette*, and say that this Bill should be passed speedily.

Mr. Sergio Marchi (York West): Mr. Speaker, it gives me pleasure to rise and address Bill C-55 at the beginning of second reading. It is ironic to a certain degree that Bill C-55 in its second reading has come up in this year of 1987 which has been designated by the United Nations as the International Year for the Homeless. It is an effort of the international community to reach out to those who do not have a home, those who are looking for a roof over their heads for themselves and their families.

I cannot think of any individual or group who better defines the homeless than those who are refugees. It is ironic that when we put a magnifying glass to this piece of legislation, it really translates, for these refugees who are searching for their new home, that the Government is playing Pontius Pilate. It is washing its hands of responsibility, which runs counter to the traditions of past Governments and this country. In fact, in large measure, to be a Canadian means to have initially been a stranger, to have left the familiar for the new. That is what it means, in large measure, to be a Canadian. Waves upon waves of immigrants have sought a new opportunity, a new chance, and Canada has allowed that new lease on life. At the same time these refugees have helped to build and develop a country which is second to none in the world.

When we talk about our immigration program, we talk of family reunification, extended family reunification and independent categories of individuals, such as entrepreneurs who wish to come here and invest their capital and know-how, students wanting to access our educational system and, after they leave and return to their own homelands, become ambassadors, if you will, for this country. And we also talk of refugees. In terms of refugee legislation, Canada has played a leadership role in the international community. It is not every day that in competition with the big superpowers of this world, we can lay claim to being the leaders on one particular issue. But if there is one area in which Canada can hold its head high, acting as a trigger for other countries, it is in the area of refugees. Successive Liberal Governments have had the courage to lead and not follow.

• (1620)

The Minister is right when he says that it is not the Government or Members of Parliament who build countries, that it is not necessarily Members of Parliament or governments who have to be thanked for allowing people to come to a country. It is Canadians and public opinion which have wanted those policies to happen.

I submit to the Minister that we need a Government that is also prepared to lead. We need a Government that is prepared not to manipulate public opinion for its own political and partisan reasons. We need a Government which will educate, lead and articulate what it means to be a landed immigrant and what it means to be seeking refugee status. We have to deal with those matters legitimately. It is morally bankrupt and intellectually dishonest to confuse the two and to play one against the other.

The greatest frustration in Canada *vis-à-vis* immigration, or one of them, is probably the inability of Canadians to sponsor family and relatives to come here. Many of us in this place go home on Friday evenings and have our constituency days on Saturdays. How many immigrant-related cases do we see? How many individuals do we interview in our offices who cannot understand for the life of them why their uncle, their aunt or their nephew cannot come here where they would have shelter, financial, and linguistic and cultural assistance from their families? They would probably even be given a job. They cannot understand why they cannot come into the country. Unfortunately, some of them look to the refugee back-log and ask themselves: "How come the Government is prepared to let refugee A in but not my nephew?" That is a legitimate

question, but it is a different one. It would behove the Government not to answer that question and not to solve the problems by addressing the need for family reunification. Right now the percentage of family reunifications is much lower in percentage terms than it was under past Liberal Governments.

We must begin to debate whether we should not be giving more points to people who have family in Canada in order to come to Canada. We must begin to debate the expansion of the definition of family class. That is how we must do it. That is how we must begin to try to solve the problem for Canadians who cannot have their families join them here legitimately. Stepping up our refugee legislation does not provide an answer to them, a move which creates the perception that Canadians cannot bring in their family members because there are too many refugees coming in already. That strategy is wrong. It is morally wrong. I ask the Government in its marketing strategy to begin to deal with those two classes independently and responsibly.

With respect to immigration and, in particular, refugee legislation, we have a responsibility to the international community under the Geneva Convention. We cannot deal with refugee legislation in a vacuum. We cannot deal with refugees in isolation. We must recognize, as past Liberal Governments have recognized, that if we are to solve the problem, we will solve it in concert and in co-operation with other countries. We cannot deal with legislation as regressive as Bill C-55 in isolation and expect the problem to go away. It will not go away.

The Government also has a responsibility to educate with respect to the evolution of refugee legislation. It is simply too easy to say: "Well, the past Liberal Government left us with a mess. Here it is and we are trying to clean it up. What was there before and how did we select refugees?"

I submit that what we are dealing with is a new phenomenon in terms of refugees. In the 1960s and the 1970s we had the luxury of sending our visa officers to various postings to select refugees on the basis of certain criteria. The community then had a chance to sponsor refugees and lodge them within their own neighbourhoods in different parts of the country. That system was very orderly. It was very clean and effective. But then in the late 1970s and early 1980s, these refugees were not waiting in the camps for the visa officers. They were in fact coming to our country by various and different means and claiming refugee status. Therefore, we had to adapt from the old structure and the old system of doing things to a new one. That is where the problem originates. It was not in terms of any one Government leaving a mess for another Government.

I think that lending our support and our assistance to those less well-off is something for all Governments to undertake regardless of political stripe. However, I think that there is a transition in terms of the phenomenon of refugees that has not been expressed honestly and candidly by the Government. We are now into a different phase of the system which requires a different system and a different mechanism within the country to address expeditiously, fairly and humanely those who are in Canada and those who are asking for refugee status. That is why the Plaut report was commissioned by our Government in the dying days of the previous administration. It was to try to come to grips with how we would move in this important watershed of world refugees.

Then the present Government came into power. The Plaut report was a very substantial and significant report suggesting a certain direction. It took three or four different Conservative Ministers of Immigration, after they had received the Plaut report, to make a pronouncement on it, to make a decision on it with respect to what they were going to do and what they were going to implement.

Therefore, there was a delay in the formation of this Government. There was the promise by different Ministers that the Plaut report, or the spirit of it, would in fact be translated into legislation very quickly. We were told that this would be done by 1985. We were then told it would not be until 1986. We are now into 1987 and we are just getting ready to give second reading to the legislation. I submit that there has been a procrastination within the Government to come to grips with the Plaut report, after the standing committee has laboured for long hours and with great effort.

What did we get at the end of this three-year consultation process? We got a betrayal of the consultation process. Not only did we have a long delay before the Government responded officially, but when it chose to respond it did not listen to the results of that three-year consultation process. The Minister spent 40 minutes this afternoon saying how fair the system was, how great it was and what type of leadership role he and the Government are taking with Bill C-55.

Where is the support within constituencies to support those claims? I ask the Minister to name one non-governmental organization that at the very least leaves an indication that it might be in support of this legislation. I underline the word "might". Where are those individuals who have been inherently involved in the process and who have congratulated the Minister? Sure it is great. He holds up Goldfarb and says: "Eighty-three per cent of Canadians support our legislation". But Goldfarb also said that 75 per cent of Canadians want a fair system. He knows and I know that perhaps Canadians have not had the time or the luxury to read through the Bill. If they did, then that 83 per cent figure would plummet like dead weight in terms of people thinking that this is a fair system. They have indicated through their vote that they want a fair system. The key question is: Is this Bill fair?

• (1630)

Those who have taken the time and trouble to read the Bill have given their verdict. And what is that verdict? What are people saying?

Tom Clark, a tireless worker for the Inter-Church Committee for Refugees, said:

> Instead of access there is a screen, instead of bringing Canada a notch ahead of European countries, the immigration minister has brought it down to their level. It's despicable.

Michael Schelew, Amnesty International said:

It's an about-face on Canada's humanitarian record, that may place people fleeing persecution in jeopardy.

Elie Wiezel, the winner of the Nobel Prize, said:

"I believe that a society can be measured and judged by its attitude towards strangers . . . I would hope that Canada would like to be measured according to these lofty rules. I say Canada should lead by example.

Lorne Waldman, of the Canadian Jewish Congress said:

The long-term aim of the immigration department is to eliminate all refugee claims within Canada. The Government has spent millions of dollars and innumerable hours consulting on this problem, and everyone's recommendations have been ignored altogether.

And Gunther Plaut, the author of the Government Commission Report, had this to say:

It does not do justice to our international obligations to protect refugees. Nazi Germany would qualify as a safe country under Canada's proposed new refugee rules. I don't think I would have been let in. I came in the 1930s from Nazi Germany. The Government is building a Berlin Wall around the country.

Mr. Speaker, those organizations and those individuals have fought, and continue to fight, for the plight of refugees. They have looked at Bill C-55, and that is their verdict. I suggest to the Minister that, on behalf of the Government and of Cabinet, he has the responsibility to defend and promote that constituency. He has an obligation to stand up in Cabinet and fight for those constituencies.

Certainly we cannot have the ideal, a piece of legislation that is perfect for every single one of the 25 million people in this country. That is impossible. I agree with that. But it is also irresponsible to push ahead stubbornly with a piece of legislation that every major constituency group—every individual involved, every church leader, every community group leader—describes as unfair and unbecoming in the traditions of Canada.

He has a responsibility to listen to his constituency as well, rather than hide behind a poll that can be interpreted in 101 different ways.

Canadians believe in the integrity of a Government to give it a fair system. They do not believe in a Government that says one thing and does another.

Mr. Speaker, we have tried to do our part. We are only 40 in the Liberal Party. We know that we are going to lose every single vote, until 1988. Canadians know that. But what we are not prepared to do is to lose the debate. What we are not prepared to do is to lie down and allow this Government to introduce a piece of legislation that Canadians do not want.

We have tried to be responsible. That is why we have used Question Period and two Opposition Days to focus on the immigration policy over-all and specifically on Bill C-55.

The communities have tried to do what they can. We start the debate on the motion for the second reading of this Bill at the end of a major one-week national campaign by church groups, by community groups, by volunteers, to try to mobilize and sensitize Canadian public opinion and Canadians as to what is contained in Bill C-55—something that the Government does not have the courage to do outside this Chamber.

In every city, people have collected petitions, people have gone on hot line shows, and people have written letters. With deep emotion, we had re-enacted, at Harbour Front in Toronto, the arrival of the St. Louis in Canada. The refugees were in a boat, and we met them in a boat—all in an effort to bring this issue a little closer to the people of Canada. That is the sort of effort that has been made by people across this country, and by the Opposition. But what has the Government done? What has been the role of the Government? The role of the Government has been to try to create and fabricate a crisis. It has tried to create the impression that Canada is being swarmed by refugees. It is doing so in parallel with what it has tried to do in the capital punishment debate, that being to use one issue to climb the political ladder of popularity. Well, that is something that is not working very well in either instance. I suggest to you that that ladder will crumble; that the Tories and the Minister will take a fall—because that ladder is built on quicksand. It is not built on Canadian tradition; it is not built on what the people of my riding and the people of Toronto, and elsewhere in this country, want to see come about. It is not built on the foundation of what has been achieved by past Governments, with the concurrence of Canadians, in terms of refugee policies.

There is a backlog of refugees. I readily admit that. But it is a shame that this Government is trying to use that backlog to suggest that there is a crisis and that in light of that crisis, this legislation is required. It is trying to legitimize what is essentially a regressive piece of legislation.

In past years, Canadians supported Governments in accepting refugees into this country. In 1947, the Government of the day permitted 186,000 in as part of the post-war European movement. In 1958, 37,000 Hungarians were allowed in; in 1968, 11,000 Czechoslovakians; in 1972, 7,000 Ugandans; in 1973, 7,000 South Americans, following a purge on that continent; from 1975 to 1979, 9,000 Vietnamese/Cambodians were granted refugee status; and in 1982, following the Polish uprising, 9,000 citizens of Polish descent were granted refugee status. And the list goes on, and on, and on.

Canadians have accepted refugees in the past, and they are prepared to accept refugees in the future. That is the type of policy that Canadians have supported in terms of government leadership.

Trying to fabricate a crisis out of some 50 Chilean individuals in Argentina is not only wrong but borders on being scandalous, given the numbers that Canadians have accepted with open arms in past years.

Is it any wonder that Canadians are losing confidence in the policies of this Government, when we have a petition signed by 7,000 employees of the Immigration Department, 7,000 individuals who work for the "big boss"? The representatives of that group appeared before the Standing Committee on Employment and Immigration and essentially said: "We don't

have confidence in the direction and policy of this Government".

Is it any wonder that Canadians are losing confidence in an immigration policy which is confusing in its definition and questionable in its direction, when 7,000 employees put their jobs on the line by signing a petition to the effect that they are losing confidence in this Government's immigration policy?

Mr. Speaker, why are all of the church and community groups saying that Bill C-55 should go back to the drawing board?

There are a number of very good reasons, and I should like to go through some of them right now.

The first one is that while the Government finally designed a refugee board which meets with the approval of most Canadians, it is not prepared to allow that board to work unfettered with the refugees. It built a barrier around that new refugee board, and the barrier is called a pre-screening process.

• (1640)

The Minister and the Government will now have two officers at border points who will make the determination on whether a refugee or claimant can go from the border to the refugee board to be heard by two competent members of the board. That is where they are washing their hands; that is where they are not allowing individuals to come forward, rightly or wrongly, to present their cases and to live with the decisions. They have two officers to do the pre-screening or the selection, as it were.

Upon what criteria would it be based when the two individuals do not have any discretionary authority under the legislation as printed?

Obviously there is a vacuum or a gulf of difference between what the Minister says and purports is in the Bill and what is in the actual piece of legislation. There may have been a breakdown between the Minister and what he wanted to do and government drafters in the Department and what they wanted to do and to control. Those two officers—and one can call them what one wants—are pre-screeners. The Minister knows that. I know that. The constituency know that. There is no need or requirement for them. In fact, they are building a separate bureaucracy across the country at various border points.

The Government should allow the claimants to come directly to the refugee board. I will support the board. I think Parliament would support the board. The constituency would support the board, but why will the Government not support it? It is because the Government is saying that the system will be more efficient by limiting refugees.

It is tantamount to hospital administrators saying that they will make hospitals more efficient by limiting the number of patients. That cannot be done. Either a patient is sick or not. If a patient is sick, he or she should have access to the hospital. Efficiency must be built upon reasons other than limitations and accessibility handicaps. Limiting access was the centrepiece of the consultation process.

The second aspect is the safe third country concept which has been floating around for a month and a half. I have yet to hear the Minister in the House, in committee, or elsewhere in the country defend with any degree of satisfaction what in the name of God is a safe third country. How will it be determined? How will it meet new uprisings in the world? How will the list be drafted?

The Minister suggested that Cabinet would consult and draft the list of safe third countries. Let us consider the reversal of policies. Under a Liberal Government we had devised a B-1 list, a list of countries to which Canada would not deport people because of human rights violations. Clearly the onus was on the safety of life. We were not prepared to take the chance of sending someone to persecution and probable death. We were prepared to have those people remain here. Not only did the Conservative Government remove the B-1 list on February 20, which means that it is open season for everyone everywhere, it also instituted the safe third country concept—a list of countries to which the Government is prepared to deport people.

Where are the guarantees or the safeguards that those countries will in fact respect refugees? Where are the guarantees that once a person goes to Germany or Great Britain he or she will have access to becoming a citizen and entry into the refugee system? This piece of legislation does not guarantee that. Admission does not guarantee that.

I could be admitted to West Germany on one day and be booted out on the third day. There is no guarantee whatsoever. This is where the Pontius Pilate theory comes into play. They have sent people adrift. It is like a ping-pong game; they are sent to a country which sends them somewhere else, and then everyone does it.

In Question Period the Minister was prepared to say that he would get agreements with those countries. In *Hansard* on May 7, 1987, in answer to my question, the Minister said:

> I can assure the Hon. Member that we will be very careful with every individual and will have an agreement in place before we do anything.

Some people might say that if we have an agreement with a country, that country must honour the agreement. However, what did he say last week in committee? He was not prepared to say that he would live up to an agreement. He said that Canada would follow an arrangement, which is even more nebulous or ambiguous than the safe third country concept. The Government prefers to be everything to everybody by being ambiguous. However, that is not a guarantee for a legitimate refugee. That is not a guarantee for the refugee constituency who are asking themselves: "What is a safe third country?"

The Minister has refused to answer. Is the United States, which deports Guatemalans or Salvadorans, a safe third country? Is Great Britain, which deports Tamils, a safe third country? Of course they are not, not for those individuals. Is

the Government prepared to keep the United States of America and Great Britain off the safe third country list? Of course Great Britain and the United States will be on a safe third country list, because it would be an embarrassment to Uncle Ron and Aunt Maggie not to be on the safe country list of Canada.

This is where the international political games take place. There will be manoeuvrings to get on that list. Who at the cabinet table will remember, rushed with other agenda items and crises, the legitimacy of the individual who is fleeing persecution, torture, and death? That is the problem with the safe third country concept.

How quickly will that list change? How quickly will it change when there is a new uprising in a certain part of the world recognized on the list? When screening officers say, "I am sorry, Bermuda is still on our safe country list", the refugees will say: "I am sorry but we just had a revolution in Bermuda". How long will it take for the Government or the bureaucracy to react to that crisis? How many people, by the time it reacts, will have been sent back? How many people will suffer the consequence of that tardiness, which is natural in any bureaucracy or any government operation?

Third, what about the appeal system, a system which can be measured by sensitivity and compassion? The Government has suggested that the appeal system should be with leave to the Federal Court of Canada on points of law. The Federal Court has been unable, in the opinion of all, to render responsibility to refugee claimants and their stories. They will not be able to present individual circumstances; they must be points of law. To make the matter even worse, it has been suggested that the person who appeals to the Federal Court must leave the country and then he will be called collect if his appeal is successful.

What kind of humanity is that? An individual who is fleeing persecution can appeal to the Federal Court. Canada sends him back. Two or three months later, they might call the individual, but where will he be? Is there any guarantee that he will not be persecuted, tortured, jailed, or killed? Of course not.

Those are the holes in the legislation to which the Minister, in his 40-minute remarks, did not address himself. Those are the life and death shortcomings in the piece of refugee legislation with which the Government must begin to deal responsibly.

• (1650)

The fourth problem is with the refugee board. The Minister said that the refugee board will operate independently and unfettered. That is not true. Bill C-55 provides that there will be a government lawyer presenting evidence, and therefore the process will no longer be non-adversarial. A government lawyer will have at heart government interests and not the interests of a refugee claimant.

The other question that begs to be asked is, from where does the government lawyer get information? Then we can draw the link back to the pre-secreening officers. That is where the government lawyer will pick up the information that in the end of the process will be used against refugees. Is that a fair system? Is that a non-adversarial system? The answer to those questions is clearly, no.

The fifth problem has to do with our international responsibilities. What will be the repercussions of this Bill? Canadians know that we cannot accept the 10 million to 15 million refugees who are looking for homes. Every Member of Parliament knows that as well.

What will happen if other countries in the international community begin to legislate the safe third country concept? Canada will be one of the first countries to do that. What would happen if Great Britain, Switzerland, the United States and every other country would legislate a pre-screening provision and a safe third country concept? The answer is very simple and obvious. There will be an international corridor of locked doors. Every door on which any legitimate refugee will knock will be closed. The legitimate refugee will be told, "I am sorry, you are from a safe third country, go somewhere else". That is not responsible. The abuse of the system will be greater.

The Government has tried to market this legislation on the basis that it will curb abuse as if this Party, this Hon. Member or any Canadian agreed with abuse. Of course we do not agree with abuse. No one wants to see abuse in the refugee system, in the workers' compensation system, in the pension system, or in the UIC system. Everyone wants to work against abuse, but we do not fight abuse on the backs of legitimate refugees and we do not curb abuse by being more restrictive and rigid as this legislation is.

As the Conservative administration has moved toward closing the door tighter, the schemes and scams to get people in have increased proportionately. When legitimate refugees who are fleeing from death and persecution are pushed against the wall, they have no options. No human in this world would rather go back to certain death or persecution than try to enter a country. They will try to enter a country because of their human spirit, and if they cannot get through the front door, they will enter through the back door.

We have seen people entering through the back door in greater numbers with every more rigid piece of legislation that is passed. Therefore, I ask the Minister what favour he is doing Canada and the international community by closing the door tighter. Does the Minister not realize that other countries will do the same and that if such is the case, then we will really have a legitimate crisis on our hands? Fifteen million refugees the world over will be desperately trying to enter any country by any means. Then those low-lifes who make a career out of desperate individuals will surface, as we have seen with great frequency.

I see you are signalling that I have only two or three minutes left in debate, Mr. Speaker. I would like to be able to continue because there are other areas into which I would like to delve.

Those are the criteria by which this legislation must be measured. Those are the criteria this Minister ought to use to build refugee legislation that looks not only to the next year or two, years when the Minister may still be here in that capacity, but to the long term. He must measure his legislation in comparison to tradition.

After this Minister is long gone and after I am long gone—MPs and Ministers come and go, Canada always stays—this Minister will have to live with himself. He will have to live with his community. He will have to be able to account to his community for his actions and for the direction this policy is taking. I submit to him that it would be very difficult to look in the mirror or to his community for approval for this piece of legislation. He knows that and he is under pressure.

I respect the pressures that we are all under, but I also respect individuals. I respect Ministers who will stand up in Cabinet and in Parliament and be counted for the long term. I respect Ministers who move in directions in which they are proud to move and who lead Canadians to a progressive vision of things to come. All of us share in the commitment that is Canada. Every Canadian wishes to have a system that is expeditious and is fair to those who are seeking our assistance.

Every Canadian is compassionate. Every Canadian is humane. Very many Canadians know about the opportunities they have had to start anew in this country. My family knows it and the Minister's family knows it as well. In all justice and fairness, we cannot enter Canada and then say: "Now that we are here, let's lock the doors". The building of Canada does not stop here. Future generations will be made up of immigrants. Our birth rate is dwindling and our aged population is growing. Because of our small population, this country will once again be built by continuous and massive waves of immigrants and refugees.

Yes, there has been some abuse. Yes, the odd individual tries to circumvent the system and get into Canada the wrong way. The Government must stand up and say that the vast majority of immigrants and refugees, however, are individuals who do not cheat Canadians or the system and that they too, once they take their oaths of citizenship after three years, are as proud, as loyal and as hardworking as every Member of Parliament in this Chamber.

In conclusion, I hope that the Minister, at second reading or at committee stage, in partnership with witnesses, refugee groups and the churches, who will once against have to come to Ottawa to plead their case, will listen and will do two things. I ask the Minister to drop the pre-screening and to drop the safe third country concept. If he does that, he will make a bad Bill a liveable Bill into and he will have my support. Thank you.

Mr. Deputy Speaker: The Hon. Member for—

Mr. Marchi: Mr. Speaker, I forgot to add that I would like to move an amendment in conclusion.

Mr. Hawkes: Mr. Speaker, I rise on a point of order. I think the Hon. Member had ended his speech. Certainly our procedures allow ample opportunity at later stages for a member of his Party or for any other Member of the Chamber to move a motion.

I think the Hon. Member had clearly terminated his address. He may indeed rise on a point of order to ask for the unanimous consent of the House to have the floor once again for the purpose of introducing a motion, but if that were to be the case, then I think I would find myself predisposed to denying that unanimous consent at this point.

The Hon. Member is simply the second speaker on a very major piece of legislation. Nothing in our rules or procedures precludes the opportunity at a later stage for someone else to introduce a motion, but I think it would be inappropriate and might set a dangerous precedent for the future if someone who has given up the floor is allowed all of a sudden to reclaim it for the purpose of introducing a motion without the unanimous consent of the House.

• (1700)

Mr. Kaplan: May I rise on the same point of order?

Mr. Deputy Speaker: There is no need to hear the Hon. Member on the same point of order. I had given the floor to the Hon. Member for York West (Mr. Marchi), and I will allow him to resume.

Mr. Marchi: Mr. Speaker, I appreciate your understanding. In that spirit I move:

> That the motion be amended by deleting all the words after the word "That" and substituting the following therefor:
>
> "Bill C-55, an Act to amend the Immigration Act, 1976, and to amend other Acts in consequence thereof, be not now read a second time but that it be read a second time this day six months hence."

Mr. Hawkes: Mr. Speaker, I seek a little clarification. If this motion is found to be in order, what does it do to the length of time allowed for speeches? Are we now debating an amendment? Does the third Party in the House have the right under our Standing Orders to a 40-minute speech at a later date when we come back to the main motion? Or do we now proceed to 20 minute speeches on the basis of the amendment? Just what is the result?

Mr. Deputy Speaker: The Chair finds the motion in order. As far as the time allowed for speeches is concerned, it is the understanding of the Chair, and I will verify this, that the first three speakers get 40 minutes each without questions regardless of whether an amendment is moved by any of those speakers.

The Hon. Member for Spadina (Mr. Heap) has the floor.

Mr. Dan Heap (Spadina): Mr. Speaker, I thank you for your interpretation of that last point.

I am not going to say I am happy to debate this Bill because I am very, very sorry the Government brought it forward. I am very sorry that in the last six months the Government broke with a policy of consultation which it had continued until December. Until then there was open discussion between the Government, opposition Members, and the public about what sort of Bill this should be. It is very sad that around that time the Government shut itself off, refused to communicate, and began to carry on a secret course of action. It is of course legal for it to do that, but I am very sorry it ceased to act in the spirit of good will and good faith which had continued until then.

Until that time we seemed to be making progress in identifying the problems and the best possible solutions. There was until that time grounds for understanding that we all basically agreed, both Members of Parliament and the people of Canada, about what we had to do about a very serious problem. That is not the problem of abuse, it is the problem of the great need of many, many people in the world. The problem of abuse is a secondary problem. There can be abuse of any good program and there will be abuse even of the program the Government has put forward if it becomes law. The Minister himself said that nothing is perfect.

Our committee, when it studied this matter for hundreds of hours—and the former Chairman of that committee sitting across the way will corroborate this, I am sure, when he speaks—found that of all those who had been examined until that time, the abusers were in the minority. Under the old system, which had been slightly modified to the extent allowed by law, about one-third had been found to be refugees, and an unknown further number were found to be worthy of humanitarian consideration. We would not send Iranians back to the Ayatollah Khomeini's Government. We would not send people back to the Soviet Union if they said they were afraid to return. We would not send people back to Poland, whether they fitted the definition of refugees or not. We would not send people back to El Salvador, Chile, or Guatemala if they were afraid to go back for the same reason.

When we considered that the Supreme Court of Canada found that the system by which people were being judged was unfair, contrary to the Constitution and the Charter of Rights and Freedoms, then the committee judged that the majority of the applicants, even under the old and cumbersome system, had a good claim on Canada's protection, either technically as refugees or practically on humanitarian and compassionate grounds. These were people who should not be sent back to civil war or similar kinds of disturbances which have the same effect as individual persecution.

We based that partly on the many, many witnesses who appeared before the committee during the six months we held hearings. Many, many witnesses told us they wanted a favourable approach to refugees. They also are reflected in the 75 per cent referred to in the Goldfarb poll who said we should admit legitimate refugees. They did not define what legitimate refugees are in that poll; they simply understand them as being people whose lives are in danger because of their politics, religion, membership in some social group, or for any other reason which requires them to, as the UN said, seek and enjoy the protection or asylum of another country. That was the essential decision of our committee.

I regret that the Government, against so much public opposition from informed people, has decided to move ahead with this very destructive Bill. I have been one of those who have called for the simple withdrawal of this Bill. What I wish to do now is to point out the need for withdrawal and, second, to enlarge on the approach of the Canadian people over and beyond the approach of Canada's Parliament. Third, I want to show how the action of the Government over the last few months has been in the opposite direction. It has gone contrary to the Canadian people's policy, and contrary even to its own policy before that time. Finally, I want to show how the Canadian people are reaffirming their original orientation on this issue.

One reason for withdrawing this Bill is that to spend the time necessary to debate it and consider amendments is much more wasteful of time, and much more likely to allow the situation to grow worse, than if the Government were to make a clean break and admit that the Bill is irrevocably flawed and withdraw it. Then, in consultation with the people who have worked on this subject for several years, it could draft a new Bill.

• (1710)

Of course we have a crisis but this Bill, if passed, will not solve the crisis for at least several months. It probably will not solve it even then, because we have been warned that lawyers who are competent in this matter will voice their objections where it will count, in the Federal Court and the Supreme Court.

The Minister has said, "Trust me". He has said, "Trust the intent of the Government". You and I, Mr. Speaker, know that if this comes to a vote you will not ask me and the other Members of the House whether we will vote for or against the intent of the Government. That is not possible because it is not on the agenda. The Government did not put its intent on the agenda. It did not put forth a discussion paper or White Paper. We begged the Government for a year to put a White Paper before us which could be discussed. It would not do that. Instead we are asked to vote for Bill C-55.

The Government's intent makes no difference whatsoever, and it is mischievous of the Government to pretend that by voting for its intent we will be voting for something better than the Bill, something without the faults of the Bill.

We know that there is considerable trouble with the backlog. We know that the backlog is a small reflection of a world-wide problem of 10 million or 15 million refugees. We also know that every lawyer in the private sector who has

spoken on this Bill has spoken against it. I believe that within a day or two the Canadian Bar Association will say that officially and collectively.

It is a little ironic that the Government praises the private sector, calling it the engine of recovery, and brings private sector accountants and lawyers into a privileged position in the budget process. Yet, when lawyers from the private sector criticize this Bill, the Hon. Minister, contrary to his statements of respect for them, attacks their motivation. I heard him in Montreal a couple of weeks ago accuse his opponents of being "street-corner lawyers", whatever that means. He obviously did not mean it in a favourable sense.

It is reported that when he was in Winnipeg he attacked a leading refugee and immigration lawyer there, accusing him of being concerned merely with the revenue he gets from refugees who usually arrive penniless. The Minister had the effrontery to make that accusation, and he repeated it in Montreal a couple of days ago, according to the *Gazette*. He said that the lawyers who criticized the Bill are simply looking for fees for defending refugees.

What a contemptible piece of slander the Minister indulges in by condemning all the lawyers in the private sector who have spoken against this Bill as being only interested in private profit! It is a strange philosophy for a Conservative politician to condemn lawyers for doing their work because they might be paid by someone for doing it.

This Bill has no credibility with those in the public who have studied it. If you ask people on the street whether they want to admit real refugees, they will say, yes. If you ask whether they like the Minister's Bill, they will say, yes because the Minister has put out tens of thousands of dollars worth of false propaganda which says that this Bill does what this Bill does not do. Of course he has succeeded in deceiving the public to some extent, but not for long.

Le Devoir, which was originally willing to buy the Bill, published a second editorial two weeks ago which called it *une loi de refoulement* and said that this Bill is not what it first appeared to be. I heard Mr. LeClerc speak to this last Friday night. He believed that he had been taken for a ride after first consideration of the Bill, and he is now solidly opposed to it.

I want to illustrate the Canadian response, not only to people who have been proven to be refugees but to people who come to the doors of our country asking for a chance to prove that they are refugees. Two days after the Minister introduced those harsh regulations on February 20, I attended a rally at Fort Erie spontaneously organized by the people there who had been helping refugees.

These were not "street-corner lawyers" making a fortune on the backs of refugees, as the Minister would like to suggest. These were the townspeople of Fort Erie who, in the last two years, have billetted 500 refugees. They had put them up at their expense, fed them, clothed them, and given them shelter for a short or a long time. They helped them after they came across the bridge.

These 500 people, through that rally, were telling the Canadian Government not to be afraid of the welfare system for refugees breaking down because they are looking after them. That is the kind of attitude there is in Canada, not only at Fort Erie but in Quebec and other places as well. Residents of Quebec sent a truckload of clothing and food to Plattsburg for refugees who had been turned back from Canada. At Thunder Bay several dozen people are engaged in meeting refugees at the border and helping them to make their way to and through immigration officials. On the Prairies and in British Columbia the same things are taking place.

Canadians are helping these refugees. They are presently doing it legally, but I know they are studying the sanctuary movements in the United States and respect the heroic clergy of those movements who will go to jail rather than send a refugee back to torture or death.

Canadians have been learning compassion. We have had our faults in our immigration policies over the past century and more. There are some things of which we are not proud. I do not want to take time to go into those today. However, support for refugees from the Canadian people primarily, not from this or the previous Government, was what won the Nansen Medal Award.

This law will not go with the Canadian people. If it is passed, the Canadian people will ensure that it is overturned. The basic sense of justice of Canadian people was reflected in the Singh decision two years ago which the Government has done its best to ignore. The Supreme Court of Canada said that when a person's life is at stake, the people who are to decide whether he or she is or is not a refugee must be competent people and must look him or her in the eye. He must stand in front of them so that he can judge their credibility, because nine-tenths of a refugee's case is based on the story he or she has to tell and their ability to convince the judges that the story is true.

The Supreme Court said that it cannot be done on paper or by intermediate officials. Those who are to decide whether to send a person back to possible death must do it face to face with the refugee. That was the Singh decision and that is what is backed by the Canadian people and the Standing Committee on Labour, Employment and Immigration, the reports of which the Government never answered. The report on the refugee system and that on the backlog have been shamefully ignored by the Government to this day, as it has ignored other reports since then.

• (1720)

There are several fundamental faults with this Bill which the lawyers who have looked at it say cannot be reformed by amendment. That is why we asked for withdrawal.

First and foremost is that the Bill begins with the principle that a person is guilty until he proves himself innocent. Furthermore, it does not give him much time to prove it. He is

guilty of being a liar, a cheat, and a queue jumper by illegally trying to get into Canada. That is what the Minister says.

Therefore, we begin the whole process by bringing him to an inquiry. An inquiry is the procedure for examining why a person should not be deported. The onus is on him to prove that he should not be forced to leave the country. That is the way this refugee claimant is treated from the outset, because the Government has chosen to found the whole Bill on the philosophy of the abuser rather than on the philosophy of refugees.

The Government delayed the first Plaut report for half a year and has suppressed the second Plaut report. It has ignored the reports of the committee. It has put in arbitrary regulations in February which have sent away many legitimate refugees. It has refused to examine the refugees in the airplane that was stopped improperly in Buenos Aires. It has refused to examine the evidence about those refugees, which was brought by a competent lawyer sent by the private sector to Buenos Aires to examine them.

It simply scorned any evidence from the people who know something about real refugees. It has pumped out misleading propaganda about the Bill which follows on a policy of several senior officials for several years in trying to instill in the public the idea that most refugee claimants are phonies.

The Government published the ministerial overview which makes claims about the law which the law itself denies. The Bill itself, as printed, denies the main claims of the ministerial overview.

Most people do not have time to read the Bill and most people are not lawyers and cannot understand 60 pages of legalese. Therefore, they read the ministerial overview and form the opinion that the Bill is good and support it. However, the ministerial statements are false and misrepresent what is exactly in Bill C-55.

The Minister's statement that no one with a shred of genuine fear of persecution will be sent back to the country he is fleeing is false. The Minister cannot possibly support it by reference to the law.

Any time that I or anyone else has asked the Minister to discuss the actual words of the law, the Minister slides out by saying that if there are some fine points to be considered, they can be taken up in the committee hearings later on.

It is not fine points with which we are concerned, it is the fundamentals of the law. The Minister has refused ever to talk with individuals or groups and come to grips with the fact that his statements are contradicted by the Bill he is asking me and other Members of the House to support.

One way in which this Bill treats refugees as guilty until proven innocent is in Clause 93 which provides the Government with the power to seize an aircraft of an airline that brought someone to Canada who is considered to have inadequate travel documentation, in other words, someone who is a refugee claimant.

This law goes further than the present law which provides for fining the airline. The Europeans have already begun to copy the existing law for fining airline companies, and presumably then will copy the proposed legislation if it passes and seize aircraft in order to force payment of the fine. According to this proposed law, if an airline brings someone here under existing law and the United Nations declaration for the protection of refugees, including anyone who lied in order to claim refugee status and might be found to be a refugee afterwards, the fact of having brought that person without adequate documents will be an offence for which the airline may have its aircraft seized. This is the principle of guilty until proven innocent.

There is also the principle of safe country about which there has been much talk. The Minister has never given a serious and safe answer to that principle.

In the press conference, the Hon. Minister of Employment and Immigration (Mr. Bouchard) said: "People with refugee status elsewhere and people arriving from safe third countries who had reasonable opportunity to claim protection will be returned to those countries". That is not what Bill C-55 says. Instead, Clause 48.1(1) states:

> A person who claims to be a Convention refugee is not eligible to have the claim determined by the Refugee Division if
>
> (b) the claimant came to Canada from a country that has been prescribed as a safe third country for all persons or for persons of a specified class of persons of which the claimant is a member and would be allowed to return to that country, if removed from Canada, or has a right to have the claim determined therein;

In other words, the fact of being allowed to return is enough by itself. It does not say that he will also have the right. The clause states: "The right to return or the right to have his claim determined". It does not say both. It does not say what happens after he returns to that country.

The point is that these two officers, the refugee board member and adjudicator, according to this law, do not have the power to send that person on to the refugee board if he is ineligible by reason of coming from a country that is described as a safe country for that class of person.

Contrary to what the Minister has repeated again and again in the House and outside the House, this law states that a person who claims to be a Convention refugee is not eligible to have his claim determined by the Refugee Division, he is not eligible to have those two officials send him on to the refugee board, which is the express and only meaning of this clause, he is not eligible if he came from what we are told will be described as a safe third country.

We have never been given any description in the law of what is a safe third country. The Cabinet is simply given a list which it approves as safe third countries. We do not know what considerations go into that decision because the Minister has refused to explain it or put it into this legislation.

There is also the matter of the humanitarian and compassionate factors. The Minister said that a Minister will be able to do as he does now, but the law is entirely silent on the

matter and we have no guarantee that the Minister or his successor will respect the promise he has made today.

There is also the matter of credible claims. Again, the Minister likes to talk about discretion because it is so vague. The law states that the person cannot be sent on to the board unless he is determined to have a credible basis for the claim. Clause 48.1(4) states:

In determining whether a claimant has a credible basis for the claim to be a Convention refugee, the adjudicator and the member of the Refugee Division shall consider any evidence adduced at the inquiry or hearing regarding

It goes on to list two points, the wording of which means only two points. Rather than "including" two points, it states that they shall hear evidence "regarding" two points. One is the record with respect to human rights of the country that the claimant left and the other is the disposition under this Act or the regulations of claims to be Convention refugees made by other persons who alleged fear of persecution in that country.

In other words, if Canada has not received many refugees from that country or believes that it has a good human rights record, for which there is no definition, then that person must be accused of not having a credible basis for his claim and will not be allowed to appear before the refugee board to make his claim, because he is not eligible. That is what the law says, not what the Minister says. I cannot vote for the twaddle I hear from the Minister. I am asked to vote for the law and I will vote against this law. I believe that if Members of Parliament would read Clause 48 and consult their consciences, they would have to vote against it as well.

• (1730)

Another major fault in this law is that the Federal Court is not only limited by its own nature, but it cannot review the merits of a decision. It cannot review a bad decision made in that first screening, nor a decision made in the later hearing, if there is one for that person. It cannot review the merits. It cannot ask if his story was true. It can only look at certain points of procedure and can only do that after there has been a written appeal. By experience we know that fewer than 5 per cent of written requests for permission to appeal are in fact granted. So the chance is very, very small of getting any sort of review.

There is also Clause 48.3(3) which introduces into the refugee consideration the idea that even after an individual is found to be a refugee, he will not be landed if the officers examining him think he will be unable or unwilling to support himself. We have refugees who are children, unaccompanied. We have refugees who have been so badly tortured in the country they left that their mental or physical health does not permit them to earn a living, at least at the beginning. Those people would be excluded by this law. They will be told: "You are a refugee, but, sorry, we do not want you. You are not financially advantageous to Canada".

Another reason that this Bill should be withdrawn is that there is, and has been for many months, a better way to handle this refugee determination. The standing committee, acting on the directive of the former Minister of Employment and Immigration, spent hundreds of hours examining this subject, looking at the report from Rabbi Plaut, listening to the officials of the Immigration Commission and to members of the public who have had experience in the matter, and came up with a system to which the Government has never yet replied, even though the Standing Orders directed it do so.

It would be a system in which the first step from the border would be a meeting with two members of the refugee board, after about a week in which the refugee claimant could orient himself and find a lawyer, if that is what he or she wanted, which is the right of everyone in Canada. The refugee board would decide either that he is a refugee and should be processed with a view to landing, or that he is not a refugee, in which case a senior level of the board would not do a rehearing but would do a paper review.

The hearing would be examined in order to catch a possible error. The senior level of the board would be able to receive further evidence and would give an answer to the refugee claimant so he would know what the accusation was against him, where he failed on his claim. He would then be able to explain a point which was misunderstood or to add further evidence he did not realize at first was needed. But none of that is allowed at this pre-screening on safe third country or credibility. In most cases the board members do not have to give their reasons and will not do so because they will be too busy. They will not do it unless the law requires them to do so.

The system we propose would require that the reasons be given so that the refugee claimant has a normal chance on paper to state his response to the reasons for being rejected. That review committee would then have the responsibility for either upholding the original decision that he is not a refugee or saying there should be a rehearing. Perhaps in a very few cases there would be a rehearing since, as the Minister has said, nothing is perfect and no one is infallible.

This is based on public support. There are hundreds of organizations in Canada which have gone on record as supporting this approach and as opposing this Bill. Some of the largest are the Canadian Labour Congress and at least 11 of the major churches in Canada, the Jewish Congress and the active members of the Canadian Bar Association, immigration section. Within a couple of days I believe they will make their position generally public. There is a growing campaign. There are church services devoted to the welcoming of the refugees and to opposition to Bill C-55. There are public rallies devoted to opposition to Bill C-55. There is a growing petition campaign from Nanaimo to St. John's, Newfoundland. People are saying, "Do not put this Bill into action. This Bill does not help refugees. This Bill would turn refugees away."

I want to say a few words in closing, not about Canadian opposition to this, but to the international meaning of it. A previous speaker mentioned the international line-up of countries which will be inclined to follow Canada's lead and close all the doors. These are the countries primarily of western Europe and North America. Yes, our officials for

several years have been consulting with their officials for this purpose, leading the way in devising ideas for locking out refugee claimants. Most of the refugee claimants nowadays come not from eastern Europe, as they used to, but from the Third World, from the non-white peoples. This law, whatever is the good intention of the Minister, if it goes into action, will be a racist law because it will turn away the huge majority of refugee claimants who in fact are non-white people coming from former colonial countries. This is because there has been a shift of labour policy. Our countries for some decades welcomed cheap labour from the Third World countries, people who could be brought into work at minimum wage or a little less, at least for a few years. We welcomed them in the United States, Canada and western Europe. The multinationals and the banks would now rather have the manufacturing done in those Third World countries. Not only manufacturing but data processing is more and more being done in the Third World countries where the wages are perhaps one-tenth of the wages in Canada.

The wages are held down by the actions of terrorist Governments such as the Governments of South Korea, El Salvador and Chile, where the death squads rule untouched and unrestrained by the government of the day, unrestrained by the dictator in Chile or by the so-called President in El Salvador who shows he has no power over them. By killing off the trade union leaders in those countries, they are able to keep the wages down.

When I was in El Salvador in the first week of May, I had an interesting meeting with the Vice Minister of Planning. I asked him what he was going to do about 70 per cent unemployment in his country. He replied: "I want you Canadians to invest in our cheap labour". It was not a translation. He spoke very good English. He said: "We want you to invest in our cheap labour. Send your wood and cloth down here and we will make furniture and clothes and sell it to the United States. We will get the wages and you get the profits". Those were his words. In other words, this law, Bill C-55, is part of an arrangement adopted by the First World countries to shut Third World people out from our countries. We no longer want them as cheap labour here. We want them as cheaper labour in their home countries where they will be policed by terrorist squads, death squads, aimed particularly at leaders of trade unions and co-operatives who are trying to raise the living standards of their members above starvation level.

• (1740)

It is an evil law. Whatever is the stated intention of the Minister, this law is an evil law. It is evil in two ways. I am now speaking about what the words of the law state and not what the Minister said in his statement since I cannot vote for the stuff that he says. I have to vote yes or no to Bill C-55 and the words that are written in it. What is written in it will harm refugees. Whether or not it will keep the abusers out, I do not know. But I know that it will harm refugees by shutting them out.

Second, this law is an evil law because it purports, and particularly with the interpretations circulated at the taxpayers' expense and carefully drafted to misrepresent the law, to be something that it is not. It purports to be helping refugees when in fact it lays the foundation for shutting them out.

Even if this law goes through second reading, through committee, report stage and third reading and is proclaimed law it will not work. We know that there will be resistance of all kinds, legal and illegal resistance, by Canadian people who will not stand the injustice that this law would present. This law will be not only unjust but it will be unworkable. This was a warning given to the previous Government when the present Immigration Act was being considered. It was warned that it would be unworkable. Those who made the warning were laughed at. At that time they said that there should be an oral hearing for every claimant. The Government said that that would be too expensive. Well, after millions if not billions of dollars of expense the Supreme Court has said: "Give them an oral hearing". This law does not do that. This law would deny what the Supreme Court meant by an oral hearing to the majority of people who come to our ports. Just having them heard on a narrow point by one member of a board is not the oral hearing that the Supreme Court spoke about. Because of that fundamental injustice, Canadian people will have to block this law.

It would be much better if the Minister would withdraw it now and enter into consultation with all those concerned in order to bring us a much truer law that would actually help refugees through a system that would be quick, which is what the committee and what the churches proposed. It would take about three months to determine the cases and there would be no more attraction for these rip-off artists, such as the ones that the Minister has been so slow to prosecute in the case of the Portuguese and now in the case of the Brazilians. The only remedy for this law is to withdraw it.

Mr. Deputy Speaker: On debate, the Hon. Member for Calgary West (Mr. Hawkes).

Mr. Manly: Mr. Speaker, I rise on a point of order. Is there not time allotted for questions and comments?

Mr. Deputy Speaker: No, there is not. That provision does not apply to the first three speakers. The Hon. Member for Calgary West.

Mr. Jim Hawkes (Calgary West): Mr. Speaker, I say to the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly) that mine is the first speech that will be open for questions and comments and I would welcome some at a later stage.

I have served for many hours on the committee with the Hon. Member for Spadina (Mr. Heap). On many things over all those many meetings and many months we have come to a common understanding and a common sense of agreement. That comes out of a deeply felt commitment to the refugees in the world. That is where we have our area of agreement.

However, with the Hon. Member's concluding comments I find myself in complete disagreement. If I were to have to stand in the House today and vote on Bill C-55 as it is currently written I would find myself voting against it. However, I think it is a Bill with the kinds of characteristics that are needed by the refugees of the world and by Canadian society.

What we are being asked to do, and what we are debating here today is to consider whether or not the House should take the decision to move Bill C-55 to committee. Once in committee expert testimony can be heard. Witnesses can be heard and amendments can be moved. The Bill can be strengthened to do the types of things that the Government would so clearly like it to be able to do.

This Bill is something that many of us in the Chamber have been looking forward to for a long period of time. I would like to congratulate the Minister of State for Immigration (Mr. Weiner). This problem came up five Ministers ago, two in the previous Government and three in the current Government. The present Minister is the first Minister who has been able to produce a Bill for the consideration of the House. It is a Bill which the Minister has said again and again Cabinet intends to be a piece of legislation which will make the world a better place, which will make the world a safer place.

During the Minister's speech I was particularly disturbed by the heckling from the Hon. Member for Laurier (Mr. Berger) who I think will be speaking after me. The Hon. Member may indeed want to read which of those heckles got into *Hansard* and may indeed want to apologize not only to the Minister but to the House. It is possible in this Chamber to get carried away with heckling. However, I found the remarks of the Hon. Member for Laurier to be particularly offensive and not in the least in keeping with the kind of standard of conduct that the electors of the country would expect from their representatives in this place. This is the place which is the bastion of freedom. This is the place where, surely, comments directed so clearly at a Member's racial or religious background are inappropriate. I hope that upon further reflection we will hear an apology from the Hon. Member before this debate is concluded.

Mr. Berger: Mr. Speaker, I rise on a point of order. I rise because the Hon. Member for Calgary West (Mr. Hawkes) insinuated that I made comments which reflected upon the Minister's religious or ethnic background. It is perhaps possible that I got carried away in some of the comments I made. However, in Parliament, and if one looks at the tradition of Parliaments, not just this one but of British parliamentary democracy, one will see that there is a tendency to call a spade a spade. I will check the record and it would surprise me if I were to find that I had made any veiled references or unveiled references to the Minister's ethnic or religious background, any detrimental references, which I did not.

Mr. Hawkes: Mr. Speaker, I heard the word "ovens" thrown out across the Chamber more than once. Given the circumstances of the debate we are on and the background of the Minister, that is what I find offensive and inappropriate.

It is somewhat prophetic perhaps that Bill C-55 is presented on a day which began with a domestic discussion of capital punishment. All of us in this Chamber feel that debate very keenly. It is a matter of life and death. Some Members feel strongly that the reinstatement of capital punishment is important to protect the lives of potential future victims. Others think that it is reprehensible to put capital punishment back into Canadian law and deliberately to have the state take a human life. Those differences are felt, and they are felt strongly by the Members of the House and by our constituents.

• (1750)

It is perhaps a little more difficult to see that the fine print of Bill C-55, if it becomes the law of this country, will deal with that very same issue, the issue of life and death. It is the life or the death of strangers. It is not Canadian citizens that we are talking about, not landed immigrants in Canada, but strangers, people who live outside of our borders, but who live in a country-specific situation where, through the arbitrary nature and action of the state, their lives are potentially forfeit.

It is those people, Mr. Speaker, who make their ways to our shores by one means or another and ask for the protection of this country and the protection of its people. They do so, Mr. Speaker, because if they are sent back to their country of origin, they face death, torture, and persecution.

That is why, Mr. Speaker, the fine print in Bill C-55 is something that should engage everyone who has an interest and a background in these matters. That is why, Mr. Speaker, there are people in this country who represent groups working with refugees who are urging Members of this Chamber to reject the Bill in its entirety. That is why, Mr. Speaker, we have had protests.

Mr. Speaker, in many ways, those groups are reacting to a history, to a history that really began for them in 1976, that which has been mentioned by the Hon. Member for Spadina (Mr. Heap).

In 1976, there were very few people in this country, very few lawyers in this country, who had experience in refugee matters. The Parliament of the day, in its time and in its place, passed a law, and it is that same law that is in place in Canada today. Under that law, Mr. Speaker, there was no adequate opportunity for those claiming refuge in this country to tell their story orally in front of the decision-makers who got to decide their fate.

As a new Government, we inherited that law, that situation. The Supreme Court was seized of that matter, and the Supreme Court ruled that there should be an oral hearing.

This Government changed the Immigration Act to allow refugee claimants refused on the basis of a paper review to appeal orally and in person before the Immigration Appeal Board. We have had a year's experience with that new regime. And what does it tell us, Mr. Speaker? It tells us that 8 per cent of the claimants, on the basis of the oral hearing, are

judged to need the protection of Canada, and the board rules that those people should be granted refugee status in this country.

That tells us, in the first instance, that the oral hearing, the chance to tell one's story, is important. It is not just a theory; it is a reality, a demonstrable reality, in the Canadian mosaic.

It also tells us, Mr. Speaker, that 92 per cent of those appealing denial on the basis of a paper review are found not to need the protection of Canada by a three member panel in an oral hearing. It tells us, clearly, that there are abusers. There are those who seek to use the court processes in this country to advance their own selfish ends, regardless of the difficulties that that may cause for legitimate refugees, those who care about them and those who serve them.

That is why, Mr. Speaker, when a poll is done on Bill C-55, there is such overwhelming endorsement of it. The average Canadian does not know what is contained in the 62 pages of the Bill. The average Canadian does not have the background, the experience, the training to determine whether the fine print will get the job done or not. What the average Canadian is responding to, Mr. Speaker, is the notion that those who need the protection of this country will be found to be *bona fide* refugees and will be granted that protection, and that those who abuse the system will not be granted that special privilege and will in fact be deported.

Mr. Speaker, it is clear that that is what Canadians want. The only issue for the House in relation to Bill C-55 is whether or not these proposed amendments to the immigration law of Canada have enough going for them that they are worth detailed study and examination by committee to ensure that what Canadians want will indeed come about.

Mr. Speaker, I was deeply disappointed to hear the speaker on behalf of the Liberal Party immediately move what we refer to as the sixth month hoist. He did that before hearing the lead-off speaker for the New Democratic Party or a second speaker on behalf of the government side. To move the six month hoist is to assume that the Bill is unsalvageable and would make no contribution to the lives of refugees or to Canadian society.

Mr. Speaker, the kindest thing I can say about that action is that it is premature. I move from words like "premature" to "poorly thought out", "ill-conceived", "unwise", and "damaging".

Mr. Berger: It is the same reaction that we have seen on the part of all of the groups across the country.

Mr. Hawkes: The Hon. Member for Laurier (Mr. Berger) says that it is the same reaction on the part of all of the groups across the country.

Mr. Berger: Yes. The store-front lawyers.

Mr. Hawkes: That, Mr. Speaker, is an example of the kind of rhetoric we have come to expect over the past eight years.

It is not the reaction of all of the groups in the country; it is not the reaction of all of the people of the country. It is not my reaction, to start with. I can talk about what I believe and what I think.

Mr. Speaker, Bill C-55, I believe, has the potential to achieve what Canadians want, that being the protection of those who need this country's protection in as fail-safe a manner as is possible in any system that requires human decision making, while at the same time bringing about a significant reduction in the potential for abuse of the system.

Had the previous Government tackled this problem when it first arose five or six years ago and not left it to this Government to provide the oral hearing—which it did by way of a prior piece of legislation—we would not now be dealing with something of this complexity in an environment where there are thousands, and even perhaps tens of thousands, of abusers. Had the Liberal Party shown as much concern in the early 1980s as they would profess to have today, we would not be engaged in this debate.

Mr. Berger: In 1980, there were 1,800 in-land claimants. In 1983, there were 6,100.

Mr. Hawkes: What are the problems with this Bill, Mr. Speaker? Part of the problem, insofar as the small print is concerned, is that we have not had the opportunity to hear witnesses and to examine those witnesses on the provisions of the Bill.

Mr. Speaker, I see that it is time for Private Members' Hour. I believe I have some time left and that I shall be recognized following Private Members' Hour.

Mr. Deputy Speaker: Yes.

* * *

[*Translation*]

MESSAGE FROM THE SENATE

Mr. Deputy Speaker: I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed Bill C-65, an Act for granting to Her Majesty certain sums of money for the Government of Canada for the financial year ending the 31st March, 1988.

* * *

• (1800)

[*English*]

BUSINESS OF THE HOUSE

Mr. Lewis: Mr. Speaker, there have been consultations among the Parties and the House Leaders, and I think Your

Honour would find unanimous consent for the House to deal with the Bill introduced yesterday by the Hon. Member for LaSalle (Mr. Lanthier), Bill C-259, an Act to extend the term of a patent relating to a certain food additive.

The Hon. Member for LaSalle will rise on the motion for second reading to explain the purpose of the Bill. Then it would be our intention to have the House deal with the remaining stages of the Bill without debate, so that it could be sent to the Senate this evening.

In order for the Hon. Member for Hull—Aylmer (Mr. Isabelle), whose Private Member's Motion is up for debate this evening, not to lose the full benefit of one hour of debate, it is our suggestion that the time for the debate on his motion be extended by whatever time it takes to deal with Bill C-259 at all stages.

[*Translation*]

Mr. Speaker: It being 6 p.m., pursuant to order of Friday, June 12, 1987, the House will now proceed to Private Members' Business as listed on today's Order Paper.

[*English*]

The House has heard the terms of the proposal of the Government Deputy House Leader. Is there unanimous consent?

Some Hon. Members: Agreed.

PRIVATE MEMBERS' BUSINESS--PUBLIC BILLS

[*Translation*]

PATENT EXTENSION (ASPARTAME) ACT

EXTENSION OF TERM OF PATENT

Mr. Claude Lanthier (Parliamentary Secretary to Minister of Public Works) moved that Bill C-259, an Act to extend the term of a patent relating to a certain additive, be read the second time and, with unanimous consent, referred to a committee of the whole.

He said: Mr. Speaker, I would like to start by thanking Hon. Members for granting us this unanimous consent and for understanding the very essence of a debate that is not a debate in the controversial sense but which could have been, and whose purpose is to observe the principle of equity with respect to the intellectual property of a company. I greatly appreciate the co-operation we have received, as expressed in this unanimous consent, from the two opposition Parties, the NDP and the Liberal Party. I also wish to thank my colleagues in the Progressive Conservative Party for their show of confidence.

Mr. Speaker, I therefore welcome this opportunity today to introduce a Bill that will extend by five years the Canadian patent on the food additive aspartame, more commonly referred to as nutraSucre or nutraSweet, in English.

First of all, I should say that the case of aspartame is unique. The sale of aspartame was first approved by the U.S. Government in 1974. However, before it was put on the market, approval was withdrawn because of concerns about the safety of this product. The situation in the United States forced the Canadian authorities to be careful not to expose Canadians to any undue health risk. In 1981, after a complete and complex investigation, the Searle Company was finally authorized to market aspartame in Canada. Searle, after having had only six years to reap the benefits arising from its patent, is asking today to have the patent extended by five years, to compensate for the time during which its product was kept off the market due to circumstances beyond its control.

The Searle Company has already obtained an extension of the term of its patent for aspartame in the United States, Great Britain, South Africa and Australia and filed applications for an extension in New Zealand. If a five-year extension were granted in Canada, Monsanto Canada, the parent company of Searle and NutraSweet, would invest $10 million in a new plant located in the beautiful constituency of LaSalle. This pilot plant would create about 30 new jobs and pave the way for improvements in manufacturing processes and for the development of new technologies which Searle could apply throughout the world. Monsanto has indicated that this measure would eliminate imports from the United States and create export opportunities to European markets, and lead to a search for possible export markets in Asia. This measure is consistent with the objectives of our Government to promote technological innovation and reduce the dependency of Canada in the field of science and technology.

So that there can be no confusion about the nature of aspartame, I would like to underline once more that this product is a food additive and not a drug. It is the only low calorie sweetener which can be added to food products and beverages in Canada. It is widely used by diabetics and the weight-conscious. It is important to understand that it is not a drug. Generic product manufacturers can obtain a license at any time to produce and market equivalent products. Consequently, consumers will soon be able to find equivalent products containing aspartame or its equivalents at very good prices.

Let me repeat that this Bill is a special answer to a unique problem. Searle has had to face exceptional circumstances surrounding the initial marketing of its product, and it is normal that Canada now extend its period of protection as it certainly did not benefit from the 17 years of protection its patent should have provided under the 1932 Act.

It is in the interests of this government and of all Canadians, especially Quebecers and LaSalle residents, that fair protection be given to those who put their scientific knowledge at the service of consumers. It is in this spirit that we should give our support to this Bill.

Some Hon. Members: Hear, hear! Excellent!

Mr. Lanthier: Mr. Speaker, I therefore ask this House to continue in this fine spirit of cooperation so that we may give passage to this Bill as quickly as possible as the patent will expire on July 1st.

Motion agreed to, bill read the second time, considered in committee by unanimous consent, reported, read the third time and passed.

PRIVATE MEMBERS' BUSINESS—MOTIONS

[*Translation*]

INCOME TAX ACT

THE ADVISABILITY OF CREATING A SPECIAL DEDUCTION FOR ALL VETERANS AGED 65 AND OVER

Mr. Gaston Isabelle (Hull—Aylmer) moved:

That, in the opinion of this House, the Government should consider the advisability of amending the Income Tax Act for the purpose of creating a special deduction for all veterans aged 65 and over, thus recognizing services rendered to the nation in wartime.

Mr. Deputy Speaker: The motion of the Hon. Member for Hull—Aylmer will be debated during 60 minutes beginning now.

• (1810)

Mr. Isabelle: First of all, Mr. Speaker, I should like to tell the House that this is not a partisan motion. It is nothing more than a tangible reward we should give to all those who fought during at least four years to defend the freedom we all enjoy today.

Mr. Speaker, allow me to read the motion:

That, in the opinion of this House, the Government should consider the advisability of amending the Income Tax Act for the purpose of creating a special deduction for all veterans aged 65 and over, thus recognizing services rendered to the nation in wartime.

Mr. Speaker, I want to make it clear from the outset that I did not specify any amount in this motion. This is precisely why it reads: "That the Government should consider the advisability". I am sure it will examine the motion and that some of my colleagues will comment on this.

Mr. Speaker, I would remind the House that during the last two world wars more than 1,300,000 people joined the armed forces and fought overseas for the freedom of people which was threatened.

I would also like to say that, out of these 1,300,000 plus, 650,000 are still among us, both men and women, of course. The number of veterans decreases by 25,000 each year and, by the year 2025 or thereabouts, perhaps 1,000 at most will still be living.

The average age of World War I veterans is 89, that of World War II veterans is 66, and that of Korean War veterans is 57, or an over-all average age of about 66.

Mr. Speaker, after joining the armed forces these people experienced difficult years, years of horror, years of distress, but they were always motivated by the courageous decision to leave their families to go and fight in foreign lands to defend freedom.

There is no doubt that this motion would contribute to reduce some of the taxes they have to pay. They are all pensioners, as I said earlier, and we know that the average income of pensioners, that is those who have retired, is about $12,533 a year. So we can say that the only income of most veterans is roughly the same as the national average income of all pensioners.

We must also remember that some of those veterans were prisoners of war, of course, and as such they receive an allowance, a kind of pension. And then there are others who were wounded, others who were handicapped when they came back and who receive a pension for their injuries and their disability.

Mr. Speaker, the purpose of this motion is above all to compensate, on an individual basis, all veterans aged 65 who served the cause of freedom. Over the years we have always admired and congratulated our veterans on Remembrance Day, we have built monuments, we have given them recognition, as a group, for their valour, courage and bravery in the wars, as people who gave this country the freedom we enjoy today. However, Mr. Speaker, I do not think we have been particularly attentive to those who fought for so many years, who suffered so that today's generation could have that freedom we cherish.

We can say that little or nothing has been done on an individual basis, and that is why I have just announced that I would like to see some tangible compensation for those who fought during the terrible war years, who willingly gave up the best years of their lives, their youth, to go and fight so that this generation and future generations would have the freedom we all enjoy today.

Mr. Speaker, I am sure we could have a long discussion on the amount of this special deduction. Personally, I would suggest a deduction of $400 per veteran. In most cases, a $400 deduction would result in a fairly substantial income tax deduction, in other words, they would be paying $184 or $200 or $400 or $500 less in income tax. I believe that this would totally cancel the amount they would have to pay in taxes since, as you know, Mr. Speaker, when you have $1,000 or $2,000 in taxable income, you have to pay $100 or more in taxes. We also know that this is more symbolic than anything else as these people still want to feel useful in society. They want to give some meaning to their life because they have done something tangible for Canada. I do not think that future generations will be willing to sacrifice their lives as did Canadians between 1914 and 1917 and between 1939 and 1945.

There are also military decorations, and I am thinking mostly about the Distinguished Service Order, or DSO, to which is attached a small monetary award of 10 pounds sterling, or about $40, which is not very much. However, for those who have been given this decoration, this monetary award is a matter of pride in what they have done. It represents much more than the money as it confirms that they have served their country, Canada. Churchill said: "Never have so many owed so much to so few." I believe that Sir Winston Churchill said those words after the battle of London, and I think that such deeds should be emphasized in our history books so that this generation and the ones to come will understand that there were great acts of bravery and courage during the Second World War.

Mr. Speaker, you have to know some of the veterans to realize that most of them live at about the poverty line. I am not speaking about those who receive pensions, and even in their cases, pensions and allowances do not mean much, since, especially in the case of allowances, every Canadian becomes eligible for the income supplement at the age of 65. As veterans' allowances are given as supplements, those who receive them simply change over to the system provided for all Canadians at the age of 65.

This morning, we had the privilege of welcoming the Association of Former Prisoners of War. We heard some of the stories these people had to tell, Mr. Speaker, and it is enough to make your hair stand on end. It is impossible to imagine that men and women can have suffered so long during the war and not receive anything in return except our sympathy. As for me, I believe that those who came back, who were not wounded, who were not prisoners of war, who were able to rebuild their life, perhaps a very ordinary life, should receive something tangible in return. Some may say: this is impossible because of the high costs involved. Mr. Speaker, if those people had not been where duty had them at the time, I think it would have taken our country much more than just money to give those veterans a new sense of hope, a new sense of pride in belonging to this country for which they fought, for which they defended the freedom enjoyed by all those who lived in Canada at the time. People can obviously take pride in mentioning in their income tax return that they are veterans, and once again, we have to understand them, understand that they are proud to have served in the wars, and that they genuinely deserve a reward.

Mr. Speaker, I do not want to take up too much of our time. I believe my motion is quite straightforward. It is not cast in concrete. There is room for improvements, and maybe we will be pleasantly surprised tonight to learn that consideration has been given to veterans in the tax reform, though I do not know anything about that, but I believe that it is of the utmost importance that this generation show consideration for the generation of those who suffered for us.

Mr. Speaker, I said earlier that veterans have always been considered as a group. Of course, some minor efforts are presently being rewarded on an individual basis a specific segment of those veterans, and I am referring the VIP program, or Veterans Independence Program through which veterans who were wounded or live on some pension, instead of being isolated in hospitals, clinics, or foster homes, are indeed able to stay at home, to stay within thier communities, to say where they spent all their lives, where they have been happy. I therefore submit that this program should be extended to other categories of veterans. It is an encouraging sign, but once again, I think we should read, and maybe all Hon. Members should do so, the terrifying and totally amazing stories of what those veterans went through during the First and Second World Wars.

I recently had the opportunity to visit France with a few of my colleagues. We were entertained in Reims and in Châlons-sur-Marne, and in a number of other places in France, in the south, in Avignon, in Nice and I can assure you that we always got a very warm welcome from those who entertained us, but all their speeches were along the same line, they would thank us for the huge services we rendered to the Allies as well as to the French families during the two World Wars.

Mr. Speaker, when you see those valleys, those fields of poppies, you are constantly reminded of all the war movies. That is why we have to give a kind of new faith to those who fought and, naturally, honour them. The Department of Veteran Affairs wants to honour their memory by building monuments. During the centennial year of our national parks, in 1985, the Department erected about 12 monuments in parks. Nice things can be engraved on steles, reminding us of those who gave their lives, who are buried on various continents or in the seven seas. But for the survivors, there is only bitter memory of lost years, lost income and of the one thing they won like everybody, freedom. It is up to us to add something to that and I think that what I propose in the motion is worth considering, if not in total, at least in part.

I have always had a lot of respect for veterans. I saw one yesterday who spent 14 years in the Royal Canadian Air Force. He had to get out because of various personal problems, but after 14 years, Mr. Speaker, he has no pension, nothing. In 1938, he was making $33 a month, he fought throughout the war, but he got no pension, no veteran's allowance after the war because he did not have 20 years of service. He was in the regular forces and now he must rely on social welfare. He is frustrated as are many others, not because he fought to give us a future, but he is frustrated when he realizes that Canada is not very grateful for what they did.

Mr. Speaker, I know that much has been done for veterans. However, I think that the tremendous service they rendered Canadians will always exceed all services which could be made available to them at any cost. I hope the House will pass this motion which obviously is not binding on the Government since it asks the government to consider the advisability to do something in accordance with the substance of the motion.

Moreover, on behalf of the veterans, it would be quite difficult I think for the Hon. Members to do otherwise. And I am sure that perhaps some of our friends . . . I see the Hon. Member for LaSalle (Mr. Lanthier) wriggling in his seat. No doubt he would like to rise. I hope that he will not try to bury us under heaps of figures because the purpose of this Bill is not to resolve an equation, but merely to try to reward those people who rendered services to all of us as a community and whom we still cherish.

I hope that there will be no more war, but for those who were eyewitnesses of those disastrous wars which have become necessary to defeat the enemy and regain our freedom . . . I would like us to find a small tangible way, Mr. Speaker, to improve the lot of those who are 65 years of age and over, since most of them live near the threshold of poverty.

• (1820)

Mr. Claude Lanthier (Parliamentary Secretary to Minister of Public Works): Mr. Speaker, I wonder why the Hon. Member for Hull—Aylmer (Mr. Isabelle) should be afraid of mathematics or a series of figures when he knows that an engineer will respond on behalf of the Minister of Finance. He should not be afraid, and I believe that our Government has shown that we have as much compassion as rational sense, with both feet on the ground.

[*English*]

I would like to take this opportunity, as did the Member for Hull—Aylmer (Mr. Isabelle), to pay due homage to the veterans of Canada in general and to the wonderful riding of LaSalle in particular. I have an opportunity today to air the problems of these veterans. When I go to Legion 212 these veterans, most of whom are now aged, tell all sorts of horror stories to which the Hon. Member for Hull—Aylmer just referred.

The Ladies Auxiliary of Legion 212 maintains the morale of the active members and of the members who are hospitalized in Sainte-Anne de Bellevue Hospital by greeting them a few times a year so that they are not forgotten. *La devise* of Quebec is *Je me souviens* and it is translated at the Legion as "Lest we forget". Therefore, Mr. Speaker, I take this opportunity to extend my best wishes to the members of all Legions of Canada and, in particular, those in the riding of LaSalle.

[*Translation*]

And speaking of horror stories, Mr. Speaker, we are too young to have been directly involved in World War II, but we did have, if I may put it this way, the opportunity to take part in the Korean War or in other wars, in other peacekeeping missions undertaken by Canada throughout the world. I must recall the pathetic death of a member of my community, more specifically, when I was young, Private Jacques Lefebvre who fell in Normandy and whom I had gotten to know very well on my home street. This was a young man who went to war, who saw action and did not come back. Parents had to live with this kind of situation for many years, and I want to pay tribute to all those soldiers who fell on the battleground, who were killed in action, but particularly to the one I knew, Private Jacques Lefebvre whom I still remember as representing the sacrifice many Canadians had to make, namely sending healthy sons away so they would maintain peace in the world.

Still, notwithstanding the compassion we must show for our veterans, we have to keep both feet on the ground and deal with this tax problem with appropriate objectivity.

Mr. Speaker, the motion urges the Government to consider the advisability to amend the Income Tax Act for the purpose of creating a special deduction for veterans, thus recognizing services rendered to the nation in wartime.

First, it is important to emphasize that the income tax due by an individual is based on that individual's ability to pay. In that sense, the tax legislation must be general and uniform. This means the past or present occupation of a taxpayer has no impact on the amount of tax he or she has to pay. In that light, it does not seem appropriate to grant individuals a general exemption in recognition of past services. This is a matter of general policy.

Many groups in our Canadian society are in need and would certainly deserve our help. Some assistance already has been given to retirees, by increasing and indexing the Old Age Security pension, and also the guaranteed income supplement, as well as to war veterans directly and their families by increasing the veterans' allowance and the veterans' disability pension. The numerous amendments made these last few years to the tax legislation substantially increased available income, and thereby the purchasing power of small- and medium-income people.

The Canadian Government is aware of the debt Canadians as a whole owe our war veterans and it is attempting to help them within its resources. A number of federal acts already provide for the payment of pensions, allowances and various benefits to war veterans. This includes the Compensation for Former Prisoners of War Act, the War Veterans' Allowance Act and the Pensions Act. Benefits paid to war veterans under those acts are not included in income, which means they are tax exempt. That approach has the merit of recognizing the special contribution of War Veterans to the protection of our country, our heritage and world peace in general.

On the other hand, where a war veteran has other sources of income such as employment, business, investments, etc., it seems reasonable that he pay the same amount of tax as other Canadians with similar income and circumstances.

The tax reform initiated by this Government, the outline of which will be made public in a few minutes, will reduce the tax burden of low income families, and thereby of many veterans who are in that particular situation.

To sum up, the Income Tax Act already grants preferred treatment to war veterans, and in view of the measures the Minister of Finance (Mr. Wilson) will be announcing later

tonight, establishing an extra income tax deduction for war veterans may not appear needed or even appropriate.

Such a deduction that needless to say would reduce employment, business or investment income would favour war veterans to the detriment of other Canadian taxpayers who might be just as deserving.

Nonetheless, it is not to be ruled out that the Government might increase its help to War Veterans. Simply, it does not seem appropriate that such additional help be provided through the tax legislation. The Minister of Veterans Affairs is best able to identify and dispense help to war veterans in need. That role should not be relinquished to the Minister of National Revenue.

Mr. Speaker, this measure is quite in keeping with this Government's leitmotiv, which is to help the people most in need, which means unfortunately that we have to mitigate the benefits extended to those who are less in need.

• (1830)

What the Hon. Member for Hull—Aylmer (Mr. Isabelle) is proposing would afford an advantage to people with high incomes and little advantage, if any, to people with no income. This is in total conflict with any social measure one can imagine. We believe that those in need, including veterans, are not getting enough compared to what they have contributed.

However, we must realize that we will certainly not give more to those who are most in need by collecting less revenue from those who are able to pay.

So, given all these considerations and with due regard and compassion, of course, for these brave fighting men and those who sustained their action away from the front lines, we believe that this motion should not be encouraged by our Government since it is almost anti-social and would certainly not help those who need it most.

[*English*]

Mr. Neil Young (Beaches): Mr. Speaker, at the outset I want to congratulate the Hon. Member for Hull—Aylmer (Mr. Isabelle) for giving the House an opportunity to discuss matters affecting Canada's veterans. All too often the House does not have an opportunity to discuss policy matters as they affect those individuals who, at great personal sacrifice, fought for Canada and world freedom, especially in the last two major wars.

I have been associated with the Hon. Member for Hull—Aylmer for quite a number of years through our joint activity on the House of Commons Standing Committee on Veterans Affairs. I know he brings a great deal of knowledge and experience to this debate. I have a tremendous amount of respect for the Hon. Member and for the effort, energy, and enthusiasm which he puts into those matters affecting Canadian veterans.

As I understand it, the intent of the motion of the Hon. Member is to provide a benefit through the Income Tax Act to those Canadians who served in Canada's Armed Forces in time of war. As I understand it, this benefit would be in the form of a tax credit and would be designed to give recognition to those Canadians for the sacrifice they made on Canada's behalf during wartime.

As will undoubtedly be pointed out in the course of this debate, those veterans who were wounded during the war, suffered through illness as a result of wartime experience, or were prisoners of war, will have benefits available to them under various programs administered by the Department of Veterans Affairs.

I understand that this motion would provide a degree of recognition to those Canadians who were not prisoners of war and do not receive any other additional benefits under the various programs provided by the existing veterans legislation. The Hon. Member for Hull—Aylmer is attempting to tell those veterans that while fortunately they are ineligible to become a recipient as a result of a war injury, illness or of being a prisoner of war, the federal Government and indeed Parliament wants to extend an extra recognition to them for the service they gave to the country during periods of armed conflict. In that sense, I think it behoves all of us to give full consideration to the sentiments being advanced by the Hon. Member for Hull—Aylmer.

The Hon. Member, like myself, is not a tax accountant by any means. We are simply Members of the House who want to recognize the value that a number of Canadians have given to this country over the years. We are interested in the sentiment and recognition expressed in the motion.

• (1840)

The motion also gives us an opportunity to examine how we are treating a number of others in our veteran population. There is some urgency to the Hon. Member's motion that we give some additional recognition when we consider that Canada's veteran population is declining at a rate of some 25,000 a year.

I am sure the Hon. Member who moved the motion does not want to leave the impression that nothing is being done because I have heard him say on many occasions that all of us appreciate the efforts of the present Minister of Veterans Affairs (Mr. Hees) to the pressing problems facing our veterans. In fact, I have said in the House that since I came here in 1980 I do not know of any other Minister of Veterans Affairs who has moved so quickly in such a short period of time to resolve many of the outstanding problems facing veterans, even going back to the 1914-18 war.

I could not believe it when one of the first pieces of legislation the Minister of Veterans Affairs introduced in the House corrected a grievance that had existed since the 1914-18 war. Numerous delegations from the Canadian Legion appeared before the Veterans Affairs Committee over the years to seek correction of that injustice. The Minister took that action. I do

not know why previous Ministers of Veterans Affairs had such difficulty in resolving many of these simple problems.

While I support the intention of the motion and praise the work done by the Minister of Veterans Affairs, it does not mean that there are not other matters that must be addressed soon on behalf of veterans.

One matter which I want to raise specifically concerns an issue that defies logic. It is a policy dealing with Canadians who served overseas during the war and, at the termination of the war, elected to remain in the country in which they served rather than return to Canada. According to the legislation, before these veterans can become eligible for the War Veterans Allowance, they are required to reside in Canada for a 12-month period. These are people who made a great sacrifice to themselves and their families and volunteered to fight not only for Canada but on behalf of free people everywhere in the world. While serving in those countries they may have met their spouse, married in the country in which they served and raised families. Many of them now are at an age when they are infirm and need some extra financial assistance in order to lead as normal a life as possible.

The Department of Veterans Affairs has indicated that it is willing to give these people assistance but, before doing so, they must uproot themselves from their family and return to Canada for 12 months to receive the benefits under the various pieces of legislation for veterans. I, nor those veterans, understand the logic behind that policy. I know that the Minister is quite sympathetic to the problem facing these veterans. I believe it is time for action, but I also understand and appreciate that it involves a cost to the treasury.

I have proposed a suggestion to the Minister of Veterans Affairs. Canada is very generous to allied forces who are not Canadians but come to Canada and reside here for 10 years. After that 10-year period they become eligible for benefits under our veterans' legislation, quite properly so. I have suggested to the Minister that perhaps negotiations should take place with the United Kingdom and other European countries on the basis that we treat their veterans very generously in Canada and perhaps a reciprocal agreement with those Governments could be arranged to ensure that Canadian veterans living in those countries are treated as well as veterans who decide to live in Canada.

I congratulate the Hon. Member for Hull—Aylmer for giving us an opportunity to discuss this important matter. It deserves all the support that the motion calls for.

Mr. Dan McKenzie (Parliamentary Secretary to Minister of Veterans Affairs): Mr. Speaker, I am pleased to take part in this debate because the motion moved by the Hon. Member for Hull—Aylmer (Mr. Isabelle) is entirely in keeping with the approach this Government has taken with respect to veterans.

The Minister of Veterans Affairs (Mr. Hees) will probably go down as the most popular and effective Minister of Veterans Affairs that this country has ever seen. It has been a great pleasure and honour for me to have served as his parliamentary secretary.

When I visit Legions and Army and Navy units across the country, representing the Minister at Veterans Affairs functions, I hear nothing but the highest praise and respect for the Minister, particularly for the advanced legislation that he has brought forward over the last couple of years.

• (1850)

I am a life member of the Army, Navy and Air Force Veterans. In my Legion in Winnipeg, every time I visit, I am asked about my Minister. It is the same in the Charleswood Legion in my riding. They often comment on the Minister's advanced legislation.

The Minister of Veterans Affairs made two very important announcements when he took office. The first announcement was that veterans were very special Canadians and that they would be treated as such by the Department of Veterans Affairs and by the Government of Canada. Following this was a second announcement that the overriding policy at the Department of Veterans Affairs would be summarized in three words: courtesy, generosity and speed. Those statements were strongly endorsed by the Prime Minister (Mr. Mulroney) and, indeed, by the entire Government. Since that time, I am confident all Hon. Members would agree, the Government has honoured the commitments given by the Minister of Veterans Affairs in September 1984.

It might appear easy today to say this is no big accomplishment. However, that was certainly not the case when we took office. Those of us who were here in the last Parliament can recall only too well how dreadful things had become at the Department of Veterans Affairs. Believe it or not, Mr. Speaker, constituents' complaints about Veterans Affairs ran second only to complaints about the Post Office. That is how badly the Department had slipped. In fact, matters were sufficiently serious to cause the previous Government to establish an independent committee of inquiry to try to sort it all out. The new Government scrapped that committee, rolled up its sleeves and went to work on behalf of Canada's veterans. The result in a very short time of less than three years has been dramatic.

Unquestionably, the number one complaint across Canada was delays in the pension process. Some veterans were waiting up to five years just to get a final ruling on their claims, and their chances of getting a favourable decision were not good at all. Thanks to this Government, delays in the pension process have been slashed by at least half and, in some cases, by over three-quarters. No one wants to hear the statistics anymore because there is no news in good news, yet our accomplishment is not only incredible but a source of real and genuine pride for all associated with it.

I use the word "incredible" and I know it is a very overworked word. Nonetheless, the slashing we have done with pension processing times has been achieved in the face of an

almost two-fold increase in caseload. Imagine, Mr. Speaker, cutting turnaround times by well over half while almost doubling one's workload. At the same time veterans' claims are receiving far more thoughtful and considerate attention than was the case previously. Favourable decisions are running at over 50 per cent at first application, 60 per cent at first appeal and over 40 per cent at final appeal. This is the kind of generosity veterans have every reason to expect.

We also came to power with initiatives in mind and our legislative proposals have turned these initiatives into law. Widows of veterans no longer see the married rate of pension reduced within a month of the pensioner's death. Bill C-28 passed in early 1985, continued the married rate for a full year, thus giving the surviving spouse a chance to recover from his or her bereavement. The same principle was extended to exceptional incapacity and attendance allowance payments. Bill C-28 also settled once and for all the very legitimate complaint that veterans and veterans' organizations have raised with regard to the basic rate of pension.

It was always intended that the basic rate of pension, which is the rate payable to single pensioners whose disability assessment is 100 per cent, should be equal to the average take-home pay of four categories of public servants. Unfortunately, no mechanism was ever put in place to make sure the basic rate stayed in line with what these categories of public servants were receiving. The result was an endless circle of veterans falling behind, Parliament voting to raise the basic rate, veterans falling behind again, and on it went. We put an end to that by pegging the basic rate to the average wage I just mentioned while, at the same time, keeping veterans' pensions fully indexed. Veterans can now rest totally assured that the basic rate of pension will never again fall behind.

Action was also taken to remove a very discriminatory practice insofar as former prisoners of war were concerned. What was happening is that former prisoners of war were being denied any POW benefits if their disability pension was paid at the 100 per cent rate. Similarly, POW benefits were reduced if the payment of the full benefit, combined with the veteran's pension, would bring the total over the 100 per cent ceiling. This section of the Act caused hundreds of veterans to lose all or part of their compensation and it hurt the most severely disabled veterans the most. In fact, it was the Hong Kong POWs who were most affected by this unjust and inequitable measure.

Bill C-100, passed in March 1986, put an end to this discrimination. The legislation said plainly and simply that former POWs would receive all the compensation they were entitled to regardless of how much pension they were receiving. That legislation also acknowledged the fact that the Dieppe POWs were being unfairly compensated under the Act. Their compensation was increased from the equivalent from a 20 per cent pension to a 25 per cent pension.

This Government has always been active on the non-legislative side to assist veterans and their dependents. Eligibility for the Veterans Independence Program has been expanded four times since September 1984 and significant improvements have been made in the quality and extent of health and medical benefits.

We have also raised the casual earnings and interest income exemptions for war veterans allowance recipients, to say nothing of the almost twofold increase in the amount of education assistance provided under the Children of the War Dead (Education Assistance) Act. More recently the Minister announced that an 11 year injustice done to Canadian veterans held prisoners in North Africa during the Second World War had come to an end. These veterans will be receiving prisoner of war compensation and it will be paid retroactive to 1976, the year they should have started receiving this benefit.

This Government has further initiatives in mind and announcements will be made in the coming months in that regard. Our record to date is one in which I take personal pride because no one fought harder than I did in the last Parliament on behalf of Canada's veterans. We as a country owe veterans a tremendous debt and they richly deserve the very best we can provide. Our Prime Minister and our Government very sincerely believe that, and we have proven our sincerity in word and deed for the past two and a half years.

The Hon. Member's motion has been drafted in exactly the same spirit and I commend him for it. For my part, I would be very glad to see the Hon. Member's suggestion given every consideration by the Minister of Finance, who has himself demonstrated a long standing interest and concern in Veterans Affairs.

[*Translation*]

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, the Hon. Member for Hull—Aylmer (Mr. Isabelle) is giving me the opportunity to pay tribute to the men and women of the riding of Lévis who have fought in the last wars. Many of them never came back from overseas. Therefore, I want to pay tribute to them as well as to their families and to those who are still living. Each year in November, I meet a number of them. I am pleased today to mention the dean of those former defenders of our country, Mr. Lévis Brochu, a citizen still very active in our riding and who took part in the First World War of 1914-18. He told me personally what life was like in the trenches at that time. Therefore, I pay tribute to Mr. Brochu who on every occasion and at every celebration of Remembrance Day manages to come and see me in order to explain what happened during the years 1914 to 1918 and during the subsequent wars.

The purpose of the proposal of the Hon. Member for Hull—Aylmer (Mr. Isabelle) is to give to former servicemen and veterans a unique status in terms of our tax system. That suggestion, I think, could have been made between the years 1965 and 1984, when the Hon. Member for Hull—Aylmer was a member of the Government in office, except for a short period in 1979.

The Hon. Member was also Parliamentary Secretary to the Secretary of State for External Affairs (Mr. Clark). He was also Parliamentary Secretary to the Minister of National Health and Welfare (Mr. Epp) where he was in a privileged

position to encourage that course of action for veterans. Therefore, in that sense, may be the proposal comes too late. In another sense, I think that it may be less appropriate today because this Government, in particular this Minister of Finance (Mr. Wilson), will announce to Canadians new proposals for a major tax reform, the most extensive one since 1971 and maybe since 1917, when the general tax legislation was passed.

Mr. Speaker, maybe this is why one should wonder whether it is advisable to act immediately on the proposal of the Hon. Member for Hull—Aylmer. I reflect on the meaning of his proposal considering the two aspects of the Government's role. The first duty of a Government is to collect taxes to finance state expenditures in terms of goods and services. At present, that financing costs $116 billion to Canadians. From that amount, this Government allocates $57 billion to the protection of disadvantaged people and to bring their standard of living more in line with that of Canadians in general. Fifty-seven billion dollars in our budget are already allocated to the underprivileged, and the Hon. Member for Hull—Aylmer would recommend that the money allocated to those people be increased through tax expenses. You have to have money to be able to redistribute it to Canadians, and tax expenditures are a loss of revenues for our Government, they already amount to $35 billion a year. So, I do not feel it is appropriate to increase those tax expenditures by such an amount, to increase them by $35 billion.

There is also the fact that the tax system applies to all Canadians and must be fair. Most of the benefits paid to veterans are tax free. This is already a tax assistance which is given to them and which nevertheless protects the integrity of the tax system. It is directly related to payments made in consideration of military service.

Moreover, veterans benefit from other programs and tax breaks like the old age deduction, that is $2,640 in 1987 for those 65 years old and over. There is also the deduction for disabled people, that is $2,890 in 1987, which is now available to a larger number of taxpayers, a deduction for medical costs including the cost of a nursing home insofar as the costs exceed 3 per cent of the net income.

Finally, the pension income deduction: a maximum of $1,000 on payments received from private retirement funds.

Deductions in the calculation of taxable income benefit high income taxpayers, which might not be the purpose of the motion moved by the Hon. Member for Hull—Aylmer, while they put low income taxpayers at a disadvantage. The tax reform we will announce officially tonight at eight o'clock proposes to change those deductions into tax credits. Any increase in a deduction aimed at lowering taxable income, Mr. Speaker, favours Canadian men and women in the higher tax brackets. Any tax credit that is granted favour Canadian men and women who pay little in taxes. That is why our tax reform will recommend tax credits. The most destitute veterans, whom we take for granted the motion seeks to help, will effectively benefit from measures that will be put forward tonight at eight o'clock.

The adoption of a special deduction for veterans would make our tax legislation even more complex than it is and you know our Government is trying in every way it can to demystify and simplify the whole legislative process in effect in Canada, including the tax legislation process.

So the Hon. Member for Hull—Aylmer's motion would make the tax legislation even more complex than it is, since it would require that several provisions be drafted to single out eligible taxpayers.

Finally, if such a deduction were to be granted to veterans without regard to their needs and their ability to pay, the government would probably be flooded with claims from groups as much entitled to a similar deduction as the veterans. That would result in a significant erosion of the tax base and a weakened personal income tax system.

As you know, Mr. Speaker, such a reduction of our revenues is altogether contrary to our need to balance the expenditures and revenues of this country. We have been trying to achieve such a balance since 1984. When we came to power, the annual deficit amounted to $38 billion and, according to the technocrats of the day and depending on the way government's planned legislation was being interpreted, it was estimated then that the deficit would reach $40 billion, or $45 billion or even $50 billion a year. Since we came to power and as we want to balance revenues with expenditures, we decided to reduce the deficit year after year and we must keep that objective in mind while addressing the proposal of the Hon. Member for Hull—Aylmer. Moreover, given the fiscal reform to be announced tonight, I suggest the motion is premature.

• (1900)

[*English*]

Mr. John A. MacDougall (Timiskaming): Mr. Speaker, I would like to start by congratulating the Minister of Veterans Affairs (Mr. Hees) for the superb job that he has been doing. The 11 Legions in my riding of Timiskaming certainly respect the job that he has done for them.

I would like to review some of the comments made in regard to further tax treatment for veterans. A couple of the areas which we would like to look at include the disability deduction of over $2,890 which is now available to a large segment of the population. Along with that deduction in respect of medical expenses, nursing care—

Mr. Deputy Speaker: I regret to interrupt the Hon. Member but the hour provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 42(1) the order is dropped from the Order Paper.

• (1910)

BUSINESS OF THE HOUSE

Mr. Mazankowski: Mr. Speaker, I rise to give the House notice that, at the next sitting of the House, immediately before the order of the day for resuming debate on Motion No. 5, standing in my name, regarding capital punishment, and on the amendment proposed thereto, I shall be moving a motion that the debate shall not be further adjourned, pursuant to Standing Order 57.

Mr. Deputy Speaker: Orders of the Day.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-55, an Act to amend the Immigration Act, 1976, be read the second time and referred to a legislative committee and the amendment of Mr. Marchi, (p. 7338).

Mr. Jim Hawkes (Calgary West): Mr. Speaker, I enjoyed Private Members' Hour. It is always a bit disconcerting to have one's presentation interrupted. I understand I had three or four minutes left on my allocated time.

The first point I made is that the current law needs changing. To my mind, the better course at this stage is to have Bill C-55 referred to committee. Once we have the opportunity to hear the testimony of the experts in this area, we can then amend the Bill such that it will achieve what Canadians and Members of this House would like to see it achieve. Before concluding, I should like to leave Hon. Members with a sense of the major issues to which the legislative committee should direct its attention.

The Minister has said that the Bill is not cast in stone. He has said, clearly and consistently, that the refugee board member who conducts the oral hearing at the first stage shall have discretion as to whether or not the case should proceed to a later stage. That is an important principle. If the Bill is not clear in that respect, if the testimony before the committee indicates that amendments are required to make that clear, then I would urge that those changes be made.

There is a lot of concern about the issue of appeal, of review. The words vary from place to place. What is really involved is that in any situation where the object is to protect life, there must be a way of correcting an error. Whether that ability exists in the legislation by virtue of the humanitarian and compassionate grounds allowed the Minister or whether there needs to be wording changes is a point for discussion. In any event, we must not bring the Bill back before the House without there being some principle in it which will allow for the correcting of an error.

It is inconceivable that the two-person panels across the country would be capable of adjudicating these matters day in and day out, year in and year out without error. There will be mistakes made, and we must have a mechanism to correct such errors.

I would urge Cabinet to be a little less sanguine about the responsibility of naming safe third countries. The Cabinet has a complex task, a complex job. In terms of international relations, it is not unknown to have linkages. Cabinet must deal with trade concerns, concerns about peace and war, concerns related to alliances.

In naming safe third countries, we are dealing with human rights issues. I suggest to the House that we examine the idea that the expert body, the board itself, might propose to Cabinet safe situations, thus giving the elected representatives of this country the final say. I suggest that that might be a better body to propose safe third country situations than that which has previously being considered.

The fourth item relates to the whole issue of abusers. I have read and reread the legislation, and I am still not certain how this whole process begins. Under the current law, an individual claiming to be a refugee is referred to an inquiry. The inquiry is adjourned and another hearing takes place, with evidence taken under oath, and it then moves on to later stages.

Under Bill C-55, the process may start at the same beginning point, where a claim is made and an inquiry starts, and it then has to be adjourned, with a refugee board person then being brought in. That process may result in a backlog. It is that administrative process that may cause a backlog. It may be the mechanism that might benefit abusers. I would urge the committee, and those preparing to testify before the committee, to take a close look at that process.

If what I fear is correct, the solution may be to split the situation so that the refugee hearing is separate from the Immigration Board inquiry. That may be administratively sounder; it may be fairer to the refugees; and it may be cheaper from the taxpayers' point of view. It simply may work best.

People talk about visitor visas. That is the screen that keeps refugee claimants out of this country. It is a broad and brutal brush. I have seen it in operation.

Bill C-55, with careful scrutiny and necessary arrangements, will produce a situation which, I am convinced, will be fairer to bona fide refugees than any system that exists in any country in the world. But, it needs to go to committee. We need the expert testimony and the wisdom of those who work so hard in this area to enable us to understand the complexities of this issue. We cannot achieve that in the House. The Bill must be referred to committee. I would hope that the Liberal Party might reconsider its position and in fact help us get the Bill

before the committee, where we can do the job that needs doing.

Mr. Deputy Speaker: Questions or comments? The Hon. Member for York West (Mr. Marchi), to be followed by the Hon. Member for Spadina (Mr. Heap).

Mr. Marchi: Mr. Speaker, I have listened with a great deal of attention to what the former chairman of the Standing Committee on Labour, Employment and Immigration has had to say, and I am heartened by the movement that he has displayed over the course of his 20 minute speech on the motion for the second reading of this Bill. He has articulated, I think very genuinely, some of his concerns with respect to the Bill, and the fact that he, together with the opposition Parties, would like to see some very significant amendments in order to make the Bill supportable.

I am unsure as to what he meant in the last portion of his remarks when he said that it was his wish that the Liberal Party allow the Bill to go to committee. I do not think the Liberal Party has the liberty of stopping it from going to committee. We will certainly be there and we will be moving amendments and calling witnesses. We are certainly going to play an active part in committee consideration of the Bill.

I heard the Hon. Member speak of his concerns about the safe third country concept, as well as the appeal process. I may have missed the portion of his remarks wherein he discussed the prescreening stage. I am wondering what his views on that are. The Minister seems to suggest that it is not a prescreening. The constituency, on the other hand, feels very strongly that this does is in fact undermine the effectiveness of the refugee board in doing the work that we all want it to do.

I am curious as to how he views the role of the two officers at the border point and whether he favours a removal of that provision, or whether he favours a provision which would call for both Members to be from the refugee board as opposed to one being from the immigration team.

I am wondering whether he would care to share with the House his views on that very fundamental and important first step, a step that could be the last step for many refugees, if those provisions are allowed to stand.

Mr. Hawkes: Mr. Speaker, I thank the Hon. Member for his question. Let me say at the outset that the motion which the Hon. Member moved, if passed by the House, would halt progress of the Bill through the House. It would never be considered. That is why I urge the Liberal Party to rethink its position on it.

The more important issue which the Hon. Member raises is the matter of the first stage hearing. The advantage that this legislation provides is the fact that we would have, for the first time, an expert body, a group of people whose sole concern would be refugees, a group of people who are knowledgeable about country-specific conditions, handling these matters. If that board has discretion, then, in my view, there is universal access to an oral hearing in stage one. If that board is not to have discretion, then it amounts to a screen.

There are lawyers who tell us, very clearly, that the way the fine print now reads, it is a screen. The Minister has said many times in the House that that discretion is there for the board person. But if it is the expert person who is deciding and the decision is that there is not the slightest bit of evidence that the claimant needs the protection of Canada, then that is an absolute decision; or the decision could be that there is some doubt as to the matter, in which event it proceeds to stage two.

I believe that a properly functioning board person, with that kind of expertise and that kind of discretion, would always err on the side of sending the matter forward for a more complete examination, thus providing more time for the claimant to produce the necessary evidence to substantiate the claim for refugee status.

• (1920)

It is at that stage when the board itself hears the case and says that there is not the slightest scintilla of possibility that the person needs the protection of Canada. If that is what they are doing, then I say that it is universal access and it is a hearing. A fuller hearing can take place at stage two if there is any possibility that a person may need the protection of Canada.

I think that would work. The more I think about it, the more convinced I am that the discretion lies at the heart of it.

Mr. Heap: Mr. Speaker, I have three questions. I will try to list them quickly and ask the Hon. Member to respond.

I am certainly interested in his expression of concern or sympathy with some of the objections raised with people in the public who have expertise about the Bill.

My main question is: when this goes to committee, does the Member envisage that the committee and the majority members on the committee, namely members of his caucus, will be willing to allow the time to go into the amendments which have been suggested by the public thoroughly and to deal with them fairly, or will they just say: "Well, a couple of meetings, then back to report"? That sort of thing has happened not on all Bills, but on some Bills.

Second, when he says that Cabinet should be less sanguine about naming third countries and perhaps give the first round to the refugee board, would he go so far as to advocate amending the law so as to include in it the criteria of the safe third country?

For example, must a safe third country be one which guarantees not to *refoule* the person to the country from which he says he is fleeing, or is a safe third country that will give the person a refugee hearing which meets Canadian standards, with of course the guarantee not to *refoule* if he is found to be a refugee? What other criteria, less than that or more than that, would the Member consider for the safe third country? Would he be willing to write those into the law?

My third question is on abusers. Would the Member be willing to see the process begin without the presumption of guilt, that is, without the inquiry first to stamp the person as either an abuser or a probable abuser with the issuance of a deportation order or a conditional deportation order? Can we start the actual refugee hearing without putting that stigma on the claimant?

Mr. Hawkes: Mr. Speaker, I will try to deal with those three questions in the order they were presented.

Recent history tells us clearly that a law which is not legally sound or in accordance with the Charter and all those things is a bad law. The courts will turn it down. We have had that happen to our Immigration Act in recent history. That is the reason which led to a lot of the changes in the Immigration Appeal Board.

I believe that no one in this Chamber wants to put in place a law which will be struck down. To be as sure as we can be that it will not be struck down requires expert testimony from government official and private sector people about the fine print.

I do not think in this particular case, given the complexity, the history, and the problems, that there is any danger of cutting off debate. What I do think—and I may differ from the Hon. Member who raised the question; I am not sure—is that we need expert witnesses. I do not think we need witnesses who want to attest the Parliament of Canada about their concerns about refugees. I think that is a given shared by all Members. What we need is expert testimony about the fine print.

Turning to the third country concept, it is possible to entertain some amendments which would bind that. I have an immediate reaction that that might not be the wisest course, that what we might want there is simply a test. If we are returning to another country, we want to be sure that they do not need the protection of Canada but that they do indeed have the protection of the country to which they are returning. It may be a test rather than an attempt to bind. Sometimes when we attempt to bind things we leave out some things and later, in retrospect, we wish we had them in there; sometimes we put in things we did not intend. We may not have all the wisdom; it may be that some other kind of legal concept would be helpful.

This is why I suggest that the board itself, in its expert wisdom and using what it does to judge individual cases, might indeed be the best body to judge country cases. That might be the more important thing to put in the law.

When it comes to the issue of inquiry first, refugee hearing first, the inquiry is important to stop abuse, and it should happen quickly; that is my view. The hearing on whether somebody might or might not be a refugee is what I see as a separate thing.

In our committee report in October 1985, we drew the distinction between immigration concerns and human rights concerns. I want as pure a process as we can see for the human rights concern, not for it to be fouled up with the immigration concern. However, I think we would be inviting trouble if we said that Immigration could not proceed to make the decisions which Immigration must make.

It may be that doing the two in the same hearing is better. I have not heard the testimony pro or con or all the reasons. However, I think it might not be the best way. It is the separation, the clarity on the two sides, which concerns me more, not the time.

Mr. David Berger (Laurier): Mr. Speaker, there are two very different aspects to Canada's refugee policy. First, there are refugees we select abroad and, second, there are those who make claims in Canada.

The refugees we select abroad are part of a controlled, predictable movement which allows Canada to select the cream of refugees through relaxed immigration criteria. A minority are convention refugees. I want to emphasize that immigration criteria dominate the selection of refugees abroad.

First, we determine whether the claimant is a convention refugee. Second, we determine whether the applicant is capable of becoming successfully established in Canada. We take into consideration, in so doing, all factors used in assessing independent immigrants.

The needs of the refugee are secondary in a process which is shaped by our domestic immigration needs and our domestic policies. Through immigration we seek to foster internal growth by adding skills which are in demand in Canada. We seek to further social goals such as reuniting families. This is all done within the policy goals of Canada and according to our domestic needs.

When we select refugees abroad, Canada's needs are looked after. However, this does nothing to respond to the needs of the refugee who may have to pick up and go quickly, who has no time to apply, whose life may be in danger by lining up at a Canadian embassy or consulate to apply to come to Canada as a refugee judged by immigration criteria.

Selecting refugees abroad, according to immigration criteria, is no help to those who are jumping away from the fire, as Rabbi Plaut put it several weeks ago when he spoke in Montreal. This is why we have the procedure of allowing claims in Canada.

Under the 1951 UN Convention, Canada has undertaken to protect persons who are physically present in Canada, who claim to be refugees, and who seek asylum here. This flow is much less controllable and does not allow for the selection process which is used when we select refugees abroad.

• (1930)

On February 20, the Government introduced a series of measures designed to prevent refugees from coming to Canada to make their claims. These measures include transit visas, abolishment of the non-deport list and the holding of claimants

at the U.S. border. The Government wants refugees to come to our embassies abroad where we can select them according to our own interests and according to our own immigration criteria.

Bill C-55 which we are debating today for the first time introduces the troubling concept of the safe third country. A claimant who comes to Canada from such a country will have no opportunity to be heard on the merits of his or her claim. As there are no refugee-producing states on our borders or in close proximity to Canada, it is not hard to figure out that as many as 80 per cent to 90 per cent of refugee claimants will be excluded as a result of this provision.

To understand the significance of the administrative changes of February 20 and of Bill C-55, I would like to say a few words about the UN Convention. That Convention was a milestone in the history of the treatment of refugees because it addressed the rights of individuals and the obligations of states. Given the overwhelming tragedy of World War II with hundreds of thousands of people becoming victims because they had nowhere to go, because no country would accept them, it was felt necessary to provide individuals with the capacity to effect some salvation on their own, to move spontaneously to a safe haven. The Convention was a significant deviation from the principle that a sovereign country had absolute control over who it permits to enter its borders. The Convention of 1951, the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights are parts of what has been described as a revolution in international law. Traditionally international law recognized only states. Since the Convention and the Declaration, individuals are recognized under international law.

Prior to the Convention, the capacity to move to a safe haven did not exist. The victims of the Holocaust had no such capacity. Without the Convention, all a refugee has is what the Government wants him to have. The Government wants refugees to apply to immigrate to Canada or to another country from an embassy within the refugee's own country or perhaps a bordering country. If turned down, the refugee, of course, has the right to suffer.

Through the measures of February 20 and Bill C-55, the Government is saying: "It is our right to choose". This violates the UN Convention because the moment we talk about choice, we introduce elements which have nothing whatsoever to do with individual rights. When one chooses, one does not look at the needs of the person involved. It is domestic policies and politics which prevail.

Keeping Jews out of Canada in the 1930s and the 1940s was very popular domestically. Today, in his opening comments and practically in his very first sentence, the Minister referred to the fact that Bill C-55 is popular in Canada, and so it may be. However, the question I put to the Minister is does that make it right? Is legislation right just because it responds to what many Canadians see as being a problem?

Perhaps many Canadians are concerned that there have been too many refugee claimants coming to Canada in recent years. Perhaps they feel that our system is somehow being swamped. Whether they are right or wrong, does that make it right to introduce legislation which responds to public opinion but which may be morally unfounded?

What criteria will be used to choose refugees? Again, Canada chose not to take Jews in the 1940s. This clearly was not based on the needs of the victims. I suggest to the Minister that it is wrong to assume that when he or any Minister chooses, those who are most in need will be chosen or they will be chosen according to fair criteria. That is why it is so important and indeed essential that people have the capacity to present their claims. That is why the convention exists.

We do not need a Convention to tell people to line up abroad. It is essential that people have the capacity to have their cases presented and judged on the basis of Canada's international obligations under the Convention and developed through decisions rendered over the past 35 years. That is why the thrust of the recommendations made by Rabbi Plaut, non-governmental organizations, church groups, human rights organizations and the standing committee is that the claimant should be given the opportunity to be heard by an independent tribunal which would inquire into the substance or merits of the claim for protection. Bill C-55 violates that basic principle because it establishes procedures under which claimants have no opportunity to be heard if they come from a safe third country.

If a claimant comes from a country which is on a predetermined list, established by Cabinet, a list which may have nothing whatsoever to do with personal circumstances, he is out. He is sent back home. The Minister cannot say that no genuine refugee will be returned when he has not established a procedure that will inquire into whether a person is indeed a refugee or not.

In the procedure proposed by the Government, there will be no opportunity for a claimant to present a case if he comes from a country which is on the list of safe third countries. There will be no opportunity to refute the assumption that the country the Government proposes to return him to is indeed safe. The inquiry will be limited to determining from where the person had come. There will be no discretion on the part of the two people who will preside at the initial hearing. The undeniable effect is that we will return people who need protection. It is false for the Minister to say that no genuine refugee will be returned to a country where he or she may face persecution because the procedure he proposes provides no opportunity for the refugee to make his or her claim.

The Hon. Member for Calgary West (Mr. Hawkes) said that we should study this in committee and hear what the experts have to say about it. I would ask him if he has even read the legislation. I believe any first-year law student could tell him that no discretion is given to those who will preside at the initial hearing. Every lawyer to whom I have spoken who has read this Bill feels that there is no discretion in it. How can

the Government now tell us that a refugee will in all cases be given the benefit of the doubt? How can the Minister say as he had said umpteen times, and that is what is so infuriating about his attitude, that even when there is a shred of evidence supporting the claim, the claimant will be entitled to a hearing? That is a lot of garbage. It is just not so.

The Government suggests that the opponents of this Bill are advocating an open-door policy, a policy of taking in millions of refugees. One would think that hundreds of thousands of people were standing in the pipeline, as Rabbi Plaut put it several weeks ago. You would think that 155,000 Tamils had come to Canada last August. Last year we had 18,000 claimants, no more than would fill an average size hockey arena.

• (1940)

The NGOs, the churches, human rights organizations, lawyers who work with refugees, Rabbi Plaut, and the standing committee all called for a process which would discourage abuse by dealing with claims quickly. There is abuse today because the process is cumbersome. Anyone who comes here today is assured of two to five years of procedure and appeals. A person can get married and appeal to the Minister on compassionate grounds. There is an incentive to abuse the system. However, if the process turns these people around in three months there will be no incentive to abuse. That is the way to deal with abusers, not by imposing an arbitrary screening procedure such as is proposed in this legislation.

[*Translation*]

Mr. Speaker, the real question is how many can Canada accept? What evidence is there that the Canadian society cannot absorb any more refugees or immigrants? Have we reached our saturation point? All signs point to the contrary.

May I remind you of what Canada did five or six years ago to help refugees from Indochina. At the time, the Government had appealed to the generosity of Canadians who then organized refugee sponsoring groups in various parts of the country. We opened our military bases and we chartered planes to bring in refugees from Indochina. Since 1979, we have received over 100,000 such refugees, including over 60,000 in 1979 and 1980 alone. Seven or eight years later, all these people are contributing something to our country.

In fact, since the war, Canada has received over 500,000 refugees. But can anyone claim sincerely that Canada is doing more than its share compared with other countries, especially those which have common borders with the refugee producing countries? I should like to quote a few figures, Mr. Speaker. Today, Pakistan has some 2.7 million refugees from Afghanistan within its borders; Sudan, 1.2 million; Somalia, 700,000; Hong Kong, 200,000; Thailand has welcomed hundreds of thousands of refugees from Laos, Cambodia and Vietnam. Today, there are still some 250,000 refugees in camps situated along the Cambodian border. Mexico has some 175,000 refugees; France, 174,000; West Germany, 134,000; England, 135,000. Who, then, can say that Canada has done more than its share?

Mr. Speaker, let us not forget that Canada is the second largest country in the world. We have a very small population, compared to most other countries. Our natural resources are unbelievable. Which country will maintain a generous attitude toward refugees if not Canada? Canada should play a leading role in the protection of refugees. And it is not with the type of a bill introduced by this Tory Government that Canada will assume its responsibilities.

[*English*]

Therefore, in conclusion, I wish to indicate that I support the amendment proposed by my colleague from York West for a six-month hoist. I do not agree with the Hon. Member for Calgary West that this Bill merits second reading.

I would like to make an additional comment. The Minister and other spokesmen for the Conservative Party have said very few countries will be on the list of safe third countries. The Minister tells us to have faith in him because he is a good guy. I remind him that the basis of protection is in law, not in speeches of the Minister. When the people who preside at the initial hearing have to decide the case they will look at the Act, the regulations and the manual. They are not going to look at the speeches the Minister made all over the country trying to promote his Bill. This law will be applied long after the Minister is gone. I ask him, why have a provision if it is not going to be applied?

It is incredible to suggest that the public, legislators, and people who work with refugees should rely on the Minister's good faith and not on what the law says. That is what the Minister has been telling us for the past few weeks. I say to him in all sincerity that that kind of an argument is totally unacceptable. We cannot pass a law on the basis of the Minister's good intentions. We have to study, judge and pass a law on the basis of the very clear language in which it is written.

Mr. Deputy Speaker: Questions or comments.

Mr. Marchi: Mr. Speaker, I would like to thank the Hon. Member for his remarks. He was very interested in this issue long before this legislation arrived here for second reading. No one in this Party wishes to stop this legislation from going to committee. Obviously we look forward to having another round with witnesses who can again make their representations on this legislation. What has worried us the most is that after three years of consultation a major segment of what was proposed by the NGOs were not listened to. As a result, we are afraid that the same process will take place in committee for a second time.

We heard from the Hon. Member for Calgary. We heard from NDP Members. Both myself and the Hon. Member for Laurier (Mr. Berger) have spoken as well. All of this was in the hope that the Government will pay attention to the needed

reforms and amendments and show some movement so that everyone can be happy with the legislation.

I would like to ask the Hon. Member if he can share with us his views on an appeal mechanism based on points of law rather than on the circumstances faced by the legitimate refugee in his homeland.

Mr. Berger: Mr. Speaker, I have heard the Hon. Member say on a number of occasions that the determination process is only as good as the appeal process. If you do not have an appeal on interpretation of fact, there is no appeal. This recommendation was made unanimously by all groups which have been heard from in the past several years as well as by the standing committee. It points to what the Minister is asking us to swallow.

• (1950)

I have heard him say publicly on a couple of occasions that this Bill is not perfect. I heard a Conservative Party member speak at a conference in Montreal last Friday night on the right of internal asylum and say that the Bill is not perfect. However, the Minister was quoted in the papers yesterday as saying that he will not amend the Bill. Perhaps he was misquoted.

What are we supposed to believe? He goes around the country saying he is a nice guy. Six months ago he told people that if a Bill was presented which he could not accept, he would resign. This Bill violates every basic principle which has been laid down and talked about for the past few years, yet he does not resign. He says, "I'm not perfect but I won't amend the Bill".

Mr. Weiner: Mr. Speaker, I rise on a point of order. The Hon. Member is making all kinds of statements about things I am alleged to have said or not to have said. Why does he not answer the question and not try to enter into debate on something on which he has no evidence or facts.

Mr. Deputy Speaker: The Chair believes that is a matter of debate. The Member for Laurier (Mr. Berger) has the floor.

Mr. Berger: Thank you, Mr. Speaker. It is incredible that the Minister would go around the country saying that the Bill is not perfect and that maybe we can improve it, then say the next day that they will not amend the Bill. He wakes up one day and is Mr. Nice Guy. The next day he may have been kicked by his wife in bed and tells us that he will not amend the Bill. Is this the kind of basis upon which parliamentarians are expected to evaluate and judge a Bill?

[*Translation*]

Mr. Malépart: Mr. Speaker, I should like to ask a question and make a few comments to my colleague from Laurier (Mr. Berger), for I know he is open-minded about the immigrant and refugee issue.

Keeping in mind the fact the the Minister of State responsible for immigrants—and keeping in mind the open-mindedness of Montrealers and the ever generous welcome they extend to refugees, particularly in Montreal West, I should like to ask him this: How can the people of Montreal and the people of Dollard understand their Member now, when we know that the people of Montreal West have always been very generous with these people, always welcoming them, and now a former mayor of Montreal West who today is the Minister responsible has been making speeches in the Montreal region and trying to make people believe he has an open mind, whereas in fact here he is the most hard-hearted man for refugees, a man who has changed completely?

I wish my colleague from Laurier would tell me: Is it because the Minister is under supervision here, he does not carry any weight—all he has is a limousine and the extra $40,000—he is powerless and has been given orders, or is it simply that he is showing his true colours here and showing his other face in his riding? I would like to know the opinion of my colleague on this.

Mr. Berger: I thank the Hon. Member for his question. It should be said that the people of Montreal West are not the only ones who have been generous to refugees and immigrants in the last several years. As I have already said, only a few years ago, in 1979 and 1980, Canadians welcomed with open hearts thousands of East Asian refugees.

The Minister makes generous speeches. He says that he is meeting all the expectations of the population and that he will treat refugees fairly. This is a spurious statement and this is why the government is deceiving the Canadian public.

Let me just quote the words of a Toronto lawyer who met with the Minister of State for Immigration (Mr. Weiner) and with various groups representing refugees in Montreal and other organizations from throughout Canada who were in Montreal a few weeks ago. This lawyer said: "You know, Mr. Minister, there are two Bills C-55. There is the Bill tabled in the House which we now have before us, and then there is the other Bill C-55 to which you refer in your speeches."

He added: "We have not seen this second Bill". As for us, Members of Parliament, we have to deal with the Bill which was introduced in this House on March 5. It is a fact that the Canadian public welcomes the speeches of the Minister because they deal with a bill that does not exist, except in his imagination.

Mr. Deputy Speaker: Resuming debate, the Hon. Member for Chambly (Mr. Grisé).

Mr. Richard Grisé (Chambly): Mr. Speaker, I welcome this opportunity to make a brief contribution to the debate on Bill C-55, a very important Bill, which is concerned with equity, justice and compassion for refugees. And at this point I would like to extend special greetings to the refugees in the riding of Chambly, who are very well received, need I add.

Mr. Speaker, I find it difficult to understand why the Official Opposition, the Liberals and the New Democrats, are opposed to this Bill or want a six-month hoist on referring the Bill to committee, while claiming at the same time that our Bill does not go far enough in facilitating the admission of refugees to Canada. They should make up their minds once and for all and decide whether they would rather deny refugees the right to enter Canada, so we will have to go on working with boards and hearings and calling additional witnesses while we know that the existing system is already much too slow. And that is why it is so important for this Bill to have these important provisions that facilitate the entry of refugees in Canada.

Mr. Speaker, I think it is very important to have Bill C-55 adopted, not for our own benefit as parliamentarians but for the benefit of refugees. We want to make things easier for them. And when we talk about public opinion polls, it is obvious Canada was built thanks to the refugees who came to our shores, Mr. Speaker. I think the Minister of State for Immigration (Mr. Weiner) is the first Minister of State for Immigration among the last five we have had who has managed to table a valid and serious piece of legislation that will make refugees better aware of their rights and make it easier for them to enter Canada. That is essential, and I think we have a duty to let this Bill, Bill C-55, go to committee as soon as possible. Of course there may be a few minor changes, but I think that on the whole, in this Bill the Minister wanted to take quick action to facilitate refugee access to this country and enable Canada to maintain its international refugee policy.

Mr. Speaker, our purpose in tabling Bill C-55 was certainly not to turn our backs on refugees. In fact, we want to offer genuine protection to those who need our help. However, if we are to focus our efforts on protecting bona fide refugees, we must rationalize the process and clamp down on abuse.

Mr. Speaker, I see I have very little time left, but I am glad to give up my time so that Canadians, once again thanks to our Prime Minister (Mr. Mulroney), the Conservative Government and our Minister of Finance (Mr. Wilson), will experience a historic moment in their lives: tax reform.

• (2000)

ROUTINE PROCEEDINGS

[*English*]

TAX REFORM 1987

STATEMENT BY MINISTER OF FINANCE

Mr. Speaker: Pursuant to Order made Friday, June 12, 1987, the House will now revert to Statements by Ministers. The Hon. Minister of Finance (Mr. Wilson).

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, tonight I am proposing sweeping changes to Canada's tax system. These changes will directly affect all Canadians for many years to come.

Our tax system should be a strong force in meeting the challenges that face our country.

It must help individuals and businesses deal with the challenges of the 1990s and into the next century.

It must reinforce our ability as a country to continue to provide the social programs needed by our people.

It must generate the hope and opportunity that will motivate Canadians to build a strong country in a very competitive world.

But to do this, the tax system must have the respect of Canadians. We know that it does not. And we know why.

We all know that the tax system allows many profitable corporations to avoid paying a fair share of tax, year after year.

We all know that it allows some people with very high incomes to pay less tax than the average Canadian wage-earner, year after year.

We all know that it allows those who are able to use special tax breaks to shift the burden to others less able to carry it.

Canada needs a tax system that raises revenues in a fair and reliable way; a system that supports our national effort to promote economic growth and create more and better jobs.

Over the years, our tax system has become a crazy quilt of special incentives, special deductions and special write-offs.

Each special incentive gives a break to someone. But each special tax break means that taxes have to be higher for everyone else. Special breaks have made the income tax more and more complicated, and less and less fair.

During the past two years, I have acted to strengthen the integrity of the tax system. Many tax breaks have been eliminated. But further action is needed to restore faith and trust in the system, to ensure that it works for the benefit of all Canadians. Tonight I am taking that action. I am proposing sweeping reforms to the personal and corporate income tax system. Beginning January 1, 1988:

We will reduce or eliminate many special tax breaks. Those high-income individuals and profitable corporations who currently pay little tax will carry a greater share of the tax burden.

We will further increase the fairness of our personal income tax by converting tax exemptions and deductions to tax credits, with particular benefits for lower-income and elderly Canadians.

We will reduce the burden of taxation on those who have not been taking advantage of special tax breaks. As a result, 80 per cent of Canadian households will have lower personal income taxes in 1988. A typical family of four earning $30,000 will pay about $500 less in taxes. Federal income tax will be

completely eliminated for 850,000 Canadians, 250,000 of whom are senior citizens.

[*Translation*]

OPPORTUNITIES FOR CANADA

Tax reform is much more than simply fixing what has gone wrong with our tax system.

We have an opportunity to build a new tax system that will be fairer and more progressive.

A tax system that will assist, rather than hinder, our ability to grow and prosper.

A tax system that will complement and support important initiatives that will shape our future.

A tax system that will keep Canada competitive in a freer trade environment, one that is compatible with new approaches the government is planning on child care, and that reinforces other key priorities.

The reform proposals are far-reaching in their scope and impact. They are explained in the documents that I will table tonight. Tomorrow, booklets and pamphlets will be available in most supermarkets and shopping malls across the country. I would urge Hon. Members and all Canadians to study the tax reform package carefully.

The proposals have benefited from ideas, suggestions and recommendations from many people and groups across the country and from members of this House. I have also had constructive consultations with provincial ministers of finance.

This package reflects these consultations. It reflects basic principles of good and fair taxation, and in a way that recognizes Canadian reality and Canadians' priorities.

[*English*]

The proposals will be implemented in two stages. Income tax changes will take effect beginning in the 1988 taxation year. In the second stage, the existing sales tax will be replaced by a new sales tax system. The existing sales tax has long been recognized as unfair to Canadian industry, workers and consumers. The new sales tax will be linked to the personal income tax through an enhanced sales tax credit to improve the fairness of the tax system.

• (2010)

I want to emphasize that the reform proposals I will table tonight are a package.

They work together in a consistent, comprehensive way.

They strike a responsible balance among the many objectives that our tax system must serve in addition to raising revenues: objectives such as targeting assistance to those who need it most, promoting regional equality and encouraging greater investment in Canada's future.

Some will argue that the government should have wiped out more tax incentives. But I am not prepared to abandon key national and regional priorities. The incentives that will remain in the system are there for good reasons.

Others will argue for retention of some of the tax breaks being eliminated. But let us not forget that they are asking for special tax breaks for some which mean higher taxes for many others.

Our reforms are designed to be neither a revenue grab nor a windfall. On balance, the reformed system will raise about the same revenue as the current system.

But, by shifting more of the tax burden from individuals to corporations, and by lowering rates and removing preferences, the reforms make fundamental changes in who pays and how much.

Those who have made extensive use of tax preferences will pay more tax. Many corporations and some individuals will pay more. Most individuals and some businesses will pay less. Corporations will carry a bigger share of the total tax load. Sales tax revenues will be increased.

Canadians want personal income taxes to be lower. They will be. We will have both lower rates and a fairer system.

PERSONAL INCOME TAX REFORM

Federal personal income taxes will be reduced by about $2 billion in 1988 and more than $11 billion over the next five years.

Most Canadians will pay lower taxes because of two far-reaching changes: a new structure of federal income tax rates and the conversion of exemptions and deductions to tax credits.

Currently there are 10 rates of federal income tax, rising with income to a top rate of 34 per cent. Beginning in 1988, there will be only three rates: 17 per cent on the first $27,500 of taxable income, 26 per cent on the next $27,500 and 29 per cent on taxable income over $55,000.

Despite having only three tax brackets, the personal income tax system will be more progressive.

The key to making the system more progressive is the conversion of exemptions and deductions to tax credits. This will completely eliminate federal income tax for 850,000 Canadians, 250,000 of whom are senior citizens. Let me explain how credits make this happen.

If the Government were to introduce a program to help the elderly or the disabled, and if the program were set up so that richer people got a bigger payment than poorer people, most Canadians would think that was unfair. And they would be right.

But, that is exactly what our current system of exemptions does.

For example, we now have a deduction of $2,670 for Canadians 65 and over. For a senior citizen with $15,000 of income, this is worth about $455 in lower taxes. For another

senior with $100,000 of income, the same deduction would be worth $910—about twice as much.

Exemptions reduce the amount of income that is subject to tax. This makes their value greater for those with higher incomes because higher-income people have higher tax rates. Credits reduce tax payable. They are worth the same regardless of income.

We will replace exemptions with tax credits. In the case of the age credit, it will be worth $550 in tax savings to all seniors.

The new credits will ensure that the vast majority of Canadians pay lower income taxes.

This will mean, for example, that nine out of 10 Canadians 65 and over will pay less federal tax in 1988. A typical elderly married couple with $25,000 of income will pay about $650 less.

Tax credits also support the objectives we set in the February, 1986, Budget—to target assistance more effectively to those with lower incomes and reduce the after-tax value of transfer payments to those with higher incomes. Converting exemptions to credits does just that, while maintaining universal access to family allowance and old age security payments.

[*Translation*]

The personal income tax reforms reflect a number of priority areas for this government.

We all want our younger Canadians to receive a good education. This is critical to Canada's future. The new education and tuition credits can be claimed either by the student or a supporting spouse, parent or grandparent. This will substantially augment the availability of tax assistance for students pursuing a post-secondary education.

Our communities are strengthened and enriched by the contribution of volunteer organizations. The new tax credit for charitable giving has been designed to provide a substantial incentive for donations, particularly for low-and middle-income earners.

The tax reform proposals will continue to help Canadians become more self-reliant by saving for their retirement. The fairer and more flexible system I announced last October will not be changed. However, the $15,500 limit for RRSP contributions will be phased in more slowly.

[*English*]

Tax reform recognizes the important role of agriculture in Canada. The farm community will continue to benefit from the existing $500,000 capital gains exemption for farmland. I am also proposing new rules to increase certainty about the tax treatment of farm losses. These rules will provide objective tests to determine when farm losses should be restricted for tax purposes.

Canadians have created 840,000 jobs since September, 1984. Much of this is the result of the efforts of individual men and women, each striving to build and grow in their own way.

To reinforce the job-creating potential of the small business sector, I am proposing that the $500,000 capital gains exemption for shares of small businesses become effective on January 1, 1988 rather than January 1, 1990.

• (2020)

This Government has encouraged small business, risk-taking and entrepreneurship, and will continue to do so.

But the most effective tax incentive is lower tax rates. Lower rates mean more reward for that extra effort.

And to provide that incentive for all taxpayers, we must restrict and remove a number of tax deductions and exemptions.

Self-employed Canadians are entitled to deduct expenses they incur in earning income. But some deductions are for expenses which represent an element of personal consumption. To recognize this, the deduction for business meals and entertainment will be restricted to 80 per cent of expenses incurred. In addition, where home offices and automobiles are not used exclusively for business purposes, deductions for these expenses will be limited.

The lifetime capital gains exemption for all property, other than qualifying farm property and small business shares, will be held at the 1987 level of $100,000. To reduce tax shelter possibilities and to better match deductions with income, capital gains will qualify for the lifetime exemption only to the extent they exceed net investment losses after 1987. This will not reduce an individual's lifetime exemption limit.

The taxable portion of capital gains will rise from one-half to two-thirds in 1988 and three-quarters in 1990. The dividend tax credit will be reduced to directly reflect the reduction in the corporate tax rate. The tax system will continue to give preferential treatment to capital gains and dividends in recognition of the risks associated with investment.

Currently, those who receive investment income or make extensive use of tax preferences pay consistently lower taxes than others. After reform, they will pay more. About 1.5 million households will have an average tax increase of about $665. They will continue to pay lower average effective rates of tax than those with similar income derived mostly from employment. But the gap will be narrowed.

CORPORATE INCOME TAX REFORM

Corporate income tax reform will meet three major objectives.

The jobs of many Canadians depend on a corporate income tax system that is competitive with other countries, particularly the United States. Tax reform will improve the overall competitive position of Canadian business and industry.

Tax reform will return the profit motive to investment by rewarding success. It will encourage investment decisions to be based far more on the imagination and creativity of research,

engineering and marketing experts, and far less on the advice of tax specialists.

And it will ensure that profitable corporations carry a bigger share of the total tax burden. Federal corporate income tax revenues will increase by about $5 billion over the next five years.

To maintain a competitive tax system, corporate tax rates will be reduced, effective July 1, 1988. The general federal rate will fall to 28 per cent. The rate for small business will fall to 12 per cent and the manufacturing rate will be reduced by 1991 to 23 per cent.

Income tax revenues from corporations will increase because these lower rates will apply to a broader tax base with fewer special incentives. Capital cost allowances will be reduced to bring them more in line with actual rates of depreciation. The rate of tax on capital gains will be increased. Deductions for meals and entertainment expenses will be limited. Small manufacturers will be taxed at the same rate as other small businesses.

Many profitable financial institutions and real estate companies are paying little or no tax because of existing tax provisions. New rules will be introduced to ensure that they pay their fair share of tax. I am also announcing changes, effective immediately, to reduce the tax advantage available to non-taxpaying companies that issue preferred shares.

More balanced development across all regions will continue to be strongly supported through the tax system. The reform proposals retain the investment tax credits in the Atlantic and Gaspé regions, Cape Breton, and special investment tax credit regions across Canada. The rates of credit will be reduced in line with lower tax rates, but the relative incentive effect will be maintained.

The mining industry is important to regional economic growth and to isolated communities across Canada. Earned depletion, which provides a tax write-off in excess of actual costs, will be phased out by mid-1989. Flow-through shares and the ability to write off all investment against the income from a new mine will be retained.

The average tax rate of the mining sector will remain one of the lowest. And for a new investment in mining, the tax rate will be lower than in any other sector.

The reform proposals also recognize the strategic position of Canada's oil and gas industry. The industry will benefit over all from tax reform. The lower tax rate will more than offset the slightly broader tax base. The industry will continue to have access to flow-through shares.

In current world oil markets, many major projects with long lead times face very high risks. Accordingly, as in the past, the government will consider what adjustments in non-tax assistance would be appropriate to encourage major oil and gas projects which provide important regional or national benefits and which are fundamentally economic.

The agriculture, logging and fishing sectors are important sources of employment and income for many regions of Canada. After tax reform, they will have the lowest average tax rate of any sector.

[*Translation*]

The changing composition of our economy and the importance of adjusting to technological change make it essential that our reform proposals look to the future as we prepare for the 21st century. The reformed system will strongly support two key priority areas for this government: research and development and labour-intensive economic sectors.

Firms engaged in R&D in Canada will continue to benefit from one of the most favourable tax regimes for R&D in the industrialized world. The current tax incentives for R&D costs will not be changed, with the exception of buildings claimed for R&D.

Canada's wholesale and retail trade and service businesses are leaders in employment growth, yet they are the most heavily taxed of any corporate sector. By lowering their taxes, tax reform will encourage new investment in these sectors in all parts of Canada.

The further reduction of the low tax rate for manufacturing will maintain its competitive position.

[*English*]

In recent years, tax planning in Canada has become more sophisticated and aggressive. Canadians quite rightfully resent it when they find that others avoid paying tax by bending the rules of the tax system. We must be assured that the tax burden will be fairly shared. The reforms I have outlined will make our income tax system substantially fairer than it now is. Lower rates and fewer preferences will reduce the incentive and opportunity for tax avoidance.

• (2030)

But further action is required. Over the past two years, I have dealt with an increasing number of complicated transactions designed primarily to avoid tax. I am proposing legislative changes that will provide a stronger basis for reassessing artificial tax avoidance transactions. Information reporting requirements for investment income and tax shelters will be strengthened to help identify avoidance and evasion. Penalties will be increased for chronic offenders.

In reform of the income tax, I have set out to make the system fairer and more efficient while retaining its fundamentally sound principles. No such reform is possible within the current federal sales tax. It is beyond repair and will be replaced by a new system in the second stage of tax reform.

[*Translation*]

SALES TAX REFORM

A fair and effective sales tax is an essential part of the overall balance of Canada's tax system.

The present tax is fundamentally flawed. It is a hidden, arbitrary and capricious tax.

Many Canadians are unaware of this tax because it is normally applied when a product is manufactured and is hidden in the price of goods which are eventually sold to consumers. By the time it reaches the consumer, a dollar of tax paid by a manufacturer can raise the price to the consumer by a lot more than a dollar. And the purchaser does not know by how much.

The existing sales tax hurts our economy. It puts more tax on Canadian-made goods than it does on competing imported goods. It puts a hidden tax on our exports that makes them less competitive. That does not make much sense for a country that trades as much as we do in tough, competitive, world markets. That extra tax penalty is costing us jobs and creating them in other countries.

[*English*]

These problems with the sales tax are not new. They have been known for 40 years. They have been growing worse. What has been lacking has been the political will to fix them. It is time to get on with the job.

The existing sales tax will be replaced by a new sales tax that will apply to a much broader base. The result will be a lower tax rate and a fairer system.

Sales tax reform will eliminate the hidden tax in the prices consumers pay. It will remove the tax burden on exports and will treat our domestic producers on the same basis as their foreign competitors. It will make us more competitive in world markets and will enhance our trade initiatives.

The new sales tax will be fairer for low- and middle-income Canadians. It will be accompanied by important changes in the personal income tax system to achieve this goal. The most important of these will be to substantially increase the refundable sales tax credit introduced by the government in 1986 and to extend this credit to many more Canadians.

The new sales tax credit will be paid regularly and in advance.

The level of the credit and the income threshold for eligibility will be established to more than offset the impact of the new sales tax on low-income Canadians. In addition to the credit, when the new sales tax is introduced, the personal and corporate income surtaxes will be removed and there will be further income tax cuts for middle-income taxpayers. These measures will make the combined personal income and sales tax systems, after tax reform, more progressive than they now are.

Compensation will be provided to small businesses to help offset the cost of complying with the new system.

The Government is considering three alternative forms for the new sales tax. One is a National Sales Tax which would replace both the present federal sales tax and provincial retail sales taxes with one national system. Two federal-only sales taxes are also being considered: a Goods and Services Tax and a Value-Added Tax.

The discussion about which of these forms to implement will have a direct bearing on three important decisions that remain to be made: the level of the tax rate, the scope of the tax base and the design of the sales tax credit.

The new sales tax must raise enough revenue to replace the existing sales tax and provide for additional income tax cuts and the enriched credit.

Decisions about the tax rate and the design of the tax credit will depend on how broad the tax base is. The decisions are closely linked. A broader tax base would result in a lower tax rate for everyone and require a bigger tax credit for those who need it. With a narrower tax base, involving exemptions for such things as food and clothing, the tax rate would be higher on the remaining items and the tax credit could be smaller.

The Government is committed to sales tax reform. It will proceed after consultation with provincial governments and other interested Canadians.

FISCAL RESPONSIBILITY

Responsible tax reform must be fiscally responsible. Our progress in reducing the deficit is essential to our success in reducing interest rates, increasing growth and lowering unemployment.

Sales tax reform will follow the reforms to our personal and corporate tax systems. In the interim, we must make the existing sales tax more reliable. We must deal with its worst competitive distortions. And we must raise more revenue, in conjunction with corporate income tax increases, to help fund the personal income tax cuts.

I am proposing a number of changes to the existing sales tax, effective January 1, 1988.

To reduce competitive distortions and protect against avoidance, the tax will be applied to marketing companies which do not operate at arm's-length with a manufacturer. It will also be moved to the wholesale level for a limited range of products.

To raise revenue, the tax will be extended to most telecommunications services at a rate of 10 per cent. The charges for basic residential telephone service will be exempt from tax.

To further protect lower-income Canadians from the impact of these changes, the existing refundable sales tax credit will be increased from $50 to $70 for adults, and from $25 to $35 for children.

• (2040)

Finally, in order to improve cash management and to offset some of the transitional revenue effects of tax reform, I am proposing to accelerate the payment of sales and excise taxes, effective April, 1988. The remittance of personal income taxes deducted at source will be further accelerated, effective January, 1990.

These two measures will not increase taxes on Canadians. They will ensure that the Government receives money it is owed on a more timely basis. This will reduce our need to borrow and will yield ongoing savings in interest costs.

The proposals I am presenting tonight are fiscally balanced. The personal income tax reductions are made up by increases in corporate and sales taxes and the acceleration of tax collections.

ECONOMIC AND FISCAL OUTLOOK

I am tabling with the tax reform proposals an updated economic and fiscal outlook.

[*Translation*]

Our economic prospects for this year are little changed since my February Budget. I am very much encouraged by the strong employment growth and declines in the unemployment rate we have seen in recent months. Since September 1984, Canadians have created 840,000 jobs. The unemployment rate, at 9.1 per cent, is at its lowest level in more than five years. But what is most encouraging are the indications, from both employment data and recent surveys of investment intentions, that growth is becoming better balanced across the regions of Canada.

[*English*]

Over the medium term our economic prospects will depend greatly on the success of the industrialized countries in reducing the large international trade and fiscal imbalances that cast a shadow over world growth. Canada is playing a constructive role in this regard. Much progress has been made in recent months. The recent economic summit in Venice underlined the determination of the major industrial nations to continue that progress. Canada shares fully in the commitment expressed at that summit to take further action to achieve our shared economic objectives if that proves necessary.

Our prospects will also depend on what we do at home. Making further progress on tax reform, on our trade initiatives and on the deficit will strengthen investment and growth in all regions of Canada. This will provide us with greater strength and resilience to cope with an uncertain world and with a better capacity to sustain needed social programs.

Our fiscal outlook continues to be encouraging. The most recent estimate for the fiscal year just ended suggests that stronger revenue growth at the end of the year will result in the deficit being about $31 billion, $1 billion lower than I forecast in February.

As I stated in the Budget, I expect the deficit for this fiscal year to be $29.3 billion. It will decline moderately over the next two years. The deficit and financial requirements show substantial declines in the medium term. The debt-to-GDP ratio is expected to stabilize by 1991-92. This is a key objective which the Government has set for itself since coming into office in 1984.

I wish to table this White Paper and the related Ways and Means motion and supporting documents.

CONCLUSION

Tax reform is a major and complex exercise. It goes far beyond changing some sections in the Income Tax Act. The results must be judged not only in the tax savings of individual Canadians. They must also be judged on how we can contribute to a stronger, more just and more vibrant Canada, in the 1990s and beyond.

The package I am now placing before Parliament and the nation respects our needs today and will help us build a better tomorrow. It reflects the concern we share for our senior citizens and the challenges facing our young people and our entrepreneurs. It respects the importance of our farmers and our resource industries. It recognizes the competitive battles being fought daily by our manufacturers and the challenge of the future for our technology and service sectors. It provides tax savings to individual Canadians and gives them the freedom to spend, save or invest as they see fit.

Some are being asked to pay a greater share through a reduction in tax preferences. In making these decisions, I have considered carefully the key goals of greater fairness and competitiveness. And where the impact is substantial, the change will be phased in over time.

But in the final analysis, this package will be judged on whether we have given to our senior citizens more peace of mind and security; to those in greatest need, a fairer and reduced tax burden; to our young, a greater sense of opportunity and hope; and to our working people, more incentive, stability and freedom.

I believe we have met these tests.

Some Hon. Members: Hear, hear!

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, first of all I want to tell you that I do not take any joy in what I am about to say, because no amount of applause from the Tory benches can disguise the fact that the Minister of Finance (Mr. Wilson) has not delivered a White Paper on tax reform tonight. He has delivered a budget, and he has violated the long-standing tradition of budget secrecy. Because he has done so, parliamentary convention and tradition demand the immediate resignation of the Minister of Finance.

Today in Question Period the Prime Minister (Mr. Mulroney) said that the statement of the Minister of Finance was going to be a discussion paper in the same way the White Paper of the Minister of National Defence (Mr. Beatty) was a discussion paper. The Prime Minister and the Minister of Finance know that there are important differences. The White Paper of the Minister of Defence asks Canadians to discuss a proposal for nuclear submarines. Those submarines may never be built.

• (2050)

At the other end, the budget statement of the Minister of Finance which was just delivered in the House clearly outlines in a Ways and Means motion that we had the opportunity to see during the lock-up this afternoon specific tax changes, some of which are effective at midnight Wednesday, last night. Tax changes affecting farm property, passenger vehicles, limited partnerships, research and development, dividends received by financial institutions, life insurance reserves, multinational insurers, these and other tax changes will take place immediately. Other tax changes to take place at a later date were also announced by the Minister of Finance in the Budget Speech and the documentation he tabled with his speech.

How can the Prime Minister and the Minister of Finance pretend that the Minister's statement is only a discussion paper? Tonight the Minister of Finance has delivered a Budget. It is a Budget that has been available to a select 31 individuals at least a full day before its official release. If the Minister of Finance does not understand his responsibilities in these circumstances, the Prime Minister must assume his responsibility and remove the Minister of Finance from the important public office he holds.

Some Hon. Members: Hear, hear!

Mr. Garneau: Mr. Speaker, I submit that it is not a matter for public debate. The Minister's duty is clear. It is a question of restoring public confidence in one of the most sensitive and important ministries of any Government. As a former Minister of Finance, I am well aware of the propriety expected of such an office-holder. I say with regret that I know, and the Minister of Finance knows in his heart, that he has committed an unforgivable breach of his duty and he must go, and go now.

I believe that all Hon. Members know that I am not one to make such statements lightly or without good cause. It is important that the House debate and debate fully the tax changes announced in the Government's Budget this evening. However, such an important debate cannot properly occur in the shadow of the loss of confidence in the Minister of Finance of Canada. I say to the Minister of Finance, if this evening the Minister has still not clearly understood the action expected of him now, that I hope for his sake that he will have submitted the proper letter to the Prime Minister by tomorrow morning.

Some Hon. Members: Hear, hear!

Mr. Garneau: Mr. Speaker, the Minister may laugh but he knows in his heart that he committed a mistake, a very important one, and he does not deserve to serve as Minister of Finance in this House.

[*Translation*]

Mr. Speaker, what we had this evening was not a White Paper but a Budget. A Budget that contains tax increases, including some that will be effective as of midnight yesterday evening, not even tonight. There are 17 or 18 tax measures, in fact there are more in this evening's statement than there were in the Budget Speech last February, a Budget we said was not a Budget but a Minister's Statement. And today the reverse is true. Today, we had a real Budget Speech. Mr. Speaker, I think that with this Budget Speech we had a few statements on tax reform.

An Hon. Member: Name them!

Mr. Garneau: Mr. Speaker, I am being asked to name them. I may refer the Hon. Member to the Motion of Ways and Means, where he will find they are all listed with the effective date as midnight last night.

Mr. Speaker, in the tax reform which the Minister of Finance (Mr. Wilson) has unveiled this evening, except for the measures which will be included in a real Budget, everything else is related to a question of credibility. The Minister is telling us that the sales tax which will be imposed eventually will be fairer, more equitable for everybody. The Minister of Finance claims that the changes he is making in the personal exemptions system through tax credits will benefit the Canadian taxpayer. I will get back to this question.

But first I will tell him that his credibility with respect to what can happen in the future is not very strong.

[*English*]

In fact, this tax reform is related to the trust that one can have in the Minister of Finance. What has the Minister of Finance said in the past before the election of 1984 about tax increases? On March 6, 1984, a few months before the election, he said, as reported at page 1827 of *Hansard*:

> We would cut spending. We would not raise taxes. Tax levels in Canada are already too high.

Mr. Turner (Vancouver Quadra): He said that?

Mr. Garneau: He said that on March 6, 1984.

[*Translation*]

"We will cut spending, we will not raise taxes. Tax levels in Canada are already too high", he said.

[*English*]

On August 8, 1984, a month before the election, the now Minister of Finance said to CITY-TV in Toronto: "We have no intention of raising income taxes to Canadians".

Mr. Turner (Vancouver Quadra): Who said that?

Mr. Garneau: The Minister of Finance.

Mr. Turner (Vancouver Quadra): He said that?

Mr. Garneau: On August 8, 1984. That was before the election.

Let us see what he said after the election. In November of 1984 he said: "Our immediate goal is to reduce the deficit through expenditures and not through major tax increases".

[*Translation*]

The Minister of Finance told us: "Our immediate goal is to reduce the deficit through expenditures and not through major tax increases." That is what the Minister said before the election. Let us see what he did immediately after his election. Mr. Speaker, if we take the lists one after another, and you can see I have a few of them: the 1986 announcement about the deindexation of the tax system at a cost of $635 million to the Canadian taxpayers; the elimination of the Registered—

[*English*]

The elimination of the Registered Homeownership Savings Program effective May 22, 1985, a cost to the Canadian taxpayer of $105 million. The elimination of the federal tax reduction which benefited low-income earners effective 1986, a cost to those Canadians of $650 million. Changes to marital exemptions for years of marriage, a cost to the Canadian taxpayer of $20 million.

An increase in excise taxes on cigarettes and tobacco effective May 24, 1985, a cost to the Canadian taxpayer of $320 million. A 2 per cent increase in excise taxes on alcohol effective May 24, 1985, a cost to the taxpayer of $20 million. An increase of two cents per litre in the excise tax on gasoline effective September 3, 1985, a cost to the taxpayer of $930 million.

An extension of the sales tax on candies, soft drinks, etc., effective July 1, a cost to the Canadian taxpayer of $400 million. A general 3 per cent surtax effective July 1, 1986, a cost to the Canadian taxpayer in one year of $1,200 million.

A general 1 per cent increase in sales tax effective October 1, 1984, a cost to the Canadian taxpayer of $1 billion. A general 1 per cent increase in sales tax, another increase, effective January 1, 1986, a cost to the Canadian taxpayer of an additional $1 billion.

A general increase of 1 per cent in sales tax effective April 1, 1986, the third one, an additional cost of $1 billion to Canadians. Equalization of sales taxes on leaded and unleaded gasoline, another $30 million in taxes. An extension of the sales tax on snack food effective July 1, 1987, $60 million. An increase in taxes on alcohol and tobacco effective February 27, 1986, $150 million. Increase in tax on cigarettes and tobacco by 4 per cent effective February 19, 1987, $70 million. Increase in air transport tax effective May 1, 1987, and August 1, 1987, a one-year increase of $45 million. An increase of 1 cent per litre excise tax on gasoline effective January 1, 1987, $450 million.

• (2100)

Some Hon. Members: Stop!

Mr. Garneau: It is not finished. An increase of 1 per cent in the excise tax on gasoline effective February 19, 1987, $450 million. There was also a 5 per cent and 10 per cent surtax effective for part of 1986, $500 million.

There was also some tax reduction. The lifetime $500,000 capital gains. That was goodies for the rich. They received a gift of $700 million.

That is the man who said to Canadians before the election that he will never raise taxes. If we add all those taxes they amount to $22 billion. It took three years for the Minister of Finance to raise personal taxes by $22 billion and he will take five years to return $5 billion with tax reform.

Some Hon. Members: Shame!

Mr. Garneau: Mr. Speaker, when we look at the tax increases plus tax reform, what is the net result? That man made great publicity about his tax reform. He was supposed to transfer part of the tax burden from individuals to corporations. In 1984-85 when that man became Minister of Finance, the total personal and sales taxes paid by individuals amounted to $36.8 billion. After tax reform in 1988-89, probably the election year, the total amount of taxes paid by individuals will have risen to $59.1 billion according to the figures we have in the White Paper. That is an increase of 93 per cent.

Let us look now at the corporation side. In 1984-85 corporations paid $9.4 billion in taxes. At the end of the five-year Tory mandate they will pay $11.1 billion, an increase of 7 per cent. A 93 per cent increase for individuals and 7 per cent for corporations.

Mr. Turner (Vancouver Quadra): Even after reform.

Mr. Garneau: Do you think that is fair?

[*Translation*]

Do you think it is fair to have a 93 per cent increase in revenues coming from individuals and an increase of only 7 per cent in revenues coming from corporations?

Mr. Speaker, let us look at the consequences for individuals, one by one. The Minister did not spare any expenses, he has a lot of paper to advertise. The figures given, Mr. Speaker, reflect the impact of the three Budgets tabled by this Minister of Finance, 1985, 1986, and 1987. I already mentioned those figures in the House during the Budget debate and nobody challenged their validity.

If you take a married man with an income of $15,000, whose wife stays home to look after their two children, for this man the last three Budgets mean an increase in taxes of $489 in 1987. That is the cumulative result of the three Budgets. Let us look now at what it will be after the fiscal reform, in 1988. To give you an example of how devious those documents are, they give as one figure the benefits for both federal and provincial income taxes.

It is then very difficult to compare, but the Minister cannot claim that he is lowering taxes that are not his.

That person whose taxes have gone up $489 in three years, will see them decrease, after the fiscal reform, by $270. In short, his taxes have gone up for three years, but now he is given some slack, he gets an electoral break of $270.

If we consider now a family of four where the bread-winner has an income of $30,000, Mr. Speaker, do you know that the last three Budgets meant for that family an increase of more than $1,000 in taxes?

When we look at that tax reform, despite all the computations he gave, his tax reduction will be $370. So after his taxes were increased by more than $1,000, they reduce them by $370 and people are saying hear! hear!

Some Hon. Members: Shame!

Mr. Garneau: They refer to senior citizens. The Minister said in his Budget speech, because that was a Budget speech, senior citizens would benefit from that thing, that speech.

Mr. Speaker, I submit again the Minister is hiding the truth or does not want to tell it all. A single individual aged 65 or over with a $15,000 income saw his income tax increased by $383 since the Conservatives came to power. That same single individual earning $15,000 will recoup only $66, or thereabouts, in tax reduction after tax reform. First a $383 increase then he recoups $66, and they are saying hear! hear! across the aisle.

[*English*]

I am convinced it will be very easy for us to explain to the Canadian people that the Government is hiding something. It is just like—

[*Translation*]

—just like that merchant who raises his prices two weeks before he announces a sale. He raises his prices 25 per cent, 30 per cent and then he advertises: Come to my sale, all prices slashed 10 per cent. This is a scam, Mr. Speaker.

Mr. Speaker, I would like to indicate to the Minister of Finance that in all the examples he gave in his Budget documents nowhere is the increased sales tax taken into account. Nowhere. They are only showing the benefits from the income tax side, and which are minimal anyway. But nowhere is reference to be found to the $1 billion the Minister is quietly getting from that tax reform.

We have been told this evening that Canadian taxpayers will pay $1 billion more in 1988 in federal sales tax and it has been suggested, Mr. Speaker, that this tax reform is expanded solely for discussion purposes. I say calmly about the statement made by the Prime Minister in the House: either he did not know what his Minister of Finance was doing, in which case he made a serious mistake, or else he did not want to say . . . And we know certain unparliamentary terms prevent me from saying the truth about the matter. And I truly question the sincerity of the Prime Minister this afternoon when he answered the questions of the Leader of the Opposition (Mr. Turner).

Mr. Turner (Vancouver Quadra): He also misled the Speaker.

Mr. Garneau: Mr. Speaker, I should like to deal with some other aspects of the tax reform which will have substantial effects in several regions. However before this I should like to raise another aspect of the tax reform. The Minister, who was then applauded by Tory members, said:

[*English*]

He gets a round of applause because 850,000 Canadian taxpayers will be taken off the tax rolls. I have people who have been working on that. Because of the 31 people who were informed of the Budget before tonight, we had all sorts of leaks in the paper this morning. One of them was exactly that, that we were supposed to have 850,000 people taken off the tax rolls.

• (2110)

What a coincidence. People who have been researching the matter for me sent me a note just before I rose to my feet. They tell me that many more than one million taxpayers have been added to the tax rolls because of the last three Budgets. This will be proved tomorrow through further research but they have researched the fact that the Conservatives have added more than a million taxpayers to the tax rolls since they have been in power. Now— big deal—they are subtracting 800,000.

This tax reform will affect regional development. The changes in the flowthrough shares will affect the mining industry. The earned depletion allowance is affected.

Some Hon. Members: Bye-bye, Mike.

Mr. Garneau: I must say, Mr. Speaker, that the Minister told me he would have to leave before the end of the day.

With regard to regional development, not only will the mining regions be affected but also the Maritimes, the Gaspé and other regions which, until now, were benefiting from tax credits. The tax reform in this Budget will affect regional development once more.

There is nothing in this tax reform which will help women who have to look after their children and work at the same time. There is nothing in this tax reform to help single parent families. The tax credit for the increase in sales tax is not sufficient. Since none of the tax credit is reimbursable, this scheme does no good for the poor and the middle class.

Many people close to me know that I am a history lover. When I heard that the Minister of Finance was going to table his White Paper on tax reform on June 18, I recalled that June 18 is the anniversary of the Battle of Waterloo. That battle took place on June 18, 1815. *The World Book Encyclopedia* says the following: The Battle of Waterloo—

> —fought on June 18, 1815, was the final battle of the French military genius, Napoleon Bonaparte. It put an end to his political ambition to rule Europe. His defeat was so crushing that, when a person suffers a disastrous reverse, we say the person has "met his (or her) Waterloo."

I suggest that the Minister of Finance has met his Waterloo.

Some Hon. Members: Hear, hear!

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, yesterday 30 experts who were signed on by the Minister of Finance (Mr. Wilson), who were prepared to work for free apparently, were given an advance look at the White Paper. These were tax experts, tax lawyers, and accountants who move comfortably in the world of taxation which is much more understood by people in corporations on Bay Street and St. James Street than by ordinary Canadians.

If the Minister of Finance had had the good sense, which he did not, to give 30 farmers, fishermen, working men and women, housewives or pensioners an advance look at his tax reform and ask them for advice in order to find out whether or not he was on the right track with tax reform, they would have told him to take his tax reform back and have another go at it because this is not tax reform to benefit ordinary Canadians.

The fact is that we do need real tax reform in this country. We did not get it tonight in the announcement of the Minister of Finance. I regret the lost opportunity and I want to talk about what Canadians were looking for in the tax reform package, what they failed to get, and what we did get tonight in the Finance Minister's paper.

The answer to the question of whether this was a budget measure is self-evident. I have lost count of the number of specific tax measures which take effect tonight or tomorrow as a consequence of the Ways and Means motion tabled by the Minister of Finance. That issue was dealt with today by you, Mr. Speaker, in the House of Commons and will be dealt with tomorrow in the House of Commons. Tonight we are talking about whether Canadians got the fairness and frankness to which they were entitled in the tax reform measures which were announced.

Canadians have been waiting a long time for tax reform. I guess it was naive to expect real tax reform from a Conservative Government. Our mistake was hoping that somehow, despite the general direction of the Government, some good tax reform would come from the Finance Minister with his Bay Street background and the Party he represents in this House of Commons.

People always ask me whether I can say anything good about things coming from the Minister of Finance. I can say that his rhetoric was just great. In terms of calling for a simple, fair, and progressive tax system and of condemning the archaic sales tax and so on, the Minister of Finance was right on the money. The problem was that he failed to match his rhetoric with reality. In other words, he has maintained the faults of the present tax system and has not made the fundamental changes which Canadians were seeking.

I can sum it up by saying that the average family will get a tax cut in the first round of $295 per year or $6 per week, not now, not in December, but sometime in July or August of 1988. That is a fat lot of help for people who need the help right now. Three-quarters of the Canadian families earning $100,000 or more will get tax cuts as well. The tax cuts for those rich Canadian families will amount to $4,365 per annum on average or $85 per week.

Therefore, tax reform for the average family means a couple of Big Macs and maybe fries on the side every week. Tax reform for the wealthy Canadian family means dinner at Winston's or the Beaver Club, candlelight, imported French wine, tournedos and those kinds of things. That is the disparity which the Government is perpetuating with its tax reform.

One asks oneself why wealthy Canadians who benefited in last year's Budget, who got the $500,000 capital gains tax exemption in 1985, and who seemed to always come out on the winning side in Budgets of Liberal Governments, should come out on the winning side yet again in this tax reform proposal of the Minister of Finance.

If Canadians were looking for fairness, they are disappointed in what they heard tonight.

[*Translation*]

As for equity, analysis shows that the Conservative tax reform means that three out of four wealthy families will pay an average of $4,365 a year less in taxes, that 60,000 profitable companies will continue to pay not one cent in taxes and that the average Canadian family will pay about $1,000 a year more in taxes than in 1984. I submit to the Hon. Member for Lévis (Mr. Fontaine) that, since 1984, the taxes paid by the average Canadian family have increased by some $1,300. We are now asked to believe that this is a real tax reform, that this same average family might pay $300 less in taxes in 1988, while wealthy families will benefit from a tax decrease 14 times higher than that of low-income earners.

As for integrity, the Conservatives have unfortunately decided to keep the bad news for after the elections.

The new sales tax, whatever form it takes, will nearly cancel out the tax rebates for average families. In addition, the Government will probably be taxing for the first time ever basic necessities such as food and housing. By itself, the tax on food products would mean $300 more for the average family. Canadians deserve more honesty. They deserve to get the full picture this evening. Once more, Mr. Speaker, the Conservatives have taken some good ingredients, but they have used the same recipe which benefits the rich and spares big companies. The final result is still the same: The average family will foot the bill.

• (2120)

[*English*]

PC tax reform means favouring wealthy Canadians, favouring thousands of profitable corporations that will continue to go tax free and it means allowing average families to pay more while not getting anything back in what they have paid in increased taxes since 1984. At the same time, the Conservatives are hiding the bad news in that sales tax increase which will wipe out any income tax cuts for the average Canadian family.

It is quite clear that the Government intends to proceed with the tax, including the tax on food and other household essentials, despite overwhelming adverse reaction. I have talked to my constituents and I have received telephone calls from across the country.

Mr. Hockin: You just heard the speech.

Mr. Cassidy: We knew this would be in the speech. We have been asking the Government to back away from tax on food since the announcement by the Minister of Finance just over a month ago about what would basically be contained in this package tonight.

Did the Conservatives back away? No. Were they even prepared to admit that there was a problem? No. Instead, they reiterated their belief that food should be taxed so that when people go to Woodward's, Safeway, Loblaws, the A&P, the IGA or Boushey's grocery store in my constituency, they will have to pay a 6 per cent tax on food.

That is very clearly sketched in this package. My friend, the Hon. Member for Kamloops-Shuswap (Mr. Riis) was with me in the lock-up and we were frankly shocked at the way the Government continues to ignore the advice it receives from ordinary Canadians.

I say to the Minister of State for Finance (Mr. Hockin) that he should tell his colleague, the Minister of Finance, that while Dalton Camp was hired at more than $100,000 a year to advise the Government on how to keep out of trouble, he failed because he did not persuade the Government and the Minister to abandon the sales tax on food.

I understand that even the Prime Minister (Mr. Mulroney) appealed to the Minister of Finance not to put this in the White Paper. He also failed in having it removed. The Government is making a tragic mistake. We realize that the Government is low in the polls and experiencing problems. We know it will continue to stay down in the polls if it threatens in 1989 to take back this reduction in income tax with the sales tax they propose on food and other items.

Let me point out the figures which the Government has put into its estimates of revenue on sales tax for 1988 and 1989. It indicates that sales tax revenue in that year will increase not by the $1 billion that was announced by the Minister tonight, but by $2 billion over 1987. In fact, in 1988, the Conservatives will have doubled the sales tax burden on average Canadians since they came to office. Canadians tell us that they are prepared to accept taxation on the basis of the ability to pay. That means on the basis of their income, not on what they buy.

Let me deal with personal income tax. We welcome the conversion of the Conservatives to the tax credit system. It is long overdue in our tax system and we welcome that. However, I deplore the fact that in implementing the tax credit system the Government failed to make it essentially any more progressive than it is now.

Mr. Hockin: It is much more progressive.

Mr. Cassidy: The Minister of State for Finance says that it is much more progressive. Let us look at the cuts in taxation for the winners. People earning less than $15,000 will receive a $140 tax cut in 1988 or thereafter. Those earning $15,000 to $30,000 will receive a $405 tax cut. Those earning $30,000 to $50,000 will receive a $470 tax cut. This is a system which rewards those who have, not those who need because as one's income goes up, one wins more.

Mr. Hockin: They are paying more in tax.

Mr. Cassidy: Those in the $50,000 to $100,000 income range receive a $700 tax cut. When we get to the blue circle people earning over $100,000, we see that they receive a tax cut of $4,365. That is a tax cut which is 30 times the tax cut for people who earn under $15,000.

What kind of tax reform is that? Why can we not have tax reform that benefits poor Canadians and ordinary Canadians rather than putting money into the hands of the rich?

Some Hon. Members: Hear, hear!

Mr. Hockin: What sophistry.

Mr. Cassidy: The Minister of State for Finance has obviously not been privy to the secrets of his colleague, the Minister of Finance. Otherwise, he would realize what a paltry job has been done with this particular tax reform.

The real measure of tax reform is the amount of cash that goes back into people's pockets. The amount of return to people earning under $15,000 is equivalent to eight-tenths of a per cent of their income. That is not exactly revolutionary. The amount of return for those in the income level between $15,000 and $30,000 is 1.4 per cent, somewhat better.

The amount of return for those earning $30,000 to $50,000 is again eight-tenths of a per cent, the same as those earning less than $15,000. Apparently, people in the $40,000 bracket need as much back in proportional terms as poor people.

Those in the $50,000 to $100,000 range are not quite so well off since they only receive back six-tenths of a per cent.

Our wealthy friends earning over $100,000 receive back in proportion to their income an amount equal to 1 per cent of their income. This means that tax reform that is meant to make the system more progressive puts a higher proportion of income back into the hands of the very wealthy than it does to the very poor. That is Tory tax reform, not real tax reform. I believe it is a pitiful excuse for the kind of reform Canadians were expecting. It is no wonder that average Canadians ask why, under Liberals and Conservatives, wealthy Canadians get a break in every budget while poor Canadians do not get any breaks.

Ordinary Canadians wonder why they have had to pay $1,300 more a year while wealthy Canadians receive the breaks. Average Canadians will wonder whether it is simply a coincidence that 850,000 Canadians will be taken off the tax roll when, according to our calculations, that is the number of

Canadians who have been put on the tax rolls by the Conservatives since they came to office in 1984. What a coincidence.

The personal tax system yields approximately $42 million or $44 million in revenue a year. While the Minister's announcement that some 800,000 people will be taken off the tax rolls seems good, it is not so remarkable when one considers that those Canadians pay some $300 million to $350 million in tax. The Minister's grand gesture which is designed to dress up his tax reform amounts to less than 1 per cent of total revenues for personal income tax. Big deal.

Mr. Hockin: Would you tax them?

Mr. Cassidy: Average Canadians wonder why the Government continues to favour capital gains. If the Government acknowledges the principle that capital gains should be treated like any other income, why does it continue to tread on eggs and give special treatment to people with investment income and people with capital gains?

Now that the Government acknowledges that its $500,000 capital gains tax exemption was one of the most stupid measures to be included in this country's tax system, Canadians will wonder why it has left part of it in the tax system rather than following the advice of the tax experts and removing it completely.

My Party supports exemptions for farmers and exemptions for the transfer of small businesses. My Party does not support, however, this continued belief that somehow capital gains of any kind are a sacred trust that should be honoured by the Progressive Conservatives because of their constituency.

• (2130)

My Party wonders as well about what we call the "T. Eaton" amendment which appears will allow Timothy Eaton's heirs, grandsons, great grandsons, that whole clan, to benefit from the small business amendment on capital gains exemption just as much as someone who makes a few dollars because of a gain on a very small family-owned business which does not have to be public traded.

Average Canadians will wonder why is it this Government, in putting forth what was meant to be a progressive tax reform, continues to maintain deindexation, this time of the credits rather than the deductions, so that over time those credits will be worth less and less and, therefore, the system will systematically become less and less progressive and more and more regressive.

I guess what Canadians are wondering is if there was a tax reform package which had made the wealthy really pay their fair share, then moderate and low income families could have had real tax breaks. Average Canadians ask why could they not have had those kinds of tax breaks rather than the kind of tax things they are getting from the Government now.

[*Translation*]

Mr. Speaker, as far as corporate taxation is concerned, the Canadian taxpayers will ask why a minimum income tax has not been introduced for those thousands of profitable companies which do not pay one cent, so that they assume their fair share of the tax burden. After this so-called tax reform, there will still be 60,000 profitable companies not paying one cent in income tax. And this issue, Mr. Speaker, has been raised by the NDP. We are the ones who told the House of Commons that some 79,000 Canadian corporations did not pay any income tax. In other words, 25 per cent of all Canadian companies do not pay any income tax at all.

Now the Government recognizes that there were not 79,000 but rather 110,000 profitable companies in this situation. And the Government will somehow reduce that proportion, but there will be nevertheless 60,000 of them without any tax to pay, which indicates that this system is unfair. Therefore, Mr. Speaker, we do need a minimum tax on corporations and it is unfortunate that such a provision has not been imposed or proposed in this tax reform. Taxpayers will ask also why it is that the total increase of income tax on corporations is only $470 million, less than one quarter of the tax increase resulting from the U.S. fiscal reform and half the amount received by Olympia and York through a tax loophole in 1985 under the Conservatives. They will ask why this minimal increase does not even cover the $6 million that will be saved on differed taxes by corporations such as CP, Bell and Imperial Oil.

[*English*]

I wonder about this. We are told by the Minister of Finance that it is wonderful he is raising corporate taxes by $5 million over five years. He has not mentioned that the reduction in tax rates is the largest in any field for corporations, from 36 per cent to 28 per cent, and he has not mentioned that that one cut will save large companies such as CP and Imperial Oil $6 billion because of the reduction in taxes on deferred taxes they have on their books. So over the next five years, those big corporations will save $6 billion. At the same time the Government will be getting $5 billion more in taxes from corporations. As I perceive it, that means a balance of a deficit of $1 billion over the next five years. That is not tax reform. That is moving backwards.

Average Canadians believe and know that corporations should be paying their way. They should be paying a fair share of the tax system. They are not paying it now and they will not be paying it under the tax reform proposals tabled by the Minister of Finance in this House tonight.

Canadians will also wonder about the sales tax changes which have been introduced. I really wonder about the Minister of Finance who says that the sales tax as we have it now is a hidden, arbitrary and capricious tax and then proceeds to impose new sales taxes, according to the present system, which, of course, will also be hidden, arbitrary and capricious.

When we reach out and touch someone by telephone, we will be paying a 10 per cent tax. It will not be to Ma Bell this time, it will be to Uncle Michael Scrooge over there, who has now imposed this particular tax on telecommunications services. If we try to pretty up our house we will have to pay extra tax on the wallpaper. If we try to provide equitably for your cat, we will be taxed on its kitty litter. Games and toys for kids are going to be additionally taxed.

The Government has made it very clear that its proposals on sales tax are no longer options, that it is intent on pushing forward with a tax which, in its view, ought to include a tax on food. The Minister's paper on tax reform states that the Government proposes to replace the existing federal sales tax with a broad based multi-staged sales tax which extends the retail level. This multi-staged tax will be a form of value-added tax. The Minister of Finance is saying quite specifically that taxable sales will include sales of most goods and services in Canada. The Minister's White Paper indicates that he understands that the taxation of food is an emotional and controversial issue, and then proceeds to explain why the Government is intent on rolling over the objections of Canadians in order to tax food.

The Minister of Finance tries to indicate that the people who earn below average incomes spend less over-all on food than people with above average incomes. There is a good reason for that. They have less income to go around. However, the lower one's income goes, the more of it one will spend on food. If a sales tax is imposed on food, we therefore have a regressive tax which will cost more to ordinary Canadians with lower incomes than it costs people with higher incomes. It is not fair to tax people not according to their ability to pay but according to their need to consume, which means that average and below average earners will be hit harder by the tax on food than the people who have high incomes and can afford to pay.

The Government's arguments in this White Paper are specious and wrong. The New Democrats are going to oppose them in this House, in the committee on finance and everywhere else those arguments are proposed.

The Minister of Finance is just plain wrong if he tries to impose that kind of tax. He is mean and wrong. It appears he wants to go ahead. He wants to do it in 1989 because of electoral politics. Canadians out there should understand very clearly that they should not go and spend the $200 or $300 the Minister tells them they will receive next year because the Minister is going to take it right back in sales tax increases in 1989. That is his plan and he is trying to hide it from Canadians by means of a two-step tango.

The Minister of Finance should have had, of course, one package rather than two but he did not and what he has done instead is to bring in a little bit of a sales tax credit, trying to say that that will alleviate the burden for ordinary Canadian families. Canadians should know that the sales tax credit only applies to people far below the poverty line. It only applies to people with incomes of less than $16,000 or $17,000 a year. Above that level, one still has $6,000 or $7,000 to go before one reaches the poverty line for a Canadian family living in a major Canadian city. So thousands, if not hundreds of thousands of Canadian families below the poverty line, will pay that tax on food and get nothing back.

Thousands of working families where there are possibly two spouses working in order to make ends meet, to pay the mortgage, to pay the rent and put food on the table, are going to find they are hit with this tax and will receive no recompense at all.

The Minister is not being frank. He is not being fair, and his tax system is not simple, either. I have here the *1986 General Tax Guide and Return* for residents of Ontario which I had the privilege of filling out this year. It was about 84 pages long. The Minister says his new system is simple because he has put in three rates rather than 12 rates which applied before. In the back of my book there is a federal and Ontario tax table. I always calculate my tax that way. There could be a hundred different rates, it would not make any difference to me. The fact is that the tax return form in 1988 and 1989 will be just as complex and just as long as what we have now. The Minister has not simplified the system. In fact, he has probably made it more complex because of the new bells and whistles he has put into his particular system.

• (2140)

I want to close off by saying that I welcome some of the concessions that have been made by the Minister of Finance. For years we have been condemned by Liberals and Conservatives for saying that it was wrong to give special privileges for capital gains; for saying it was wrong to give special privileges for investment income; for saying it was wrong to give special privileges for dividends and give them tax concessions; for saying it was wrong for corporations to be able to transfer dividends tax-free; and for saying it was wrong to continue to have deductions when we advocated there should be tax credits. Suddenly everything we were saying that we were told was wrong is right. The Minister is bringing in tax credits. He is acknowledging that the dividend tax credit is wrong. Except he is not taking it away. He is only taking away a bit of it. He acknowledges that we were right to say that capital gains should be taxed just like any other kind of income. Except he then kind of loses the thread—he will only tax capital gains a bit more heavily than now. But he will still favour those kinds of income over the income that is earned by the sweat of the brow of workers, farmers and small business people who pay income tax on all their income, as all Canadians should pay tax on all of their income.

So the Minister accepts our arguments but only in principle. When it comes down to cases, when it comes down to practicalities, he does not accept them enough. When the people judge the Minister of Finance on fairness, they should not just judge him on his rhetoric, they should judge him on his results. Any proposal that can cut taxes on average Canadians by $6 a week but cuts taxes for the wealthy by $85 a week is not real tax reform.

Any White Paper that leaves 60,000 profitable Canadian corporations not paying tax is not real tax reform. Any fiscal package that leaves companies paying a lower share in 1990 of federal government revenues than they paid in 1984 is not real tax reform.

But wait, some Hon. Members will say, the corporations are paying more. Surely that is what the Minister of Finance said. That is what he said, but his figures say otherwise.

In 1984, corporations provided 20 per cent of federal government revenues from income and sales tax. In 1990, after these reforms are in place, it will only provide 17 per cent. In other words, rather than moving forward to a more equitable system we are moving backward.

Any tax package that gives tax cuts to a majority of Canadians in 1988 but then clearly intends to take those tax cuts back in 1989 by means of a sales tax change is not tax reform. Any proposal that hands back to rich Canadians more of their income than is handed back to people who are poor is not tax reform—it is tax fraud.

Thank you, Mr. Speaker. We will meet this Minister on the hustings. We will meet him in the House of Commons. We will meet him in the Finance Committee. We will meet him out across the country. This is a fraud on Canadians. It is not real tax reform.

Some Hon. Members: Hear, hear!

Mr. Speaker: It being 9.43 p.m., pursuant to Order made Friday, June 12, the House stands adjourned until tomorrow at 10 a.m. in accordance with Standing Order 3(1).

The House adjourned at 9.43 p.m.

HOUSE OF COMMONS

Friday, June 19, 1987

The House met at 10 a.m.

Prayers

[*English*]

PRIVILEGE

APPLICATION OF THE PROVISIONS OF S. O. 57 TO THE DEBATE ON THE REINSTATEMENT OF CAPITAL PUNISHMENT

Hon. Bob Kaplan (York Centre): Mr. Speaker, I rise on a question of privilege of which I have given you notice relating to the extraordinary motion moved by the government House Leader yesterday under Section 57 of the rules of procedure imposing closure on the resolution to support in principle the re-establishment of capital punishment and to provide for the establishment of a committee to examine that question. In moving that motion yesterday—

Mr. Lewis: Point of order, Mr. Speaker.

Mr. Kaplan: I believe a question of privilege has priority.

Mr. Speaker: I wonder if the Hon. Parliamentary Secretary would just let the Chair hear a bit more and then I will return to the Parliamentary Secretary.

Mr. Kaplan: Mr. Speaker, in moving that motion, I submit that my privileges and the privileges of Members of the House of Commons, particularly members of the Opposition as I will argue in a moment, have been violated. They are violated—

Mr. Speaker: Just a moment. The Hon. Member for York Centre (Mr. Kaplan) is raising a question of privilege apparently based on something that was done pursuant to one of the Orders of the House. Obviously an experienced Member of the House like the Hon. Member is entitled to be heard, but I do not want to be taken for an overly long time along the lines of an alleged point of privilege which is based on something which has been done according to the rules of the House, if it has been I am having a great difficulty following the Hon. Member. Perhaps the Hon. Member could help me. I think I can anticipate that the Hon. Parliamentary Secretary was perhaps wondering the same thing. I am a bit troubled by this.

Mr. Kaplan: Mr. Speaker, I think I can do so and I can do so by referring to your own ruling of April 14, 1987, in which you indicated, dealing with another rule of the House, that there was a legitimate use of the rules of the House as well as an illegitimate use of the rules of the House and that it was the function of the Speaker to ensure that there were no illegitimate uses of the rules of the House.

A rule was used yesterday, I grant you, but I submit, and I hope that I will have a few minutes to make the case, that the use of the rules made by the Deputy Prime Minister and government House Leader yesterday was an illegitimate use of the rules of the House. That is my submission.

When you established that concept in your ruling of April 14, you did so in the following context, and I refer to your ruling which appears at page 5119 of *Hansard*:

> It is essential to our democratic system that controversial issues should be debated at reasonable length so that every reasonable opportunity shall be available to hear the arguments pro and con and that reasonable delaying tactics should be permissible to enable opponents of a measure to enlist public support for their point of view. Sooner or later every issue must be decided and the decision will be taken by a majority. Rules of procedure protect both the minority and the majority. They are designed to allow the full expression of views on both sides of an issue. They provide the Opposition with a means to delay a decision.
>
> They also provide the majority with a means of limiting debate in order to arrive at a decision. This is the kind of balance essential to the procedure of a democratic assembly. Our rules were certainly never designed to permit the total frustration of one side or the other, the total stagnation of debate, or the total paralysis of the system.

I want to argue that the use made of the rules yesterday was illegitimate because the rules were used in a way which prevent precisely that which you suggested you had the authority to protect, namely, that there should be a debate of reasonable length and that there should be an opportunity to hear the arguments pro and con.

• (1010)

Further on in your ruling at page 5121 of *Hansard* you said:

> When interpreting the rules of procedure, the Speaker must take account not only of their letter but of their spirit and be guided by the most basic rule of all, that of common sense.

The ruling I have just referred to of April 14, 1987, was used to limit interventions by the Opposition. I want to argue that exactly the same logic used in that ruling should lead you to intervene to prevent the majority from suppressing the minority and give the minority precisely what you said you should interpret the rules to protect, namely, the right to hear arguments pro and con.

I want to make a second argument—

Mr. Lewis: I hope it is better than the first one.

Mr. Kaplan: —that you should have regard to British precedent. Our rules of procedure provide under Standing Order 1:

> In all cases not provided for hereinafter, or by other Order of the House, procedural questions shall be decided by the Speaker or Chairman, whose decisions shall be based on the usages, forms, customs and precedents of the House of Commons of Canada and on parliamentary tradition in Canada and other jurisdictions, so far as they may be applicable to the House.

The use of closure is almost unprecedented in Canada.

Mr. Lewis: You have brought it in.

Mr. Kaplan: It is not entirely unprecedented and its use may be legitimate. It is used quite commonly in Great Britain so I want to suggest that we should be guided by British precedent, where the experience is greater, in the use of closure motions.

I would like to draw your attention to page 452 of Erskine May which covers the question of closure and indicates there is a role for the Speaker. The intervention of the Chair regarding closure is restricted to occasions when the motion is made in abuse of the rules of the House or infringes the rights of the minority. In deciding whether, given the importance of the subject, the amount of time already occupied by the debate is adequate, the Chair is guided by certain considerations. The considerations are set out there.

I want to put before you the considerations I urge you to apply in deciding on the illegitimacy or premature use of closure, and I want to refer to statements made by the Government House Leader and the Parliamentary Secretary on the subject on which closure is being imposed, that being the reinstatement of capital punishment.

When the subject was introduced on February 13, 1987, the Deputy Prime Minister (Mr. Mazankowski) said at page 3413 of *Hansard*:

> The intent behind the motion is to permit a full parliamentary debate to be concluded by a free vote on the capital punishment issue.

That is the characterization the Government gave with respect to the motion relating to capital punishment. The Government House Leader went on to say he wanted an open debate:

> This issue is a matter of national importance and one that a majority of Canadians want Parliament to consider. It should be debated openly and voted upon in a free manner without impeding the independence of Members of Parliament.

On February 2, 1987, at page 3000 of *Hansard*, the Minister's Parliamentary Secretary said:

> —I submit that in any debate about capital punishment the process by which the debate proceeds is vital to a full and fair resolution of the issue.

At the same time he said:

> Every Member of the House, no matter what is his or her position on the issue, owes it to society to debate the issue on as high a level as possible.

What have we had from the Government in the way of debate?

Mr. Lawrence: Opposition delays.

Mr. Kaplan: We have had delays, the Member opposite says. We have had four days of debate, and the last day was interrupted. We have had only 20 speakers. I would like to recall for you that in 1976, when the abolition of capital punishment was debated, it went on for 30 days with 120 speakers.

Mr. Lewis: And 20 hours on second reading.

Mr. Kaplan: On second reading we debated for 21—

Mr. Speaker: Just a moment. Along with some other Hon. Members, I was here not only for that debate but for an earlier one. The Hon. Member refers to British practice. I think there were two debates on capital punishment in the British House of Commons in recent years and I wonder if the Hon. Member could tell me how many days those debates lasted? If one is to borrow willy-nilly from other practices, I am not so sure that that particular argument helps the Hon. Member.

The difficulty the Chair is in is this. The Hon. Member referred to a ruling I made on April 14. The circumstances were that there had been the use of procedural tactics for an extended period of time which the Chair felt, for much of that protracted period of time, were by and large justified given the importance that some Hon. Members placed on that particular matter. However, that ruling was to try and find a way through the unenviable position in which the Chair found itself, not having any clear direction from the House with respect to the Standing Orders.

I draw to the attention of the Hon. Member Standing Order 57. I do not rise to remind the Hon. Member of this because I am in disagreement with what he has been saying as to the number of days needed for a debate on this vital matter. That is not the issue. The issue is that the Hon. Member has raised a question of privilege and says one side has no right under these circumstances at this time to move a motion according to a rule which is clearly and succinctly set out. It says this:

> Immediately before the Order of the Day for resuming an adjourned debate is called, or if the House be in Committee of the Whole, any Minister of the Crown who, standing in his or her place, shall have given notice at a previous sitting of his or her intention so to do, may move that the debate shall not be further adjourned—

I understand that notice has been given. What will flow from that notice I do not yet know. However, the Hon. Member is objecting to the fact that notice has been given under the Orders. It is very difficult for the Chair, no matter how sympathetic it may be to the argument the Hon. Member is putting forward, to be able to entertain extensive argument on the thesis that somehow or other an Hon. Member's privileges have been breached by the implementation of a Standing Order by another Hon. Member or, in this case, the Government.

• (1020)

The Chair is not altogether ingenuous in this matter and understands fully the point the Hon. Member is making. I am

troubled because it would seem to me that it is very much a question of legitimate debate. I am having a very great deal of difficulty being able to accept it as a question of privilege.

The difficulty I am in is that while the Hon. Member has a view, which he has put forward very well if I may compliment him for that, other Hon. Members have a different view and the Hon. Member will probably soon be interrupted by other Hon. Members who will tell me that there is a clear order, that there is no question or doubt about what the rules are, and that when the rules are followed in this place it is hardly up to one Member or another to say that that is a question of privilege. That, specifically, is the problem I have to face.

I ask the Hon. Member to put aside completely the merits of his case, which I think he has put forward very adequately in terms of debate. How is the Chair to continue a long debate on a question of privilege which the Chair is having a very great deal of difficulty accepting as a question of privilege, even though I realize I have not heard all of the very persuasive argument of the Hon. Member?

Mr. Kaplan: Mr. Speaker, you have asked me, and I agree, not to dwell on the merits, but I cannot refrain from observing, in just a sentence or two, that from my recollection of the British experience on that subject closure was not imposed but the debate was limited. The Government itself has said that it wants every Member to be able to participate in this debate on as high a level as possible.

I want to respond to you, Mr. Speaker. You have indicated that you see a clear rule and you feel you have no alternative but to apply it. I remind you that in the order you made on April 14 there were also clear rules on which you intervened. There are clear rules giving opposition Members of the House the opportunity to participate by raising the points which they were raising. Your intervention quite reasonably, I will concede, limited the clear rights they had under the rules on which they were relying for their interventions.

At this point the Government is asking you to rely on a rule and I am making a similar argument that, although the rule is there, just as this ruling authorized you to intervene and suppress rights set out in the rules of procedure for the benefit of private Members and opposition Members, you have the authority which you have given to yourself through your ruling of April 14 to intervene there.

You made the point that some Members are in favour of this debate continuing and some Members are against it. I agree. However, I think you will find that those who are in favour of closing the debate down tend to be members of the majority and those who would like to see the debate continue tend to be members of the minority. Therefore, we come back to the very issue which you yourself raised on April 14—the balance between the rights of the majority and rights of the minority.

You have a right to ensure that there is a reasonable debate on this subject. Erskine May makes it clear that in Great Britain, where closure is frequently used, the Speaker has to ensure that it is not used unreasonably or prematurely or, to use your expression, Mr. Speaker, that it is not used illegitimately. If there ever was such a case, this is it.

You can look back upon how the subject has been dealt with before by the Canadian Parliament. There were hundreds of hours of debate during which over one hundred Members spoke. In this case, in which closure is being applied prematurely and illegitimately, in my submission, there have been less than 20 speakers and less than four days of debate. The Government itself adjourned the debate on the fourth day so there have only been three and one-half days of debate.

If closure is going to be part of the arsenal of this oppressive Government, the Speaker has a clear duty and a well-precedented responsibility to step in and ensure that there is a reasonable debate. Just as the rights of the minority can sometimes be denied in the House on the basis of common sense, as you said yourself, in this case common sense surely demands that the Opposition be given what the Government said it would be given, a full opportunity for debate, an opportunity for all Members to discuss this subject on the highest level.

I am not asking you, Mr. Speaker, to invent a proper length of debate out of whole cloth. I am asking you to look at the precedent in Canada, which is the debate of 1976, to look at the promises of the Government, and to do the fair thing now as you did on April 14 to the disadvantage of the rights of the minority.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I think I can assist the Chair and perhaps my hon. friend.

Mr. Penner: What arrogance.

Mr. Murphy: You're resigning?

Mr. Lewis: If my hon. friend cares to look at Standing Order 57 he will see that it says that notice must be given before a motion is moved. There is an essential difference between notice and a motion. Yesterday the Deputy Prime Minister (Mr. Mazankowski) gave the House notice. That is the essential difference. Surely no one's rights can be breached by notice.

If I may say so, my friend is premature. We have called the previous motion on capital punishment for debate. It was our intention that the first 27 minutes of today would be occupied by a legitimate debate on the issue. We have continually made the point that we are prepared to negotiate shorter speeches on our side, if one wishes to distinguish between our side and their side. We are prepared to extend the hours. However, the Opposition refuses to negotiate.

Allow me to put the mind of the Opposition at rest and state very clearly the intentions of the Government for today and Monday. It is the intention of the Government to have debate on the issue.

Mr. Riis: You adjourned the debate yesterday.

Mr. Lewis: I am telling my hon. friend the intention for today. If my hon. friend, who implored me last night for information, wishes to hear the information now, he will let me tell him.

We intend to call the motion for debate today. There is absolutely no intention on the part of the Government to move the motion under Standing Order 57 today or Monday. There is absolutely no intention on the part of any member of the Government to extend hours today or Monday. We intend to have a normal day's debate which would have included from ten o'clock until 11 o'clock and from 12.15 until two o'clock, Private Members' Hour beginning at two o'clock. We intend to call the motion for debate after routine proceedings on Monday and continuing until 10 o'clock at night with the exception of the normal Question Period and normal Private Members' Hour.

It is up to the Opposition to decide whether it wants delay or debate.

An Hon. Member: We want our right to speak.

Mr. Speaker: I am, of course, intrigued by the words of the Parliamentary Secretary. Since the Chair has the obligation to ensure that the rules of this place are followed, I point out to Hon. Members that although the Hon. Parliamentary Secretary's words were of interest I am not at all sure that they went to the heart of the matter which is raised by the Hon. Member for York Centre (Mr. Kaplan). However, they do indicate that at least for today there seems to be a firm commitment by the Government that debate will continue.

The Hon. Member for York Centre wishes to rise again, perhaps to comment on some of the statements of the Hon. Parliamentary Secretary. It may be helpful if the Chair indicated its disposition at this time, in view of what the Government has just said. It would be to just adjourn this matter, let debate proceed, and suggest that Hon. Members discuss this matter among themselves. I will then hear further argument on the matter at any moment at which the Hon. Member for York Centre feels it appropriate to raise the matter further. In other words, I will not cut this off. However, the Hon. Member for York Centre has a comment.

• (1030)

Mr. Kaplan: Mr. Speaker, the remedy which I was proposing to urge on you was that you not receive the notice. I feel that I need to say another few words in order to explain, but if the adjournment now is without prejudice to an argument which might convince you not to receive the notice, then I would be sympathetic to adjournment.

However, I want to indicate why a notice, pure and simple, can be a violation of rights of Members. The reason is that this is not a notice like other notices. Other notices provide for a debate, and for a vote. A notice under Standing Order 57 precludes the possibility of debate. Since there is no debate on it, if the matter is taken at face value, merely receiving the notice, settles the issue of how long the debate will take on the substantive matter being closed and when it will be finished.

It is the notice that I submit is the violation of the rights of the Opposition and not the matters that follow subsequent to it.

The Parliamentary Secretary has made an offer. I want to make a counter offer in the interests of trying to resolve this matter. It is that he withdraw the notice. He can always bring it back.

Mr. Speaker: Of course, the Hon. Member for York Centre is a very respected Member of this place and a respected Member of the same fraternity from which I came. He is skillful and always persuasive. However, I think that at this moment it is in the better interests of this place that I adjourn this application on the part of the Hon. Member.

I am inviting Hon. Members to discuss the matter among themselves because this is clearly now becoming a negotiating session across the aisle and, while it certainly would not be the first time it has happened, I suggest to all Hon. Members that it is not appropriate at this moment.

I am asking the Hon. Member for York Centre that he accept my suggestion that this matter be adjourned for now. I invite Hon. Members to have a discussion about the matter and, of course, I will hear the Hon. Member if he feels it is necessary to carry on this discussion at another time.

I am prepared to meet with Hon. Members from both sides if there is anything the Chair can do to assist in this matter. I would ask Hon. Members to accept the Chair's view that at the moment this has gone far enough, given the clear undertaking of the Parliamentary Secretary, at least for today.

Mr. Kaplan: And Monday.

Mr. Speaker: At least for today, and I will hear Hon. Members further if Hon. Members feel it is necessary. I urge Hon. Members to have a discussion on this issue.

I want to make it very clear to Hon. Members, and the public listening to this, that in taking this position the Chair is mindful that the Chair's obligation is to administer and interpret the rules as they are. It is not for me at the moment to say whether this rule is a good rule or a bad rule. However, it is pretty clear.

Having said that, there is nothing in what I say that is intended or in any way should be taken as diminishing the substantive argument that the Hon. Member has put forward with respect to the vital issue that is before the House. The Hon. Member makes very legitimate arguments, and other Hon. Members may make equally legitimate arguments the other way, as to the importance of the debate and the length of the debate.

I want it clearly understood that in closing this off at this time I am not in any way taking away from the substantive points the Hon. Member for York Centre has made. The Hon. Member for Burnaby (Mr. Robinson), I hope on a different matter.

Mr. Robinson: Mr. Speaker, certainly in view of the suggestion that has been made, that the debate on this question of privilege is merely being adjourned and Your Honour is not in any way ruling with respect to the merits of the question of privilege, I do not intend to make the argument which myself and colleagues, including our House Leader and Whip, wish to make as well. We certainly feel very strongly that the precedents in Erskine May and elsewhere with respect to the use of this Draconian device of closure are very real.

Mr. Speaker: The Hon. Member for Burnaby is also a very skilled and persuasive Member of this place. The Hon. Member for Burnaby will have every chance to argue this matter further, if it is in fact necessary. But I would ask Hon. Members to co-operate with the Chair.

At the moment, in view of what the Hon. Parliamentary Secretary says, I think it is in the interests of this place that the very debate Members are asking for be allowed to take place.

Mr. Robinson: Mr. Speaker, I rise on another point of order. It is also a very fundamental question on which I seek some assistance from the Parliamentary Secretary. I do not intend in any way to pursue the question of privilege.

In view of the fact that the Government has given notice on this matter, another difficulty arises. Having given notice on this question, the Government can in fact introduce this motion at any time and then that same sitting, after a full debate, there will be a vote at one o'clock in the morning according to Standing Order 57.

In view of the extraordinary gravity of the issue, which is literally a question of life and death, and in view of the importance that all Members be in a position to be in the House for a vote on this very important question, I seek the assurance from the Parliamentary Secretary that now that notice of closure has been given under Standing Order 57 that Members of the House on all sides be given adequate notice, at least a day's notice ahead of time, should the Government decide that it wishes to pursue this matter, in order that all Members can at least be present for the vote on this very important question.

Mr. Speaker: I want to thank the Hon. Member for Burnaby for accepting my suggestion to move away from the question of privilege. The Hon. Member for Burnaby is clearly now on a point of order which goes directly to the heart of what are the Government's intentions in this debate. Of course, the Government is under no obligation to respond, but under the circumstances I would certainly hear the Parliamentary Secretary. The Parliamentary Secretary may want to say that that is a matter for private discussion.

However, I accept what the Hon. Member for Burnaby has said as a point of order on an important matter.

Mr. Lewis: Mr. Speaker, I am prepared to say that we have consistently suggested that there would be a free vote on this matter. That is government policy.

I am prepared to say that along with the free vote goes adequate notice of the time of a free vote. I would give my undertaking to that extent. I hope that in return, my hon. friend would undertake not to delay the taking of that free vote once adequate notice is given.

Mr. Speaker: It is not for the Chair to comment as to whether or not the exchange that has just taken place is satisfactory to both parties. But it is probably sensible for the Chair to suggest that both Parties might discuss the matter a little further, although there seems to be some disposition to co-operate in this matter.

* * *

• (1040)

POINT OF ORDER

PRIVATE MEMBERS' BILLS—ORDER OF PRECEDENCE

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, I rise on a very different point of order which deals with the technicalities of the way in which Bill S-10 has been placed on the Order Paper. Bill S-10 is a Private Member's private Bill originating in the Senate. It is an Act to Revive Yellowknife Electric Ltd. and to provide for its continuance under the Canada Business Corporations Act.

With the substance of the Bill I am in complete agreement. However, I have some queries as to how it finds itself as an item having precedence No. 11 on the table on page 31 of today's Order Paper dealing with the order of precedence of Private Members' business.

You will know, Sir, that precedence is established pursuant to Standing Order 31 which deals with the draw and items which do not have to go through the draw process are dealt with under Standing Order 41. If I might be permitted to read into the record Standing Order 41(1) which states as follows:

> The order for the first consideration of any subsequent stages of a Bill already considered during Private Members' Business, of second reading of a Private Bill—

And here we come to the operative part.

> —and of second reading of a private Member's public Bill originating in the Senate shall be placed at the bottom of the order of precedence.

Therefore, Sir, had Bill S-10 been a private Member's public Bill, it would, in my opinion, quite properly appear

where it does today. However, because this is a private Member's private Bill, I would submit that this might have been improperly done and might require unanimous consent of the House to have it where it presently finds itself in the order of precedence.

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, I just want to add to what the Hon. Member has said, that we on this side of the House would be ready to try to help the people of the North which we believe have been so often neglected by the Government. We are happy to see that someone on the Government side is putting something forward which will be constructive and, in that sense, we would be agreeable.

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, in the same spirit, we too agree to this proposal.

Mr. Speaker: I wonder if the Hon. Member for Western Arctic would allow the Table Officers to consider the matter and then I will come back to the House with what resolution we can. However, I just want to put on the record that there is unanimous consent of the House to the suggestion of the Hon. Member.

GOVERNMENT ORDERS

[*English*]

CAPITAL PUNISHMENT

ESTABLISHMENT OF SPECIAL COMMITTEE ON REINSTATEMENT

The House resumed from Thursday, June 18, consideration of the Motion of Mr. Mazankowski:

That this House supports, in principle, the reinstatement of capital punishment and directs that a special committee on reinstatement, composed of 15 members, be established, hold hearings and make its final report to the House no later than three (3) months following the adoption of this motion, such report to provide recommendations on:

(a) which offence or offences should carry the death penalty, and in what circumstances;

(b) which method or methods should be used to carry out the penalty of death, and in what circumstances;

That, pursuant to Standing Order 107(1), this special committee be hereby appointed as a committee to prepare and bring in a bill no later than three months following the adoption of this motion, founded on the committee's recommendations on (a) and (b) above; such a bill shall be the object of a separate and distinct report of the special committee, and such a report shall be its final report;

That such bill, when reported from such special committee to the House, be deemed pursuant to Standing Order 107(1) to have been introduced and stand on the Order Paper, in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business"; and that, when the said bill has been read a second time, it shall stand referred to a Legislative Committee;

That the Striking Committee be empowered to name the Members of the special committee, provided that once the Striking Committee report is laid upon the Table, it shall be deemed concurred in;

That the special committee have the power to sit while the House is sitting and during periods when the House stands adjourned;

That the special committee be empowered to report from time to time and send for persons and papers, and to print such papers and evidence from time to time as may be ordered by the committee and to retain the services of expert, technical, professional and clerical staff;

That the special committee be empowered to adjourn from place to place inside Canada and that, when deemed necessary, the appropriate staff accompany the committee;

That a quorum of the special committee be eight (8) members for any vote, resolution or other decision; and that the chairman be authorized to hold meetings to receive evidence and authorize the printing thereof whenever six (6) members are present;

That any substitution of membership on the special committee be made pursuant to Standing Order 94(4); and

That, notwithstanding the usual practices of this House, if the House is not sitting when the special committee is ready to issue its final report and the said bill, the special committee shall present its report and the bill to the House by filing them with the Clerk of the House provided that the report shall then be deemed to have been laid upon the Table, and the bill shall then be deemed, pursuant to Standing Order 107(1), to have been introduced at the first sitting of the House thereafter and to stand on the Order Paper in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business".

And on the amendment of Mr. Nystrom, (P.7307).

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I enter into this debate with a concern my colleague has just expressed, why it is there seems to be such an inordinate and unacceptable ambition on the part of so many Members of the Government to limit debate on this issue. One of the most crucial decisions every one of us will be taking in this House at some time is on the matter of the restoration of capital punishment. It has been initiated by Members of the Government Party. The onus is on them to prove their case.

All we can assume is that those Hon. Members believe they are losing their case and, therefore, want the debate to come to an end. Therefore, this House, in part, is debating this motion under a cloud. There is a gun being put to our head. If we do not behave ourselves and limit our remarks, the Government at some point will bring in closure.

We certainly appreciate the decision you have made this morning, Mr. Speaker, that at the point in time at which there is an intention on the part of the Government to bring in closure, we will be able to resume our argument and be able to once again show that any attempt to limit the rights and freedoms of Members of Parliament to speak on behalf of their constituents on this crucial issue should not be permitted. If it gets in the way of the Government's timetable or its agenda or its fear of public reaction, then at least we can show that Parliament itself will not be victimized by those crass kinds of motivations.

It is interesting to note that this attempt to limit, restrain and circumscribe debate takes place at a time when I think Canadians want more debate. Over the last two months, I have been invited to countless numbers of schools, churches and organizations at which people wanted to hear the arguments for and against.

It is also interesting that at virtually all of those meetings where Conservative Members of Parliament were invited to share the platform, they refused to come. They did not show up on the platform in my province. They did not want to debate the issue in a public forum. It was a matter of some great regret that we were always debating with an empty chair, but that fits the same kind of attitude we have seen prevail, yesterday and today.

Those Hon. Members are afraid to debate. They have their own minds already made up and are afraid to face the kind of dynamic process which should take place in Parliament and across the country where free men and women are allowed to present arguments and then allowed to decide. I wonder sometimes if Government Members are learning their parliamentary tactics from South Korea rather than from the British tradition, because that is the kind of attitude which prevails day in and day out in this House.

Members of the Government are not trying to expand freedoms in the way they use Parliament, but are trying to restrict and circumscribe. They are afraid of debate and that is the first tell-tale sign of an authoritarian mind. They are afraid to put their own ideas and commitments out for public view and a free exchange of deliberate debate. They do not want to hear the other side of the case, and once we allow that to happen we are well on the road to a very different kind of Government, one which none of us would want to see exist in this country.

In part, we are engaged in the wrong kind of debate. If the Government was trying to read the public mood, it misread it. I participated in those forums and discussions everywhere from a grade 7 classroom in my constituency to the church forums. It is true that people are concerned about the increase in violence. It is true they are concerned about the problems in the penal and judicial systems and the fact that sometimes people are out on the streets who should not be there. In my own City of Winnipeg, there has been a substantial increase in violent crimes. Only the simple-minded would regard capital punishment as the panacea. Instead of debating capital punishment, we should be debating the root causes behind the increase in violent crimes. There is a fear and uncertainty in the minds of Canadians in respect of the increase in crime, and we should be trying to determine the cause for that increase, thus enabling us to come up with the right solutions.

• (1050)

That is the type of debate that Canadians would like to see this Parliament engage in. Canadians want to know how to deal with the issues that have led to the present situation. But, we are not being allowed to do that. The Government has said that it is capital punishment that is the answer; that it is the death penalty that will solve the problem. And it does so in total contradiction to all of the available evidence. The advocates of capital punishment have not been able to prove a cause-and-effect relationship between the absence of capital punishment and the increase in violent crimes, the increase in the murder rate and in heinous crimes generally.

During the course of the debate thus far, Mr. Speaker, all kinds of statistics have been paraded out on the floor of the House. The advocates of capital punishment cite the increased crime figures in certain cities of the country. Of course, we on the other side of the question can just as easily say that in jurisdictions where there is capital punishment the murder rate has increased exponentially, geometrically.

What we have to look at are the differences in such cities as Miami and Detroit, where there has been an explosion of violence, and places like South Dakota, where there is no such explosion. It may be that it has more to do with the stability of a given society than anything else. It may be that it has more to do with the fairness of the system in place. It may be that it has more to do with the way in which a particular community deals with the strains and stresses of every-day living.

Taking the City of Winnipeg as an example, one of the fundamental sources for the increase in the incidence of violent crime in that city is the tremendous increase in the stresses and strains of every-day living in the inner city. People are living in poverty, without the kind of educational and housing support they require. That situation is the reason for the increase in the incidence of violent crimes, not the absence of the death penalty as a punishment.

But, the Government's motion does not permit us to debate the root cause. It seems to me that the resolution should be for the establishment of a committee of the House to study the serious problems that exist in the inner cities across this country, the fact that the native and aboriginal people of western Canada are mistreated and discriminated against and do not have a fair chance, the fact that there is tremendous turmoil and turbulence in our urban areas. It is that situation which should be debated and studied, with a view to changing society to eliminate those stresses and strains.

Such a debate would be a valuable contribution to the public interest of Canada; such a debate would make good sense. That is the kind of debate, the kind of examination that Canadians would like to see their Members of Parliament engage in.

The role of Parliament on this issue should be one of the educator, one of the examiner. Parliament should be holding these problems and issues up for public examination. Parliament should not be responding to prejudice and emotion; rather, it should fulfil its responsibility to provide a forum for the full articulation of the issues facing society. In that way, the people of the country will know what are the choices and the options. Such a course would provide Parliament with a noble role to play in society, which is something that the resolution now under debate does not permit.

It is important to underline why this debate has taken such a perverse turn. At this point in time in our society, I think Canadians were ready for something better. I think they

wanted a different kind of examination of the issue of violent crime. It is not my impression that Canadians wanted to retreat to the dark ages, to the kind of primeval instincts that are being fanned by so many of the advocates of capital punishment. Canadians wanted something different from that, and hopefully it will be achieved.

To the great credit of many citizens of this country, members of the bar, members of the church organizations, the contrary arguments are being put forward. It is those who are responding to the claims being put forward by the Hon. Member for Peterborough (Mr. Domm) and others who favour capital punishment, and they are winning that debate in the various forums.

In order to ensure that the advocates of a more civilized, a more enlightened point of view are given the opportunity to win the debate on this issue, Parliament itself must be permitted to continue the debate. What is at stake, and what Parliament must fight for, is the right to continue the debate in that fashion. If the debate is allowed to continue, we will ultimately be able to secure the right choice in this House when we rise in our places to vote.

As the American experience shows, the reintroduction of capital punishment would lead to inequity and unfairness. When it comes to capital punishment, the law is not evenly applied. People do not have equal access to the better lawyers. Very often one's social standing, one's economic standing comes into play. The probability of a convicted murderer being executed is much higher where the murderer comes from a certain social, economic or ethnic group.

Is that what Canadians are prepared to accept in 1987? Are we prepared to build into the most irrevocable decision the state can make an implicit unfairness? Are we prepared to allow that to happen? Are we prepared to allow our legal system to become completely immobilized because the decision-makers will not want to take the ultimate step of invoking capital punishment?

One needs only to look at the situation in the United States, where we have thousands of people being kept on death row because no one wants to make the final decision. Yet, there these people sit, with this great uncertainty hanging over their heads.

We know from past experience in this country the amount of anguish that was expressed in the Cabinet room when it came to making a decision to invoke capital punishment or not. And how many sentences were plea-bargained down, or evaded? Consider how distorted the legal system becomes when capital punishment is available.

That is one of the clear results that we would bring about were we to pass this motion. Not only would we be doing the wrong thing, but we would be committing our legal system to an incredible degree of distortion and immobilization, to say nothing of the element of unfairness that would be built in.

These arguments have not been refuted, Mr. Speaker. All we seem to get is capital punishment for the sake of capital punishment—for the sake of capital punishment.

In that respect, it is interesting to note that virtually every religious organization and spokesperson across Canada has come out against this resolution. Those organizations speak with a unified voice on this issue. In terms of the fundamental moral beliefs, if it is the motive of the proponents of capital punishment to wreak vengeance, I remind them of the fundamental Biblical invocation, "Vengeance is mine, sayeth the Lord". Only God has the right to make the ultimate decision. It is not for us, being as fallible as we are, to be making that kind of choice.

We entered into this debate, Mr. Speaker, with the belief that we would be given the time and opportunity to make our case. Once again, that faith is about to be broken. The threat of execution on the House and on further debate is the problem we face. It is double jeopardy, double capital punishment in both ways.

• (1100)

I say to you, Mr. Speaker, as I say to Members opposite, if they really believe in what they are doing, then let the debate continue. Let every Canadian have the right to be heard because, in the end, right will prevail. Not only that, but justice and goodness will prevail if we are given the chance and time to do it.

Some Hon. Members: Hear, hear!

[*Translation*]

Mr. Deputy Speaker: It being 11 o'clock, the House will now proceed with Members' statements, pursuant to Standing Order 21.

STATEMENTS PURSUANT TO S.O. 21

[*Translation*]

TAX REFORM

FUTURE OF POOR AND ELDERLY

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, again yesterday people were misled by this Government.

As you may recall, Mr. Speaker, in its last three Budgets the Government chose to raise taxes to the tune of $20 a week for every Canadian. Yesterday the Minister came back and said: Well, I made a mistake, I am giving you $6 back. However, as of next year I will take $2 from you, but that is not all because, beginning in 1989, I intend to recuperate the other $4 I gave you.

Mr. Speaker, yesterday's Budget is a shameful trick played on people. It is a shame because there are four million poor

Canadians and most senior citizens did not benefit at all from this Budget. People will remember this during the next election campaign.

* * *

[*English*]

MUNICIPAL AFFAIRS

EDMONTON—CANADA PLACE TOPPING-OFF CEREMONY

Mr. William G. Lesick (Edmonton East): Mr. Speaker, on Tuesday, June 2, I had the honour to participate in a topping-off ceremony for Canada Place in Edmonton. Canada Place is the location of the new federal government offices which will do much to consolidate many of the federal offices in Edmonton.

A topping-off ceremony is a traditional ceremony signifying that a building has structurally reached its full height. It is a tribute to the Trizec Corporation, Ellis-Don Management Services, and the hundreds of workers who have erected Canada Place in only 18 months.

The building of Canada Place has added much to the economy of Edmonton. The $190 million structure is being built by some 365 workers who have put in 676,000 man-hours of work. That represents a lot of money. All but six of the workers are Edmontonians. Also, 35 of the 38 sub-contractors are from Edmonton.

This beautiful building for the federal Government will not only enhance downtown Edmonton but will provide impetus for greater growth in our fair city.

* * *

CAPITAL PUNISHMENT

NOTICE OF INTENTION TO IMPOSE CLOSURE ON DEBATE

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, last night the Government House Leader (Mr. Mazankowski) gave the House notice that he intends to gag Parliament on a fundamental question of life and death on the issue of capital punishment. The last time this Draconian sledge-hammer abuse of the rules took place was on October 23, 1980. At that time I was in the House. I remember that Conservative Members of Parliament stormed the Chair. They stormed the Chair in protest and outrage over the use of closure under the Standing Orders.

The same Party which now forms the Government transforms this issue now, an issue which is supposed to be a question of conscience, a question affecting each and every Member of the House, a Private Member's initiative. The Government has now taken the initiative to the extent that the Tory Chairperson of the Justice Committee has said: "It seems to me it detracts from what it's supposed to be—a free vote".

Yes, it detracts all right from what it is supposed to be. What we now have is a betrayal of the promise of the Parliamentary Secretary to the House Leader who said: "We are not committed to managing the debate with a heavy hand or forcing a vote by a certain date".

The Government has betrayed that promise. It is trying to shut down Parliament on an issue that goes to the very heart of what this nation is all about.

* * *

[*Translation*]

PUBLIC SERVICE

REQUEST FOR RESIGNATION OF MR. GAËTAN LUSSIER

Mr. Édouard Desrosiers (Hochelaga—Maisonneuve): Mr. Speaker, I demand the immediate resignation of the Deputy Minister and President of the Employment and Immigration Commission, or his transfer to the Privy Council until such time as an impartial inquiry has been made into allegations that Mr. Gaëtan Lussier committed perjury before the Federal Court of Canada Chief Justice.

Mr. Speaker, I cannot accept that a bureaucrat would lie before a court and, until an inquiry by the Standing Committee of Labour sheds light on this matter, I simply cannot accept this incident.

Therefore, Mr. Speaker, I table a copy and request the dismissal of Mr. Lussier.

Mr. Speaker: Order. I am very sorry, but later perhaps it might be possible for the Hon. Member to discuss the subject of his remarks with the Chair.

* * *

REGIONAL INDUSTRIAL EXPANSION

IMPACT OF CLOSURE OF ATLANTIC DISTILLERS IN RICHIBOUCTOU

Mr. Fernand Robichaud (Westmorland—Kent): Mr. Speaker, recently, the New Brunswick daily *Le Matin* announced some very bad news, namely that Atlantic Distillers at Richibouctou was closing its plant.

This plant closing means that forty workers will be laid off in one of the few industries that employ people year round. It will have a severe impact on the region, the community and especially on the families concerned.

The industry has been severely affected by tax increases, and more particularly by increases in the excise tax which

were among the causes of diminishing sales. The problem was brought to the attention of the Minister of Finance (Mr. Wilson) on several occasions.

Many of my constituents sent me letters which I then transmitted to the Minister of Finance. In their letters, they mentioned the number of jobs that had already been lost, and wondered whether they would be next. Well, now it has happened. Those jobs are lost.

Mr. Speaker, I hope the new Atlantic Canada Opportunities Agency will be able to provide some kind of solution to deal with the loss of these jobs in the town of Richibouctou.

* * *

[*English*]

EXTERNAL AFFAIRS

CANADA-UNITED STATES RELATIONS—WINDSOR INTERNATIONAL FREEDOM FESTIVAL

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, today begins the twenty-ninth annual celebration of the International Freedom Festival in Windsor. It will culminate in the joint observation of the Freedom Days, July 1 and July 4, as approved by resolution in this House. No Canadian city has such an intimate relationship with its American cousins, and that may frequently be taken literally, than does the City of Windsor.

We are as likely to cheer the Detroit Red Wings and the Tigers as the Maple Leafs or the Blue Jays. Yet there are no people so jealous of our Canadianism, so sharply aware of this country's unique democratic values, or who share a deeper understanding of America than we.

It is as equals that we join in celebration of a special relationship, a special relationship that is often tested and taken too much for granted by our neighbours, and perhaps even by ourselves.

This largest of international festivals in the words welcomes you, Mr. Speaker. Come and see the brilliant lights of freedom light up the sky of Detroit and Windsor, and hear the mighty roar of two free and separate peoples as they pledge their friendship.

* * *

TAX REFORM

WHITE PAPER—PROVISIONS AFFECTING SENIOR CITIZENS

Mrs. Mary Collins (Capilano): Mr. Speaker, we have all recognized that tax reform is essential to bring fairness and equity into the tax system and to devise a system which will provide a greater sense of opportunity and encourage competitiveness. But of particular concern to many of us is the financial situation of our senior citizens—Canadians who have contributed so much to our community and who deserve a sense of financial peace and security in their retirement years.

So among the many areas that I would select for compliments in the tax reform package, it is the positive impact on our seniors that I particularly applaud. As a result of tax reform nine out of ten Canadians 65 years of age and over will pay less federal tax in 1988. A typical elderly married couple with $25,000 in income will pay about $650 less.

By converting exemptions into tax credits and by lowering the tax levels this change will mean that the vast majority of Canadians will pay less income tax. Indeed, 250,000 more senior citizens will no longer pay any federal income tax.

That is fairness. That is equity. That is what the actions of this Government mean for the senior citizens of Canada.

* * *

CANADA POST CORPORATION

LETTER CARRIERS' STRIKE—REPORTED REPLACEMENT OF INSIDE WORKERS IN HAMILTON

Ms. Sheila Copps (Hamilton East): Mr. Speaker, the very problem with this budget and the very problem with this Government as stated by the Hon. Member for Capilano (Mrs. Collins) and the Minister of Finance (Mr. Wilson) is that they talk about a "typical" elderly couple earning $25,000 a year. Well, I do not know how many typical elderly couples in Capilano are earning $25,000 per year, but it is certainly not the typical picture of an elderly couple in Hamilton. I cannot believe that the Government would introduce such a budget.

• (1110)

However, I wanted to speak today on the issue of the postal strike, in particular the fact that the Minister responsible for superboxes suggested last week that if there were any violation of a collective agreement, it should be brought immediately to his attention.

I should like to bring to his attention a violation of the collective agreement in Hamilton where the Post Office is bringing in Kelly girls to replace inside workers and telling those inside workers that, if they do not like it, they can file a grievance or they can walk out.

It is direct provocation. It is an attempt by the Government, through the corporation, actually to create a situation which is going to lead to increased violence.

I ask the Minister to investigate this violation of the collective agreement of inside workers in the city of Hamilton.

[*Translation*]

FINANCE

MAINTENANCE OF FLOW-THROUGH SHARES SYSTEM

Mr. Guy St-Julien (Abitibi): Mr. Speaker, in Canada's new tax reform, the flow-through shares system has been retained, which is very important for Abitibi—Témiscamingue and Québec.

On December 16, 1986, Members of the New Democratic Party and their leader (Mr. Broadbent) tabled motions in this House to do away with flow-through shares in this country. However, the Government of Canada listened to representations made by President Régis Labeaume and members of the Association des prospecteurs du Québec and by all intervenors from the mining sector, mayors, the CRDAT and federal Members for Abitibi—Témiscamingue.

I am proud of the decision made by the Minister of Finance of Canada (Mr. Wilson) and the work done by the Minister of State (Forestry and Mines) (Mr. Merrithew). I have been defending the flow-through shares system for many months, and this is a victory we have all won together, and I am particularly thankful to those who were willing to find a solution.

The New Democratic Party moved a motion aimed at doing away with the concept of flow-through shares, a vital one for the mining industry in Abitibi—Témiscamingue, and if the Government of Canada had listened to the New Democratic Party, this would have caused considerable harm to the mining industry.

I want to tell the Members of the NDP that they have lost and that Abitibi—Témiscamingue is ready for them this year, because they haven't been seen since 1984.

* * *

[*English*]

CANADA POST CORPORATION

LETTER CARRIERS' STRIKE—REPORTED SUSPENSION OF WORKERS IN HALIFAX AND TORONTO

Mr. Rod Murphy (Churchill): Mr. Speaker, I have a statement to make, and I am glad to see the Minister of Labour (Mr. Cadieux) in the House.

In Halifax yesterday, Canada Post suspended 70 workers for refusing to do the work normally done by letter carriers. In addition, over 10 employees in Toronto were suspended for refusing to do the work normally done by letter carriers.

Let us consider Section 184(3)(c) of the Canada Labour Code, which reads as follows:

> No employer and no person acting on behalf of an employer shall suspend, discharge or impose any financial or other penalty on an employee or take any other disciplinary action against an employee by reason of his refusal to perform all or some of the duties and responsibilities of another employee who is participating in a strike or subjected to a lock-out.

I call upon the Minister of Labour to investigate the situation immediately and to make sure that Canada Post is living up to the provisions of the Canada Labour Code.

* * *

[*Translation*]

TAX REFORM

IMPACT

Mrs. Lise Bourgault (Argenteuil—Papineau): Mr. Speaker, once again the Mulroney Government has revealed its genius by tabling its White Paper on Tax Reform.

Canadians are impressed by this dynamic initiative. Social interest groups are speechless before the courage and sense of equity of the Conservatives. We have paid particular attention to the most destitute in our society. Henceforth, 850,000 people will no longer pay income taxes. Where did the money come from? Quite simple: the rich will pay their fair share, profit-making corporations will now pay taxes, and tax havens have been eliminated.

You know what we did with the money, Mr. Speaker? No need to look very far. Nine out of ten elderly Canadians over 65 will pay fewer taxes and, on average, eight out of ten households with an income ranging from $30,000 to $50,000 will pay $470 less. This has to be a black day for Opposition Parties. The Liberals were unable to get Quebec to join the rest of Canada, the socialists wanted to destroy our country's economy.

This Government has created 840,000 jobs, Mr. Speaker. Thanks to the Prime Minister's leadership, this figure will soon reach 1,000,000.

This is extraordinary news for my constituents of Argenteuil—Papineau because a good many of them are elderly and destitute.

I sincerely believe we have lived up to the challenge.

* * *

TAX REFORM

TEN PER CENT TAX ON COMMUNICATIONS

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, yesterday in his Budget the Minister of Finance told us he intends to levy a 10 per cent tax on communications, excluding basic service. This tax on long distance calls strikes unfairly at all Canadians residing in rural areas, be they from Glengarry—Prescott—Russell, Argenteuil—Papineau or elsewhere.

S. O. 21

Telephone subscribers in urban areas can get in touch with hundreds of thousands of other people without paying long distance charges. But in such rural areas as mine, that of Argenteuil—Papineau and others, even calling neighbours generally entails long distance charges.

This morning I was talking to constituents of mine, Claudette and Gérald Laplante of Sarsfield, who told me their monthly phone bill amounts to $80, $5 for basic service plus $75 in additional charges.

Residents of rural areas were held up to ridicule by the Minister of Finance yesterday, and they are not about to forget it. The people of Glengarry—Prescott—Russell and Argenteuil—Papineau do not like these measures, Mr. Speaker, and they will say so to the Minister of Finance.

* * *

[*English*]

TAX REFORM

WHITE PAPER—EFFECT ON WESTERN CANADIANS

Mr. Ted Schellenberg (Nanaimo—Alberni): Mr. Speaker, it was quite interesting last night to watch opposition Members and other government critics try to turn good news into bad.

Tax reform means fairness in the taxation system for Canadians, and western Canadians in particular.

A quarter million western Canadians will be relieved of federal income tax and over three million western Canadian taxpayers will enjoy an income tax reduction. As well, the forestry and fisheries and agriculture sectors will have the lowest average tax rates in the Canadian economy under our tax reform package.

How dare the NDP and the Liberals attack a plan that brings fairness to our taxation system! After spending the last 20 years spending more than they took in and clogging up our economy, they have decided to blame the roto-rooter man.

The fact of the matter is that interest rates are down, the deficit is down, inflation is down, and now taxes are going down. The Canadian economy is booming.

As a matter of fact, last night one British Columbian I spoke with suggested that we have a new national bird—not the Canada Goose the Liberals were flying across our television screens, not the left-wing loon, but the crane, as in construction crane, to show what good government does for the Canadian economy.

HUMAN RIGHTS

EL SALVADOR—RE-EMERGENCE OF DEATH SQUADS

Mr. Dan Heap (Spadina): Mr. Speaker, in El Salvador the death squads have openly and brazenly re-emerged. They have written to 14 professors and students of the National University, threatening to kill them if they do not leave the country at once.

The Duarte Government has, throughout its term of office, completely failed to prosecute any of the murders or disappearances conducted by the death squads with military participation.

Although the Canadian Government has claimed that human rights are being restored in El Salvador, the increasing attacks on trade unionists, academics, and human rights spokespersons prove that the Canadian Government is mistaken in this regard.

Now that the death squads have re-emerged with open, brazen threats, I call upon the Prime Minister (Mr. Mulroney) or the Secretary of State for External Affairs (Mr. Clark) to denounce this open breach of human rights, to denounce the failure of the Duarte Government to correct it, and to withdraw Canada's support from the Duarte Government.

* * *

TAX REFORM

WHITE PAPER—SUPPORT FOR PROVISIONS

Mr. Ross Belsher (Fraser Valley East): Mr. Speaker, the Government's tax reform is a comprehensive package with all parts working together. It comes in two stages. Personal and corporate reform takes effect in 1988. Sales taxes will proceed after consultation with the provinces and Canadians.

It means lower rates for individuals and businesses, as well as a simplified rate structure, and it is a fairer system.

Tax deductions are converted to tax credits; 850,000 more Canadians will pay no federal tax, and some will receive refunds; 8 out of 10 households will pay less tax, on an average of $475 less; and 9 out of 10 senior citizens will pay less tax. Corporate and sales tax changes will help to fund these changes. The agriculture, logging, and fishing sectors, after tax reform, will have the lowest tax rates.

All in all, it is a good package for all Canadians by a good Minister of Finance (Mr. Wilson).

ORAL QUESTION PERIOD

[*English*]

TAX REFORM

WHITE PAPER—WAYS AND MEANS MOTION—PRIME MINISTER'S STATEMENT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, yesterday the Prime Minister said that he did not have to fire the Minister of Finance because the leaked information on tax reform was only in a White Paper. To use his exact words, he said that tax reform "is not a budget in the sense that it does not, *per se*, take effect the very same day pursuant to a Ways and Means motion".

Those were the Prime Minister's words. I have in my hand, of course, the Ways and Means motion which the Prime Minister said did not exist. I say to the Prime Minister that he misled the House of Commons and that he misled the people of Canada. According to the official documents produced by the Minister of Finance last night, tax changes did take effect immediately. Referring to the Ways and Means motion, I count up to 13 tax changes that took effect immediately on the presentation of the budget and two prior to the presentation of the budget.

• (1120)

Why is it that the Prime Minister chose to mislead the House yesterday? Now that the facts are known by the House, will he now fire the Minister of Finance for leaking information to 31 privileged tax accountants and lawyers?

Some Hon. Members: Hear, hear!

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the Leader of the Opposition has made the point that because there are some elements of a Ways and Means motion that this is a budget. Let me ask him to cast his mind back to something which occurred after he left the House, so he may not be totally clear on this. On October 20, 1977, Jean Chrétien, then Minister of Finance, had a notice of Ways and Means containing 95 different elements as part of an economic and fiscal statement which was not a budget.

Let me draw the Right Hon. Leader's attention to what was contained therein. Capital losses were increased from $1,000 to $2,000. The employment expense deduction was increased to $250. Advertising expenses were changed. Guaranteed capital gains were identified.

TAX SPECIALISTS' ACCESS TO INFORMATION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Minister is not facing the issue. The Prime Minister said that there would not be a Ways and Means motion and said that there would be no tax changes. Those were the words of the Prime Minister. If I did not have the deepest and greatest of respect for this institution, I know what I would call the Prime Minister.

Thirty-one citizens, so-called experts in taxation, were given a privileged 24-hour head start on the budget. They were given the budget in advance. What could have happened in those 24 hours we will never know. These people were co-opted to sell the message on behalf of the Minister of Finance across the country and the payoff was a 24-hour head start on a budget.

Because we are dealing with the Prime Minister's words spoken in the House yesterday, I ask the Prime Minister why he does not now fire the Minister of Finance. Where are the ethics of the Prime Minister and his Minister of Finance?

Some Hon. Members: Hear, hear!

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, because I do have a profound respect for this House, I shall say what I have considered about the Leader of the Opposition in light of what he has been saying: weak and confused and unprincipled. What he has been saying is a sham and a fraud.

Some Hon. Members: Oh, oh!

Mr. Mulroney: The position set forward by—

Some Hon. Members: Oh, oh!

Mr. Speaker: There is clearly a profound difference of views between the Right Hon. Leader of the Opposition and the Right Hon. Prime Minister. Both have expressed their high regard for this place and I know that both are trying very hard to maintain that. I would ask that the Right Hon. Prime Minister complete his answer and I would ask that other Hon. Members give him the courtesy of allowing him to complete that answer.

Mr. Mulroney: Mr. Speaker, the statement made yesterday by the Minister of Finance was perfectly consistent with the conventions of this House and the proprieties of matters of this nature. The Minister of Finance has given another illustration of that this morning. Nothing that was said or done by the Minister of Finance was at variance with any of the fundamental requirements of the preparation of documents in this regard.

The result was a White Paper which dealt with the concept of fairness and equalization of opportunity, a White Paper which was designed to strengthen and render more fair the tax system. That is the thrust of the White Paper that was set forward by the Minister of Finance.

It is not unusual, nor did I say anything at variance with this yesterday or at any other time, for tax measures, however modest in number, to accompany a statement. There is a total segregation, as the Minister has indicated. The proprieties were observed at all times. I know that my right hon. friend, who is concerned with tax policy and who leads a Party that is apparently interested in tax reform, will now want to deal with the substance rather than the personalities because Canadians

want to know where the Liberal Party stands on this fundamental issue.

Some Hon. Members: Hear, hear!

NEWSPAPERS' FORECASTS OF WHITE PAPER CONTENTS—REQUEST FOR MINISTER'S RESIGNATION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, it is not my words that are at issue before the House of Commons, it is the Prime Minister's words to this House. That is the issue. I will say to the Prime Minister that the truth and the Prime Minister are not on easy terms.

Yesterday morning's *Globe and Mail* contained a front-page story entitled "What to Expect in Tax Reform". On the vast majority of items, the article was right. It was right, right down to the last nickel. *The Ottawa Citizen* carried the same story and it was right almost to the last nickel. How could they have known so accurately? What kind of games are being played here? What kind of advance notice has been given to try to sell the message of the Minister? Who has been co-opted and who is benefiting? That is the question we want to put.

If the Prime Minister does not want to mislead the House, then on the facts as we know them, which are that we had a budget, we had tax changes and we had a Ways and Means motion, he should fire the Minister of Finance. I have respect for that Minister. Under the circumstances as have now been revealed to the House, will he have the dignity to resign his office in view of what happened last night?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the Hon. Member is pointing out that a number of the media and a number of individuals from the private sector who have been involved in the consultation process have understood the directions that we are going in tax reform and the objectives that we had in tax reform so that they have been able to anticipate some but not all of the things. That is exactly what we are trying to do. That is exactly why, at my breakfast meeting this morning, members of the private sector who have been involved in this consultation process were very complimentary. They asked me to please make sure that I keep this consultation process as open and productive as it has been because it has made for a better product. That is why we have been able to get eight out of 10 people off the tax rolls.

Some Hon. Members: Hear, hear!

Mr. Wilson (Etobicoke Centre): That is exactly why we have been able to identify those tax preferences of upper-income Canadians that should be reduced. That is why we have been able to identify those ways that profitable corporations which are not paying taxes should have the situation changed. That is why we have been able to get 850,000 taxpayers off the rolls. These are the objectives of tax reform.

Some Hon. Members: Hear, hear!

[*Translation*]

INFORMATION GIVEN BY PRIME MINISTER

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, I would like to get back to the same suject and direct my question to the Prime Minister, since he failed to answer the question put by the Leader of the Opposition. Yesterday in the House, in responding to a question by the Leader of the New Democratic Party, he informed Hon. Members that what was about to be tabled was not a Budget but a White Paper, and I will quote his own words in this respect: He said it was not a budget in the sense it did not per se take effect the very same day pursuant to a Ways and Means Motion.

Mr. Speaker, it was this Ways and Means Motion that was used by the Minister of Finance to lay certain tax changes on the Table of the House and inform all elected representatives of the Canadian people of these changes and the date on which they became effective. Mr. Speaker, contrary to what the Prime Minister said yesterday in the House, a Ways and Means Motion was tabled containing no less than thirteen tax changes. What we have here is a case of false information given by the Prime Minister to the House, and I would like to ask him why he failed to tell Hon. Members the truth yesterday during Oral Question Period.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend knows perfectly well that the statement I made in the House and the statements made the Minister of Finance are entirely in line, not only with our tradition and custom—after all, since he is a former Minister of Finance—but with the tradition of parliamentary democracy which is the system by which we are governed, and also entirely in line with the facts that were published subsequently. We are talking about a White Paper that was tabled in circumstances that were perfectly acceptable on the basis of our custom and tradition. There have been many examples, and I know the Hon. Member will end up agreeing with me on that.

PRIME MINISTER'S POSITION

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, I did not intend to say what I am going to say. However, the Minister lied in the House yesterday. Since the Prime Minister lied yesterday in the House, since according to his remarks . . .

• (1130)

[*English*]

Mr. Speaker: I know the Hon. Member understands the rules of this place. I ask him to indicate that he recognizes he went too far, and put the question in a more appropriate way.

[*Translation*]

Mr. Garneau: Mr. Speaker, the Prime Minister is not making things very easy for us. Out of respect for the Chair I will withdraw my remarks, but the fact remains that the Prime Minister informed us yesterday in the House that no Motion of

Ways and Means would be tabled last night, announcing tax changes becoming effective that day. Nevertheless, a motion was tabled. Someone is not telling the truth, Mr. Speaker, and I would like to know why.

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, this is a very interesting spectacle. Here we have a tax reform proposal of vital interest to every Canadian and because the Liberal Party is unable to get its act together and, understand its position on this White Paper, all it can do is attack the process and personalities. The respect of Canadians for that Party is slipping very fast.

Some Hon. Members: Hear, hear!

WHITE PAPER'S EFFECT ON RICH TAXPAYERS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I happen to agree with the issue raised by the Official Opposition, but fundamentally the people of Canada are interested right now in the document presented last night.

In 1984 in the Leaders' debate the Prime Minister promised the people of Canada that if they voted Conservative there would be tax fairness. Last night on television the Minister of Finance admitted that after three years of Conservative Government, and after this paper is implemented, a majority of Canadians will pay more in taxes than when the Conservatives were elected. According to the document itself, Canadians earning $100,000 or more, 175,000 rich families, will actually pay $4,365 less. Is this the Conservative concept of justice? After three years of Conservative Government only the rich pay less?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, let me draw to the attention of the Leader of the NDP that we have to look at what has happened in total since 1984. Some 840,000 jobs have been created. Interest rates are at their lowest level in about 10 years.

Mr. Broadbent: I am talking about tax reform.

Miss MacDonald: Income has something to do with taxes.

Mr. Wilson (Etobicoke Centre): The unemployment rate dropped from 11.7 per cent to 9.1 per cent. Job creation over the last 12 months has helped all regions. We have a boom in housing starts which we have not seen for about 10 years. Those are the things that have happened since September 4, 1984, when this Government came into office with this Prime Minister leading the way to a better Canada. That is what we stand for.

Mr. Broadbent: Mr. Speaker, the Minister left out one salient fact. There is only one category of Canadian that is richer after three years of Tory Government and it is that group of 175,000 rich families who get a tax break. The rich get richer, that is what happens with the Tories.

FAIRNESS OF TAX MEASURES

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I want to direct my question to the Prime Minister because it is his reliability on the record here. He promised in 1984 a fairer tax system. I ask him the question and will he answer it? Does he think it is fair that after three years of Tory Government the average Canadian should be paying much more, and rich Canadians alone should be paying less? Is that Tory justice?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I will give my hon. friend full marks. He has been consistent in his claims in this regard for many years. He has been asking for a greater degree of tax fairness. This has come up in debates in the House over a number of years. This document reduces taxes for eight out of 10 Canadians. Some 90 per cent of Canadians over 65 will pay less taxes. Some 850,000 Canadians will be removed from the federal tax rolls completely. This is an instrument of very considerable fairness for ordinary Canadians.

I ask my hon. friend, if he is disinclined to accept the larger picture of economic growth, to consider the various tax fairness measures introduced on various budget nights by the Minister of Finance, including a minimum tax, tax fairness for the disabled, and so on. I think my hon. friend will agree that this is a continuation of an historic initiative towards tax fairness and equality of opportunity for Canadians. I think it is generally accepted that the prime beneficiaries of these initiatives have been those low-income Canadians who need tax relief most.

Some Hon. Members: Hear, hear!

Mr. Broadbent: The Prime Minister just said 850,000 Canadians were taken off the tax rolls. What he forgot to admit is that during the past three years, because of his Minister's tax policies, 850,000 Canadians were put on the tax rolls.

Miss MacDonald: Those people were unemployed.

Mr. Broadbent: The Government is making up only partially for the injustice it has created. At the same time the truth holds, and it has not yet been denied by the Minister of Finance that the only Canadians paying less taxes after three years of Tory Government are the richest 175,000 families.

REQUEST THAT GOVERNMENT INTRODUCE MINIMUM TAX FOR CORPORATIONS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the Minister has been preaching about corporate tax reform for a year and a half now. He has sounded like, if I may use the term, a veritable socialist. Since we have 60,000 corporations, according to the Minister's own documents, that will continue to make profits and not pay taxes, why did he not at least do what Ronald Reagan did—

Some Hon. Members: Oh, oh!

Mr. Broadbent: —which was to bring in a minimum tax on corporations—

Miss MacDonald: Stand up and cheer!

• (1140)

Mr. Speaker: The Hon. Member for Oshawa has the floor.

Mr. Broadbent: Even Ronald Reagan, a conservative man in the United States, brought in corporate tax which included within its ambit all companies making profits. Why did the Tory Government, which promised corporate tax reform, not at least have the decency to copy that?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I was afraid that I would not be able to get up and answer this question because God might have struck me dead on the spot, twice. The New Democratic Leader said I was talking like a veritable socialist and then started talking about Ronald Reagan's policies. I do not know what is happening to this place.

Some Hon. Members: Hear, hear!

Mr. Broadbent: Work on it.

Mr. Riis: Figure it out.

Mr. Wilson (Etobicoke Centre): I am sure that the Leader of the New Democratic Party, whom I compliment on talking far more about policy than have his friends to the right, is going to be very complimentary of the directions we are following on changing exemptions to tax credits which will lead to a greater degree of fairness and a greater degree of progressivity in the tax system. He will also compliment me on the fact that we have taken 850,000 people off the tax rolls.

Mr. Broadbent: Come off it. You put them on.

Mr. Wilson (Etobicoke Centre): I appreciate the point he has made. He said that we put these people on the tax rolls. He is quite right. They got a job.

Some Hon. Members: Hear, hear!

Mr. Broadbent: Now answer the question.

MINISTER'S POSITION

Miss Aideen Nicholson (Trinity): Mr. Speaker, my question is for the Minister of Finance whose budget last night made it clear that for middle-income Canadians so-called tax reform means no relief from the tax grabs of his previous Budgets.

Since taking office three years ago the Conservative Government has raised personal taxes by $22 billion. The Minister claims he will reduce personal taxes by half that amount, $11 billion, over the next five years. However, in his presentation he did not say that that $11 billion would be eroded to $5 billion because of new sales tax grabs.

Can the Minister honestly say he is being frank with Canadians?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I can honestly say that I am being frank with Canadians when I say that 840,000 jobs have been created since we came into office.

I will draw the Hon. Member's attention to an article which was in *The Ottawa Citizen* only five days ago which says that the after tax incomes of Canadians were up in 1985. That tells me that there is more economic activity in the country as a result of the policies of the Government which is easily offsetting any of the negative factors about which she speaks. We are making progress.

PARLIAMENTARY PROCESS—REQUEST FOR MINISTER'S RESIGNATION

Miss Aideen Nicholson (Trinity): Mr. Speaker, last night's performance was a budget in everything but name. There were more tax proposals than in the so-called Budget presented in February of this year. There was a Ways and Means motion and a blatant breach of convention and propriety on the part of the Minister in deliberately revealing its contents ahead of the scheduled release time.

Does the Minister not consider that this abuse of parliamentary process requires his resignation?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, that is six questions out of seven on process while millions of Canadians are concerned about the impact on their taxes of this tax reform paper. When is the Liberal Party going to get up out of the mire and understand what is important to Canadians?

Mr. Axworthy: Parliament is important.

Ms. Copps: Honesty is what is important.

Mr. Wilson (Etobicoke Centre): I would challenge that Hon. Member to honesty any time.

* * *

[*Translation*]

HOUSE OF COMMONS

PRESENCE IN GALLERY OF HON. BOUALEM BESSAÏH, MINISTER OF CULTURE AND TOURISM OF THE DEMOCRATIC AND POPULAR REPUBLIC OF ALGERIA

Mr. Speaker: Order! I would like to draw the attention of Hon. Member to the presence in our galery of Mr. Boualem Bessaïh, Minister of Culture and Tourism of the Democratic People's Republic of Algeria.

Some Hon. Members: Hear, hear!

[*English*]

TAX REFORM

WHITE PAPER—EFFECT ON CORPORATIONS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, the Prime Minister indicated that he appreciated questions of substance. We would like to request some answers of substance at this time.

My question is directed to the Minister of Finance. We waited for three years for tax reform. There has been a great deal of consultation and a great deal of talk about fairness.

Today 60,000 corporate presidents are dancing in the street because they found out that in spite of the Minister's repeated assurance that there would be fairness, his own documents tell us that 60,000 profitable corporations in Canada will not pay any federal or provincial income tax as a result of his tax reform.

Is it his idea of fairness to have 60,000 corporations not paying any income tax in spite of their profits? Why did he not bring in a minimum corporate tax?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think the Hon. Member will find that the small business community, to mention only one group, has been pretty pleased with the direction in which we are going.

Mr. Riis: Deal with the question.

Mr. Wilson (Etobicoke Centre): Those are the companies which create jobs.

The Hon. Member asked a specific question and I will give him a specific answer. A corporate minimum tax would lead to a tremendous amount of complexity in the tax system. In place of that we have removed or cut back on a number of the preferences which have led to those corporations not paying tax. We have also introduced some very strong anti-avoidance measures to stop companies from bending the rules to allow them to avoid paying taxes.

This is the direction in which we are going which I believe makes much more sense than imposing an arbitrary, complex, and administratively very difficult tax to deal with. That is the way we have chosen to deal with this and it will be far fairer than a corporate minimum tax.

EFFECT ON WEALTHIEST TAXPAYERS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my supplementary question is directed to the Prime Minister who, as I said, has indicated an interest in questions of substance. I would appreciate an answer of substance.

Will the Prime Minister explain whether it is his notion of fairness that after three years of Progressive Conservative government the only people in Canada who will actually see a decrease in their taxes are those whose incomes are in excess of $100,000? Is this his idea of fairness? Why, as a result of his Government's tax policies, will only the wealthiest in Canada see their taxes decline?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, 2,315,000 Canadians earning under $15,000 will see their taxes go down. Of those Canadians earning between $15,000 and $30,000, 2,910,000 will see their taxes go down. Of those earning $30,000 to $50,000, 2,090,000 Canadians will see their taxes go down. Of those earning $50,000 to $100,000, 1,360,000 Canadians will see their taxes go down. Of those earning over $100,000, 175,000 will see their taxes go down. That adds up to—

Mr. Speaker: Order, please.

Mr. Broadbent: Answer the question.

WAYS AND MEANS MOTION—PRIME MINISTER'S STATEMENT

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my question is directed to the Right Hon. Prime Minister. Last night the Minister of Finance made budgetary changes through a Ways and Means motion through such things as lease expenses, restrictions on various automobile expenses, and 11 other budgetary matters.

Will the Prime Minister explain how he can justify keeping the Minister of Finance in Cabinet when the Prime Minister said yesterday:

> —it is not a Budget in the sense that it does not, per se, take effect the very same day pursuant to a Ways and Means Motion.

Is that not untruthful? Is that not a Ways and Means motion? Is that not a breach of what the Prime Minister said yesterday? Will he now remove the Minister of Finance?

• (1150)

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I hope I do not have to watch this performance later on when they rerun Question Period on television. This is pathetic. Seven out of eight questions have been on procedural matters.

I do not know whether the Hon. Members have read this paper. There is some very good information, some of which I know the Hon. Member for Laval-des-Rapides would agree with.

Mr. Garneau: We will when we get a new Minister of Finance.

Mr. Speaker: I am sure that all Hon. Members will want to read the material. The Hon. Member for Cape Breton—East Richmond.

PRIME MINISTER'S STATEMENT

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my supplementary question is directed to the Prime Minister. I tell him that it may take even more questions to get to the truth, but we will get to the truth with regard to the

contradictions made by the Minister of Finance about the tabling of a budget last night.

Is the Prime Minister now denying his words of yesterday that there are no Ways and Means motions tabled in the Minister's budget yesterday? On behalf of all Canadians, will the Prime Minister please be truthful for a change?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, that is eight out of nine. What was tabled yesterday was a White Paper on Tax Reform 1987 which sets out the fact that 850,000 Canadians are off the tax rolls, that eight out of ten Canadians will be paying less tax, that nine out of ten Canadians over age 65 will be paying less tax.

We have removed a number of tax preferences of which only those people in upper-income brackets have been able to take advantage. There are a number of preferences that corporations have been able to use to reduce their taxes payable. Those are the things we have changed as a result of tax reform and that is what Canadians are interested in.

Mr. Dingwall: You didn't answer the question.

[*Translation*]

INQUIRY WHY GOVERNMENT GIVES REDUCTIONS TO RICHEST TAXPAYERS

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, the purpose of my question is to defend the average Canadian, and my question is directed to the Minister of Finance.

Average Canadians are wondering why the Minister has given tax reductions to 175,000 of our richest taxpayers, reductions averaging $4,365 annually. They are also wondering why the Minister refuses to levy a minimum tax on 60,000 corporations that, although profitable, will not be paying any taxes at all.

Furthermore, could the Minister confirm that both taxes would have resulted in $3 billion in revenues for the federal Government and inform the House why he is refusing to collect this revenue and at the same time is threatening to impose a tax on life's necessities, including the food purchased by average Canadians?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I should draw attention to the fact that the Hon. Member is taking things somewhat out of context, which is not unusual for that Hon. Member. Sixty-five thousand households with an income of $100,000 and over will pay an increase in tax of $6,140. That is not an insignificant amount of money.

I think I have answered the Hon. Member's question with regard to corporate minimum tax. His Party has always been in favour of a greater degree of simplicity in the tax system. We have tried to deal with that problem in a way that is not arbitrary and temporary, but does it once and for all by fully taking out a number of those tax preferences which have resulted in Canadian companies not paying tax, and to make the changes on an ongoing basis rather than in an arbitrary way through a minimum tax. That is the permanent solution to the problem he has addressed.

Mr. Cassidy: The Minister of Finance is talking about simplicity in the tax system for the rich while ordinary Canadians pay tax in the same old way.

MINISTER'S POSITION

Mr. Mike Cassidy (Ottawa Centre): Why will three out of four wealthy Canadians see this big tax reduction? Why will 60,000 corporations that are profitable not pay any tax at all? Why has the Minister forgone $3 billion worth of revenue which could have been used to keep ordinary Canadians from having to pay a sales tax on food?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, if the Hon. Member would take the time to read this document he would see that we have been introducing through it a great degree of fairness into the tax system. Eight hundred and fifty thousand Canadians will no longer pay tax, according to this document.

The reason is that we have moved from exemptions to tax credits, which I know that the Hon. Member will agree in his heart is the right way to proceed. That is particularly fairer for those people in low-income brackets. That is why the tax system would be more progressive after tax reform than it is today before tax reform.

[*Translation*]

IMPACT ON ECONOMY

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, my question is directed to the Minister of State (Small Businesses and Tourism).

Yesterday, this Government sent an excellent and very significant message to the dynamic entrepreneurs in this country by making risk and business ventures more attractive. He sent this message to the people with whom we created 70 per cent of 840, 000 new jobs. However, considering the confusing statements made by the Hon. Member for Laval-des-Rapides and his socialist colleague from Ottawa Centre, I think the Minister should inform Canadians today about the positive impact this Budget will have on job creation and business development, by letting entrepreneurs keep a little more of their profits.

L'hon. Bernard Valcourt (Minister of State (Small Businesses and Tourism)): Mr. Speaker, the tax reform proposals tabled yesterday by the Minister of Finance are a clear and accurate example of this Government's desire to promote entrepreneurship in this country. Out of 840,000 jobs created, 70 per cent were created by small business, and we all know that yesterday, neither the Leader of the socialist party nor the Liberal Party mentioned the small business people across Canada who will benefit from this Budget. There will be more investment and more risk-taking, and in return, more

revenue will flow to the Government's treasury. More jobs will be created, and that is what counts.

FUTURE OF MINISTER OF FINANCE

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, my question is for the Right Hon. the Prime Minister and it relates directly to the statement just made by the Minister of State (Small Businesses and Tourism), namely that indeed the Minister announced a Budget.

I should remind the Prime Minister that 4.9 million Canadians did not pay a cent in taxes in 1984. Unfortunately, in 1987, as a result of the three famous Budgets of this Conservative Government, one million poor have been forced to pay taxes, yet last night the Government tried to make people believe that in future 850,000 people would no longer pay taxes.

I should like to know from the Prime Minister, after misleading the elderly, after misleading families about family allowances, after misleading sick people with the tax on drugs, I should like to know how much longer he will let his Minister of Finance mislead Canadians generally and the House, considering what he did last night in his Budget.

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I hope the Hon. Member cleared the question with his Leader. It is the second question out of ten that deals with substance and I congratulate him for it.

Clearly there is an increased degree of fairness in the tax system as a result of the changes from tax exemptions and deductions to tax credits. There is also increased fairness in the system because we are taxing corporations $5 billion more as a result of tax reform. That $5 billion will be used directly in reducing the taxes of Canadians, particularly Canadians in low-income brackets.

I know the Hon. Member has always shown a great deal of concern for senior citizens. Nine out of ten senior citizens will see their taxes reduced. I think that is the positive way to proceed and I am sure the Hon. Member will congratulate me for it.

[*Translation*]

OLD AGE EXEMPTION—MINISTER'S POSITION

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, again the Minister is trying to mislead elderly people. The tax credit is not refundable and he knows full well that 1,400,000 elderly Canadians do not pay taxes and will not get any increase at all. I would like the Minister to tell us why he did not replace the old age tax exemption by a refundable tax credit to make sure that all elderly Canadians are entitled to this tax credit, instead of again favouring the wealthy?

• (1200)

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, let me respond to that question in two ways. First, we have increased the refundable sales tax credit. That is clearly in the White Paper itself. The second point I would make is that in the second stage of tax reform we want to expand in a major way on the principle of a refundable sales tax credit by paying it not only in advance but paying it regularly, so that people who are in low-income brackets will have the benefit of this tax credit on a refundable basis, on an ongoing basis, and that is a very major increase in the fairness of the tax system.

REQUEST FOR INTRODUCTION OF MINIMUM CORPORATE TAX

Mr. Simon de Jong (Regina East): Mr. Speaker, my question is also directed to the Minister of Finance, or as he is now known, "The Houdini of the Hill", the master of smoke and mirrors. Last night the Minister spoke often of fairness, of restoring equity to Canada's tax system, but the woeful tax package of the Minister of Finance leaves low and middle-income Canadians holding the tax bag again, while 60,000 profitable Canadian corporations get off scot-free and wealthy Canadians enjoy a $1 billion tax holiday.

Why does the Minister not say yes to a minimum corporate tax? Why does he not say yes to a minimum tax which would generate around $2 billion extra in revenue and lessen the tax burden on low and middle-income Canadians?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think I will have to spell this out a little more clearly for the Hon. Member. We have taken a different approach and I make no excuses for that. The approach we have taken is to solve the problem, not put a band-aid over it.

What we are doing by this tax White Paper is to reduce preferences, depletion, capital cost allowances, revenue reductions for financial institutions, a wide range of provisions which are already in the tax system, which have resulted in a number of corporations not paying tax. We have decided it is wrong to introduce a major degree of complexity and arbitrariness into the tax system.

We have also said that we recognize clearly that there has been a good degree of tax avoidance in the system which should not be there. We are taking important measures to reduce that tax avoidance by giving my colleagues, the Minister of National Revenue and the Minister of Justice, the ability to attack these attempts head on and solve the problem in a real way, not with a typical NDP band-aid solution.

Mr. de Jong: I do not think Canadians are going to be impressed by the way the Government will be handling the problem of stopping the tax abuse by large corporations when they realize that, after all the smoke and mirrors, there will still be 60,000 corporations not paying a cent of tax. Canadians are not going to be impressed by the method the Government has chosen to stop tax abuse.

Privilege—Mr. Guilbault (Saint-Jacques)

EFFECT OF WHITE PAPER ON RICH TAXPAYERS AND CORPORATIONS

Mr. Simon de Jong (Regina East): Given the fact that 175,000 high-income Canadians will be getting a tax break of over $4,000 a year, and given the fact that there are 60,000 profitable corporations which will not be paying one cent of tax because of the measures introduced last night, how in heaven's name can the Minister face the Canadian people and claim that this is fairness and equity?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, we are treating this on a broad basis, being fair to everyone. What we are saying is that there are clear reasons why companies are profitable but not paying tax after tax reform. These are companies which have incurred losses, hard dollar cash losses. The provisions under the Tax Act now are that they can carry these forward for a few years. That will not be changed.

The other basis for companies not paying tax, again as part of long-standing tax policy, is that if a company here makes money, pays a dividend to another corporation which pays a dividend to a third corporation, we should not tax that same income two or three times along the chain. A number of those corporations are still not going to be paying tax. That is the right way to do it. If the Hon. Member disagrees with that, I would like to hear the reasons why.

Mr. Speaker: I regret to advise Hon. Members that the time for Question Period has expired.

Some Hon. Members: More, more!

Mr. Speaker: I have notice of a question of privilege from the Hon. Member for Saint Jacques (Mr. Guilbault).

* * *

PRIVILEGE

ALLEGED MISLEADING STATEMENTS

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, I rise on a question of privilege today arising from the misleading and inaccurate information given at Question Period yesterday by both the Prime Minister (Mr. Mulroney) and the Minister of Finance (Mr. Wilson) of this country. It regards the nature and circumstances surrounding the budgetary announcements which were made last night.

[*Translation*]

While the Prime Minister (Mr. Mulroney) is leaving, I would like to point out that the privileges of all the Members of this House have been diminished and abused by spurious statements made in this very House by these two Ministers.

Mr. Speaker, when issues as important as taxation are involved, Members of this House have a duty to represent their constituents, especially as, under our old traditions, there should not be any taxation without representation. The Members of this House were unable to prepare adequately for what was coming as they were given false information about what the Minister would announce yesterday evening.

Members of this House who had prepared papers and assembled groups to advise them on probable taxation measures and options open to the Minister, made incorrect assumptions. Canadians are now faced with measures of which several have already been implemented and which cannot be discussed, but can only be accepted.

[*English*]

It is perfectly clear today that the Prime Minister of Canada and the Minister of Finance gave the House misleading information in response to questions in the House on Wednesday of this week, and yesterday. Such misleading assertions are grounds for a question of privilege. Both the Prime Minister and the Minister of Finance asserted unequivocally that the tax reform provisions announced last night were not a budget, but a White Paper. The evidence is now perfectly clear that the announcement of the provisions was in exactly the same form as a budget, with immediate consequences taking effect at midnight last night.

I have never heard of a White Paper having important measures taking effect immediately with a Ways and Means motion annexed. The White Paper, as all Members are well aware, is a document supposedly containing a series of policy proposals to be discussed by Members of the House of Commons, by its committees and eventually by the people at large who are being called upon to give the Government their advice on various policy options. Is this what we received last night? I say no. There are in the kind of budget that was handed down last night several provisions to take effect immediately. So these are not policy proposals to be discussed but policy directives already decided. They are not open to scrutiny or debate but are there to be understood and accepted by the Canadian public.

[*Translation*]

The Ways and Means Motion tabled yesterday evening by the Minister, which I have here, contains many tax measures which have even now been implemented. I have identified 13 in the little time I have had at my disposal. Let me give you some examples. First, there will be a—

—revised definition for qualified farm property acquired after—

—and the date is quite clear—

—June 17, 1987—

This means that this proposal is in effect at this very moment.

—for the purposes of the special $500,000 capital gains exemption.

There will be:

—restriction of deductible capital cost allowances, lease expenses and carrying costs for passenger automobiles—

—and so on—

—after June 17, 1987—

There will be:

—rules relating to dividends on preferred shares paid—

—which will be amended—

—after June 18, 1987.

This means that these rules apply immediately. Mr. Speaker, I know that you are a patient man, for which I thank you, and I do not intend to read each of the 13 measures which are in effect at this very moment.

Mr. Speaker, the worst of the matter is that we were told the exact opposite yesterday. There is no need to repeat the words of the Prime Minister as recorded in *Hansard* when he clearly stated that there would be no Ways and Means Motion accompanying yesterday evening's documents. Yet, such a motion was tabled, contrary to what he said in reply to a question asked by the Hon. Leader of the New Democratic Party (Mr. Broadbent). The Prime Minister (Mr. Mulroney) also added:

• (1210)

[*English*]

The White Paper is not a budget. It is something entirely different from a budget, as White Papers have traditionally been since this country was founded. brev'

The Minister of Finance said in answer to a question by the Leader of the Opposition (Mr. Turner):

Mr. Speaker, I want to draw one single fact to the attention of the Leader of the Opposition. This is not a Budget. It is a White Paper. It is a proposal on tax reform.

I would now like to cite another answer that the Minister gave, and this one is very funny. He said:

—so they can understand the technical impact of these proposals to make sure that when the proposals are brought in in the form of either a White Paper or a Budget—

So at this particular point in time the Minister is not sure anymore. He says "either a White Paper or a Budget".

I submit that all of the Members of the House were mislead by declarations made yesterday, including yourself, Mr. Speaker. You were called upon at one time to make a ruling on a question of privilege raised by the Leader of the Opposition concerning the gang of 20 which we now know was a gang of 31 who had privileged information. One of the items upon which Your Honour based his judgment was that you yourself, as I will quote, thought that we were dealing with a White Paper. Your Honour even quoted the Minister to buttress his judgment. You said:

The Hon. Minister of Finance (Mr. Wilson) made the point that the White Paper was not a Budget—

I think that Your Honour was right in saying that because that is what we all thought after what we were told.

Your Honour then rendered a ruling which only goes to prove that the Chair also was co-opted, just as all the rest of us in the House were co-opted, as was everyone in Canada who thought that the Minister of Finance and the Prime Minister were true when they said that there would be no Ways and Means motion, that this was not a budget but simply a White Paper.

It is not possible for Members of the House of Commons, who have a duty to perform to represent their people back home, to operate under false premises, to get ready for very important events, very important announcements and not to know exactly what is going to happen—as a matter of fact, to be fed information that is completely contrary to what later proved to be the case.

In that sense I would say that this is one of the most blatant examples of the rights and privileges of each and every Member of the House being trampled upon.

[*Translation*]

Mr. Speaker, this is why I am asking you to examine this question and to make a ruling. If, as I believe, you find that there is a *prima facie* question of privilege, I shall be ready to move the necessary motion to refer this whole matter to an appropriate committee of this House.

[*English*]

Hon. Donald J. Johnston (Saint-Henri—Westmount): Mr. Speaker, I believe that the privileges of Members have been seriously compromised. As a tax practitioner for many years and as a Member of this House since 1978 I can say standing here in my place that we have been subjected to a budgetary process in all but name.

Going back to the time of James I we know the significance that is attached to budgetary measures which are the privilege of the House of Commons. One of those privileges is that we have a debate on a Budget. The question I raise, Your Honour, is this. Are we now in a position in the governing of this country where our Government is entitled to bootleg a budget in as a White Paper and remove the very significant privilege of a full six-day debate in the House?

In terms of Your Honour addressing this question of a violation of Members' privileges, I would like to add an additional point which I think is very significant. Drawing upon some of my own expertise, and I know of your own, Mr. Speaker, when I look at this paper, when I look at the Notice of Ways and Means, I see the changes in capital cost allowance and I see the imposition of sales tax. I see the changes that are taking place both under the regulations and through additional impositions of tax. I say that this has all the constituent elements of a budget. Not only does it have all the constituent elements of a budget legally, but the whole *ambiance* which we witnessed yesterday, the procedure with respect to a lock-up and the entire proceeding, has been that of a budget in all but name.

[*Translation*]

Mr. Speaker, I believe that the privileges of Hon. Members here in the House are very seriously compromised if we accept

this procedure, if we accept that a Government might present a real Budget and say simply that it is a white paper.

I, for one, Mr. Speaker, find this procedure totally unacceptable, and I should like to add the comment that if you should concede here that we do have a Budget, then we have the right, and I emphasize this point, we have the right to debate this Budget for six days here in the House.

• (1220)

[*English*]

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, the question that has been raised is extremely serious. As to whether it does constitute a serious question of privilege, there are three points that need to be stressed. The first point, of course, is that the Prime Minister (Mr. Mulroney), in yesterday's Question Period, said with respect to last night's presentation that it "sets forth the general thrust of government thinking". He also said that "it does not, per se, take effect the very same day pursuant to a Ways and Means Motion". The words uttered were very clear and specific. Despite that, it is quite clear that very specific Ways and Means motions were in fact put before the House, some to take effect starting yesterday and others to take effect if the legislation is passed.

I think that, in itself, is a very clear indication that what we had was at least a falsehood stated by the Prime Minister yesterday. I think also it demonstrates to us that what was presented to the House was something quite different from what had been suggested to us, as a Chamber, by way of an excuse in respect of whether or not this was a group of 31 individuals or otherwise that had the chance to have that privileged access, and to justify that before the House.

There are two further points, Mr. Speaker, that have to be kept very much in mind in assessing this suggested question of privilege. The first is that with the package handed down last night came an "Economic and Fiscal Outlook". An economic and fiscal outlook document traditionally forms a part of a budget package. I have found that to be the case with every budget I have examined, both as an economic historian and as a Member of Parliament. It is not something that is part of a statement of general philosophy, as the Prime Minister has suggested this was. That is an important ingredient in the package that needs to be examined.

For me, Mr. Speaker, the thing which is most crucial, the fact which, frankly, bites most strongly at the integrity of this Government, is that the Ways and Means motions which took effect yesterday had a profound and direct effect on the economy of this country. There were certain tax changes which came into effect, certain changes which affected some sectors and which didn't affect others. And despite that reality, there were certain private individuals, individuals who were not part of the government bureaucracy of this country, individuals who were not part of the lock-up procedure, who were given the chance to have access to that information—information about tax changes and about changes which had to do with how different sectors would be treated—before that information was given either to the House or to the public.

Mr. Lewis: That was dealt with yesterday. You should have been here yesterday.

Mr. Langdon: The fact that such a step was taken is totally unprecedented, totally unacceptable. It is the type of thing that has led, as far as I have seen, to resignation. If a Minister of Finance gets into a position whereby he has let that kind of information out—

Mr. Lewis: Name one.

Mr. Langdon: That has happened in Great Britain, where only a single reporter saw the Budget documentation in advance. We have here a situation where a significant number of individuals across this country had information which no one else in this country had, private individuals, and as a result of having that information they had the chance to make adjustments in their portfolios of stocks and shares—

Mr. Speaker: Order, please. The Hon. Member for Essex—Windsor (Mr. Langdon) has been addressing the point of privilege raised by the Hon. Member for Saint-Jacques (Mr. Guilbault), and I am indebted to the Hon. Member for his contribution. However, for the last minute or two, the Hon. Member has been dealing with another matter. While that other matter has obviously attracted the attention of many Members of the Chamber and is in itself important, it is not the matter that the Hon. Member for Saint-Jacques has raised.

The point of the question of privilege now raised relates to whether statements made by representatives of the Government in this Chamber were misleading; and if they were, did that impinge on the privileges of Hon. Members. That is the issue.

As to the question of some people outside of this place, albeit under oath, having information which other Canadians and Hon. Members did not have, I have of course already ruled.

The Hon. Member may have something to add, though I think I do have the gist of his remarks now. If he wishes to add something in closing, I shall be more than pleased to hear him.

Mr. Langdon: Just very briefly, Mr. Speaker. I was, of course, aware of your earlier ruling. What I suggested that made a difference is that we are now in a position where we can see that, contrary to statements which were made in the House yesterday, this clearly was a document which brought forth immediate Ways and Means motions which came into effect right away and which also will come into effect through legislation over a longer period of time.

The final point that I make, Mr. Speaker, is simply that this issue is, I think, a very serious question of privilege because of

the very clear statements which had been made by the Prime Minister, as recorded in yesterday's *Hansard*. I would very much hope, Mr. Speaker, that you will be prepared to rule favourably in respect of this issue.

• (1230)

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, I should like to point out that the question of privilege drew attention to the things which you outlined. However, the Hon. Member for Saint-Henri—Westmount (Mr. Johnston) also pointed out that this is a matter which also impinges upon our ability to debate what really turned out to be a budget.

There is a great distinction between what is supposed to be a White Paper and a budget. It has such an impact that the difference can mean whether or not we will be able, on behalf of our constituents, to deal with something as fundamental as taxation in a budget debate or whether we are simply looking at a White Paper and having a discussion.

Mr. Speaker: I want to assure the Hon. Member that I am listening carefully to his representations. I am also observing, with some interest, a ruling which I made.

Since I have risen, I just might remind Hon. Members, so that they need not labour the point—and perhaps the Hon. Member for Eglinton—Lawrence (Mr. de Corneille) will be assisted in this—that I am very aware of what I said in my ruling yesterday, which is this:

> The Hon. Minister of Finance made the point that the White Paper was not a budget, that it is nothing more than a proposal and that it does not even represent budgetary policy. While I appreciate the distinction, I feel that the White Paper nevertheless has very important budgetary implications.

I think that pretty well sums up the substance of the complaint of the Hon. Member for Saint-Jacques. I just draw it to the attention of Hon. Members because the Chair is very aware of it.

Mr. de Corneille: Mr. Speaker, I believe it was the Hon. Member for Madawaska—Victoria (Mr. Valcourt) in Question Period today—and Your Honour can check the "blues"—who referred to it as a budget in answer to a question.

In any case, what I would like to bring to Your Honour's attention is that when the issue came up yesterday about whether or not our privileges were being violated by the 31 people having access, it was not merely a question of them being able to know, as Your Honour will recall, something ahead of time while they were under oath, it was also that they were being acquainted with facts, and this was an advantage, something apart from whether or not they were going to discuss it outside the lock-up. They were able to have advance knowledge about this budget, and this knowledge gave them a head start on their colleagues because they were given a chance ahead of time—

Mr. Speaker: I understand very well the point which the Hon. Member for Eglinton—Lawrence is making. It was of course argued extensively the other day. As Hon. Members know, I had to consider that and brought down a ruling yesterday in which I said that, while I was not commenting at all, one way or other, about the propriety of what was done, it was not a question of privilege.

The Hon. Member for Saint-Jacques has raised a specific question of privilege, and I know the Hon. Member for Eglinton—Lawrence would want to address that specific point.

Mr. de Corneille: I quite understand that. I am not imputing anything in terms of these people saying something outside their oath. I am simply pointing out, Your Honour, that it is a case that these 31 people had more time to study it. Thus, when the deadline ended and the time was freed, they has then had access—

Mr. Speaker: I hesitate to interrupt the Hon. Member, but I have heard argument on that exact point. I have already rendered a ruling in which I have said, whether they did or whether they did not, it is not a question of privilege. As I said in that ruling, whether it was appropriate that they did or did not is another question entirely.

However, the question of privilege raised here is whether or not statements were made by the Government yesterday which were not correct and, as a consequence, have created a situation in which the privilege of Hon. Members has been breached. Of course we know that privilege has been breached if something is done in this place that diminishes the capacity of other Hon. Members to do their duty. I would ask the Hon. Member to stay right on the point.

Mr. de Corneille: Mr. Speaker, I would like simply to clarify the point I was making, that is, that Your Honour made a decision on that question of privilege yesterday based upon this information, namely, that the Prime Minister (Mr. Mulroney) had said: "it is not a Budget in the sense that it does not, per se, take effect the very same day pursuant to a Ways and Means Motion."

I was simply trying to observe that I think that particular subject was decided upon on the basis of Your Honour being convinced that this was not a budget. Even if this in effect is acceptable to you, it indeed has all the signs of a budget, not only legally in terms of the present House of Commons but also in terms of the fact that the entire situation was covered by the media as if it were a budget; it was covered by them in a major way. This means that I will not have the opportunity as a Member of Parliament, as I ought to if it is a budget, to debate this budget with my colleagues, to hear from my constituents what are their reactions to this situation, and to try to persuade the Government to withdraw this motion. That is my position.

Mr. Speaker: I thank the Hon. Member.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I appreciate the opportunity—and it will be reasonably brief—to address the question of privilege of the Hon. Member for Saint-Jacques (Mr. Guilbault). The essence of his argument was that this is a budget and therefore his privileges have been breached. I would like to deal with this briefly, because I know my colleagues on the other side want to get on with the capital punishment debate. They do not want to see it delayed any further.

The question is this. Was it a White Paper or was it a budget? A budget is an annual financial statement. It is a one-year accounting of expenses and revenues. That was presented in February of this year. The White Paper does not bring any fundamental change to this year's budgetary policy as presented in the House in February. It does not seek any new borrowing authority. It does not reflect any new Supplementary Estimates.

Many times in the past—and for my friend's elucidation I will give him chapter and verse—Liberal Governments, of which my friend from Saint-Jacques was a member, have delivered major economic statements, some of which were accompanied by major Ways and Means motions. However, it was never in doubt that there was a difference between a budget and a financial statement.

We have examined the House rules, we have examined the parliamentary commentaries, and there is no question about it. A budget presentation is not a condition precedent to the introduction of a Ways and Means motion.

Citation 515 at page 174 of Beauchesne's Fifth Edition reads as follows:

> There is no necessity to have a budget presentation before the introduction of Ways and Means legislation.

Because of the change to the Standing Orders, I may not have the up-to-date numbers. However, there are Standing Orders which allow the Minister of Finance to table a Ways and Means motion at any time without going through the normal budget process, in particular a budget debate.

For my friend's elucidation, I refer him to examples during recent Liberal administrations where Ways and Means motions were tabled which were not founded on a budget. I refer him specifically to the 95-paragraph Ways and Means motion tabled by Jean Chrétien on October 20, 1977 that followed his economic and fiscal statement.

I also refer him to the motions tabled by the Hon. Marc Lalonde following his October 27, 1982 economic statement which related to tax dividend, tax treatment of professionals, and in working progress.

• (1240)

It is evident that statements relating to the economy as well as statements containing proposals relating to the taxation system can be made in Parliament outside the formal budget presentation. In the last two decades, there have been six major presentations made in the House of Commons on economic or financial matters by Ministers of Finance. None of them, as in the case of the presentation last evening, constituted the budgetary policy of the then Government for the year in question.

We then must ask ourselves, what is a budget? I refer the Chair to Erskine May's *Parliamentary Practice*, Nineteenth Edition, at page 786 where Budget is defined:

> This statement, familiarly known as, "the Budget," is made when the Minister has completed his estimate of the probable income and expenditure for the financial year. In it the Chancellor of the Exchequer develops his views of the resources of the country, communicates his calculations of probable income and expenditure, and declares whether the burdens upon the people are to be increased or diminished.

Hence, Supplementary Estimates and Borrowing Authority. It goes on:

> The economic aspect of the Budget is important and taxes are imposed for their economic effects as well as for raising revenue to meet the expenditure for the year. The annual Financial Statement and Budget Report is made available immediately at the conclusion of the Budget Speech, as are the terms of the budget resolutions.

The elements of a Budget are as follows: views as to the resources of the country, calculations of probable income and expenditure and declarations as to whether or not the burdens upon the people are to be increased or decreased.

The House will know that during the time of this Government, there has been considerable study of the budgetary process. My hon. friend from Saint-Jacques will know that the first Budget presented by this Government was presented in June of 1985. The second Budget came after the review of the budgetary process wherein the committee encouraged the Government to present Budgets on a regular basis after consultation and to meld if possible the Estimates process with the budget process. That Budget came in February of 1986. The second time that happened was in February, 1987. I warrant that if my friend from Saint-Jacques is patient, the next time he sees a true Budget will be in February, 1988.

The principle is annuality. Each year, the Government says: "Here are our expenses, here are our revenues, do we need to borrow or not?"

I refer you, Mr. Speaker, to the 1977 statement of the Hon. Jean Chrétien. It contained expenditure measures as well as taxation measures. Indeed, the Notice of Ways and Means motion had 95 paragraphs containing some very significant taxation proposals. Nevertheless, the budgetary process for that year had already been established. Therefore, it was not called a Budget.

We were all here on October 27, 1982, when the Hon. Marc Lalonde brought down the economic outlook and financial position of the Government of Canada. At that point, he was not ready to present a Budget for the period and he did not present it as a Budget but merely as an economic statement of certain measures. At that time, I did not hear the cry from the

Hon. Member for Saint-Jacques for a budget debate. At that time, it suited his purposes not to do so.

In conclusion, I say to the House that my hon. friend's point of privilege is based on the theory that last night's speech was a Budget. It is very clear that we have already had the Budget for the financial year of April 1, 1987, to March 31, 1988. We have had a budget debate. We are in the process of finalizing the legislation. I believe that there is no *prima facie* case of privilege, there is no actual case of privilege and I would ask that you rule accordingly.

[*Translation*]

Mr. Guilbault (Saint-Jacques): Mr. Speaker, I know that you have been very patient to listen to most of the Members who made interventions, but I should like to make a very brief remark. When I put my case earlier there was a document I did not have with me but which I have now and from which I would like to quote. The quotation is not very long, four lines. At the same time it will show that the Parliamentary Secretary on the Government side does not seem to have understood the point I want to raise.

I do not want to discuss whether this is a Budget or not, although it is an interesting question. What is written in the notice I sent you is that I submit that there were misleading statements made in the House which affect the privileges of Hon. Members. And the most significant statement—there were a few which I pointed out earlier—appears at the bottom of page 7318 of yesterday's *Hansard*, right-hand column. The Prime Minister (Mr. Mulroney) was answering a question put to him by the Hon. Member for Oshawa (Mr. Broadbent), the Leader of the New Democratic Party. I just want to read the last four lines because they are the most important part and what I would ask the Chair to consider. The Prime Minister described the exercise that was to take place last night as follows:

> It sets forth the general thrust of government thinking, but it is not a Budget in a sense that it does not, per se, take effect the very same day pursuant to a Way and Means Motion.

That is the whole problem. The Prime Minister told us that "it does not, per se, take effect the very same day," and he told us there would be no Ways and Means Motion. And that is what I would like the Chair to consider.

I shall refrain from using unparliamentary langage, but I must say, however politely, that this statement is certainly at variance with what actually happened later, at about 8 p.m., when the Minister of Finance (Mr. Wilson) rose in the House and made his statement—a Budget to some, a White Paper to others. In any event, there is certainly a problem when we compare the facts with the remarks made by the Prime Minister, which I just quoted.

My point is, that considering these obvious differences between the real situation and what was said by the Prime Minister, the Members of this House were misled and, as a result, were not adequately prepared to perform their role of responding to the measures tabled by the Minister of Finance. That is the main point of my argument, and I see no relevance in the reply given by the Parliamentary House Leader who is trying to establish that various kinds of economic statements have, on occasion, included the tabling of Ways and Means Motions. That I agree, but that is not the point I am trying to make. My point is that the Prime Minister failed to inform the House accurately. In fact, the information he gave was the direct opposite of what actually happened a few hours later.

[*English*]

Mr. Speaker: I have listened with great care to the comments of the Hon. Member for Saint-Jacques (Mr. Guilbault), the Hon. Parliamentary Secretary and others. I think that Hon. Members would approve if I reserved my decision because I want to look very carefully at the text, both in French and in English.

• (1250)

As I indicated in reading a short excerpt from my ruling of yesterday, the Chair may indeed have had some difficulty with the facts, if I can put it that way, whatever they were. Again I thank all Hon. Members and I shall return to the Chamber with a ruling as soon as I can.

I might also say that due to some pressing matters I would ask that you excuse me from the Chamber, and that is no disrespect to Members on a Friday afternoon. The Hon. Member for Trinity (Miss Nicholson) has a matter to raise in a few minutes and the Deputy Speaker will deal with that.

ROUTINE PROCEEDINGS

[*English*]

PETITIONS

GOVERNMENT RESPONSE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table in both official languages, the Government's response to petitions, Nos. 332-2110 and 332-2426.

* * *

FISHERIES AND OCEANS

PRESENTATION OF SECOND REPORT OF STANDING COMMITTEE

Mr. Ted Schellenberg (Nanaimo—Alberni): Mr. Speaker, as vice-chairman of the committee I have the honour to present the second report of the Standing Committee on Fisheries and Oceans in both official languages. This report deals with the Small Craft Harbours Program and urges the Government to fund that program more properly.

Pursuant to Standing Order 99(2), the committee requests that the Government table a comprehensive response to this report.

* * *

[*Translation*]

RESEARCH, SCIENCE AND TECHNOLOGY

GOVERNMENT RESPONSE TO SECOND REPORT OF STANDING COMMITTEE

Hon. Frank Oberle (Minister of State for Science and Technology): Mr. Speaker, pursuant to Standing Order 99(2), I have the honour to table, in both official languages, the Government's global response to the second report of the Standing committee on Research, Science and Technology.

That report was submitted on February 20, 1987 and was entitled: "Major Surveys".

* * *

[*English*]

HOLIDAYS ACT

MEASURE TO AMEND

Mr. Rob Nicholson (Niagara Falls) moved for leave to introduce Bill C-260, and Act respecting Sir John A. Macdonald Day.

Mr. Speaker: Shall the Hon. Members have leave to introduce the Bill?

Some Hon. Members: Agreed.

Mr. Nicholson: Mr. Speaker, it is my privilege to introduce an amendment to the Holidays Act that would declare a national holiday on the second Monday in February entitled Sir John A. Macdonald Day. Canada's first Prime Minister, more than any other single individual, is responsible for the creation of the Canadian Confederation and a day set aside to honour him is long overdue. A holiday in February would be welcomed, I believe, by Canadians coming as it would between New Year's Day and Easter. I call on all Members, indeed all Canadians, who believe we should honour Sir John A. Macdonald, to support this Bill.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

PETITIONS

OPPOSITION TO RESTORATION OF CAPITAL PUNISHMENT

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I have the honour to present a petition signed by a large number of residents of Elora and Fergus, Ontario, who believe that to kill people who kill people to show that killing people is wrong is morally indefensible. They share the belief that returning evil for evil contributes to the disintegration of the moral integrity and social well-being of the society in which it is introduced. They suggest that as a member in good standing of the United Nations Canada should be supporting the UN in its efforts to eradicate the death penalty in all nations of the world. They call upon Parliament to defeat the motion introduced in this House on February 13 supporting in principle the restoration of the death penalty.

SUPPORT FOR RESTORATION OF CAPITAL PUNISHMENT

Mr. Alex Kindy (Calgary East): Mr. Speaker, I am pleased to present on behalf of citizens of Calgary East and Canadians from all across our country the signatures of 1,991 people calling upon this Parliament to pass a motion favouring the return of capital punishment. These signatures, now totalling 14,000, represent the strong will of the Canadian people on this important issue.

Mr. Stan Darling (Parry Sound—Muskoka): Mr. Speaker, I am pleased to present on behalf of the citizens of my province and my riding, and Canadians from all across the country, a petition bearing 1,958 signatures calling upon this Parliament to pass the motion favouring the return of capital punishment.

Mr. Gus Mitges (Grey—Simcoe): Mr. Speaker, on behalf of Canadians from my riding of Grey—Simcoe and across our country, I am pleased to present a petition containing a further 2,018 signatures calling upon Parliament to pass the motion favouring the return of capital punishment for certain acts of planned and deliberate murder, and for the killing of police officers and prison guards. I do believe this is a continued reflection of the will of the Canadian people.

Mr. Lorne Greenaway (Parliamentary Secretary to Minister of State (Forestry and Mines)): Mr. Speaker, I, too, have a petition to present to the House on capital punishment. Citizens in British Columbia, particularly in my riding of Cariboo—Chilcotin, indeed from across the country, 2,022 signatures in all, call upon this Parliament to pass a motion favouring the return of capital punishment. That brings the total to in excess of 18,000 signature on petitions presented to this House on this subject.

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Mr. Speaker, I, too, have the honour to present some 2,028 signatures on petitions sent to Parliament asking us to restore capital punishment. This brings the total to some 20,250.

LOW-LEVEL FLIGHTS AT ARMED FORCES BASE GOOSE BAY

Mr. Dan Heap (Spadina): Mr. Speaker, I have the honour to present a petition from residents of the City of Toronto concerned over NATO flight training at Goose Bay, disruption of the life of the people there, and the provocative and aggressive war-fighting action which it constitutes. They ask Parliament to ensure that the Prime Minister ends all low-level flight training at Goose Bay Canadian Forces Base and cease negotiations with NATO for the establishment of a larger base there.

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Dan Heap (Spadina): I also have a petition from a number of residents in Toronto concerned about the situation of refugees approaching Canada for protection. They say we need a system that will better protect them. They point out that such a system was proposed by the standing committee with support from all Parties as well as from the churches, the Canadian Bar Association, the Canadian Jewish Congress, and many other groups and individuals.

• (1300)

They call upon Parliament to enact legislation which will embody the principles of fair and quick oral hearings of refugee claimants before a refugee board independent of the Immigration Commission universal access to such hearings for every claimant in Canada, and adequate opportunity to arrive in Canada to make this claim.

PROTECTION OF AUTO PACT SAFEGUARDS

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I have yet another petition to present with respect to the Auto Pact and the safeguards which are such a crucial part of that trade agreement with the United States. This petition is signed by workers from Windsor, Amherstburg, Woodslee, Essex, Oldcastle, Kingsville, Stoney Point, Cottam, Belle River, McGregor, and Tilbury. They call upon Parliament to make certain that in any free trade negotiations with the United States the safeguards in the Auto Pact are protected because they see this as crucial to thousands of jobs in the Essex—Windsor area.

This brings the total of petitioners on the subject from my constituency to nearly 8,000.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, question No. 127 will be answered today.

[*Text*]

TERM EMPLOYEES

Question No. 127—**Mr. Attewell:**

In 1985 and 1986, did the Public Service Commission employ any persons hired on a short-term basis under six months and, if so, by year (*a*) how many (*b*) what was the total cost?

Hon. Robert de Cotret (President of the Treasury Board): The distribution of term employees, subject to PSSRA 1-1, hired for a duration of six months or less and the salary cost are as follows:

Fiscal Year	Number of Hirings	Total Equivalent Annual Salary Cost at Time of Hiring
1985-86	49,151	$462,660,674*
1986-87	47,996	$480,413,357*

Equivalent annual salary is defined as the employee's rate of pay expressed as an annual amount. In other words, it is the amount an employee would receive over a month period.

*This amount represents the cost based on the assumption that employees are employed for the maximum six months.

[*Translation*]

Mr. Lewis: Mr. Speaker, I ask that the remaining questions be allowed to stand.

Mr. Deputy Speaker: The question enumerated by the Parliamentary Secretary has been answered. Shall the remaining questions be allowed to stand?

Some Hon. Members: Agreed.

* * *

[*English*]

MOTION TO ADJOURN UNDER S. O. 29

TAX REFORM STATEMENT—ALLEGED ABUSE OF PARLIAMENTARY PROCESS

Miss Aideen Nicholson (Trinity): Mr. Speaker, I rise to propose, pursuant to Standing Order 29, a motion to adjourn the House for the purpose of discussing a specific and important matter requiring urgent consideration, namely, the abuse of the parliamentary process by the Government in misleading the House with regard to the nature of and circumstances surrounding its tax reform announcement yesterday which amounted to a Budget in every sense except in the recognition of the proprieties, both in the House and in the preparation.

If this had been presented, as it should have been, as a Budget, Members would have been entitled to a six-day debate. The method of presentation has deprived Members of a careful and public examination of these tax measures which were, however, carefully explained to 31 individuals who were not elected representatives of the people.

My proposal is that in view of the importance of the matter it deserves a full debate in the House.

Mr. Deputy Speaker: I thank the Hon. Member for her representations. The Chair has indeed received a notice pursuant to Standing Order 29. However, the Chair believes that the matter does not meet the requirements necessary for the Chair to approve a debate under Standing Order 29. Therefore, the Chair rejects the motion.

GOVERNMENT ORDERS

[*English*]

CAPITAL PUNISHMENT

ESTABLISHMENT OF SPECIAL COMMITTEE ON REINSTATEMENT

The House resumed consideration of the motion of Mr. Mazankowski:

That this House supports, in principle, the reinstatement of capital punishment and directs that a special committee on reinstatement, composed of 15 members, be established, hold hearings and make its final report to the House no later than three (3) months following the adoption of this motion, such report to provide recommendations on:

(a) which offence or offences should carry the death penalty, and in what circumstances;

(b) which method or methods should be used to carry out the penalty of death, and in what circumstances;

That, pursuant to Standing Order 107(1), this special committee be hereby appointed as a committee to prepare and bring in a bill no later than three months following the adoption of this motion, founded on the committee's recommendations on (a) and (b) above; such a bill shall be the object of a separate and distinct report of the special committee, and such a report shall be its final report;

That such bill, when reported from such special committee to the House, be deemed pursuant to Standing Order 107(1) to have been introduced and stand on the Order Paper, in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business"; and that, when the said bill has been read a second time, it shall stand referred to a Legislative Committee;

That the Striking Committee be empowered to name the Members of the special committee, provided that once the Striking Committee report is laid upon the Table, it shall be deemed concurred in;

That the special committee have the power to sit while the House is sitting and during periods when the House stands adjourned;

That the special committee be empowered to report from time to time and send for persons and papers, and to print such papers and evidence from time to time as may be ordered by the committee and to retain the services of expert, technical, professional and clerical staff;

That the special committee be empowered to adjourn from place to place inside Canada and that, when deemed necessary, the appropriate staff accompany the committee;

That a quorum of the special committee be eight (8) members for any vote, resolution or other decision; and that the chairman be authorized to hold meetings to receive evidence and authorize the printing thereof whenever six (6) members are present;

That any substitution of membership on the special committee be made pursuant to Standing Order 94(4); and

That, notwithstanding the usual practices of this House, if the House is not sitting when the special committee is ready to issue its final report and the said bill, the special committee shall present its report and the bill to the House by filing them with the Clerk of the House provided that the report shall then be deemed to have been laid upon the Table, and the bill shall then be deemed, pursuant to Standing Order 107(1), to have been introduced at the first sitting of the House thereafter and to stand on the Order Paper in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business".

And on the amendment of Mr. Nystrom (p. 7307).

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, before Question Period I had the opportunity to present what I hoped would be a case, not only for continuing debate on this issue but for ensuring that the large number of Canadians who are troubled by this issue would see the choices and options they have for coming to grips with this matter of violence in our society.

I want to spend the few minutes remaining addressing an issue which may trouble all Members of Parliament, as it does myself, and that is the responsibility Members of Parliament have in debate. I have heard other Members say that they have conducted public opinion polls in their riding and are, therefore, compelled to vote as those public opinion polls dictate. I believe that is an abdication of the role and responsibility of a Member of Parliament.

We recognize that while there is unquestionably an important responsibility to have dialogue, to consult, and to engage in the most active of exchange with one's constituents, there is certainly nothing in the traditions of Parliament which says that we must act as delegates of our constituents. We are, rather, representatives.

I find that argument troubling because it assumes that on certain preferred issues the role of a Member of Parliament is nothing more than a computer or video screen which records the instantaneous photograph of opinion as it may be. There is no responsibility for leadership, direction, or to try to open up to public purview the issues and elaborations of them which must necessarily be brought about.

There is a curious logic at work which says that we should accept statements of Members of the House who advocate capital punishment simply because they reflect public opinion. If that is the belief of members of the Conservative Party, I suggest that they should respond to Canadian public opinion, 75 per cent of which wants to get rid of the Government.

I presume Conservative Members are not ready to initiate that particular voluntary form of resignation. They say that over time they will change public opinion, over time they will show Canadians that they know what they are doing. However, with regard to capital punishment they say that they cannot do that. They deny that logic. They reject that position saying that they must respond to public opinion.

I do not think public opinion is overwhelmingly one-sided on this issue. I am receiving a large volume of correspondence in my constituency which is approximately two-thirds against capital punishment based upon reason. In the few minutes I have remaining I would like to cite some examples for Members to take into account.

In some ways the correspondence which has impressed me most is that which I received from a group of twelve year olds in grade 6 at the Brock-Corydon School in the French immersion program. I received 50 or 60 letters from those young people. Reading their letters makes me understand that capital punishment is a fundamental issue for them because it demonstrates to them what society might represent to them. Overwhelmingly they tell me to vote against it, that they do

not want to live in a society which says that revenge is a rightful motive for the state.

I would like to quote a very distinguished member of my constituency, the Reverend Bernard Pinet from the Missionary Oblates of Mary Immaculate who has worked for many years with prison reform in our community. He said:

The real issue in the death penalty debate is the question of values upon which we want to build our society. If killing is wrong, then the state should not adopt the very immoral act it is repudiating.

Since the state would be killing on my behalf, an execution would make me an accomplice in a premeditated and deliberate murder.

I do not want the state to kill in my name. I do not want to teach children that violence is an acceptable solution to human conflict.

I do not want to live in a society that responds to evil with evil, to violence with violence. Human life is sacred. No one's life is expendable.

I could spend the rest of the afternoon reading from those views, which I believe clearly demonstrate why public opinion polls should not be a matter that is taken into account in this debate as we each answer to our own conscience. We must determine what is really the proper stand to take.

• (1310)

Let me conclude by recalling the play *Elmer Gantry*.

I remember Elmer Gantry, the great evangelist, preaching hell, fire and damnation and someone standing aside saying: "That man is so busy preaching what is right he forgets what is good". I hope Members of the House will not forget what is good, which is to vote against this motion.

Mrs. Mailly: Mr. Speaker, the Member said that the response in two-thirds of his mail is against capital punishment. The situation in my riding is the opposite, yet I have been against capital punishment from the beginning, when 88 per cent of the Canadian population seemed to be for capital punishment. The numbers are declining, perhaps because people are beginning to think twice about what it means. I am pleased that the Hon. Member pointed out the difference between representing a riding and simply following the wishes of people in the riding who perhaps may have drawn a conclusion as a result of lack of information or by reacting emotionally.

However, I disagree with the Hon. Member who seemed to put all members of the Government in the same category, when he said that we are trying to limit debate. I would prefer that rather than put it in such a partisan political manner, he should remember that there are a significant number of Members on this side of the House who are against capital punishment but who also realize that in this parliamentary system when business goes through slowly there are certain Standing Orders available for the Government to use. I agree with the Hon. Member that we do not want them abused, but we should not be too hasty in saying they are being abused at the moment.

I want to refer to *Hansard* of April 4, 1966, to a speech by the Right Hon. John Diefenbaker who was quoting John Donne, the great English poet. He said:

[*Translation*]

Any man's death diminishes me because I am involved in mankind.

[*English*]

He went on to quote John Bright, who was a parliamentarian from a previous century who said:

[*Translation*]

A deep respect for human life has much more value to prevent a murder than a thousand executions. It in fact can provide the greatest security to human life. Capital punishment, while feigning to show respect, tends in fact to suppress it.

[*English*]

Mr. Axworthy: Mr. Speaker, I thank the Hon. Member for Gatineau (Mrs. Mailly) both for her comments and her questions. I pay tribute to her stand, particularly in light of the representations that are being made.

I believe she represents exactly the kind of Member of Parliament I was describing, who comes to a decision and uses this debate as an opportunity to broaden the understanding of this very crucial issue among constituents. I compliment her not just because of her stand but in the way she approaches it.

The reason I was somewhat harsh in my statement about the motion of closure is that it was put forward by the Deputy Prime Minister (Mr. Mazankowski), and we learn from experience that the Deputy Prime Minister takes such action on the part of the Government. I certainly recognize that there are many members of the Conservative Party who have spoken.

Let me say that I was very moved several weeks ago after listening to the speech by my Manitoba colleague, the Hon. Member for Lisgar (Mr. Murta), who dramatically stated that after reviewing the evidence he changed his mind.

My remarks were certainly not meant to be partisan in that sense. I was attempting to say that members of the Conservative Party in the government caucus have their own ability to influence the Deputy Prime Minister and others in the executive who will be making decisions about time allocation. They have an opportunity to use that influence to persuade the Government into ensuring that this Parliament does not hastily make a judgment before the right moment arrives when this Parliament, in its manner of debate, is ready to make that decision. I trust the good judgment of the Hon. Member for Gatineau and I know she will be able to use her own persuasive talents in that respect. I apologize if it seemed that I was explicitly referring to those Members. I was suggesting that it was the Deputy Prime Minister who made that motion and I was making a general appeal in that respect.

In response to her last comment, I wish that in some ways we had the eloquence of a John Diefenbaker these days to make the case. There was probably no finer parliamentarian and I know of his incredible commitment to this issue. He was,

in effect, one of the pioneers in this country in the last few decades who set in motion the evolution of the debate to the point where capital punishment was abolished in 1976.

He was able to capture that argument in his quotes from John Donne and John Bright. Incidentally, John Bright was a Grit Member of the British Parliament at the time. He was a non-conformist, protesting Member in the tradition of the Grit Party. It is a tradition in which I still strongly believe and perhaps have demonstrated by recent examples. The point they were making is that the purpose of a legislature or parliament is to show a basic respect for the sanctity of rules and laws. If we revert to the kind of system that has been practised in Iran, Chile or in the Soviet Union, it will not provide the enlightened example that will provide a model for our children.

That is why it is so important we speak out in this debate. I only hope and trust that the views of the Hon. Member for Gatineau, as she speaks from her side of the House, will be taken into account by her colleagues. The arguments of the John Diefenbakers, John Brights and John Dunns of this world are in a very great tradition which I hope we will not break by supporting this resolution.

[*Translation*]

Mr. Ferland: Mr. Speaker, I would have a question for my colleague. I would like to tell him that I also am against capital punishment, but I am quoting Andrei Sakharov, a very well known Soviet dissident, who said:

> I consider capital punishment as a savage, immoral institution. If a state, through its officials, usurps the right to commit the most horrible and irreparable act—the deprivation of life, such a state cannot expect an improvement in the nation's moral environment.

As a responsible politician of this country—because all Members, whatever their party, are responsible for managing the country and for making legislation—does the Hon. Member think that supporting capital punishment then transferring that supreme power of life and death to civil servants—since the House is never involved in the actual sentencing of murderers—is in fact an improvement or a regression for society?

Mr. Axworthy: Mr. Speaker, I am once more in agreement with the Hon. Member, but his statements about symbols relating to amendments in the Bill are quite important for the understanding of what society would have for itself.

• (1320)

[*English*]

I want to point out the importance of the decision we take in this House because the debate will not stop here. One of the most grinding and excruciatingly painful results of the restoration of a capital punishment motion would be the transfer in part of the same kind of debate time and time again to the Cabinet of Canada to exercise its so-called royal prerogative for clemency. The history of this country has shown over time, from statements of members of the Cabinets of past years, just what a deep and incredibly gut-wrenching responsibility that was for Cabinet repeated over and over again, to say nothing of all the other people in the system. I think it debilitates the system after a while. It begins to erode the sense that if there is a law, there is a law, and if there are all kinds of ways of getting around the law by clemency or by finding other ways of sentencing, then the value of what they are proposing would be lost over time.

On the other hand, I would say, like Zakharov, that the fact the Government itself stands up against it, is a step forward. I use the example of my Leader that it was only a 100 years ago that some 200 crimes were punishable by death. The fact that we have now eliminated that is perhaps the best example of the progress this society has made. That is why in a way for Canada to become the first country which abolished capital punishment and then gone back to it would be a terrible statement to make for future generations.

Mr. John Reimer (Kitchener): Mr. Speaker, my position on the resolution before this House arises out of a very careful consideration of the various issues surrounding this most difficult and divisive subject. During the past few months, I have made particular effort to make myself available to the constituents of Kitchener, participating in four debates and attending some 15 different meetings. Additionally, I have conducted an admittedly unscientific sampling of my constituency through a household questionnaire. Of approximately 2,600 respondents, 55 per cent are in favour of the resolution before this House and 45 per cent are opposed.

While I have learned much from these very sincere people on both sides of this debate, I must now cast my vote with a simple "yes" or "no". Briefly stated, I am convinced that there are compelling theological legal and social reasons for providing the state with the option of exercising capital punishment in cases of first-degree murder, with judicial discretion for mercy where circumstances warrant.

Section 212 to Section 215 of the Criminal Code defines first-degree murder as, first, all planned or premeditated murder; second, the killing of a police officer; third, the killing of a prison guard; and, four, the killing of one or more persons while committing another offence such as rape or theft. I am not in favour of capital punishment for second-degree murder or manslaughter.

I should now like to elaborate on my position by responding, within the limited time available to me, to those concerns invariably raised in any discussion of capital punishment. It is often argued that capital punishment is state-endorsed murder and that all murder is wrong. This viewpoint is expressed by the popular slogan: "Why kill people who kill people to prove that killing people is wrong?" However, I would submit that this position rests on the false premise that all killing is murder. It is a premise which is simply not true. Historically, a clear distinction has been made between killing in situations such as accidental death, self-defence, war, the killing of a policeman in the line of duty, on the one hand, and a planned and deliberate murder on the other.

All killing, I would submit, is not murder, any more than all sexual intercourse is rape. On the contrary, just as rape is the violent rejection of, and a rebellion against, the dignity of the person and the institution of marriage, murder is a violent rejection of, and rebellion against, the sanctity of human life and the state's legitimate interest in law and order.

I will say more concerning a Biblical perspective, but it is worth noting here that the best scriptural manuscripts render the sixth commandment: "You shall not commit murder". This is important because it helps us to avoid an erroneous scriptural justification for the invalid premise that all killing is murder. Second, the claim is sometimes made that capital punishment is the violent act of a barbaric and uncivilized society and as such debases every member of that society. This viewpoint rests on the false premise that all killing is uncivilized and barbaric.

As I have just argued, historically and at present, killing is allowed in many instances, just to name one for example, that of self-defence. This cannot be construed as violent, barbaric or uncivilized. Indeed, to assert that judicial execution on grounds of premeditated murder is an act of violence or barbarism is to deny society the right to impose a just penalty for the ultimate violation of laws designed to uphold civilized order. Further, it is to invert completely the very meaning and process of civilization itself.

Often underlying these two concerns is the belief that capital punishment cannot be reconciled with Christian love and mercy. While a detailed Biblical and theological analysis is beyond the scope of these brief remarks, nevertheless I feel I am bound to make some effort to outline my position on this important matter. I believe the Bible clearly provides for capital punishment as an option for the state in cases of premeditated murder. There is no disagreement that this is the case in the Old Testament where at least three principles may be found: first, there is a clear delineation between accidental and premeditated murder: second, the death sentence can only be applied if the murder is substantiated by two or more witnesses: and, third, failure to execute is disobedience to God.

In the New Testament, Romans 13:1-7 and I Peter 2:13-15 are two of the clearest scriptural expressions of God's will regarding his mandate for the state. In Romans 12:19 we read personal vengeance is prohibited and we are instructed to leave room for God's wrath. Just five verses later, in Romans 13:3 and 4, it is clear that one way in which God may exercise his wrath is through the civil authority which "does not bear the sword for nothing" and is "God's servant, an agent of his wrath, to bring punishment on the wrongdoer". The Apostle Paul explicitly recognized this authority in according the state the right to exercise capital punishment upon himself should he be found "guilty of doing anything deserving death", (Acts 25:10-11).

In spite of the foregoing, some Christians have summoned other New Testament texts to argue against capital punishment. I am particularly concerned by attempts to apply the Sermon on the Mount in this regard. Certainly the words of Jesus concern the conduct expected from the Christian even when victimized. However, they neither preclude nor contradict the fact that God, true to his character, will exercise his judgment upon the guilty offender. As I stated earlier, one means by which his judgment upon crime may take place is through the state, instituted by God for law, order and the protection of life.

Additionally, to suggest that Jesus takes a position on capital punishment in John 8:l-11, is to bypass completely the fundamental significance of this encounter recorded by John. The explicit intent of the Pharisees' question was to trap and thereby accuse Jesus. If he said "no", he violated the Mosaic law. If he said "yes", he violated Roman law, which prohibited the Jews from executing anyone, a right reserved for Roman authorities alone, according to John 18:31. Therefore, given the express nature of the question, the words of Jesus are directed at the sin of the Pharisees and the adulterous woman. They are not a comment on capital punishment.

We all know that God is love. But God is also holy, just and righteous. The position we take on capital punishment must be scripturally faithful and theologically orthodox with respect to the doctrines of God, man, sin, salvation and judgment.

• (1330)

As we seek to interpret Scripture and have Scripture interpret us, it is evident that the presuppositions that we bring to Scripture our textual analysis and our application on personal, ecclesiastical, social or political levels, or on a topic such as this, must be guided by all of Scripture according to II Timothy 3:16 and not just a verse taken out of context here or there. To do otherwise is to leave oneself vulnerable to positions which are neither biblical nor Christian. Indeed, I fear that much of the so-called Christian love and mercy which is cited as an argument against capital punishment has unwittingly fallen captive to the permissiveness of liberal humanism.

Four, some argue that capital punishment is not a deterrent. Proponents of this position often seek to support their case by pointing to the fact that since the abolition of capital punishment in 1976, the annual total homicide rate has gone down from 711 in 1977 to 561 by the end of 1986, a decline of 21 per cent. We must remember that approximately two-thirds of these murders are second-degree and therefore would not be subject to the death sentence in any case. However, first-degree murder statistics actually increased during those very same years from 202 in 1977 to 260 in 1986, an increase of 29 per cent. Those are the real statistics for this debate.

I do not understand why abolitionists always use the total murder rates focusing upon the total murder statistics only. It appears to me that they are being very highly selective in their use of statistics.

What is an acceptable murder statistic in any case? Surely, when we look at how many murders are acceptable in any one year the answer has to be that one is too many.

To suggest that capital punishment does not deter is to call into question the deterrence effectiveness of all penalties, be they for murder, rape, theft or speeding. Permit me to use an illustration, that of driving a car beyond the speed limit. It is easy to find out how many people were killed by speeding, but we will never know how many were saved by speed limits, by radar traps, by fines, or by earning demerit points and therefore having slowed down. Since we cannot prove the deterrence effects of these measures, does that mean we should discard them? If we must abolish the death penalty because it does not eliminate murder, surely we must abolish prison terms because they do not eliminate bank robberies or whatever criminal example one wants to use.

Five, abolitionists maintain that the ever-present possibility that one innocent person could be executed is reason enough to exclude all capital punishment. I can sympathize with that concern. However, if we were to govern all of our decision-making according to the logic of this particular law of probability, then all penalties for all crimes would have to be removed because there is always some possibility of an erroneous conviction. Abolitionists, nevertheless, argue that there is a unique irrevocability to the death penalty which ought to exempt it from such logic.

However, there is no record of any innocent Canadian having been executed since Confederation. The Marshall case is inadmissible since he was convicted of second-degree murder. There is a much greater risk that some innocent victims will be murdered by convicted murderers who murder once again. According to the Canadian Centre for Justice Statistics, since 1970 alone, at least six murders fall into this category. Therefore, six Canadians would be alive today had their murderers been executed the first time they murdered.

Therefore, I submit that this particular objection is more properly addressed with respect to the administration of justice, not capital punishment *per se*.

A sixth area of concern of some abolitionists is that capital punishment may be arbitrarily and inconsistently applied with a racial and/or socio-economic bias. Again, if this is a problem, it is a problem in the administration of justice and not with capital punishment *per se*. Once it is decided that, in and of itself, capital punishment is a just and reasonable response to first-degree murder, then it must be administered without regard to race, colour or socio-economic status.

While the foregoing comprise some of the major objections that have been raised against capital punishment, others have also been raised. Some abolitionists argue that support for capital punishment is incompatible with a pro-life stance on abortion. To be pro-life with regard to abortion is to be in favour of the protection of all innocent life. To be in favour of capital punishment is to affirm the protection of all innocent life and to say: "If you carry out a pre-meditated murder, you forfeit your right to life".

What is contradictory is that so many abolitionists are pro-abortion. What is in fact hypocritical of some in the NDP is that they enlist the support of some Roman Catholic spokesmen for their abolitionist position and yet they then turn a deaf ear to the Roman Catholic unequivocal condemnation of abortion.

It is also argued that the Charter affirms the right to life. This is true, but all rights upheld in the Charter are subject "to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society". Additionally, "everyone has the right to life . . . and the right not to be deprived thereof except in accordance with the principles of fundamental justice."

Some abolitionists maintain that the proponents of capital punishment should be prepared to execute. I respectfully submit that such an argument is no more logical than insisting that all proponents of law and order must be prepared to become prison guards and policemen. Further, any suggestion that all proponents of law and order somehow take pleasure at an individual being fined or imprisoned is nonsensical.

Further, it is argued that acceptance of capital punishment would align Canada with such countries as Libya, Iran and South Africa. This guilt-by-association argument is only valid if acceptance of capital punishment, of necessity, means Canada thereby accepts in total the principles and the policies of all of those countries which also have capital punishment. This is clearly absurd.

Some abolitionists say that capital punishment is the easy way out, we should find other solutions to the problems of law and order, including murder. I agree that the ongoing battle of maintaining law and order must be fought on many fronts. That is why, for example, I applaud the Government's tough pornography legislation. Pornography desensitizes, dehumanizes and treats humans as things to be selfishly used and discarded, and thereby contributes to violence. However, while there may be many other solutions to social disorder, such as stricter hand-gun controls, this does not preclude the fact that the death penalty should be one such solution as a justifiable and necessary response to first-degree murder.

Further, some abolitionists claim that every murder represents a failure of society and that society must acknowledge its guilt. I reject that assumption. As a Conservative, I also do not believe in the liberal or socialist assumptions about the innate goodness of man, of progress toward some utopian concept of society, or of the causes of crime as primarily environmental, sociological, economic or due to a lack of reason. Rather, I believe that each person must be held responsible for his actions and must be willing to suffer the consequences, albeit sometimes tempered by mercy.

The increase in violent crime since 1962 is alarming. The facts are very clear. We are witnessing an increase in the first-

degree murder rate up 29 per cent since 1967 and up two and a half times since 1962, the last year of any executions in Canada, while the total population has increased by only 11 per cent. According to the Canadian Centre for Justice Statistics, the annual incidence of crimes of violence rose by 498 per cent since 1962. Over the same period of time, the annual incidence of attempted murder rose from 83 to 890, an increase of 1,012 per cent. Additionally, according to Metropolitan Toronto Police Officer, Staff Sargeant Frank Craddock, the murders he has investigated since 1982 were the most violent and vicious he had ever seen. Recent evidence also suggests that the number of victims who are total strangers to the murderer is on the rise.

Therefore, I support capital punishment as one means of restoring harmony within society and in order to re-establish respect for life, by requiring the life of the murderer who ignored the sanctity of life.

• (1340)

My conviction is based upon the assumption that society has the God given responsibility to protect the sanctity of life, to establish clear boundaries for human behaviour, and to maintain justice, peace, law and order.

Historically, Mr. Speaker, we have portrayed justice as a blindfolded lady, seated and holding a pair of balance scales in exact equilibrium. Premeditated murder does violence to that equilibrium, throwing it off balance. The death penalty restores that equilibrium and offers society the assurance, at least to a degree, that harmony and balance will be restored.

I shall vote in favour of the resolution because there are occasions when capital punishment is the only just response to the premeditated murder of another human being.

Permit me to conclude, Mr. Speaker, with a quotation from Carl F. Henry's book entitled *The Christian Mindset in a Secular Society*, at page 134, as follows:

> Legislation that professes to be humanitarian while it lightens the seriousness of criminal offenses is a service neither to God nor to man. The primary purpose of punishment is not the reform of the offender but the vindication of the right and the peace and safety of society. A society that finds no basis for capital punishment retains only a shadow of biblical sensitivities to the worth of human life and readily elevates the value of the survival of criminals above that of their victims.

[*Translation*]

Mr. Ferland: Mr. Speaker, my colleague the Hon. Member for Kitchener (Mr. Reimer) has mentioned the Bible, and he relies heavily on the Holy Scriptures to justify his arguments in favour of capital punishment. Let me read for him this statement of the Canadian Episcopate. "We feel that it is improper to use biblical quotations, especially from the Old Testament, as justifications for upholding the death penalty. Those biblical texts, which support death penalty, should be considered against the background of historical conditions when they were written. They cannot be transposed litterally to the present situation in Canada". This quotation, Mr. Speaker, is taken from the Bishop's Council, volume 6, no. 3, page 67, dated February 26 1973.

My Hon. colleague for Kitchener mentioned the Marshall case, and we say: The Marshall case has nothing to do with it. In that case, whether he was condemned for second or first degree murder, there was a miscarriage of justice. Justice is not infallible. What he implies is that because it is a first degree murder, we will always be assured that no mistake is to be made in sentencing the individual because the judges handing the sentence as well as the jurors in the case will be infallible and because he himself is infallible in deciding in this House that no mistake could possibly be made.

I would like to have his views on these words written by Victor Hugo, and I quote: "Three things belong to God and not to man: the irrevocable, the irreparable, and the indissoluble". Irreparable punishment implies an infallible judge. And I would like to know if my hon. colleague agrees with me that for a judge to be able to sentence a human being, however dreadful his crime, whether he agrees with me that that individual, that judge, that jury have to be infallible.

[*English*]

Mr. Reimer: Mr. Speaker, I am glad to try to respond, through you, to my colleague's questions.

The first point he makes is that the Canadian Conference of Catholic Bishops has made the statement that, during the course of this debate, we should not be making as much reference to the Old Testament as we are.

If my colleague will check the notes of my speech later, he will find that my references to the Old Testament comprise only about ten lines, with my references to the New Testament comprising about two pages.

So, I submit that I have not over-emphasized the Old Testament.

The Hon. Member went on to speak of the administration of justice and the possibility of error. I agree that there is the possibility of error. We are fallible human beings. I accept that possibility of error. However, I make the point that we have to look at what might cause an error. Some of the cause of the problem is in the administration of justice. That is something that we have to work at improving. We always have, and we always will.

That is one of the responses. It is a problem more for the administration of justice as opposed to what the penalty should or should not be.

I readily agree that there is the possibility of error; but, I point out that since Confederation there is no record of any innocent Canadian ever being executed for first-degree murder. So, thus far we have had no such error, though I do admit that the possibility exists. The need to uphold the sanctity of life demands that the option of capital punishment be available. With all of the safeguards built into the system, it is something that I would support.

[*Translation*]

Mrs. Mailly: Mr. Speaker, I should like to quote from *Hansard* of February 18, 1960 when the great jurist and then Member for Parkdale, Mr. Arthur Maloney, said: "The death penalty is out of date; it is not an answer, nor will it ever be. The slow march of civilization has brought us to a point in our history where we should be ready here and now to vote in favour of its abolition."

And along the same line, the Right Hon. John George Diefenbaker was recalling the progress of our civilization when he said: "Throughout the western world, it was in Canada that slavery was abolished for the first time in 1803. It is a prodigious record, coming as it did 40 years before slavery was abolished in the United Kingdom, and even longer before the date of its abolition in the United States."

Therefore, Mr. Speaker, we have the tradition of an advanced civilization, and I fail to see how my colleague can claim that reinstating capital punishment spells further progress for this civilization which is already headed in the right direction.

[*English*]

Mr. Reimer: Mr. Speaker, both Mr. Maloney and Mr. Diefenbaker expressed their opinions on this issue, as they were entitled to do. They had every right to make their case as best they could, as do each of us have the right to make our case as best we can.

Arthur Maloney may have said that it is never right to apply the death penalty, and he had that right. To my mind, in order to re-establish respect for life, it is necessary to have the option of capital punishment. In that way, the death penalty can be invoked where the circumstances warrant. That is what I am speaking in favour of.

The Hon. Member referred to the fact that we as a society were well ahead of others when it came to the question of slavery, and she wishes to compare that to the issue of capital punishment. I say that they are two different issues. If she wishes to compare capital punishment with another topic, let me ask her why it is that so many of those on the abolitionist side are in favour of abortion. I could submit to her that we should be the first nation to come to grips with the facts surrounding abortion and deal with that issue.

Mrs. Mailly: We have.

Mr. Reimer: By doing so, we would start to uphold the sanctity of life. I would like to see Canada lead the way on the whole question of abortion, and I would like to have the Hon. Member's support for that.

To compare slavery to capital punishment is to compare apples and oranges. The two do not compare.

Mr. Deputy Speaker: The Hon. Member for York South—Weston (Mr. Nunziata), on a question or comment.

Mr. Nunziata: Mr. Speaker, regardless of what the Hon. Member may say, capital punishment, in my view, is the mark of an uncivilized and immoral society.

I find it difficult to follow his logic, his reasoning. It appears obvious that his logic is somewhat flawed. One would question the hon. gentleman's credibility when on one hand he supports capital punishment and on the other hand he is opposed to abortion. In his submissions he suggested that members of the New Democratic Party were hypocritical because they are generally abolitionists and they are generally in favour of abortion on demand.

• (1350)

I would suggest to the Hon. Member that he is just as hypocritical as those members of the New Democratic Party who believe on one hand that human life is sacred and on the other hand that it is not.

I just cannot accept the Hon. Member's submission that on one hand life is sacred. If life is sacred, it is sacred, which means that it should not be taken regardless of how miserable that life may be.

He said with regard to abortion that we were talking about innocent life and therefore we should not be able to take innocent life, and he said with regard to capital punishment that somehow the person's life is not innocent. Who are we as mortals to determine the guilt of another human being resulting in the death penalty?

The Hon. Member seems to favour retribution as the basis of our criminal justice system. In effect what he is saying to the House is that he favours our criminal justice system being based on an eye for an eye, a tooth for a tooth. We have progressed tremendously over the last—

Mrs. Mailly: Two thousand years.

Mr. Nunziata: —two thousand years, as the Hon. Member is suggesting. However, the Hon. Member for Kitchener (Mr. Reimer) is suggesting that we should return to the law of the jungle and in fact take an eye for an eye and a tooth for a tooth.

Would the Hon. Member explain the apparent hypocrisy in his position in that he argues human life is sacred, he says abortion is wrong, and he says capital punishment is right?

Mr. Reimer: Mr. Speaker, in response to the comments of the Hon. Member for York South—Weston (Mr. Nunziata), let me say that he quoted my use of the word "hypocritical" but he misapplied it. I am going to give it back to him the way I said it, not the way he misapplied it. What in fact is hypocritical by some in the NDP is that they enlist the support of some Roman Catholic spokesmen for their abolitionist position. That is what I said.

Then I went on to say that they turn a deaf ear to that same source, the Roman Catholic Church, which is unequivocal in

its condemnation of abortion. That is what I meant by "hypocritical".

If anybody is hypocritical in here, maybe it is in his mind. I think my comments stand and they are very clear.

Further, he went on to say other things such as favouring revenge or retribution. I never used the word. It was not in my speech. I do not know from where he is getting it. It is in his mind. If he could not follow the logic, maybe the problem is in his mind, in his flawed logic. Perhaps that is where the problem resides.

What I am trying to say is that there is a time when the crime of premeditated murder requires a just response. To me the only just response to a premeditated murder is to take the person's life who ignored the sanctity of life and thereby restore the value of life.

Mr. Dan Heap (Spadina): Mr. Speaker, the preceding speaker has quoted certain verses from the Bible which he believes justify the execution of those who commit first degree murder. Although I respect his attention to the Scripture and to the detail of the argument which he and the associates in his riding to whom he referred have developed, I will not be trading verse for verse argument with him, because I also live and work within the context of my church, the Anglican Church, in which we study the Bible thoroughly.

The Anglican Church, like the United Church, the Roman Catholic Church, and most Christian bodies, finds that the Christian tradition including the Bible opposes the death penalty, and I oppose it.

I would add also, by the way, that at least two police chiefs oppose it. I do not know what their religious views may be. One of them is responsible for Quebec City; the other is responsible for the City of Montreal. I hardly think that one can accuse either of them of being naive about the problems associated with murder, and they oppose the death penalty.

What I find quite curious about this debate is that in the middle of March an Angus Reid poll showed that Canadians were asked to indicate the most important issues facing Canada. Only 5 per cent of those who responded cited capital punishment as the most important issue. They placed capital punishment at the bottom, after unemployment, after the economy, after refugees and immigration, after the deficit, after disarmament, and after the question of government honesty. I think it is unfortunate that at a time when we are pressed for time to accomplish government business, the Government has chosen to enforce that this shall be debated ahead of many of those urgent subjects.

However, since the Government has so ordered, I wish to make my comments within the time left to me now, and I hope I will be able to pick up my remaining time on Monday morning.

Although I regret the fact that this debate is happening because I think it is unnecessary in the basic sense, nevertheless there may be some good result coming out of it. It may be that we have to ask ourselves: Why does this come up again and again?

As the debate has moved along inside and outside Parliament, I can see that many people are being forced to examine not just the theoretical subject but their own feelings and approaches to the subject. We can all be enabled to examine ourselves on the question of why this question has arisen again.

Three years ago, when I spoke against a Private Member's Bill which would have restored the death penalty, I spoke about anger as a motivation. We know that anger may be justified by events. It may be natural and necessary to feel anger as a response to some evil action. However, what we do with that anger, what action we take arising out of it, is something else.

Personally I know that too often in the last half century I have not handled my feelings of anger very well. Some Hon. Members of course have heard me say things in anger that I then regretted. I regretted it not only if someone hit back at me, but even if they did not; sometimes more so if they did not. In other words, there are times when I know I have done more harm to myself personally by my anger than to anyone else.

I also spoke about the anger of people who are upset that people are killed in auto accidents partly caused by booze, partly caused sometimes by automobiles negligently built in an unsafe way. They are upset by people who are killed by safety hazards at work that were known to the employer before the accidents happened and could have been corrected but were left unsafe in order to save money. We have yet to hear in our country of an employer being appropriately prosecuted, certainly an employer accused of manslaughter, let alone murder, in cases like that.

That sort of anger left unremedied, unanswered, unsatisfied, can affect a whole society. It can embitter working relations. It can embitter our social relations. It can even skew the administration of justice itself. That sort of anger, when we do not deal with it in some remedial way—and that is the important point I want to stress—can express itself in a violent spirit that looks for a scapegoat. Find someone, punish him and that will make us all feel better for the moment. Find anyone, preferably someone without friends and hurt him, kill him, hang him, nuke him, nuke all of them. That is the situation that must be remedied and I hope to go on with that subject on Monday morning because I believe it is now 2 p.m.

• (1400)

Mr. Deputy Speaker: It being two o'clock, pursuant to order made June 12, 1987, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*English*]

THE ENVIRONMENT

SOIL EROSION

Hon. Chas. L. Caccia (Davenport) moved:

That, in the opinion of this House, the government should consider the advisability of introducing a coherent, comprehensive policy and plan of action to respond to the threat of soil erosion posed to Canada's agricultural land, as described in "Soil at Risk" and "Soil Degradation in Canada".

He said: I would like to offer some brief historical background to this motion because it is important to put it in an historical context. Some three years ago, the Standing Senate Committee on Agriculture, Fisheries and Forestry undertook to examine soil and water conservation in Canada and reported in June of 1984.

It is interesting to note what Senator Sparrow, the Chairman of that committee, said at the time. He concluded:

The Committee's major purpose in this report is to take the reader on the equivalent of an airplane ride over Canada to make clear what soil degradation is and how serious it is in all regions of the country. By increasing the awareness of this situation the committee hopes to make soil conservation a national issue. Our soils are at risk. Our future is eroding.

He ended with this very important statement:

It is time for action.

Some of the conclusions of the report were that soil conservation cannot be dealt with in isolation from related issues such as water quality, land use in particular, wildlife management or fisheries and forestry. Second, it concluded that existing policies not necessarily directed at soils can have the effect of discouraging good soil management. Third, there is a need for further basic research on the causes and effects of soil degradation. Finally, while information has been and is now available on soil conservation, the transfer of this information and the accompanying technology to the farmer is the real key to a successful conservation effort.

Last year, the Science Council of Canada produced a report with the intent of drawing to Canada's attention the fact that soil degradation is a serious problem. Although the subject requires further research, the Science Council commented, the evidence and opinions collected in all parts of the country indicate that soil degradation endangers Canada's agricultural competitiveness and capability. The economic costs of leaving the problem unresolved, the Science Council concluded, will be high. The problem therefore is not just one for farmers, it affects the wellbeing of all Canadians.

The Science Council went on to point out that its recommendations should be implemented within the context of an integrated land-management program and a national soils policy, both of which are essential if the damage caused by soil degradation throughout Canada's farmlands is to be reversed. The report of the Council which I would dearly like to bring to your attention, Mr. Speaker, elaborates further on the concept of a national soils policy. It suggests that it is required to provide a framework for evaluating other policy initiatives and to ensure that all government policies foster soil conservation.

The experts tell us that there are five major types of soil degradation: erosion caused by wind and water, soil salinization, the process of acidification of soil, compaction and finally the loss of organic matter. The economics of this process are staggering. Experts are telling us that soil degradation is an insidious problem that occurs in all parts of Canada and that the cost has been estimated at over $3 million per day or some $1.3 billion annually, something like 38 per cent of net farm income. As Hon. Members know, for many farmers the cost of soil degradation represents the difference between profit and loss.

The Science Council reports further by saying that the losses from soil degradation on the Prairies now exceed $1 billion annually and 20 years from now could exceed $2.7 billion. It says that by the year 2005, the cumulative cost to the Canadian economy could exceed some $42 billion. This would be the cost to the Canadian economy if we do not put into place a plan of action as called for in my motion.

These losses represent as well the cumulative impact of losses in productivity due to soil degradation and the expenditures by farmers in response to the deterioration of their land by the use of fertilizers, pesticides, drainage, irrigation and so on.

The question that then arises is where are we now? Following the release of these two reports by the Science Council and by the Senate Committee, reports entitled "Soil at Risk" and "The Growing Concern" respectively, there has been some progress in raising public awareness. For example, National Soil Conservation Week which began on April 13 of this year was a useful tool in developing awareness, but only a few concrete actions. For instance, there has been a soil and water environment enhancement program signed by the Province of Ontario with Canada in May of last year. This agreement allocated $30 million under the Great Lakes Water Quality Agreement to reducing phosphorous loading into Lake Erie from farm run-off. Soil and water conservation subagreements were written into the agreements between the Government of Canada and the Governments of Manitoba, Prince Edward Island, British Columbia, Alberta and Saskatchewan. I welcome these developments because evidently the fact that soil erosion found its way into ERDA agreements is a good sign.

By and large, these agreements have not included large amounts of money or new programs. The National Agricultural Strategy released in November of this year by the federal Minister of Agriculture (Mr. Wise) and his provincial counterpart devotes one page to soil conservation. If one looks at that document, one must conclude that its three recommendations to establish programs, improve federal-provincial coordination and establish local water and soil conservation are beautifully written but where is the political will behind this

general statement of intent? Where is the support and funds badly needed? Until funds are earmarked for this specific purpose, this will remain simply a statement of intent. I wonder whether anything has been done since that statement of intent was expressed by the federal-provincial Ministers of Agriculture. I am told that they are still living in the world of good intentions.

The present policies that are pursued by Departments federally and provincially are often at odds with the principles of soil and water conservation and tend also to work against the remedial action that is needed to correct soil erosion and soil damage. For instance, in many provinces there are drainage incentive programs which do accelerate run-off and soil losses. We have a situation whereby marketing agencies are encouraging farmers to produce greater quantities of agricultural products on a fixed or even shrinking land base. We also have a tax assessment process in most provinces where no distinction is made between productive and non-productive land. That distinction was drawn by the Senate committee and it recommended remedial action.

• (1410)

In addition to all those factors, what plays against the badly needed corrective measures to deal with soil erosion is the fact that successive Governments and their departments have, since the late 1940s, endorsed the use of chemicals without providing adequate research into economic alternatives to chemical weed and pest control.

What emerges is a picture requiring a plan of action as indicated in the motion before you today. What is emerging from the Senate and Science Council reports can be summarized as follows. Governments at both levels should increase basic research into soil and its growing capacity. Second, Governments should increase applied research on conservation techniques and appropriate technology. Governments should pay attention to the need for increasing the number of field personnel working on soil conservation. Governments ought to create a better method for technology and information transfer from the researcher to the farmer. Finally, there is an absolute necessity for harmonizing policies between various jurisdictions and among departments within the same jurisdiction as to make soil and water conservation a real and top priority.

Experts also point to the need for farmers to move away from monocultures. They ought to increase crop rotation. They ought to use fall cover crops and persist in contour plowing. They should use conservation tillage, reduce summer fallow and excessive use of fertilizers to prevent acidification of soil. Finally, they should reduce where possible dependence upon the use of heavy machinery.

In answer to these preoccupations on the part of farmers, one month ago, more precisely May 19, the Soil Conservation Canada Organization was founded. Its president, Senator Sparrow, spelled out in a very concise brochure the aims of this organization. Inevitably the question arises as to what the Government of Canada, through its research facilities and agricultural programs, is doing to assist this organization to carry out the mandate it so fully defined at its inception.

What is the Government planning to do in order to restore research to the level it ought to be in order to face this major catastrophe? At this point, if you look at the research facilities available, one has to conclude that due to inflation alone the Government of Canada, in the field of agriculture, lost some $20 million over the past five years. It has also lost some 140 person-years by way of budget reduction or attrition and the like.

The Liberal task force, under the auspices of the Hon. Member for Algoma (Mr. Foster), carried out extensive hearings in the West in late 1985 and 1986 and produced an excellent report which I highly recommend to your attention because it attempts to convey to Parliament the signals of distress that farmers registered on this very question of soil erosion and degradation. The farmers who appeared before the task force called for an increase in research and development related to soil conservation and for more field testing on soil and water conserving crop production methods. Despite that, and despite the efforts by the Hon. Member for Algoma to register this need, to the best of my knowledge government action has been invisible. Hence the reason for raising this matter in the House today.

The National Farmers Union, which appeared through its president, Wayne Easter, almost 13 months ago before the World Commission on Environment and Development had something very interesting to say about the general problem in agriculture, which includes this question of soil degradation and erosion, as well as economic losses to our farming community. He said:

> The problem in agriculture is not faceless. I as a farmer am a potential victim of the system that we now operate under. Why are approximately a quarter of Canadian farmers facing the immediate prospects of farm bankruptcy? It is directly related to the general concept of a cheap food policy that has constituted a cornerstone of federal agricultural policy since the beginning of settlement.
>
> We regard the current cheap food policy as a form of economic violence that is contributing towards soil exploitation and the growing impersonal relationship between farmers and the soil for economic survival. It is a policy of industrialization that can lead only towards disaster economically—for us as farmers, and environmentally for us all as Canadians and as world citizens.

Those words will be remembered for a long time to come because they point to a general issue, namely that of finding ways of developing our agricultural resources in a stable manner, one with which farmers can live for generations to come rather than being driven by the objective of maximum production, which sooner or later has to be paid for as we are now beginning to face by way of soil erosion and degradation. That is why the World Commission on Environment and Development has raised in its recent report the profound importance for the global community of coming to grips with the question of stable development. That is, a development with which we can look in confidence to the future rather than continue taking from our natural resources, the soil, the fishery, and forests, without putting back.

Evidently the question of soil erosion and degradation is just one important but very profound example that indicates to us as Canadians the necessity for coming to grips with the need to proceed with exploiting our environment in the manner implied by the words "sustainable development". That is, a manner which ensures for future generations the ability to exploit these resources without bringing about the kind of crisis we are experiencing today and which brings this motion to the floor of the House for your attention.

• (1420)

Recommendations on how to deal with this matter and the action plan have been spelled out by the Science Council and the Senate Committee. We now need the political will to implement it for the sake of present and future generations of farmers who are on the front lines facing soil degradation. They are sending signals of distress to governments at all levels and asking that we rearrange our priorities in order to ensure that they and future generations have the ability to sustain the productivity of the land on which we will depend for many, many years.

Mr. J. R. Ellis (Prince Edward—Hastings): Mr. Speaker, before I start to deal with the main points of the Member's motion, I must say that the Member for Davenport (Mr. Caccia), who comes from Toronto, would not know a great deal about soil degradation in Canada without doing a lot of studying. In fact, the urban sprawl which has been occasioned by the expansion of cities such as Toronto has probably taken away more good farm land than all of the causes about which he has spoken.

Having teased him a little bit about that, I must say that I do not have a lot of trouble with his motion. In fact, if the motion had said: "That, in the opinion of this House, the Government has considered the advisability of introducing", et cetera, et cetera, and is being complimented on it, I could support it 100 per cent. The fact is that the Government has done a great deal in this area given that the area of soil conservation is basically a provincial reserve.

I disagree with the Member entirely when he says that the work done by the federal Government has been invisible. In fact, as I will point out in a few moments, the federal Government has done a great deal through co-operation with the provincial Governments.

In the County of Prince Edward which I represent there is a very fine staff, the members of which I happen to know personally, which works with dedication toward soil conservation. In that area the problem is caused more by water erosion than wind erosion.

In passing, I would ask whether the Member for Davenport happened to see on public television emanating from the United States one evening about a week ago an excellent program on soil conservation and the methods used by natural farmers in the United States. I have asked for a copy of the program to send to the farmers in my area because I know many of them are interested in it.

The points I want to make have to do with the current efforts of the Government of Canada. The Government of Canada does recognize the serious nature of soil conservation and the threat which such degradation causes to the continued viability of our soil resource. This is one of the many agricultural problems facing farmers today.

As some of my colleagues will point out, Agriculture Canada is in the process of developing a comprehensive approach to this problem as well as other issues related to soil and water conservation. However, there are a number of activities currently under way which address this particular problem. In the few minutes available to me I intend to cover as many of them as I can.

In the Prairie region, the Prairie Farm Rehabilitation Agency has taken significant steps to address soil degradation through federal-provincial ERDA agreements in Manitoba and Saskatchewan and by interim working agreements with the Alberta Department of Agriculture.

During the period 1984-89 over $14 million will be spent in the Prairies on activities directly promoting and assisting improved soil conservation. As part of these initiatives soil conservation groups have become major partners of the federal Government in PFRA soil conservation activities over the past two years.

The groups vary in size and structure. In some cases farmers have organized as co-ops, others operate as non-profit societies, and still others participate in government programs through their agricultural extension boards. In Manitoba some PFRA "partners" are bona fide conservation districts under provincial legislation.

Under the ERDA agreements in Manitoba and Saskatchewan there are over 40 farmer groups. In Alberta programs are offered through municipal agriculture service boards. The combined membership of farmers allied for conservation in the three prairie provinces now approaches 2,000.

The problems they are tackling cover the entire range of degradation issues. In Manitoba wind and water erosion are high priorities. In Saskatchewan major concerns range from salinity in the southwest to acid soils in the northwest to solonetzic soils and salinity in the southeast.

To digress briefly, Mr. Speaker, as you and my colleagues will understand, notes for addresses in reply to a motion such as that of my friend are prepared by experts. When I came across the word "solonetzic" I started looking in the dictionary. Coming from an agricultural area I have been familiar with agriculture and agricultural terms for many years. We could not find the word in the first two dictionaries we tried. However, thanks to the perseverance of the Member for Carleton—Charlotte (Mr. McCain) we found that solonetzic soils are basic soils containing carbonates and sulphates which are erodable and found in arid areas. Therefore, we are talking

about the southern part of Saskatchewan where, as my friend said, the problems are particularly bad.

In both Alberta and Saskatchewan erosion by wind is a pervasive problem. Farmers in all areas of the Prairies are interested in conservation tillage, extended cropping, and residue management as tools to cope with erosion, salinity, loss of organic matter, and declining soil fertility.

With PFRA assistance these groups enable farmers to confront degradation issues in a number of ways; through local meetings, tours and visits to other regions of the Prairies, co-operative use of specialized machinery, and on-farm demonstrations. That same type of co-operation is used in other parts of Canada as well.

The farmers and PFRA share a common purpose—to maintain a healthy land resource and a sustainable agricultural industry. These are also the objectives contained in a recent federal-provincial strategy on agriculture approved by the First Ministers of Canada. A key element of that strategy and future federal-provincial soil and water accords is a reliance on a partnership between governments and farmers. Our Government, in consultation with provincial prairie governments, is actively seeking ways to expand our present efforts into a long-term bulwark against soil degradation.

In Ontario, as I said a moment ago, the Soil and Water Environmental Enhancement Program, commonly known as SWEEP, is a $30 million federal-provincial agreement designed to improve soil and water quality in southwestern Ontario over the next five years. The financing is being provided by Agriculture Canada through an ERDA subsidiary agreement. Environment Canada is involved with monitoring the activities on selected watersheds. ERDA subsidiary agreements on agricultural development with the Provinces of British Columbia, Quebec, New Brunswick and Prince Edward Island have resource conservation elements.

• (1430)

Agriculture Canada's Research Branch continues to place a high priority on soil conservation research. In a time of shrinking budgets, this is one area where the current effort will be sustained and increased. I hope my friend, the Member for Davenport, is listening because that is one area in which I disagree with him. The fact is that Agriculture Canada is indeed well aware of the subject and is putting money toward the development of the transfer of technologies, which is an integral part of most of the ERDA subagreements.

These activities show that the Government is responding to the threat of soil erosion across the nation. However, I agree with my hon. friend that more effort is needed and we must continue to increase resources aimed at solving erosion problems.

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, first, I want to congratulate the Hon. Member for Davenport (Mr. Caccia) for bringing this subject before the House as a Private Member's Motion. The Hon. Member who just spoke suggests that all is in hand and there is no urgency to give much more attention to this question of soil conservation. I believe that suggestion was far too apologetic and unaware of the difficulties facing many farmers individually, and farming throughout the country.

The excellent report of the Senate Committee stressed this problem via a number of statistics that I believe we should not forget when addressing this urgent question. For instance, in southwestern Ontario the erosion problem has caused a loss of corn yields of some 30 per cent to 40 per cent. It is very difficult for my farmers in Essex County, farmers in Kent County, and farmers elsewhere in southwestern Ontario to cope with those losses.

The 1982 estimates were that the prairie farmer would have had to pay $239 million in fertilizer costs to fully recover the present loss in grain production from wind and water erosion. The report suggests that it is more difficult to put a dollar figure on the equally serious matter of the permanent loss of rich agricultural land to urban use. This point was raised incidentally by the Member who just spoke but is, in fact, a very serious part of the soil erosion reality in this country. The expansion of our cities without taking into account the importance of maintaining fertile parts of our farmland can be devastating.

This report found that between 1961 and 1976, Canada lost 3.5 million acres of farmland, an area equivalent to the Province of Prince Edward Island. This question requires urgent attention.

The concern that farmers feel about this problem became evident recently during a farm forum that we held in my constituency for a wide range of farm groups from across Essex County. One of those who testified to the New Democratic Members of Parliament who made up that Farm Forum was the President of the Essex Soil and Crop Improvement Association. That association has more than 350 members from Essex County. It aims to promote and encourage good soil and crop management practices.

Although there are people in the country who are attempting to respond to the concern, they definitely need a sense of leadership and attention from the Government. The directors of this particular soil and crop improvement association made a number of points. First, they told us that the abundance of grain crops in the world and the declining returns on much of the land may provide an opportunity to remove some less productive land. They would encourage government incentive programs for the diversion of poorer class and less productive soils from grain crops to conservation crops, such as legumes, or tree cover.

They also suggested that this must be tied to the question of price, which has been a serious problem in Essex County. Price constraints have forced them to try to enhance their output by using pesticides and fertilizers which have had the effect of

increasing erosion and ultimately reducing the quality of our soils.

They also suggest that the Senate Report has drawn attention to the soil degradation situation in Canada. Their association would like more government effort and funding for research and education efforts in regard to soil preservation and conservation.

They go on to say that to be more competitive in the world, farmers need new crop varieties, improved cultural practices, better insect, disease and weed control and must look to Agriculture Canada to fund research and provide research facilities.

The association states that pesticides play a very important role on today's farms. Farmers want to ensure their safety and the future viability of their land and therefore strongly urge the Government to put in place a better system of testing and assessing the benefits and risks of pesticides before they are registered.

This issue is not confined to Canada. When I worked in Africa trying to help Third World farmers in that part of the world, much of their effort was to try to deal with the soil erosion problem. In fact, it may well be the case where we will see some of the breakthroughs in terms of intercropping of different crops, of new varieties being developed, where some of the support which we give to research in African agriculture will come back and benefit Canadian agriculturists.

• (1440)

The key point, and the reason I am so pleased to be able to support this motion of the Hon. Member for Davenport, despite his urban location, is to stress what we had stressed to us in our rural constituencies, that is, the sense of urgency which must be brought to bear by this Government, and any future Government, with respect to this issue. It is an urgency which is of importance not just from a broad environmental point of view, which I think was stressed by the Hon. Member for Davenport, but an urgency which is important from the point of view of the future economic viability of the farm community in this country.

Mr. Bob Brisco (Kootenay West): Mr. Speaker, I believe the Hon. Member for Davenport has brought to our attention a very important and critical problem which faces Canada and other nations of the world, and it has for a long time. When I reflect on agriculture, I always reflect back to a panel of paintings in the Railway Committee Room which tells in five paintings the history of the early development of Canada. It shows a mid European village in the middle of winter in the first panel. The second panel shows a ship approaching the shores of Canada in the Gulf of St. Lawrence with immigrants lining the railings of the ship. The third panel shows the immigrants with a small clearing in the aspen poplar fields of timber in the Prairies Provinces as yet uncleared. The next panel shows the clearing and the work to develop the land. The final panel shows the field ripe with wheat and the farmer looking at the end product. That really is the early history of the development of a proud history of agriculture in Canada. Yet here we are today worried about the affect of what has gone on in the past and which continues today. In the past, of course, the processes were quite different. Today, we have the addition of chemicals, pesticides, herbicides, the overcropping of soil, and so on. It is a very serious issue.

Land degradation is purely and simply the destruction of our resource base. It occurs all across Canada and impacts upon agriculture, forestry, wildlife, recreation and a host of other activities. In fact, land degradation affects every Canadian. The importance of the environment to the Canadian economy may not be fully appreciated. Over 40 per cent of the gross product, 33 per cent of the labour force and 52 per cent of our exports are directly related to economic activities which are dependent on the environment. Canadian forests provide $29 billion worth of wood products, $13 billion in exports and 265,000 directly related jobs. Wetlands support economic activities valued in excess of $4.6 billion per year. Yet we see our wetlands diminishing and intrusions into our forests by good management and by bad management. It is not difficult on site to tell the difference between good and bad forest management and practices.

The agri-food industry contributes $8.4 billion to the gross domestic product, employs over one million Canadians and shows a trade surplus of $4 billion. Nevertheless, there are clear signs that we have been harming the physical base of all these activities. In agriculture the signs are obvious. For example, some estimates indicated that at least one third of New Brunswick's potato land is severely affected by erosion and up to 12 centimetres of topsoil have been lost from some fields in the past 20 years. It is an old saw that they are just not making land anymore. What we have is all we have and what we lose through our own folly is an ultimate loss which will take anywhere from one hundred to one thousand years to replace, just in part.

In the Prairies, wind erosion is a serious problem. The wind-blown soil loss from one storm in southern Manitoba was calculated at 160 tonnes per hectare, which is 14 times the annual soil loss considered "tolerable" by soil conservationists. What future is there for land which has been degradated in that fashion? What practices contributed to that circumstance which would see that volume of topsoil disappear into atmosphere only to be distributed across the northern part of the United States.

Taken collectively, wind and water erosion, salinization, acidification, compaction, nutrient loss and contamination of farm lands in Canada costs our farmers $1 billion annually in lost revenue. Soil degradation does not stop at the farm fence. Soil, nutrients and chemicals lost from farm fields because of wind and water erosion travel downwind or downstream. Water quality for wildlife, recreation, fishing and industrial use may be affected to the extent of eliminating these uses. So we end up with not only an agricultural and environmental problem, but with a very serious economic problem.

In that context, I would like to make reference to two or three examples of the practices we have engaged in which have had a very negative impact. I take you back, Mr. Speaker, to the land grab at Pickering for the so-called Pickering Airport. It took land out of productivity without adequate reward for the owners. The same thing happened at Mirabel. Land which could have been productive was taken out of production. Then I think of the policies of some municipalities to pave over good farm land, most particularly in Ontario, but not exclusively. Certainly, we have seen it in the Fraser Valley of British Columbia. In fact, a piece of legislation which was introduced by Dave Barrett's Government back in, I believe, 1973, addressed the problem of greenbelts and of retaining land for agricultural purposes rather than having it abused for residential zoning or industrial zoning. Zoning regulations were brought in and they attempted to classify the land of British Columbia according to its quality. What it did, however, was create other serious problems of dislocation. A field, for example, could qualify as a class 4, or be labelled as class 4, yet be very productive. The tax department would say it is not productive land because it is class 4 land. Someone would want to build on it and they would say it is class 2 land and could not be built on, yet it would be a rock pile. So there were anomalies and a lot of problems.

I think it is important to recognize that that legislation is still in effect, although it has been modified and adjusted. I think it responds to concerns of the public in British Columbia.

• (1450)

In summary, we have to think as to what we are going to do with the future. A recent poll has indicated that 70 per cent of Canadians believe that pollution is becoming worse. Another survey found two-thirds of respondents rank protection of the natural environment as first or second priority. Through the voices of individual citizens, lobby groups, professional organizations and NGOs, Canadians are concerned about the maintenance and enhancement of their environment. Canadians feel that the Government and industry are responsible for pollution and environmental degradation. Therefore they are looking to the senior level of government for leadership in combating these problems.

We know from the reports that have been introduced by the Senate and in the House of Commons that this is a very critical issue. Thus in December of last year the federal Cabinet adopted an environmental quality policy framework to strengthen and streamline federal environmental quality action. A fundamental principle is that environmental quality is essential for the protection of Canadian resource-based economies. An important element of this policy is environment-economy integration.

It is in the direction that I think every Member should urge the Government to proceed, and to proceed with the kind of rapidity and urgency that has been stressed by all my colleagues who have spoken on this issue thus far today.

Soil Erosion

[*Translation*]

Mrs. Lise Bourgault (Argenteuil—Papineau): Mr. Speaker, soil erosion is a question that has my particular concern. As a Member of the Standing Committee on Agriculture, I have, on several occasions, had an opportunity to question officials from the Department and witnesses appearing before the Committee to testify on various issues, mostly on the farm input costs.

Recently, Mr. Speaker, I received a letter from the Minister, or rather the Deputy Minister, who was responding to one of the concerns I raised in committee about the use of chemical fertilizers. In fact, I wondered whether the use of chemical fertilizers and pesticides could have some connection with soil erosion.

Apparently not, according to his answer. Personally, I know some people in the riding of Argenteuil—Papineau, Mr. Speaker, at Notre-Dame-de-la-Paix, who are potato producers, and who in recent years, have had a problem with soil erosion.

Mr. Speaker, soil erosion is a problem that exists throughout the world, not only in developing countries but in industrialized countries as well. The Government of Canada is aware of the situation and has demonstrated its awareness through its contribution to the world conservation strategy. The strategy is aimed at better management of resources to put economic and social development on a durable basis. It concentrates on the main obstacles to conservation objectives and how these obstacles can be overcome.

Environment Canada coordinates activities throughout the country in cooperation with the Canadian Council of Resource and Environment Ministers. During Environment Week in 1986, the federal Government hosted the Conservation World Strategy Conference, at which Environment Canada played a major role.

Mr. Speaker, our colleague opposite, who used to be Minister of the Environment, I believe, must certainly be more familiar with environment matters than most of us. However, I do not believe, and he will be the first to admit this, that the previous Government did such great things for the environment. He must agree with this statement as a former minister. In any case, he cannot be very proud of what the previous Government achieved in environmental matters.

Mr. Speaker, the discussions at the Conference to which I have already referred dealt with the effects of economic growth on the environment. The federal Government considers this a very important issue and is concerned about the impact of aggressions against the environment, soil degradation, the rate of flow of our waters, the atmosphere, our forests and our economic future.

There is no need to repeat, as others have already mentioned this, that the Government has allocated hundreds of millions of dollars to the environment. The Minister of Environment with his colleague and people from the American Department and officials from the Government of Canada and the Department of Environment have held these last two years discussions and

a number of meetings to try and resolve the environment problem, one aspect of which more specifically was soil degradation.

Mr. Speaker, at this point, we must tell ourselves that Canadian society is faced with difficulties such as the loss of prime farmland, the increasing need for industrial land, the protection of wildlife, or again soil erosion. Land erosion affects all provinces. Each year, farm revenue loss from that cause is estimated at more than $1 billion. As you know, it was believed that land erosion only affected underdeveloped nations. But Canada, as I said in a statement I made in the House, over these last 20 years lost approximately 20 per cent of its farmland, the equivalent of some 1 per cent a year. This in my view is a matter we must look at with much interest, and the motion put forward by the Hon. Member for Davenport (Mr. Caccia) in particular seems to tackle the problem. But, Mr. Speaker, this should be taken within the general context rather than simply as one aspect, as the Hon. Member for Davenport seems to be doing.

Water sedimentation and pollution caused by inadequate farming methods increase that problem, involving agriculture, forestry, recreation and wildlife.

The Canadian Government recognizes that the implementation of national goals is based on sound use and management of this nation's land. Mr. Speaker, I was quite impressed by a corporation—I do not quite remember its name—which appeared before the Standing Committee on Agriculture, but in Western Canada, several farmers have formed an organization which favours the use of organic rather than chemical fertilizers and which practices crop rotation. I think that rotating crops is the solution to the soil erosion problem. It is clear that the farmer who plants potatoes year after year in the same piece of land will experience soil erosion, while if he uses crop rotation, planting potatoes one year, wheat the next, etc., he should experience no soil erosion problem. I feel this is a problem with which all Canadian farmers are faced and I think the Federal Government would be ill advised to tell farmers: Next year, you are going to plant wheat in this soil rather than potatoes or other crops.

I am grateful to the Hon. Member for Davenport (Mr. Caccia) who, by raising this issue, provided us with an opportunity to consider again the threat of soil erosion and advise our farmers to take very good care of their soils and use fertilizers with extreme caution.

Mr. Speaker, I know that the time at my disposal has elapsed. I should like to tell my friend, the Hon. Member for Davenport, that I will follow this issue with utmost interest and that he can count on my support when he tries to convince the Government and all interested parties to be very careful, because our agricultural land is one of our greatest wealth and we must do collectively whatever is necessary to protect it.

[*English*]

Mr. Deputy Speaker: The hour provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 36(2) the order is dropped to the bottom of the order of precedence on the Order Paper.

[*Translation*]

It being 3 p.m., the House stands adjourned until Monday at 11 a.m., pursuant to Standing Order 3(1).

The House adjourned at 3.00 p.m.

HOUSE OF COMMONS

Monday, June 22, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

HAZARDOUS MATERIALS INFORMATION REVIEW ACT

MEASURE TO ENACT

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs) moved for leave to introduce Bill C-70, an Act to amend the Hazardous Products Act and the Canada Labour Code, to enact the Hazardous Materials Information Review Act, and to amend other Acts in relation thereto.

Mr. Speaker: Shall the Hon. Minister have leave to introduce the Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

CRIMINAL CODE

MEASURE TO AMEND

Mr. John Nunziata (York South—Weston) moved for leave to introduce Bill C-261, an Act to amend the Criminal Code (abortion).

Mr. Speaker: Shall the Hon. Member have leave to introduce the Bill?

Some Hon. Members: Agreed.

Mr. Nunziata: Mr. Speaker, I am pleased today to introduce this amendment to the Criminal Code of Canada dealing with abortion. This Bill would restrict abortions to situations where the physical health of the mother is threatened. If adopted by the House of Commons, it will afford greater protection to the innocent unborn.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

AUDITOR GENERAL ACT

MEASURE TO AMEND

Mr. Stan J. Hovdebo (Prince Albert) moved for leave to introduce Bill C-262, an Act to amend the Auditor General Act.

Mr. Speaker: Shall the Hon. Member have leave to introduce the Bill?

Some Hon. Members: Agreed.

Mr. Hovdebo: Mr. Speaker, this Bill is another attempt to make the Auditor General report more useful to Members of Parliament and, at the same time, the Government and people of Canada. It would allow the Auditor General to report his audit when it is completed rather than waiting until the end of the year when he makes his final report.

This Bill has had all-Party support, including that of successive Standing Committees on Public Accounts as well as the general membership of the House.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

• (1110)

PETITIONS

LOW-LEVEL FLIGHTS AT ARMED FORCES BASE GOOSE BAY

Mr. Dan Heap (Spadina): Mr. Speaker, I have the honour and pleasure to present a petition from some 100 residents of Toronto who are concerned that the low-level flight training at Goose Bay, Labrador, will disrupt the ancient way of life of the local people there. They say also that this is an aggressive war-fighting principle.

Therefore, they request that Parliament ensure that the Prime Minister end all low-level flight training at the Goose Bay Canadian Forces Base and cease negotiations with NATO for the establishment of a larger base there.

Questions on the Order Paper

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Dan Heap (Spadina): Mr. Speaker, I have a petition from an equal number of residents of Toronto who are concerned about Canada's laws governing the admission into Canada of people seeking refugee status. Since our system was overloaded a new system was proposed by the standing committee a year and a half ago which has the support of the churches, the Jewish Congress, and many other groups in Canada.

Therefore, the undersigned, your petitioners, humbly pray and call upon Parliament to enact legislation which will embody the principles of fair and complete oral hearings of claimants before a refugee board independent of the Immigration Commission, universal access to such hearings for every claimant in Canada, and a fair chance to arrive in Canada to present their claim. As in duty bound, your petitioners will ever pray.

CANADA POST—OPPOSITION TO CORPORATE PLAN

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I have a petition with regard to the Post Office. These several thousand petitioners from across the country indicate that the federal Government's proposal to seek financial self-sufficiency by 1988 for the Canada Post Corporation will result in cutbacks and deterioration in service at the Post Office which will consequently be at the expense of service for Canadian consumers.

The proposed measures have already resulted in the closure of many rural post offices and cancellation of routes in rural communities and mean a drastic reduction in service for many Canadians. Postal rate increases affect all Canadians while basic services are being cut. The federal Government has not enabled the Canada Post Corporation to pursue revenue-generating activities such as electronic mail and parcel delivery.

The undersigned call on Parliament to instruct the Government to make improved service the highest priority of the Canada Post Corporation and to instruct the Government to abandon the policy of closing rural post offices and cancelling rural postal routes.

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, it is my honour and duty to present a petition on behalf of 40 petitioners from the community of Parson, B.C., who have particular concerns about the quality of service of the Post Office. They ask the House of Commons to try to improve service as well as change the policy of closing rural post offices and cancelling rural postal routes.

QUESTIONS ON THE ORDER PAPER

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I ask that all questions be allowed to stand.

Mr. Speaker: Shall the questions be allowed to stand?

Some Hon. Members: Agreed.

* * *

MOTION TO ADJOURN UNDER S. O. 29

FREE TRADE—INCLUSION OF CANADA-U.S. AUTO PACT IN NEGOTIATIONS

Hon. Herb Gray (Windsor West): Mr. Speaker, pursuant to Standing Order 29 I ask leave to propose a motion to adjourn the House for the purpose of discussing a specific and important matter requiring urgent consideration, namely, the discovery of information that the Government, despite assurances to the contrary, is, in the course of its free trade negotiations with the United States, including the likely dismemberment of the Canada-U.S. Auto Pact and has already agreed to drop our auto tariffs which are vital to the enforcement of the Canadian content provisions of the pact.

Mr. Speaker: The Hon. Member for Windsor West has raised a matter which is, of course, of importance to all Members of the Chamber, as has been evidenced over a long period of time as the subject of some discussion in the Chamber. However, without minimizing to any degree the importance of the matter, the Chair feels that, at least for the moment, the application ought not to be granted. As I say, that is for the moment.

GOVERNMENT ORDERS

[*Translation*]

CAPITAL PUNISHMENT

ESTABLISHMENT OF SPECIAL COMMITTEE ON REINSTATEMENT

The House resumed consideration of the motion of Mr. Mazankowski:

That this House supports, in principle, the reinstatement of capital punishment and directs that a special committee on reinstatement, composed of 15 members, be established, hold hearings and make its final report to the House no later then three (3) months following the adoption of this motion, such report to provide recommendations on:

(a) which offence or offences should carry the death penalty, and in what circumstances;

(b) which method or methods should be used to carry out the penalty of death, and in what circumstances;

That, pursuant to Standing Order 107(1), this special committee be hereby appointed as a committee to prepare and bring in a bill no later than three months following the adoption of this motion, founded on the committee's

recommendation on (a) and (b) above; such a bill shall be the object of a separate and distinct report of the special committee, and such a report shall be its final report;

That such bill, when reported from such special committee to the House, be deemed pursuant to Standing Order 107(1) to have been introduced and stand on the Order Paper, in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business", and that, when the said bill has been read a second time, it shall stand referred to a Legislative Committee;

That the Striking Committee be empowered to name the Members of the special committee, provide that once the Striking Committee report is laid upon the Table, it shall be deemed concurred in;

That the special committee have the power to sit while the House is sitting and during periods when the House stands adjourned;

That the special committee be empowered to report from time to time and send for persons and papers, and to print such papers and evidence from time to time as may be ordered by the committee and to retain the services of expert, technical, professional and clerical staff;

That the special committee be empowered to adjourn from place to place inside Canada and that, when deemed necessary, the appropriate staff accompany the committee;

That a quorum of the special committee be eight (8) members from any vote, resolution or other decision; and that the chairman be authorized to hold meetings to receive evidence and authorize the printing thereof whenever six (6) members are present;

That any substitution of membership on the special committee be made pursuant to Standing Order 94(4); and

That, notwithstanding the usual practices of this House, if the House is not sitting when the special committee is ready to issue its final report and the said bill, the special committee shall present its report and the bill to the House by filing them with the Clerk of the House provided that the report shall then be deemed to have been laid upon the Table, and the bill shall then be deemed, pursuant to Standing Order 107(1), to have been introduced at the first sitting of the House thereafter and to stand on the Order Paper in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business".

And on the amendment of Mr. Nystrom (p. 7307).

Mr. Dan Heap (Spadina): Mr. Speaker, after my speech last Friday, I was given an article published Tuesday, May 26, in the newspaper *Le Soleil*, of Quebec City. According to the Director of the Quebec City Police Force, we have to stop talking about the death penalty. Mr. Bergeron, who took part in the debate on the death penalty held yesterday by the Council of Churches for Justice and Criminology, said that the respect of human life is the main reason for opposing reinstatement of the death penalty. According to him, why should society itself commit the very same barbarian act it is condemning? He also said that an increasing number of senior police officers object to reinstatement of the death penalty.

[*English*]

Further to that, I wish to point out recent research which throws some light on the matter on which I have previously expressed great curiosity, that is, why there is so much insistence on the return of the death penalty. I have suggested that I think it is because of anger.

In this connection perhaps most people have noticed the study done recently by Professor Kenneth Avio of the University of Victoria which found that, all other things being equal, native Indians, Ukrainians and French Canadians, in that descending order, were more likely to be executed than English Canadians while the death penalty was in effect in Canada.

Beginning shortly after Confederation and until Parliament abolished capital punishment in 1976 all capital cases were referred to the federal Cabinet where a decision was made either to let the death sentence stand or to commute the sentence.

The results of Professor Avio's study indicate that cabinet decisions were not arbitrary but were influenced by the membership of the accused in particular ethnic groups. Non-white offenders who killed whites were more likely to be executed than other offenders. Native persons, Ukrainian-speaking Canadians of east European origin, French Canadians and Anglo-Canadians faced different risks of execution for similar crimes, in descending order. Native Canadians would be the highest risk and Anglo-Canadians would be the lowest risk. Of course, consideration of ethnicity when making a decision on execution is illegal. It was then; it is now. Yet, Cabinet appears to have been influenced, however unconsciously, by these ethnic factors.

• (1120)

Professor Avio also notes that the evidence of discrimination found here is at the cabinet level only. That is to say, it is in addition to any similar discrimination exercised at earlier stages of the criminal justice proceedings, including treatment by police and the courts.

A thoughtful article in today's *The Globe and Mail* describes the process of unconscious bias that may creep into the system to the disadvantage of the accused.

Professor Avio has also provided us with evidence of discrimination against ethnic minorities in Canada when the choice is being made at the Cabinet level whether or not to execute. Similar studies illustrate a similar discrimination in the United States against blacks.

I am concerned that if capital punishment were reintroduced in Canada the danger exists that we might continue to discriminate against ethnic minorities or some other identifiable group of Canadians, such as the non-wealthy or uneducated, in the same fashion. I ask whether there is any evidence that such discrimination is still at work in the Canadian justice system? While it is difficult to get a complete answer, there is reason to be concerned.

There is evidence here in our prisons. Currently, 12,122 people are serving time in federal prisons. Of these prisoners, 9.1 per cent—nearly one in ten—are members of the group we refer to as native Canadian, including Inuit, Métis, status or non-status Indian. Only one Canadian in 50 is a native

Canadian. What are we to assume from such over-representation in our prisons? Are we expected to believe that native Canadians are more prone to criminality than non-natives? Would one be justified in fearing that we have not yet rid our justice system of discrimination that has been so carefully documented by Professor Avio?

When native women are considered in isolation the discrepancy is much larger. Nearly 15 per cent of the women in the Kingston Prison for Women are native women, but only 2 per cent of Canadian women are native women. These women are over-represented in our prisons by a factor of over seven.

It is not only with native Canadians that such over-representation occurs in our prisons. Black Canadians are also over-represented by a factor of over two for male and over three for females. In general, non-Caucasians are over-represented in Canadian federal prisons by a factor of at least two.

Again, what are we to assume from such facts? Are we to assume that Canadians who are non-Caucasian are more prone to criminal activity, or must we fear that somewhere in our system of justice an injustice is continuing to occur?

I am afraid that our Charter of Rights and Freedoms embodying as a fundamental principle that all people are of morally equal value is placed in some doubt by this *de facto* racial inequality in our prisons.

This seems to be the message that we have received recently from the Native Indian Brotherhood, the Assembly of First Nations, in a letter dated June 19, which states in part:

> There is further evidence that First Nations citizens have been and are being punished by the Canadian State in disproportionate numbers and could be the most victims of a restored death penalty.
>
> In our First Nations philosophies human life is held to be sacred, flowing as it does in common with all life from the Great Spirit, Creator of all life. Our forefathers traditionally practised a system of banishment rather than execution as the punishment for the grievous offence of wrongful killing. In our traditional philosophies the ultimate decision about the fate of human beings lies with the Great Spirit, Creator of all life.

Our debate today is specifically whether or not Canada should consider reinstating the death penalty. As I have stated, while there are no sufficient reasons to reintroduce this penalty, and many good reasons not to, the reason that concerns me in particular is this unconscious bias of the anger of our society directed against some of the weakest people in our society in the form of imprisonment now, and in the form of the death penalty in the past and in the future if it is restored.

In a sense, particularly at a distance, I believe it is easy to use capital punishment and to decide to kill. The job is quickly done. We can feel that we are doing something to preserve justice in our society, but we must ask ourselves whether that is true. In fact, would we be venting our anger, and even bringing in other angers that have nothing to do with the particular crime by executing people selectively, by executing someone unpopular and defenceless?

I want to share with the House the words of an American woman whose mother-in-law was murdered in 1972. She said:

> From the night Penny was murdered until today, people have asked us why we did not feel the same anger and need to vengeance so many murder victims' families seem to feel. They imply that we are either saints or emotional freaks. We are neither. We did feel anger and horror and pain and an almost overwhelming sense of loss.
>
> But perhaps our most intense feeling was a desperate need to understand "why?"—we wanted to know why there is so much violence among us, why we are so good at passing on violence and so poor at passing on love.

This woman's search to understand the why of violent crimes took her to death row where she worked with 200 death-sentenced prisoners. She said:

> The details of their stories are different, but it is in the similarities that reasons are found. They are all poor. They are disproportionately made up of minorities. All but a few were abused, molested, neglected or institutionalized as children or youths. They turned to drugs and alcohol to numb the pain of their own brutal lives. More than half appear to be mentally ill to some degree.
>
> In many cases their families sought help again and again.
>
> They gave out clear signals that they were in trouble. They were society's throw-aways long before they murdered. We did not help them. They ended up committing murder, and now we will murder them back. It is an American way of death.

Those are the words of a loyal, sensitive American. I urge that we not let this become a Canadian way of death.

I also want to quote from a professor at Queen's University, Professor H. R. S. Ryan, who has studied criminal law and justice throughout his life. He considers the death penalty as a ritual sacrifice. He means that we as a society focus our anger and our fear on a few individuals, in the hope that their execution will provide us with an illusion of justice.

As he says:

> The ritual execution of even a few of our most notorious killers gives the pacifying impression that something is being done, that we have struck back at those who threaten us, that the scales of justice have been balanced.

Professor Ryan's conclusion, with which I agree, is that it is not justice if we vent our anger selectively. If we execute because we are angry, and we choose to execute those who already have suffered and continue to suffer much discrimination in our society, can we really say that justice is being served? It is a strange kind of justice.

It is easy to execute people but it is not easy to teach ourselves why people kill, and how we are to address that fact.

Let me describe recent research that shows that throughout the world in ancient times, and even in modern times in some parts of the world, people had a system of sanctuary. It is reflected in the Mosaic Law in our Bible where there were the cities of refuge. A person could go there to negotiate with his pursuers or persecutors. This continued into the Middle Ages in Europe, with the church as a place of refuge. If there was a blood feud and someone killed another because that person had killed his brother, another relative would have to be killed and so on, to the point where it could escalate to a civil war. The city of refuge, or the church of refuge, was a way to let

things cool down so that people could negotiate some kind of resolution of the conflict.

• (1130)

Rather than returning to the blood feud, to the killing, I believe we should be looking for ways to resolve these conflicts, to rehabilitate even killers—it has been done—and to mend and heal the conflicts which erupt in killing in our society rather than trying to hide them by destroying one life at a time.

The Acting Speaker (Mr. Paproski): Questions or comments? Debate.

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, I speak today against the amendment and in favour of the principle of reinstatement of capital punishment. Many of my constituents have written requesting information both pro and con concerning this topic. It is interesting to note that there is a considerable amount of abolitionist material put out by a number of well-organized and well-funded groups. On the other hand, pro capital punishment material is difficult to find. The reason for that, I believe, is that, as in many other issues, there is a silent majority out there which is unorganized. As my constituent, Mrs. Ruth Lee Knight points out:

> Many who oppose the return of the death penalty are the same people who have lobbied so successfully over the years for the rights of offenders and they are well organized in their efforts.
>
> Many operate on Government funds and our concern is that, because of their resources, the Canadian public will be presented with only one side of the issue as they have in the past.

In considering this matter I propose to deal with a number of the arguments against capital punishment in order to better explain my position. We are first told it is cheaper to keep murderers in prison than to execute them. Some have suggested that execution would save costs of prolonged incarceration while others say the threat of the death penalty would lead to endless appeals and legal manoeuvres which could cost even more. I would prefer to reject both approaches. I believe there is a matter of principle here about the value of human life and the validity and integrity of our justice system. I believe the question is one which is beyond monetary considerations.

The second argument put forward is that capital punishment is barbaric. Some abolitionist material tells very graphically of lingering death at the end of a rope, the faulty electric chair and of agony in the gas chamber. But no matter the method, it is clearly the death itself which opponents of capital punishment consider barbaric.

One does not have to like the death penalty in order to support it, anymore than one has to like radiation or radical surgery or chemotherapy in order to treat cancer. We are faced with letting the cancer spread or trying to cure it using the methods available today, methods which one day may be viewed as barbaric. In the context of capital punishment, the disease, of course, is injustice. We may not like the death penalty, but it must be available to punish the most heinous crimes of murder, cases in which any other form of punishment would be inadequate and, therefore, unjust.

In this context I cannot help but think of the 11 individuals who have killed six or more times over the past 20 years in this country, those who would assassinate their political enemies on our soil or those who would place bombs in airplanes, thus intentionally taking hundreds of lives. If we create a society in which injustice is not tolerated, then incidents of murder, surely the most flagrant injustice of all, will diminish.

A third point put forward by those opposing the death penalty is that no other civilized country has it. Obviously, the laws of each country will differ according to conditions and traditions, but the fact is there are only 28 countries in the world which do not have capital punishment at all. These countries have less than 10 per cent of world population. The death penalty in fact is available in Ireland, Belgium, China, Japan, the United States and in 123 other countries for ordinary crimes and in another 18 countries, including Canada, under conditions of military law.

A fourth argument is that capital punishment cheapens the value of human life. Surely, for example, if the penalty for rape were lowered, it would signal a lessened regard for the victim's suffering and humiliation. It would cheapen their horrible experience and expose them to an increased danger of recurrence.

What does lowering the penalty for murder do? It displays a lessened regard for life, the victim's life. It is by exacting the highest penalty for the wanton and inexcusable taking of human life that the state reaffirms the highest value of life. I say that those who support the death penalty are no less human, no less compassionate, no less concerned and no less Christian than those who oppose it.

Another argument is that the death penalty somehow discriminates against the poor and disadvantaged. With the greatest respect, I do not believe this is so at all. We have in Canada a system of justice wherein all Canadians are entitled to counsel and to the full protection of the law. It is a system which is second to none.

A number of opponents of capital punishment put forward the Biblical admonition, "Thou shalt not kill". Others translate that as "Thou shalt not murder". In this debate it seems, and I say this with the utmost respect, that the problem with a number of the Biblical points of view is that the passages taken from scripture are often pulled out of context. I have received many letters and representations from constituents and others quoting scripture, some offered in support of abolition and just as many offered in support of reinstatement. Many of the great philosophers including Kant, Locke, Hobbes, Rousseau, Montesque and Mill, agreed that natural law properly authorized a sovereign to take life in order to vindicate justice. Indeed, the Constitution of the United States, which is widely admired as a model, condemns cruel and inhuman punishment, but does not condemn capital punishment.

I think it is important at this stage to point out that the rights and duties of the state are different from those of the individual. Jack McIntosh, a Member of Parliament for Swift Current—Maple Creek in the 1966 debate, said:

> We have one duty as individuals and because we are Members of Parliament we have another duty so far as the state and its laws are concerned for we are members of that state. If such an interpretation is not correct, than in my view there is no Christian justification for pride in being a member of the Armed Service and no Christian justification for asking anyone to join the Armed Services.
>
> As an individual you cannot kill, but if you are a member of the Armed Forces of the Government, you must repel an aggressor.

Another popular argument is that the death penalty is nothing more than state sanctioned murder. To say that the state should not under any circumstances have the right to kill is simply nonsense. The state has a duty to protect its citizens from threats and violence, externally and internally. Every November 11 we honour the hundreds of thousands of Canadian men and women who served in three wars and who gave so much that we might enjoy the freedoms of today. Some of them killed the enemy in order that we might be free to assemble and debate in this House. Their actions, far from cheapening the value of life, strengthened it. Those who killed did so as instruments and representatives of the state. Their actions were justifiable because they were done as part of, and on behalf of the Armed Forces of Canada in time of war. They did not murder, they killed, and there is a difference.

There is a duty on the state to protect its citizens against the enemy in peacetime as well as in war, whether through defence expenditures to provide a deterrent against would be aggressors, or through the kind of justice system which provides the appropriate penalties to punish those who offend against society by breaking its laws.

The murderer who says "You are no better than I am", seeks to bring law abiding society down to his level. This is a false argument. Clearly the state has rights the individual citizen does not. In a democracy, these rights are given to the state by the electorate. The execution of a lawfully condemned killer is no more an act of murder than is legal imprisonment an act of kidnapping. If an individual forces his neighbour to pay money under threat of punishment, that is extortion. If the state does it, that is taxation. The rights and responsibilities surrendered by the individual are what gives the state its power to govern. This contract constitutes the very foundation of civilization itself.

Some say the death penalty creates an atmosphere which breeds violence. It appears that not everyone wants the responsibilities, especially the difficult ones which come with law enforcement.

• (1140)

Back in the early 1960s a woman was assaulted and murdered on a New York street. Bystanders looked the other way. The neighbours who heard her cries for help did nothing. They did not even call the police. In such a climate, surely, the criminal must inevitably grow bolder. In the words of Ed Koch, the Mayor of New York City:

> The death of anyone—even a convicted murderer—diminishes us all. But we are diminished even more by a justice system that fails to function. It is an illusion to let ourselves believe that doing away with capital punishment removes the murderer's deed from our conscience. The rights of society are paramount.
>
> When we protect guilty lives we give up innocent lives in exchange. When opponents of capital punishment say to the state: I will not let you kill in my name, they are also saying to murderers: You can kill in your own name as long as I have an excuse for not getting involved".
>
> It is hard to imagine anything worse than being murdered while neighbours do nothing. But something worse exists. When those same neighbours shrink back from justly punishing the murderer—the victim dies twice.

Abolitionists also suggest that capital punishment brings out the negative side of humanity—bloodthirstiness, vengeance and so on. With respect, this says to me that our society is indicating more concern for the murderer than for the victim. I question this dismissal of the victim with a shrug saying that he or she cannot be brought back to life and therefore let us help the murderer, let us rehabilitate him.

Protection of the criminal appears to become the primary objective of punishment. The rights of the victim have been forgotten. Surely, our society must first provide resources for the victims of crime. The state must get its priorities in order. It is wrong, it is indefensible, it is irresponsible to endanger the lives of law-abiding Canadians by sparing a homicidal sex offender with a previous record of murder.

If we have priorities in Canada I would place the rehabilitation of murderers way down the list. A much more positive approach would involve the reform of our corrections and parole system, a system under which over the past 10 years 95 inmates released under mandatory supervision committed homicide, a system wherein 37 inmates on parole committed murder.

In this context I welcome the remarks made earlier in the debate by my colleague, the Hon. Member for Ottawa West (Mr. Daubney), whose Justice Committee will be looking at the parole system. I urge him to tighten up bail procedures and all forms of early release for violent offenders.

Again, I quote Mrs. Lee-Knight who said:

> But if common sense prevails the innocent will have a better chance.
>
> If a "life" sentence becomes "Actual Life" and-or if the death penalty is reinstated so judges have some scope of sentencing to choose from, then your life may be spared, your daughter has a better chance of living, your friends and relatives could feel safer. A lot of good it will do to society if you are murdered before you've had a long enough life to establish the Utopia you concentrate on so single mindedly.

Opponents of the death penalty say that an innocent person might be executed by mistake. Our system of criminal justice has evolved over hundreds of years. It is a system which provides every safeguard to an accused, one under which I would consider execution of an innocent person to be virtually an impossibility. Indeed, Adam Bedau, one of the most resolute opponents of capital punishment in the United States, said:

It is false sentimentality to argue that the death penalty should be abolished because of the abstract possibility that an innocent person might be executed.

But the main point is this. If government functioned only where the possibility of error did not exist, then government would not function at all. I am prepared to accept that risk, especially when I weigh it against the sure knowledge that some murderers murder again.

The other side of this innocent person argument is the repeat killer situation. While we know of no cases in this country where an innocent person has been executed, we know for certain that there are numerous cases wherein convicted murderers have, upon release or while on parole, murdered again. Human life deserves special protection. One of the best ways to guarantee that protection is to ensure that convicted murderers do not murder again. It can be argued that only the death penalty will accomplish this end.

Another point put forward by abolitionists is that capital punishment is not a deterrent. Obviously, many statistics have been put forward by both sides, and they are viewed as conclusive or insufficient, depending on the viewpoint of the presenter or the viewer. How could one ever measure the numbers of those in our society who have contemplated taking someone else's life for whatever reason? Some hopefully discard the idea as a result of realizing its repugnancy. Nevertheless, there must still be some in our society who are deterred by the consequences of imprisonment. I suggest there are still others who do that dreadful act but who, were they to face the ultimate penalty of death, might not.

Common sense tells me that there is an incremental group who are deterred. We are not here talking about a crime of passion done on the sudden, under provocation, or where the person is mentally imbalanced or is swayed by alcohol or drugs. Those are circumstances, of course, which result in a lesser offence. We are talking about a considered, deliberate, conscious act. I believe the penalties prescribed in the Criminal Code concerning, say, impaired driving or theft, do act as deterrents. I likewise believe that the penalty of execution is a deterrent for some.

Statistics can be paraded out *ad nauseam*. But the deterrence issue boils down to a personal belief. Either you believe in your heart or in your guts that capital punishment is a deterrent or you do not. My sense tells me that it is, that it has to be deterrent to some would-be murderers.

If we could assume that everyone committing murder were of unsound mind and lacked the required intent, then our decision would be easy. But despite all the rules of law providing defences, the mitigating circumstances of alcohol, drugs, provocation and so on, there are still those who, after every safeguard provided by our system of justice, are found guilty beyond any reasonable doubt, by a jury, of intentionally taking the life of another person. Some of those murderers may be worthy of mercy with a provision of imprisonment. But I submit that there are some acts of murder, some acts toward civilized society that must carry with them the maximum penalty. These may be situations of mass murder, hijacking, terrorism, air piracy, or hired killing. These must be situations of cold-blooded, premeditated murder proven beyond any reasonable doubt in the absence of any extenuating circumstances. Where there are no redeeming circumstances at all, I believe the state should make provision for the death penalty.

Surely, the circumstances of a Clifford Olson, who murdered 11 young people, the Air India bombers who cost over 300 lives, or the Hindawi human bomb case in England, had it been successful, are crimes so dastardly and so inhuman as to be deserving of the ultimate penalty. I believe that no system of justice is complete unless it contains the ultimate penalty for the ultimate crime. The failure to provide capital punishment for premeditated murder causes sentencing for all other crimes to be reduced. This in turn leads to diminished respect for the law, a lack of respect which must be evident to all Canadians.

In conclusion, this is clearly an issue on which there are significant numbers of thoughtful and deeply moral people who disagree fundamentally with each other, who disagree as to the means to achieve a less violent society, a society in which law-abiding Canadians can feel secure. At my nomination in 1983, and in the campaign of 1984, I pledged to support the reinstatement of capital punishment and the reform of the parole system. After hearing and earnestly considering the submissions, the expressions of deeply-held belief put to me by constituents and others on both sides of this issue, I remain convinced that our society provides the accused murderer with every safeguard that he has denied his victim. Should that accused be proven guilty beyond reasonable doubt, then I believe the state should provide the death penalty as a sentencing option.

The Acting Speaker (Mr. Paproski): Are there questions or comments? The Hon. Member for Willowdale (Mr. Oostrom).

Mr. Oostrom: Mr. Speaker, I am pleased that the Hon. Member for Swift Current—Maple Creek (Mr. Wilson) so eloquently expressed the opinion of the majority of Canadians, including myself, and the majority of constituents of Willowdale who support a death penalty for premeditated murder. I may not be able to speak on this important topic at this stage of the debate due to time constraints. However, I would like to ask the Hon. Member why there are so many—I believe he said 123—countries in the world which still have the death penalty enforced by law. I would like to know more about that specific aspect.

• (1150)

Mr. Blackburn (Brant): Sure, all of those great shiny examples of public morality, Saudi Arabia, Iran, Iraq, Afghanistan—

Mr. Wilson (Swift Current—Maple Creek): Mr. Speaker, the Hon. Member for Brant (Mr. Blackburn) is busily quoting a number of socialist countries which retain the death penalty. I am not sure what his point is.

In answer to the Hon. Member's question, my concern is that many speakers in this debate have put forward the notion that because certain other countries do not have the death penalty, that they are somehow more civilized and in some way have a better system of justice than those countries which have retained the death penalty for certain crimes.

I simply want to point out, as I did earlier, that according to Amnesty International there are 28 countries which do not provide for the death penalty for any crimes at all, with another 18 countries which have the death penalty under conditions of military law, and another 129 countries which carry the death penalty for ordinary crimes.

I note that among the 28 countries which do not have the death penalty under any circumstance are countries such as Costa Rica, the Dominican Republic, Nicaragua, Panama, Kiribati, Tuvalu, and Vanuatu. So we have here a number of interesting countries—

Mr. Gauthier: England, France—

Mr. Wilson (Swift Current—Maple Creek): I can draw no conclusion from it other than that there clearly is a sovereign power in each of these countries and they will pass their laws in accordance with the circumstances of their respective societies.

I believe that in Canada, as in many other countries, we have a problem with violent crime, and I do not think that the answer to dealing with violent crime is to take the easy way out, to turn our backs on it. I believe we have to have a system of justice which carries a suitable punishment for the most heinous crime, and it is for that reason that I reject the argument about other countries, whether pro or con, and suggest that in this country, we should have the option of capital punishment under some circumstances.

The Acting Speaker (Mr. Paproski): The Hon. Member for Ottawa Centre (Mr. Cassidy), on a question or comment.

Mr. Cassidy: Mr. Speaker, I appreciate the comments of the Hon. Member, although I disagree fundamentally with him.

He has said that the "silent majority" is in favour of the death penalty. However, the most recent polling by Decima Research, a firm which is well known to his Party, indicates that the number supporting or leaning toward capital punishment has now fallen to 61 per cent, and it has been falling steadily through the course of this debate. Of those, 37 per cent said that they were convinced about the death penalty, and 24 per cent said that they were only leaning toward that view.

We in Parliament, Mr. Speaker, have to make tough decisions, difficult decisions on matters on which the public may have some views. I think it is significant that as we get closer to a decision on this matter, the public support for the death penalty is wavering, and certainly the intensity of opposition to its reinstatement is strengthening. In my constituency, the mail is running 12 to 1 against the death penalty and for continued abolition.

The Hon. Member has cited the scriptures. Perhaps he could explain to the House why it is that every major church denomination in this country has come out against capital punishment. These are not government-financed bodies; rather, they are the Catholics, the Anglicans, the Jews, the Quakers, the Baptist Conference, and the list goes on. Why is it that all of the major churches, which provide leadership for Canadians on matters of conscience, are asking Parliament, in the strongest possible terms, not to reinstate the death penalty? I think we should listen very carefully to the leadership which is coming from the churches, and the unanimity with which it is coming. They are the people who do interpret the scriptures in their work, in their preaching, and they say, "Do not do it."

Should we, as parliamentarians, not give very careful consideration to that advice on a matter of conscience, given that it is advice coming from those who are charged with issues of conscience in our society?

Mr. Wilson (Swift Current—Maple Creek): Mr. Speaker, I thank the Hon. Member for his intervention. Certainly, I agree with him that this is a tough decision, and a difficult one.

I have heard a number of speakers in this debate suggest that we ought not to have reference to the polls and what they may say today in regard to this matter.

In my speech, I carefully resisted referring to the polling information or, indeed, to the feelings of my constituents, because I understand that this is a matter of individual conscience for Members of Parliament.

However, I will say that I perceive that a clear majority of the constituents of Swift Current—Maple Creek have indicated to me that they favour the restoration of the death penalty, and I have certainly listened to those representations in arriving at my decision.

I note the Hon. Member's remarks about his mail. While that may be so, I must say that my mail at this point is running about 50-50—and I do not find that surprising, given the tremendous amount of organized agitation in favour of the retention of the abolitionist position.

There are a number of groups who are very well organized, and I am not being critical of them in any way. They have their point to make, and they are out there working very strongly toward achieving it.

As I said earlier, there is no organized movement for the restoration of capital punishment, though it is clearly a view that the majority of Canadians hold.

The final point raised by the Hon. Member related to the position of the clergy and the organized churches of the country on this issue. Again, I respect their viewpoints. Clearly, we have heard what they have had to say. It is my

opinion, however, that the view expressed does not represent the opinion of the members of the respective churches. I hear various church groups putting forward opinions on free trade and other economic matters, and while I listen to those opinions, I do not take them as gospel, if I may put it that way.

Quite frankly, Mr. Speaker, I listen attentively to the church groups, to the Bishops; but, I pay attention to my constituents.

[*Translation*]

Mr. Rossi: On a point of order, Mr. Speaker.

The Acting Speaker (Mr. Paproski): The Hon. Member for Bourassa (Mr. Rossi) on a point of order.

Mr. Rossi: Mr. Speaker, unfortunately, each time a Conservative Member speaks for twenty minutes, the Chair recognizes members of the same party during the period for questions and comments. According to our customs, the Opposition should also have the opportunity to express its views. I am sorry, but I have noticed this on many occasions, even though the Chair may deny it. This does happen!

Mr. Cassidy: I am not a Conservative.

[*English*]

The Acting Speaker (Mr. Paproski): I am alternating on the basis of a Progressive Conservative, NDP, Progressive Conservative—and if the Hon. Member wishes to wait, he will get his turn, too.

[*Translation*]

Mr. Ferland: Mr. Speaker, as I shall be speaking myself this morning about capital punishment, I shall be happy to let my colleague for Bourassa (Mr. Rossi) ask questions in my place. Go ahead!

[*English*]

The Acting Speaker (Mr. Paproski): The Hon. Member for Swift Current—Maple Creek (Mr. Wilson).

Mr. Wilson (Swift Current—Maple Creek): Mr. Speaker, I would certainly be pleased to respond to any question the Hon. Member for Bourassa (Mr. Rossi) has. I think we should—

The Acting Speaker (Mr. Paproski): Order. I recognized the Hon. Member for Willowdale (Mr. Oostrom) first, as he was the first to indicate that he wished to put a question. I then recognized the Hon. Member for Ottawa Centre (Mr. Cassidy), following which I was willing to recognize the Hon. Member for Portneuf (Mr. Ferland) and then the Hon. Member for Bourassa (Mr. Rossi).

I think the Chair has been very fair, and I would ask that we get on with the debate.

If the Hon. Member for Portneuf has a question or comment, he may proceed, and following his intervention, I shall recognize the Hon. Member for Bourassa.

[*Translation*]

Mr. Ferland: Mr. Speaker, I shall be very brief. My colleague for Swift Current—Maple Creek (Mr. Wilson) said in his speech that the state has the right to take away the life of an individual who has himself taken another life and had been found guilty of that crime. He also said that the abolitionists are much more concerned with the criminals than with the victim. First, as the state does not give life, I do not see why it should be able to take it away. Second, I would like him to explain to me how this can help the victim come back to life. After being killed, the victim is also dead. I do not think that killing someone else will bring the victim back to life. I would like the Hon. Member to go a bit further and provide weightier arguments as he has failed to convince me.

• (1200)

[*English*]

The Acting Speaker (Mr. Paproski): The Hon. Member for Swift Current—Maple Creek (Mr. Wilson).

Mr. Wilson (Swift Current—Maple Creek): Mr. Speaker, I think the best way to respond to the question by the Hon. Member for Portneuf (Mr. Ferland) is to quote again Mrs. Lee-Knight who has suffered this sort of experience. She says:

> Such thinking apparently does not take into account those lives of victims that are being lept over. The victims are gone and cannot speak—easy to leap over them even piled as high as they are. The majority of families of victims are too heartsick to place themselves in an even more vulnerable position than they already are in by going public. The daily encounter, heartbreaking reminders as it is—they are subjected to cruel unthinking remarks—they have to keep trying to live and they are weakened and ineffective with the constant pain and continual trying. It's easy to leap over their heads, just disregard them and get on with idealistic (though not realistic) propaganda. They won't get in the way. Eventually abolitionists will convince themselves they—

She is referring to the victims, and continues:

> —aren't real—don't really exist—not in their town, not in their neighbourhood.

[*Translation*]

Mr. Rossi: Mr. Speaker, I was very glad to hear the Hon. Member say at the end of his speech—

[*English*]

"When I was elected to Parliament my first promise was to work on the reform of the penitentiary system and on capital punishment".

[*Translation*]

Here is my first question: Why does he not get seriously to work to develop a better penal system? Having been myself, as many Hon. Members will probably know, a lieutenant-detective in the armed robbery and homicide division in Montreal for thirty-one years, I can honestly say that his first suggestion that we apply our penal code to the letter would perhaps be a better solution than his second suggestion that we reinstate capital punishment. He may have promised to support reinstatement of the death penalty, but I would strongly advise that we first improve our penal system, because

I can tell the Hon. Member that many criminals who are arrested after one, two or three hold-ups may receive sentences of ten years of imprisonment, but are often out on the streets after two or three years.

What happens then? When they get out after two or three years, they are told that if they are caught committing another hold-up, they will finish their ten-year sentence and receive an additional sentence of perhaps eight or ten years. The criminal therefore sees to it that, if he commits another hold-up, he will not get caught. What is the result of this comedy? It can lead to murder.

As the Hon. Member said, Mr. Speaker, the first thing should be to reform our penal system. He was also right when he said that we are all human beings and that those who are in favour of the death penalty are not any less so than those who are against it. As for me, Mr. Speaker, I started off by being in favour of the death penalty, but it is very easy outside this place to say that you are for or against the death penalty. However, when you are elected to this place and you have to vote and say: Yes, I support the death penalty in this beautiful country of Canada, I want us to hire executioners to kill other human beings . . .

I am therefore asking the Hon. Member: Should we not improve our penal system first? As we are all human beings, if you were asked tomorrow to serve as executioner, would you do it?

[*English*]

Mr. Wilson (Swift Current—Maple Creek): Mr. Speaker, when I rose earlier I simply wanted to make the point to the Hon. Member for Bourassa that I thought this was a non-partisan, non-party issue and therefore it would obviously be up to Mr. Speaker to choose individual Members in terms of questioning, not with a view to switching back and forth from one Party to another. I think that is really the essence of this debate.

The Hon. Member suggested that capital punishment was the number one item on my agenda back in the campaign. That is certainly not so, far from it. My basic interest was to try to get the economy of the country working again. Indeed, that is what the Government has been trying to do.

There was a commitment to air the matter of capital punishment. A great many other items had to come ahead of it. It is now finally being given its expression, and I think it is an important fulfilment of a commitment.

I appreciate where the Hon. Member is coming from on the matter. I did, in my remarks, refer to the Standing Committee on Justice and Solicitor General, under the chairmanship of my colleague, the Hon. Member for Ottawa West, which I understand will be undertaking a review of the parole and release system. I think that it is a very important initiative.

In the meantime, I also believe that the return of capital punishment for certain circumstances is necessary in order to beef up our system of justice and in order that law-abiding Canadian citizens may feel free to walk the streets of the country in safety.

The Acting Speaker (Mr. Paproski): Questions and comments are now terminated. Before recognizing the Hon. Member for Ottawa—Vanier (Mr. Gauthier), I believe there is a point of order from the Hon. Member for Victoria (Mr. McKinnon).

Mr. McKinnon: Mr. Speaker, my point of order has to do with the tabling of petitions again. This morning the Hon. Member for Winnipeg North Centre (Mr. Keeper) tabled a petition which he stated quite clearly contained several thousand names. He may have wished that it contained several thousand names, and they certainly went to a lot of effort to collect these across the country. The petitions all have at the bottom "please return postage free to" and it names the Hon. Member for Winnipeg North Centre, NDP Postal Critic, House of Commons, Ottawa.

Instead of several thousand names, there are 607 names. I wonder how long we have to put up with this distortion, this exaggeration, to try to make the case which they do not have, to try to make the people watching think that there are many thousand or several thousand signatures when in fact the best effort they could come up with was 607.

The Acting Speaker (Mr. Paproski): The Hon. Member for Winnipeg North Centre (Mr. Keeper).

Mr. Keeper: Mr. Speaker, thank you for the opportunity to reply to my hon. colleague. I want to make it clear to him that I still have another stack sitting on my desk which I did not have enough time to sign this morning and which I will sign and table—

The Acting Speaker (Mr. Paproski): This is debate—

Mr. Keeper: Allow me—you allowed him, Mr. Speaker—

The Acting Speaker (Mr. Paproski): This is debate, and it has no place at this time. The Hon. Member for Ottawa—Vanier—

Mr. Keeper: A point of order, Mr. Speaker, you allowed him to get away with it; when it comes to the Opposition, you sit down.

The Acting Speaker (Mr. Paproski): I have already listened to the Hon. Member for Winnipeg North Centre—

Mr. Keeper: On a point of order, Mr. Speaker—

The Acting Speaker (Mr. Paproski): I have listened to the Hon. Member for Victoria. I don't consider it to be a point of order, and I do not consider yours to be a point of order. On debate, the Hon. Member for Ottawa—Vanier—

Mr. Keeper: On a point of order, Mr. Speaker—

Some Hon. Members: Sit down.

Mr. Keeper: A point of order, Mr. Speaker; I have a point of order, Mr. Speaker. You are favouring the Government, Mr. Speaker—

Some Hon. Members: Oh, oh!

Mr. Keeper: You can't even hear the Opposition.

Miss MacDonald: You ought to be ashamed of yourself.

[*Translation*]

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I am sorry we had this outburst. I will try to resume debate where we left off.

Mr. Speaker, first of all, I want to make it clear that I consider the death penalty is useless, and I will try to prove this in the few minutes at my disposal.

Like any good citizen, I think murder is a horrible thing. I am emphatically against crime as such, but especially against murder.

Of all criminal offences, murder is the very worst. It is the ultimate crime against the individual. It deprives the individual of everything he has. It is the ultimate act of aggression. Murder is reprehensible in every way, both in moral and religious terms, both in the way it affects society and the way it affects the individual.

It is our duty and the duty of government authorities to use every means necessary to fight murder and to prevent it. As a society and as legislators, we have a moral obligation to strive for a better judicial system, a better corrections system, a better life and a better society, and we hope, Mr. Speaker, to be able to put an end to these heinous and anti-social crimes. We hope to put an end to the unnatural act of murder.

• (1210)

Mr. Speaker, politicians are not often given a chance to decide on issues that are so clear-cut. More often, they are asked to judge situations where grey areas prevail, where there are pros and cons, where there are several ways of looking at things, and where politics play a role.

In the question before the House today, which is capital punishment, there are no grey areas. There is only black or white. One is for or one is against capital punishment. Just like abortion, where one is either for or against. These are two moral issues that we politicians have to deal with. We have been asked to deal with them as individuals, to deal with them according to our own judgment and our own conscience, and that is what I intend to do.

Mr. Speaker, we debated this question in 1976. We made our case at the time, and capital punishment was abolished in this country. Today, it is up to the proponents of capital punishment, to those who truly believe that this measure can be restored and re-instated, to make their case. They not only have an obligation to do so, they will have to provide arguments that justify a return to capital punishment.

Mr. Speaker, it is not enough to say we are for or against. We must provide arguments to support our stand. And that is why, in the few minutes remaining, I want to try and argue my case. I may not do so very convincingly, at least not convincingly enough to persuade the hardliners. However, these are my personal convictions, born of my own experience, and I stand by those convictions.

Mr. Speaker, in 1976 I voted against capital punishment, after a long period of reflection. The debate was a very difficult one. It was a very long debate, and public opinion in Canada was very much divided on the issue.

Today I just signed about thirty letters in reply to letters I received from my constituents, most of whom said: We do not want a return to capital punishment. However, there are still people who argue in favour of capital punishment. And they get an answer. I respect their opinions, but I tell them: I am sorry but we have a representative, democracy not a poll or push-button democracy with, in every Canadian home, one button "for" and one button "against", one black and one white. Canada's 282 elected representatives have been asked to vote according to their own enlightened judgment, after examining the issues, and as representatives of their ridings. And that is what I intend to do. And that is what I think all Members should do.

This morning, some people told me: Your vote should reflect the will of your constituents. Mr. Speaker, I can hardly vote so as to reflect the will of my constituents, because they are probably divided 50-50 on the issue. So I will do what I was elected to do. I will vote according to my own judgment, and I hope that those who do not share my views will realize that they are genuine and that I hold them because I have thought and read a lot about this question and have frequently discussed the issue in my riding.

And I know that young people—for instance, in schools I visited again recently—express views which differ from those we hear in senior citizens' homes. One factor is security. Older Canadians are more worried, so more of them would like to reinstate capital punishment. Nearly eight out of ten among young people are opposed to the death penalty. Indeed views differ from one generation to the next, and this is good because it goes to show that people are beginning to think about, reflect upon and read up on the issue, and this is important.

Mr. Speaker, let us deal with the arguments. My decision is prompted by a number of reasons and I will try to explain some of them. In light of representations which have been made, I happen to know for example that quite a few people do not share my opinion with respect to the deterrent impact of capital punishment. The argument we hear is that the death penalty is a deterrent since the fact that a murderer has been executed is bound to discourage others from committing the same crime. One only needs to read an article published recently in the daily newspaper *La Presse* which sums up the

argument of Quebec's Association professionnelle des criminologues, and I quote word for word: "Death penalty proponents maintain that it has a deterrent effect, but the facts do not substantiate this statement. Five factors really contribute to effective deterrence: punishment severity, certainty, publicity, swiftness and frequency. Facts demonstrate that only the first criterion—" meaning the severity of the punishment—"relates to the death penalty. The certainty of capital punishment is more than dubious. Execution is carried out behind closed doors. It takes a very long time before it is applied—" I will get back to that—and it is ever less frequent. Therefore capital punishment has no deterrent effect."

I agree, Mr. Speaker. Capital punishment has no deterrent effect. For some people the death penalty is a case of conscience. Personally, for moral reasons and after lengthy reflection, it was in my soul and conscience that I arrived at a judgment. I have a sacred respect for every form of life and, for moral reasons, for personal moral reasons, I cannot condone the act of killing either by the state of by individuals. Of course there are circumstantial exceptions: legitimate defence by the state in case of war, or individual self-defence, the only two exceptions I can see which might warrant killing.

Given these premises, my judgment does not rest only on a moral question but also on a number of rational arguments. For one thing, there is the basic philosophy underlying this debate. Since time immemorial humankind has been seeking to achieve what we call civilization. As it happens, one of the characteristic feature of progress made by our societies in their evolution is the progressive repudiation of violence. I remember the debate when the Hon. Gérard Pelletier said, and I quote: "For ever indeed the road to civilization has been charted by the gradual refusal to kill one's fellow human being."

Mr. Speaker, history tells us that from the primitive society—where the old and the sick were killed, where the master had the right of life or death over his slave—to the most enlightened societies, there has been ever diminishing recourse to execution. For example, only 150 years ago people in England were still hanged for such minor infractions as shoplifting, a punishment which nobody would accept these days. This movement towards the abolition of capital punishement in contemporary societies is historic and unavoidable. This is why I sincerely deplore that a country as civilized as ours should revive this debate on an issue which, I suggest, was put to rest in 1976.

• (1220)

I understand the reasons and concerns that may have led some people to urge the Prime Minister to do such a thing. There is widespread coverage of murders taking place in Canada in the media, both in the newspapers and on television, so that people are aware of such atrocities. However, violence has now become commonplace on T.V. In fact, a child can see more violent crimes including murders, slayings and others by just watching televison for a few days than someone else will ever see in a whole lifetime. I tried 10 or 12 years ago to table in the House a bill that would have helped parents choose the type of programs that their children could watch by warning them when programs might have a harmful mental impact on children. However, that bill was not passed because, they said, it meant moral direction, and they did not want that. Yet, Mr. Speaker, I believe that enlightened parents should control those programs which display violence and sometimes feature a society in which mutual relationships are positively atrocious. Children watch those programs and no one is concerned. I believe it is a very sad situation.

As they watch that display of violence, people get increasingly concerned and tend to conclude that the crime rate is also on the rise. Indeed, it was shown in a 1982 Gallup poll that those television programs largely accounted for the fact that the people overestimate the phenomenon of violence by a wide margin. According to that poll, 75 percent of the people interviewed believed than more than 50 percent of criminal actions involve violence, whereas the real percentage is only 8 percent. Moreover, two people out of three in Canada believe that the number of murders has increased since 1976, whereas it has in fact remained relatively stable.

People are also very misinformed on the circumstances of murders, in spite of vociferous media coverage. For instance, very few people know that three out of four people who are murdered get killed by someone they know: a relative, a neighbour, a friend. We should have told people the real facts instead of stirring up passions that had cooled down since 1976. For instance, according to the official legal statistics of Statistics Canada, in 1976, the number of manslaughters had gone down by 20 percent, from 704 in 1985 to 561 in 1986. Since 1986, when capital punishment was abolished, the number of manslaughters has remained fairly constant, at around 650 per year. I grant that it is a lot and it is too much. That is why our prison system will have to be changed. Our parole system will have to be much more stringent and controlled. I wish to insist, Mr. Speaker, that those are 650 murders are too many. I do not think the restoration of capital punishment has any influence over those figures. The argument of capital punishment as a deterrent against crime which I heard earlier is difficult to defend logically, if one looks at statistics and reflects upon the various kinds of murders.

Mr. Speaker, on the statistics side, between 1962 and 1976, at a time the dealth penalty existed, we saw the number of murders increase constantly, from 265 in 1962 to 701 in 1975. The death penalty was abolished in 1976. Since then, the number of homicides declined from 701 in 1975, the year before abolition, to 561 in 1986, and as I said earlier, it is holding at a more or less constant level. Were capital punishment the deterrent it is said to be, we should have witnessed the opposite trend, that is to say that since murderers could be executed for their crimes before 1976 and if the deterrent effect worked, then the number of crimes should have increased or at least remained constant. That has not been the

case. After 1976, since murderers no longer had to fear for their life, we could have expected a rise in crimes. That did not occur. Some might say those statistics are questionable. There is undoubtedly another logical way of refuting the argument that the death penalty is a deterrent. Let us examine for a moment the various types of crimes that are divided into three categories. First, there are crimes of passion. They account for fifty per cent of the crimes committed in Canada. Those are crimes committed in a state of anger and, by definition, not premeditated by their authors. Therefore, the deterrent effect cannot act in that case.

Then, there are murders committed by the mob, which can be said to have a form of death penalty for settling accounts. Who hasn't heard of bloody wars between rival factions fighting for territories, criminal activities? So, even though mobsters can be killed as reprisals by opposing factions, this does not prevent them from killing. Therefore, the deterrent effect does not come into play in those cases and would not either if the State intervened.

Finally, in the remaining cases where individuals commit sordid crimes, the majority of those crimes are committed by individuals with very acute personality problems. Therefore, if the individual is not fit for trial, it must be concluded that the deterrent effect does not apply, or again if the murderer suffers from mental illness, he cannot be convicted for his crime. Therefore, capital punishment again is useless.

Some would say that capital punishment must be reinstated for second-time offenders, people who have already been convicted and who, after being paroled or simply having done their time, commit a crime when they get out of prison. On the other hand, it must be noted that, according to statistics from the Professional Association of Criminologists, and I quote:

> Second offences (new murders) are very few in numbers when the individuals involved are paroled—less than six cases since 1963.

According to other sources, there would be 22 such cases. Whatever statistics we look at, I agree that if it be 22 cases, this is 22 cases too many, but in my view, drawing attention to the second offence problem is sidetracking the debate to important but secondary considerations. Those subsequent offence cases cannot be construed as pleas in favour of reinstating capital punishment, but rather as eloquent pleas in favour of a reshaping of our penal and judicial system, including parole. Because finally, Mr. Speaker, even if we had capital punishment, it remains that the major losers in that are the victims' families. And I find it deplorable that this House spends so much time debating the reinstatement of capital punishment, when we should have used all that time to try and find solutions to compensate relatives and victims of crimes.

Those victims need help, both financial and psychological, or just consolation. We should direct our action to them. And we would do much better by finding a solution for those people than by simply attempting to avenge them.

Indeed, on May 28, 1987, it was reported in the media that the federal and provincial Governments supported the establishment of a system allowing victims of criminal acts to get compensation from their aggressors. The Minister of Justice (Mr. Hnatyshyn) announced that discussions were well-advanced with his provincial counterparts for the setting up of a system that would force convicted criminals to pay a fine into a fund for compensating their victims. I commend the Minister for that initiative. This is something productive, constructive.

Such retaliatory measures as taking away from criminals their unlawfully acquired monies, either in the drug trade or otherwise, to give them to the victims seems to me to be much more progressive and civilized than the cruel and barbaric gesture of ordering the death of a human being. We advocate the indemnification and compensation of the victim rather than retribution.

Retribution, Mr. Speaker, is the other argument frequently heard to justify the reinstatement of the death penalty. However, I will not insist on that argument because I do not find it valid.

Retribution, the law of retaliation, is a sociological and judicial concept which is outdated in our civilized societies. Its logic is questionable and I think unjustifiable. Because someone strikes somebody else with a stick does not mean we should strike back likewise.

• (1230)

Other advocates of the death penalty, Mr. Speaker, base their case on economic grounds. I have heard that argument in my constituency. To keep prisoners in jail is costly. It is true that it is very costly. The detention of an inmate is a heavy burden for the State. Indeed, it represents about $110 per inmate per day in federal prisons and an average of about $85 in provincial jails. Admittedly, that is a lot of money. However, the death penalty will not change that. Indeed, to reduce the financial burden, all murderers would have to be put to death, that is some 650 per year. It is absolutely impossible to empty a jail and put all inmates to death. However, the legal proceedings which could extend the numerous appeals before the courts could be even more costly than imprisonment.

Moreover, I wrote on March 25 last to the Minister of Justice to try to obtain some statistics on the costs of legal proceedings leading to the death sentence. The Minister indicated in his reply that the relevant information was not available and had never been collected.

What we can do is estimate these costs by looking at those in the United States. A study which appeared in the October 15, 1986 issue of the *Wall Street Journal* established the costs of a trial ending in a death sentence at $4.5 million in California and $7.3 million in New York State. To institute proceedings and reach a conviction for murder. It could be argued, therefore, that it would be more expensive to obtain an execution, but I will not rely on this type of argument, Mr. Speaker. I wish to put forward other information.

On top of the economic arguments, a recent study recently showed that if the death penalty had existed these past few years in most Canadian provinces, at least one juror would have changed his or her verdict so as not to feel responsible for the accused being sentenced to death. As jury unanimity is required in this type of trials, this means that the accused would have been either sentenced to a lesser penalty, or acquitted or sent to a new trial. In any event, this means that the death penalty would have had the opposite effect, the murderer being released earlier than otherwise, and the whole exercise costing a lot more.

But there is another economic consideration, Mr. Speaker, and the most important at that. I have just mentioned the legal proceedings which are long and expensive. In view of this phenomenon and the clogging of the courts, a new process has developed, the so-called plea bargaining, which results in reduced sentences. Here is how it works, Mr. Speaker. In view of possible contestations, a Crown prosecutor will suggest to the Counsel for the defence to reduce the charge. For instance, by reducing the charge from first degree murder to second degree murder, on condition that the defence will not contest it during the proceedings. The result is that murderers can end up back on the street rather than in prison.

The instatement of the death penalty would not in any way change anything to this situation. In fact, the situation could be even worse, for there would be more proceedings involved. The frequency of plea bargaining would increase. But this plea bargaining system can work only if the accused has the ability to pay. If he is poor and destitute, I doubt really that a Crown prosecutor would suggest plea bargaining. Knowing that the client cannot pay, chances are that proceedings will end rather quickly. When the accused is poor, it goes very quickly and most of the time, he is found guilty.

Murderers are not all equal when faced with the death penalty, Mr. Speaker. There are those who can afford good lawyers and those who cannot. Unfortunately, society will treat them differently. The have-nots are penalized more heavily, as demonstrated by the U.S. statistics which I have examined. In the United States, out of 1,874 prisoners on death row, there are now 944 whites and 777 blacks, representing 50 percent and 41 percent respectively, while blacks represent only 12 percent of the population as a whole, Mr. Speaker. The have-nots and the poor are those who are affected most. Of course, the remaining 9 per cent are made up of minorities Hispanic or Puerto Rican minorities. Such minorities are heavily victimized by this plea bargaining system.

For all those reasons, I am against the death penalty. I admit that a problem exists, for the number of homicides is much too high. The solution can only be found through a thorough review of our judicial system, an economic impact review so as to reduce social inequalities and injustices. We need also to enhance our formal and vocational training systems, as well as adopt anti-poverty social measures. Let us not accept the institutionalization of the cruel, barbarous and unacceptable act that the death penalty is. If killing is the worst crime, I do not believe that the State should kill to convince people not to kill, either out of vengeance or for any other reason.

I sincerely doubt that the Right Hon. Prime Minister of this country, who is to take part in the debate, would want to make his mark as the one who reinstated the death penalty. I am sure that all the other Prime Ministers after him will not be proud to represent the first civilized country which instated the death penalty, after having abolished it.

The Acting Speaker (Mr. Paproski): Questions and comments. The Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) has the floor.

Mr. Malépart: Mr. Speaker, I would first like to congratulate my colleague from Ottawa—Vanier on being so straightforward and on the way he presented his speech, given the sensitive nature of the issue.

I would like to remind my colleague from Ottawa—Vanier, as well as all the other Hon. Members in passing, that 11 years ago, on June 22 1976, at 11 o'clock, at about this time of day exactly 11 years ago, abolition of the death penalty was adopted in principle. At that time, Mr. Speaker, 133 Members had cast their vote in favour of Bill C-84 while 125 Members who were in favour of retaining capital punishment voted against it.

Mr. Speaker, after 11 years, after much debate . . . and you will recall that it was on July 14 that the bill came back to the House for third reading, at which time the result of the vote was 130 in favour of doing away with capital punishement and 124 against abolition.

I would like to ask my colleague, given that we are now here 11 years later, day for day, and almost hour for hour since the vote took place at 11 and it is now 12:35, I would like to ask him how he feels as a parliamentarian to see that we are taking a step backward. Eleven years ago, the House of commons, the people, took a stand against capital punishment. Eleven years later, why is it that we are not discussing positive measures, as my colleague the Hon. Member for Ottawa—Vanier has mentioned, to eliminate juvenile delinquency, to prevent people from living in poverty and provide them a better education, better training as well as a more adequate parole and penitentiary system?

How does my colleague from Ottawa—Vanier feel eleven years later, as the House goes over the same debate? A debate which is useless, since it simply deals with a motion providing for consultations.

Does the Hon. Member for Ottawa—Vanier have any comment to make to the effect that what we needed was a constructive debate to find specific solutions to the problems we are having with our prisons?

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Naturally, Mr. Speaker, the situation was different. In 1976, we had a Government Bill. That Government showed some leadership, it presented a Bill and was backing it. The entire Cabinet had approved the resolution.

Today, we have a motion before us which is not supposed to reinstate capital punishment, but once it is passed, it will be a fact. It is perfectly clear: This House supports, in principle, the reinstatement of capital punishment and—then we come to something I did not mention before, because I find it inappropriate for an abolitionist like myself—directs a special committee to report on the methods to be used to kill and who is going to be killed. Therefore, I cannot talk about the motion, I will only talk about the amendment. I reject the motion, because I feel it is a bad one. That motion does not invite Canadians to reflect on the principle of the death penalty, because that principle will already be adopted, we will have approved it. This is not the way it happened in 1976. Not because it was a Bill then, but because we have here the principle of reinstatement.

Then a committee will tour the country for "three months", or "six months" if the amendment ot the New Democratic Party is passed. I should mention that "six months" have been used to make the amendment acceptable to the Chair, it is a technical necessity.

Why should we have a committee going around the country for consultations on who to kill and how, when we are against the principle of killing?

In 1976, I voted with a full knowledge of the facts, I knew I was voting against capital punishment, because I did not believe in it. We won by six votes, but I think we are going to lose this time, Mr. Speaker. I feel very sad about that, as we are using a procedure here that I believe is absolutely disgraceful.

[*English*]

The Acting Speaker (Mr. Paproski): Questions and comments are now terminated. Debate.

• (1240)

[*Translation*]

Mr. Marc Ferland (Portneuf): Mr. Speaker, for a junior Member like myself—I was elected to the House of Commons only thirty months ago—taking part in a debate on such a serious issue, the reinstatement of capital punishment in Canada, is quite a challenge. I do not lay claim to the verve or eloquence of many of my colleagues in the House. Nevertheless, I will try to explain to the people, to Canadians listening to us today, why I am an abolitionist, why I do not believe in restoring capital punishment in this country, and why the Government has reopened the debate on this issue.

It is not just because of a promise made during the election campaign. It was a fact that, in general, Canadians were in favour of reinstating capital punishment in Canada, especially if we look at the results of certain polls a few months ago, where 72 to 75 percent were in favour.

Since we started this debate in the House, Mr. Speaker, and now Canadians have heard both sides of the story, the views of those in favour and the views of those against capital punishment, the same percentage of Canadians who favoured the return of capital punishment is now against capital punishment. The Hon. Member for Swift Current—Maple Creek (Mr. Wilson) said that in his riding, it was about 50-50, and I think that is how things actually stand today.

But why raise the issue again in the House of Commons? I think that in a democratic society like the one we have here in Canada, it is possible to question some of our fundamental principles from time to time. In a democracy like Canada, Mr. Speaker, we can afford to question the fundamental tenets of our society. Another thing that surprised me, Mr. Speaker, is the response of young Canadians who came to see me in my office and who are very concerned about the reinstatement of the death penalty in Canada. We must remember, Mr. Speaker, that Canada is still a young country. Confederation has existed for 120 years. Canadian citizenship only goes back to 40 years. In 1947, we were the first Commonwealth country to have its own citizenship. During five years, since I am 45 years old, I was a British citizen, although I was born in Canada. For the past 40 years, however, Canada always strived to improve the quality of life in this country, and to make its law better.

Mr. John Diefenbaker, who was a great Prime Minister and who took part in a few debates on death penalty, in 1966, was against the ultimate punishment. Why did Mr. John Diefenbaker become an abolitionist? I will quote part of what he said on April 4, 1966: "Some people claim that death penalty acts as a deterrent, but history has not proved it. Who could say that we abandoned that infamous punishment out of weakness? It is rather because juries started to look for reasons to acquit criminals." And I could draw a parallel between what Mr. John Diefenbaker said in 1966 and the words of Mr. Andrei Sakharov, a distinguished Soviet dissident who said: "I consider death penalty a brutal and immoral institution. A state, through its public servants, takes it upon itself to commit the most terrible and most irreparable act: to take away someone's life. Such a state cannot expect an improvement in the moral climate of its country. Those very similar statements were made by two men living in two totally different countries, under different political regimes.

In fact, Mr. Speaker, if you look at the judicial system as a whole, and if you look at the responsibility of parliamentarians in this House, they exercice the power of the state and some supporters of the return to death penalty claim that the state has the right to end someone's life. But you and I, Mr. Speaker, both detain 1/282 of that power. And I tell you that I will never yield that tiny part of power to restore death penalty. Some supporters of capital punishment say that they are obliged to do so in their riding. They are obliged to vote for it and they are afraid they will lose the next election if they do otherwise. This is in no way a valid argument. As for me, and my constituents know it, the people of the riding of Portneuf

know my position, and I told them the following: Even if that was to cost me my re-election to Parliament, I will not support capital punishment. I will not cast a ballot that would send this country back to the *lex talionis*, because there is nothing that can force me to have even the worst criminal sent to the gallows for the most horrible crime imaginable—there is nothing that can force me to delegate my power. Because basically, what am I doing when voting the re-instatement of capital punishment?

I am delegating to officials the power to rule on matters of life and death. I am delegating to the judicial system, to judges, to average citizens that are selected to a jury and have no other choice than to sit on that jury. We will be delegating that power to them. We will be delegating to lawyers, police officers who will have a duty, as is their responsibility, to make honest and sincere investigations and to prove that an individual is guilty of something. It has been proven on a number of occasions that errors were made, perjuries committed. There have been all sort of things. Not that police officers did not do their jobs well! Quite the opposite! They had done an excellent job. But in the judicial system errors were made in the past. Those who support capital punishment say no. The system is so perfect, so safe there is no way an error can be made in cases of first degree murders.

On the other hand, we have examples of errors on second degree murders— just recently, a young man was sentenced to 11 years in penitenciary—11 years—he was deprived of his freedom because of a judicial error. But there is no way it can happen on first degree murders. An error can be made on second-degree murders, but not on first-degree murders. That is false.

There is a quote from Victor Hugo where he wrote something that is truly very real in my view, that I find very touching anyway. Victor Hugo said:

> There are three things that are God's own and that belong to no man: the irrevocable, the irreparable, and the indissoluble.
>
> Irreparable punishment implies infallible judges.

I believe that Victor Hugo was right in saying that. Because in fact nobody is perfect in this Parliament, even though he may have ben elected with a majority of 25,000 votes in his riding, anyone can make a mistake. Any government can be mistaken, but the mistake is not irrepairable. But any individual sentenced to death and executed simply cannot be revived by the state. If the state has made a mistake there is no way it can atone for it. Some people would argue that abolitionists defend criminals rather than victims. Mr. Speaker, even if the state chooses to execute a criminal, the worst possible option, it will not bring the victim back to life. The victim will remain dead, nobody will bring life back, that is impossible.

Mr. Speaker, young Canadians under age 25 have never known the death penalty. Unless I am mistaken, the last hanging took place in Toronto 25 years ago. All youths, boys and girls born in this country, have never known the death penalty. The immigrants from every corner of the world who chose Canada as their new homeland probably came here because ours is a different country. There was no death penalty in Canada, it was legally abolished in 1976. And over the past 25 years, people who were born in this country or who chose it have never heard of a state execution. There has been none.

Mr. Speaker, are we so lacking in ideas and hope in the people of Canada and its young people that we have to resort again to an eye for an eye to solve a problem which commands a far wider-ranging approach? A previous speaker alluded to violence which can be seen on television day in and day out. Not long ago I spent about an hour an a half watching television: 36 dead, 36 people killed on the TV screen.

While we speak about violence and the fact that there is a problem, have the Canadian society and this Parliament done everything possible to prevent crime? If we put as much effort and money into crime prevention as in our penal institutions and police forces, would we now have to discuss reinstatement of the death penalty?

As for me, Mr. Speaker, I believe that if this Parliament votes for this, if one single Member of this House votes for reinstatement of the death penalty, we are capitulating in the face of a problem.

As for me, I am not a man to capitulate. There is a problem to solve in our society. There is a serious problem of delinquency and criminality. But why does such a problem exit? Nothing much has been said about that. Those who are for reinstatement of the death penalty have not spoken of this real problem which is at the source of criminality.

I would like to say something else, Mr. Speaker. What difference is there between a violent mental defective locked up in a psychiatric hospital and a criminal condemned to twenty-five or thirty-five years in prison? I can tell you the difference. One of them has had the misfortune of killing someone. If we reinstate the death penalty, if we agree to euthenasia in Canada, we shall start with criminals and the resolution says that we shall choose the type of criminals who will be euthenized. But how far will this go? I challenge anyone to find me a single normal human being who is able to commit a murder in cold blood.

I asked several psychologists and psychiatrists a number of questions. I have been considering this issue for quite a long time. Those who are in favour of euthanasia will say: keeping in prison these people who are beyond rehabilitation costs a lot of money. It would be like saying that we should get rid of all chronic mental patients because they cost a lot of money to society? Why not do the same with terminal cancer patients? We might as well finish them off, for they cost society a lot of money. These are unacceptable arguments. We cannot use them.

To those who rely on both the Old and New Testaments to support their position, I can say that I found in the Bible all the evidence I would need to support both sides of the issue.

We cannot base our position on this and say: I am for or against the death penalty. Mr. Speaker, I feel that the message of the Holy Scriptures is this: You will follow the direction of your conscience and you yourself will decide. You can choose either position A or position B. It is up to you. My decision is clear and final. I am not going to let anybody kill on my behalf. I will not give the power of life or death to any administration or civil servants. I will not want to return to a situation where a juror, for fear of making a mistake, would strive to let someone who is guilty and deserve a severe punishment go free. We need to review our penal code. We must work in this direction, but not demand an eye for an eye as we used to. It is not an argument to say that the State should have the right of life or death over its citizens. The State does not give life. But it must see to it that life is protected.

Very often, Mr. Speaker, you will find that many of those who are in favour of reestablishing capital punishment are against abortion. I just cannot understand how they can be against abortion on the one hand and for capital punishment on the other. In both cases, a life is involved.

Of course, they could claim that an unborn child is not guilty of anything. The murderer, on the other hand, is a despicable person. But what made him the way he is, Mr. Speaker? At what age did the child become contemptible? Very young, Mr. Speaker, when he was in kindergarten. When a boy is rather unruly, the child of a divorced family in many cases who has been through a dozen of foster homes . . . I met a young man in my own municipality. He had lived, Mr. Speaker, in 14 foster homes in seven years.

How long did it take us to get used to our new life as members of Parliament? We are not very young any longer. Some children of 8, 10, 12, 15 years of age are asked to adjust themselves to many successive foster homes. That is the starting point. He is boisterous at school. The teacher says: "He is my scatterbrain pupil. Go in the corner. You cannot listen." He will grow up and reach high school. He is a scatterbrain. He cannot be good. He cannot go out with a nice girl. He is a good-for-nothing, so it out of the question. He loiters at the corner restaurant. He bums around. This is what he will do till the day where a judge will rap his gavel and tell him: "You are sentenced to two years in jail because you are a scatterbrain and a misfit." And then, we will try to cast him in our mould. Is our mould really used to try and help rehabilitate those young people? No.

I can tell you, Mr. Speaker, that our mould is far from being perfect. Our rehabilitation system for criminals in Canada is far from being satisfactory, because insufficient funds are available. We should put into crime prevention as much money as we put into our jails and our police forces. This is what should be done, Mr. Speaker, and we should not return to the law of retaliation. It makes no sense.

I have read about horrible cases. Imagine! In 1803, a 13 year-old boy was hanged because he had stolen a cow. It is terrible! We would say that no such thing could happen in 1987. Such were the times. We have progressed in Canada with the passage of time. In 1861, there was a riot in Montreal because two people were scheduled to be hanged that day and one of them had been amnestied the day before. There was a riot. They changed methods. They hanged them secretly thereafter. But that did not change the problem, it did not solve the situation. It did not improve the system in Canada. They did not really solve the real difficulty, which is prevention, the modernizing of our judicial systems in Canada.

How many times did I hear police officers tell me: We arrest an individual for drug trafficking, and before we have time to fill in all the forms he is already back on the street. We arrest a guy caught in the act for armed robbery. Two years later he is already out of prison. Is that normal, Mr. Speaker?

But at some point there will be an accident. There will be a murder. A human life will be spent. And I do not support legalizing murder in Canada. No, I am against crime. But crime must be prevented. That is the beginning, the starting point. When we see horrible films on T.V., how is it possible that young children four, five, six years old will not have a tendency to violence? If we try to fight violence with violence, Mr. Speaker, we will get nowhere. Because if the State becomes as violent as the worst murderers in society, I do not believe we will solve the problem. We will not be setting an example. The role of the State, the role of the Canadian Government is to set an example.

If capital punishment had been reinstated, Mr. Speaker, do you think I would have been able to vote for Bill C-28 presented by the Minister of Justice (Mr. Hnatyshyn)? The main objective of that Bill was:

> This Act would implement the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the United Nations on December 5, 1984 and signed by Canada on August 23, 1985.

How would it have been possible, Mr. Speaker, for Parliamentarians, Members of this House with 1/282 of the life and death power in this country, to vote for a Bill against torture, and cruel and inhuman treatment?

Mr. Speaker, if capital punishment is not a cruel and inhuman punishment, I wonder what it is. You can read what has been written on the subject, and I am glad that journalists have reported abundantly on the reality of death row. What about the fact that light stays on 23 hours a day, to prevent suicide. Justice must be served and the accused must be kept alive. That is justice for society.

• (1250)

[*English*]

The Acting Speaker (Mr. Paproski): The Hon. Member has one minute left, plus ten minutes for questions and comments when we resume debate after three o'clock.

It being 1 p.m., I do now leave the chair until 2 p.m.

S. O. 21

At 1 p.m. the House took recess.

AFTER RECESS

The House Resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

NATIONAL PARKS

SOUTH MORESBY—FEDERAL-PROVINCIAL RELATIONS

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, the issue of South Moresby demonstrates that, when we come right down to it, the provinces place their own objectives above national objectives. So much for the new spirit of co-operative federalism.

The federal Government is perceived as a pushover at the negotiating table. The Premier of British Columbia has proven he wants to exploit the situation to the limit, a form of "environmental hostage taking" as so aptly described by Margaret Atwood today. Where is the "spirit of partnership" the Prime Minister (Mr. Mulroney) proclaimed on May 1? Canada's Minister of the Environment (Mr. McMillan) has called for public support to put pressure on the Premier of British Columbia. I support that call.

In addition, Environment Canada and the Minister should become ardent advocates for the protection of South Moresby and generate the public pressure necessary to bring the Premier of British Columbia to reason. I call upon every Member of this House to help in building up such pressure. South Moresby should not be held for ransom and the Premier of B.C. should not be allowed to make a mockery of the new co-operative federalism proclaimed on May 1 by the Prime Minister.

* * *

[*Translation*]

CAPITAL PUNISHMENT

OPPORTUNITY FOR DEBATE

Hon. Suzanne Blais-Grenier (Rosemont): Mr. Speaker, our Government wants to limit the debate on the death penalty and hold the vote immediately.

First, we resumed a discussion which many found quite needless. Now, the Government wants to close the debate right away, before the summer adjournment. Where is the logic in this?

The issue with which we are dealing goes beyond the death penalty; it has to do with how we view civilization, with what kind of society we are. It is therefore important for all parliamentarians to be able to express their views. This is a matter of democracy. Otherwise, Canadians would be quite justified in accusing us of political opportunism.

Either this debate was necessary and should be carried out fully, or else it was frivolous and therefore unwarranted.

[*English*]

It is essential that every Member of this House states his position, if he so wishes. It is a matter of right and democracy. What we need here is the understanding of what freedom of speech means. What we do not need is a closure or a vote hastily called.

* * *

REFUGEES

BILL C-55—ALLEGED VIOLATION OF INTERNATIONAL LAW

Mr. Dan Heap (Spadina): Mr. Speaker, the Government has been officially accused of proposing to violate international law with Bill C-55 on refugees. In 1948 Canada signed the U.N. Declaration of Human Rights which states in Article 14: "Everyone has the right to seek and enjoy another country's asylum from persecution". This was the first international treaty aimed at protecting the rights of individuals.

As the United Nations High Commission for Refugees wrote to the Minister on June 12, Bill C-55 would violate both that treaty and the U.N. Convention and Protocol for Protection of Refugees which we signed in 1967.

Bill C-55 would violate these laws by, first, screening out applicants because of their country of origin or a so-called "safe" country they pass through, denying them a chance to make an individual claim, second, by refusing rejected claimants the right to have an appeal or review by a central body and, three, worst of all, by sending real refugees back, directly or indirectly, to the country they fled.

I call upon the Government to honour Canada's legal obligations to the United Nations by withdrawing Bill C-55.

* * *

TAX REFORM

WHITE PAPER—PROVISIONS WELCOMED

Mr. Bill Tupper (Nepean—Carleton): Mr. Speaker, I met several hundred constituents in Nepean—Carleton during the weekend. All welcomed those aspects of tax reform which related to agriculture, small business, and high technology which are so fundamental to the economy of that riding.

The reform initiatives were welcomed because they provide stability and incentives which are so important to the business

sector because it has created 80 per cent of all jobs, not only in Nepean—Carleton, but nationally.

The local community was also estatic during the weekend because Carleton University, Ottawa University, and 13 high technology companies, together with the Ottawa-Carleton Research Institute, were selected to establish a world-class telecommunications centre.

This decision will bring industry and universities closer together to conduct leading-edge research and to provide job opportunities for young scientists and engineers. It also reinforces Ottawa-Carleton's position as the high technology centre for Canada. Most important, it is part of a pathway to the future for all Canadians.

* * *

ABORIGINAL RIGHTS

BRITISH COLUMBIA INDIAN BANDS—FUNDING SOUGHT TO FIGHT COURT CASE

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, the Alliance of Tribal Councils representing 36 Indian bands in British Columbia has been patiently waiting for almost a year for the Government of Canada to fulfil its promise to provide funding for its court case with CN Rail.

The Indian bands represented by the Alliance have been forced into court because the federal Government has failed to protect their rights, because the Province of British Columbia does not acknowledge their rights, and because Canadian National refuses to negotiate in good faith.

• (1405)

Both the Province of B.C. and the federal Government are defendants in this case. Both Governments and CN have the resources they require for the legal action. To deny the Alliance the funding it needs to protect its rights and to participate on an equal footing with all the other parties would be a travesty of justice. At issue are aboriginal rights to fish and rights to cultural and economic survival.

Therefore I urge the Government to meet its obligations and to keep its promise—approve this funding before the summer recess of the House.

* * *

SOCIAL SECURITY

PROPORTION OF WORKERS SUPPORTING SYSTEM

Mr. Alan Redway (York East): Mr. Speaker, when the coming senior citizen population explosion first dawned on us, Canadians suddenly realized that soon there would be a decreasing number of workers to help pay for our social security system, particularly pensions.

Today there are six people between the ages of 18 and 64 for every person 65 years of age and over. Before too long, however, there will be only two people of working age for each senior citizen. All of this could change in the next few years if our productivity substantially increases, or if more seniors continue to work, or if our birth rate goes up, or if we increase immigration. One thing is clear—if we try to maintain our current six-to-one portion of working-age Canadians to seniors we will have to increase our population to 54 million people, more than doubling it over the next 40 years.

Our present immigration level of 125,000 people per year will maintain and stabilize our present 25 million population, but it will not produce the number of workers we will need to pay for our social security system. The time to start planning is now.

* * *

NATIONAL PARKS

SOUTH MORESBY—REQUEST PRIME MINISTER COMMUNICATE WITH BRITISH COLUMBIA PREMIER

Mr. Jim Fulton (Skeena): Mr. Speaker, on May 14 the House unanimously passed a motion calling for the co-operation of the B.C. Government in setting aside South Moresby as a national park reserve. Two weeks ago Ottawa offered $106 million. A week ago British Columbia turned that down. Last Wednesday the Prime Minister (Mr. Mulroney) promised to use every lever to persuade B.C. He has not used one yet.

The B.C. Cabinet meets on Wednesday to decide the fate of the area. Canadians from coast to coast have risen to the moment and in unprecedented numbers are calling, writing, and sending telegrams to Victoria and Ottawa. At $106 million Ottawa is offering to pay more for South Moresby than it cost for all 32 national parks in Canada.

The B.C. Premier says it's just a bunch of easterners who want South Moresby preserved. Well, I just returned from B.C. last night and support for South Moresby is everywhere. British Columbia's 28 MPs are unanimous in our support and do not take kindly to being called easterners by the man from Fantasy Gardens.

I trust that the Prime Minister will use the right lever on this issue and remember that he is Canada's Prime Minister in British Columbia and should not hesitate to go to British Columbia between now and Wednesday to find a fair and just settlement for all Canadians and all British Columbians.

S. O. 21

EMPLOYMENT

COMMUNITY FUTURES PROGRAM—CREATION OF JOBS

Mr. Elliott Hardey (Kent): Mr. Speaker, it is time this House recognized and applauded the Government's initiative in offering assistance to hundreds of communities across Canada by way of the Community Futures Program.

My riding of Kent in southwestern Ontario has now moved into the final stages of the Community Futures initiative. The excitement that comes with successful, locally administered assistance is overwhelming. New businesses that bring permanent jobs is only the beginning. We estimate $1.6 million of federal money will be pumped into Kent as new ideas to improve the local economy are considered each month by the operating committee. At that point the program will likely fly on its own as it continues to create new jobs and self-respect for my constituents.

As well, there have been megaprojects approved in communities across Canada under this program which have accessed funds up to $5 million. With this kind of incentive, and people helping people, existing businesses will expand and welfare rolls will begin to diminish. The five-point program of the Community Futures initiative covers all these areas.

To the Government, and especially to the Minister of Employment and Immigration (Mr. Bouchard), the riding of Kent says: "Thank you!" This is one government job-creation program that works.

* * *

HARBOURS AND PORTS

REPAIRS NEEDED FOR PRINCE EDWARD ISLAND WHARFS

Mr. George Henderson (Egmont): Mr. Speaker, I rise again to bring attention to the worsening state of our harbours and wharfs. The Conservative Government has already slashed some $10 million from its Small Craft Harbours budget. In fact, on May 12, 1987, the Deputy Minister of Fisheries and Oceans informed the Chairman of the Standing Committee on Fisheries and Oceans that over the next five years some 150 wharfs and harbours in Canada could be closed due to a shortage of funds. This includes some 13 fishing ports in Prince Edward Island.

In Tignish, many fishermen have requested the federal Government to undertake some badly needed wharf repairs at Tignish Run. Both the north side and the south side wharfs are in deplorable shape. The old wooden structures have rotted and the concrete decks have collapsed. We cannot ignore this urgent request.

• (1410)

Dependable and well-maintained wharfs are absolutely essential to our communities. We must not only avoid disruption in fishing time but, more important, we must not jeopardize the health and safety of our fishermen.

I urge the Government to allocate these funds immediately.

* * *

CANADIAN JOBS STRATEGY

PROGRAM TO HELP NORTHWEST TERRITORIES SOCIAL ASSISTANCE RECIPIENTS

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, it is shameful that a large proportion of welfare recipients are employable people. Individuals suffer from lack of both income and self-esteem, and the nation from loss of productivity.

To address this problem, the federal, provincial and territorial Ministers, in September of 1985, reached the Agreement on Enhancing the Employability of Social Assistance Recipients.

The Governments of Canada and the Northwest Territories are to be complimented on putting into effect this year one of the first accords reached under that master agreement.

The diversion of Canada Assistance Plan funds into job training and development under the Canadian Jobs Strategy is something that we expect to pay dividends by permanently reducing the welfare rolls and creating a better life for hundreds of former welfare recipients.

Some Hon. Members: Hear, hear!

* * *

TAX REFORM

WHITE PAPER—TREATMENT OF PREFERRED SHARES

Mr. David Orlikow (Winnipeg North): Mr. Speaker, the Minister of Finance (Mr. Wilson) promised Canadians a fair tax system. However, financial holding companies, such as Brascan, which was created to minimize the tax liabilities of the Bronfman empire, have created paper corporate structures for the purpose of issuing preferred shares on whose dividends there are no taxes payable.

Surely this kind of corporate tax avoidance should have been a perfect target for tax reform by the Minister of Finance. But did the Minister consider the dangerous levels of corporate concentration financed by tax-free preferred shares? No.

Did he crack down on Brascan and Hees International for using the public purse to create paper companies to avoid taxation? No.

Instead, tax reform for preferred shares starts on December 31 and only for shares created after June 18.

Why the double standard? Why will Bronfman shares, among others, continue to be tax exempt?

To explain, *The Globe and Mail* on Saturday quoted an investment expert, who said that Brascan and Hees are "too close to the Government".

So much for Progressive Conservative tax reform.

* * *

CAPE BRETON DEVELOPMENT CORPORATION

LAY-OFFS—CALL FOR PRESIDENT'S RESIGNATION

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, I rise today to lend support to District No. 26, United Mine Workers of America, in their fight against the Cape Breton Development Corporation, and in particular against the Government of Canada with regard to the down-sizing of the coal industry in Cape Breton.

On December 16, 1986, the Vice-President of Human Resources of the Cape Breton Development Corporation wrote to the Minister of Labour (Mr. Cadieux), advising him of terminations which were to take place on April 13, 1987, and subsequently in April of 1988 whereby some 480 individuals would be terminated, and that, notwithstanding the commitment to employment made by the Government in view of the high unemployment in Cape Breton, which is, in some areas, as high as 50 per cent.

The Minister of Regional Industrial Expansion (Mr. Côté) wrote me on May 11 last and said the following:

> As you may be aware, I recently reviewed these issues with the Corporation and am pleased by the more socially sensitive direction which has been taken.

I wish to inform the House, Mr. Speaker, that this so-called "socially sensitive direction" that the corporation is now taking has led to 170 individuals being terminated at the Cape Breton Development Corporation, with additional terminations to follow.

I suggest, Mr. Speaker, that if the Government is going to be true to its commitment made in December of 1984 to the coal mining communities of Cape Breton, it change this regressive policy, a policy headed by a regressive management at the Cape Breton Development Corporation. And, Mr. Speaker, I call once again for the resignation of the president of the Cape Breton Development Corporation, effective immediately.

S. O. 21

HUMAN RIGHTS

DANYLO SHUMUK—FORTHCOMING APPEARANCE BEFORE COMMITTEE

Mr. Andrew Witer (Parkdale—High Park): Mr. Speaker, after spending 34 years of his life in prison in Soviet gulags, Ukrainian dissident Danylo Shumuk, whose unflagging efforts on behalf of human rights are well known, joins us here today in Ottawa.

In May of this year, the Soviet authorities at long last provided Shumuk with an exit visa, allowing him to join his family in Canada. This was a direct result of years of protest by Members of this House and the personal intervention of the Secretary of State for External Affairs (Mr. Clark).

Through his unbending will and personal sacrifice, Shumuk has become a symbol to freedom-lovers everywhere in their struggle for the cause of freedom and liberty for people of all nations.

Tomorrow, Shumuk will become a full participant in our democratic process as he testifies before the Standing Committee on Human Rights, giving testimony of human rights violations in Ukraine.

Today, as he gazes down from the gallery, he finally has the opportunity to observe first-hand, real democracy in action.

* * *

[*Translation*]

TAX REFORM

SITUATION OF CERTAINS PERSONS

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, this weekend, I met with senior citizens, families, young people, workers and business people. All of them denounced the tax reform Budget announced by the Minister of Finance and expressed their disappointment in this document.

These people would like to know why the Government has decided, unfairly and illegally, to grant $1,600 in rebates to people with an income of $100,000 or more and only $90 in to those with an income of $15,000 or more.

The poor would also like to know why this Government is allowing them only $20 a year in tax credits while high income Canadians are getting all the breaks.

In closing, Mr. Speaker, all these people were unanimous to in saying: No, no and no to the tax on food and the sales tax!

• (1415)

[*English*]

TAX REFORM

WHITE PAPER—SUPPORT FOR PROVISIONS

Mr. Bill Attewell (Don Valley East): Mr. Speaker, after extensive consultation with Canadians from coast to coast, the Minister of Finance (Mr. Wilson) has launched the most comprehensive tax reform in Canada's history. The theme and thrust of the reform are greater fairness.

Through the progressive conversion of exemptions and deductions to tax credits, an additional 850,000 Canadians will not need to file a tax form again. Nine out of ten Canadians, aged 65 or older, will pay less tax. Eight out of ten Canadian households will pay less tax. Over the next five years personal income tax revenue will decrease by $11 billion.

Corporate income tax will be increased by $5 billion by shutting down or reducing certain preferences. Most Canadians agree that the corporate sector, particularly banks and other financial services corporations, should be carrying more of the tax load.

The initial reaction of Canadians has been favourable. We had a breakfast meeting in Don Valley East last Friday which was chaired by Ken Stephen. Our panel of tax experts included Maureen Pappin, of Deloitte, Haskins and Sells; David Hughes of Blake, Cassels and Graydon; and Ian Young of CIL Inc. With almost 150 people in attendance, most agreed that the Government is on the right track.

ORAL QUESTION PERIOD

[*English*]

TRADE

CANADA-UNITED STATES NEGOTIATIONS—FUTURE OF AUTO PACT

Hon. Herb Gray (Windsor West): Mr. Speaker, I have a question for the Minister for International Trade. Only last week the Government, through the mouth of the Parliamentary Secretary to the Minister for International Trade, again insisted that the Auto Pact was not on the free trade negotiating table.

Now we learn from a confidential memorandum, setting out what U.S. deputy negotiator Merkin told congressional staff, that the Government has in fact been negotiating the Auto Pact all along during the free trade negotiations and has in fact agreed to end Canadian auto tariffs, the only lever the Government has to ensure that Canadian automotive production and job safeguards can be met.

I want to ask the Minister how can Canadians believe anything the Government says on this or any other matter after this information from Ambassador Merkin? I ask the Minister will she be honest with Canadians? Will she tell the truth to Canadians just this once and admit that the Auto Pact is on the table, that the auto tariffs are gone, and that 200,000 automotive jobs are at risk? Will she tell the truth on this for the Government just this once?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the problem with the question as put is that it is based upon something which is not true. I have repeatedly told this House—and it is still true today—that the Auto Pact has not been discussed in these negotiations. It has not been discussed in any form in these negotiations.

Canada does not intend to put the Auto Pact on the table. We believe, as I have told the House, that it is working well. If the Americans wish to make any proposals, which they have not yet done, we will look at them. If they increase employment, increase production, and increase investment in Canada, we will look at them.

[*Translation*]

AUTO PACT'S FUTURE

Hon. Herb Gray (Windsor West): The Minister is saying that Mr. Merkin is not telling the truth. Is the Minister not prepared to accept that Mr. Merkin said the Government is prepared to turn the Auto Pact into a skueleton, an empty shell?

• (1420)

[*English*]

Mr. Speaker, has the Government agreed with the United States to end Canadian automotive tariffs? Will the Minister answer this with a clear yes or no? Canadians deserve to have an answer on whether the Government intends to sell them out once again and put at risk, if not lose, 200,000 Canadian jobs. Give a straight answer. Has the Government agreed to end Canadian automotive tariffs?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I am really shocked at the ignorance—

Some Hon. Members: Oh, oh!

Mr. Gauthier: Resign then.

Mr. Guilbault (Saint-Jacques): She is shell shocked.

Miss Carney: I am shocked at the ignorance of the Hon. Member. He, above all, should know that there are no tariffs in effect on trade within the Auto Pact. He should know that. There haven't been any tariffs for about 25 years. I am shocked that the Member stands in this House and suggests that there are tariffs on trade in the Auto Pact that apply on automobile trade between these two countries.

Mr. Gray (Windsor West): Mr. Speaker, if this is the Minister's level of knowledge of the Auto Pact, she ought to resign on the spot.

Some Hon. Members: Hear, hear!

Mr. Gray (Windsor West): The Minister should know that the tariffs are there unless North American automotive companies meet Canadian job and production standards in Canada. If they do not, they have to pay the tariffs.

Speaking of ignorance, Mr. Speaker, the Minister has given an example unparalleled in this House by any Minister.

CONTENT OF U.S. OFFICIAL'S MEMORANDUM—FEDERAL-PROVINCIAL RELATIONS

Hon. Herb Gray (Windsor West): Mr. Speaker, will the Government, as has been reported by Mr. Merkin, be attempting to get the provinces to agree to dismantling the Auto Pact by threatening to withhold federal revenues? If so, what are they for, medicare, housing, or day care? Why is the Government ready to make the seniors, the elderly, and the children of this country hostages to its blind, misguided desire to have a free trade pact with the United States?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the last question, is the federal Government threatening the provinces, is ridiculous. There is nothing to threaten them with. This Government has done more for national reconciliation than any Government in our history.

Second, the Hon. Member talks about the implementation of tariffs in the Auto Pact. I am shocked that he does not understand that the Auto Pact is operating way over the safeguard levels, 600,000 vehicles over the safeguard level—

Mr. Broadbent: That is a different question.

Miss Carney: —where those tariffs would kick in. Forty thousand more jobs are involved with the Auto Pact as it is functioning now than in the disastrous scenario which the Hon. Member predicts.

The Auto Pact is not on the table. It has not been put on the table. Canada will not put it on the table, and why won't the Opposition accept that?

Some Hon. Members: Hear, hear!

REDUCTION OF TARIFFS—EFFECT OF NEGOTIATIONS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I would like to follow up with the Minister on the answers that she has just given. The Hon. Minister has said that the question of the Auto Pact is not being negotiated.

An Hon. Member: That is not it.

Mr. Axworthy: Whatever the question may be, let's go back to the statements by the Minister. Is it not true that the Government of Canada today, with the two negotiators in town, is negotiating a total reduction of tariffs between our two countries down to zero levels? Is it not also true that if that tariff reduction to zero applies to the Auto Pact then all the conditions, guarantees and safeguards that apply to the Auto Pact will no longer be in existence? Therefore, the Auto Pact does not exist. Is that not a logical and necessary consequence of this Government negotiating away the tariffs on this matter and on all other matters? Will the Minister at least not agree to that simple and very common sense conclusion of what the Government is now doing?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, in response to the Hon. Member's question I can point out that the negotiators are talking about a hypothetical model of taking all tariffs on everything on a broad basis, except those areas that have been identified as sensitive, to zero. Can I also point out that automotive trade under the Auto Pact now operates effectively at zero?

• (1425)

Can I repeat the answer I gave in the House on March 16 about the safeguards? I said then and I say now that I want to assure the Hon. Member that the automobile industry in Canada is working well above the level of safeguards. If production ever fell to the safeguard level in the Auto Pact, this country and the Province of Ontario and that Hon. Member would be in trouble. That is what I said on March 16 and that is what I can repeat today.

GOVERNMENT POLICY

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I would simply like to point out to the Hon. Minister that there is nothing hypothetical about negotiating away the jobs of hundreds of thousands of auto workers, of agricultural workers and of workers in the food processing industry. There is nothing hypothetical about having only two and a half months to go until a trade deal has to be signed.

Is the Government basically saying that it is negotiating in the common room and not negotiating in realistic terms about what kind of trade deal we will have with the United States? Is it not time the Government quit being hypothetical and got down to practical realities? Canadian workers' jobs are at stake. We would like to know, and I want to ask specifically—

Mr. Speaker: The Hon. Minister.

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, it is true that jobs are at stake in these negotiations. If we do not succeed, we could lose half a million jobs because of the protectionist trends in the U.S. and elsewhere. May I point out to the Hon. Member that all of the studies we have seen indicate that there will be an increase in jobs if we are successful in bilateral free trade with the U.S., and there will be a decrease in jobs if we fail.

AUTO PACT—TARIFF PROVISIONS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is for the same Minister. I say to the Minister as a preface that the people of Canada do not trust the Government

in general and in particular they do not trust the Government to negotiate with the United States.

Mr. Speaker: Hon. Members know that argumentative and pejorative questions invite long and argumentative and pejorative answers. I would ask the Hon. Member to put his question, build his preface on facts and stay as far away as he can from pejorative comments.

Mr. Broadbent: Mr. Speaker, considering that the Minister either misstated reality completely or revealed a scandalous ignorance for a Minister conducting international trade when she said that for the past 25 years there have been no tariffs on automobiles—

Miss Carney: Effective tariffs.

Mr. Broadbent: The Minister said that there have been no tariffs for the past 25 years. Will she clarify that and admit she was wrong? Will she say that the Auto Pact requires that unless certain investment requirements are made in Canada, the automotive companies do in fact have to pay duty related to those tariffs and that is what the Auto Pact is all about? Will she admit that she was wrong right now?

Hon. Pat Carney (Minister for International Trade): No, Mr. Speaker, I do not admit that I am wrong. I said that automotive trade under the Auto Pact right now operates tariff-free. The Hon. Member is referring to the fact that a nominal tariff, the most-favoured-nation tariff, does kick in under the Auto Pact if the safeguards are not met. I can only repeat that the safeguards have been met for years. If we ever operated at that level, we would be in deep trouble.

STATEMENT ATTRIBUTED TO U.S. OFFICIAL

Hon. Edward Broadbent (Oshawa): Mr. Speaker, one of the reasons the safeguards have been met for years and why there are jobs in Quebec and Ontario and related jobs elsewhere is that we have a duty and a tariff structure as a carrot or a stick. The Government should understand that and keep those duties in place.

A key American negotiator, not just anyone, has said categorically that the Canadian Government has agreed to drop tariffs and, second, that the Canadian Government has agreed to get other concessions from other provinces, and this is of particular interest to the Provinces of Quebec and Ontario. Is the Minister now saying that Mr. Merkin is lying, or is the Government of Canada misleading the people of Canada once again?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the Hon. Member is talking about a memo allegedly written by an American, dealing with Americans. I suggest that he ask that question of the Americans.

I can only say that when I was in Washington on my last trip I met with Mr. Yeutter, the U.S. trade representative, and we agreed that over the course of the summer there would be garbled press reports, there would be leaked memos, there would be all sorts of garbled information, and we both agreed we would not comment on such misinformation as the Hon. Member has presented in this House.

• (1430)

Mr. Broadbent: If I were an American Senator I would go to an American for the answer. Just for once I thought I could go to a Canadian Minister and get the truth.

[*Translation*]

AUTO PACT—REQUEST FOR GUARANTEES

Hon. Edward Broadbent (Oshawa): Considering that a good many jobs in the provinces of Quebec and Ontario would be affected by Government decisions concerning the Auto Pact, can the Minister assure Canadians, Quebecers and Ontarians particularly, that the Government has not decided to abolish tariffs in the automotive sector?

[*English*]

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the Hon. Member is simply restating his question. My answer is the same. There are no effective tariffs on auto trade as it is now. If we ever fell to the level of the safeguards where you do kick in a nominal tariff we would have lost 40,000 jobs in Ontario and Quebec. We want to ensure that we have an over-all free trade agreement that creates jobs.

The Hon. Member is still raising the Auto Pact issue. I am telling him and this House that the Auto Pact is not on the table. Canada will not put it on the table. If the Americans want to put it on their side of the table, if they bring proposals forward that enhance investment, production and jobs in Canada, we will look at it.

* * *

THE ADMINISTRATION

CODE OF CONDUCT—STOCK HOLDINGS OF MINISTER FOR PUBLIC WORKS

Mr. John Nunziata (York South—Weston): Mr. Speaker, my question is directed to the Deputy Prime Minister and concerns the so-called blind trust of the Minister of Public Works which appears to have 20/20 vision.

We know the Minister received at his home monthly statements of his stock portfolio, contrary to the conflict of interest guidelines. We know the Minister's friend and fund raiser was managing his portfolio contrary to the guidelines. How can the Deputy Prime Minister say that the Minister's assets were in a blind trust when he was receiving stock portfolio information on a monthly basis, and when his best friend and fund raiser was managing that portfolio? Would he not agree that is a blatant breach of the guidelines?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, once again the Hon. Member is casting aspersions and making insinuations about a Minister. I want to inform him and the House that the Minister is in the process of putting all the facts together and he will be making a statement to the House, either later today or tomorrow, which hopefully will clarify the issue.

Mr. Nunziata: The Minister should be here today to defend himself.

REQUEST FOR COMMITTEE REFERRAL

Mr. John Nunziata (York South—Weston): Mr. Speaker, we have documents which show that monthly stock portfolio statements were sent to the Minister's home. We know as well that the Minister's so-called blind trustee is his friend and fund raiser. We know this is another case of a Tory Minister showing contempt for the conflict of interest guidelines. The Minister's blind trust is an absolute sham.

Some Hon. Members: Question!

Mr. Nunziata: In view of the facts as we know them will the Deputy Prime Minister, on behalf of the Government, refer this whole matter to the Standing Committee on Elections, Privileges and Procedure so we can conduct a full and complete investigation?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I just want to advise the Hon. Member and the House that the Minister will defend himself. He will make a statement. May I simply remind the Hon. Member that not too long ago we had similar aspersions and insinuations about the Minister of State for Fitness and Amateur Sport. They were somewhat less than in accordance with the facts. Perhaps the Hon. Member may want to reflect and wait until he hears what the Minister has to say.

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TRADE

CANADA-UNITED STATES NEGOTIATIONS—FUTURE OF AUTO PACT

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, my question is directed to the Minister for International Trade. How can she say that the Auto Pact is not on the table when we have seen the pressure applied by the Governor of Michigan? I now have a letter here from the Governor of Wisconsin making precisely the same points and stressing that the Auto Pact "leans heavily in favour of Canada and the U.S. must improve this imbalance in the free trade talks". Why is the Government trying to con the people of Canada?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I thought I had made it clear that the reason I can say the Auto Pact is not on the table is because it is not on the table. The negotiators are meeting now and I am advised by them that the Auto Pact is not being discussed. The Auto Pact has not been discussed. As I said, we do not propose to put it on the table. If the Americans want to do so, we will look at their proposals. If they are good for employment, production and investment in Canada, we will look at them.

The only people who are trying to put the Auto Pact on the table are the opposition Members. They are putting thousands of jobs and billions of dollars in investment on the table with these red herring scare tactics.

Mr. Langdon: The Minister knows perfectly well that Mr. Merkin heads a working group on automotive products which is dealing with precisely this issue. A memo that reports his statements is bound to have much more truth in it than anything the Minister says.

Some Hon. Members: Shame!

Mr. Langdon: I suggest that the Minister owes an explanation to workers right across this country, in Boisbriand, St. Catharines, Windsor—

Mr. Speaker: Order, please. The Hon. Member will put his question, please.

MINISTER'S POSITION

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, will the Minister give an explanation about why there is so much evidence emerging in the U.S. and Canada that the Auto Pact is being discussed and thousands of jobs are at definite risk?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I think I have answered that question. I can only point out that if the Americans wish to put forward any proposals detrimental to our automotive trade the Opposition is their best ally and friend in achieving that aim. I think I have made our position very clear. The Hon. Member refers to a working group on automotive trade. I can tell the House and the Hon. Member that was an information group to discuss how the trade worked now and it has not met since last November.

Mr. St. Germain: Supplementary, Mr. Speaker.

Mr. Speaker: The Hon. Member for Mission—Port Moody.

POSITION OF OPPOSITION

Mr. Gerry St. Germain (Mission—Port Moody): Mr. Speaker, we have sat in this House and listened to the false—

Some Hon. Members: Question!

Mr. Lewis: You get a preamble.

Mr. St. Germain: —rhetoric of the Opposition. In view of the fact that the Minister has pointed out, as stated by Mr.

Murphy, that the Opposition are the American's best allies, are any other Canadian industries being jeopardized by this irresponsible rhetoric on the part of the Opposition?

Some Hon. Members: Hear, hear!

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HOUSE OF COMMONS

PRESENCE IN GALLERY OF NETHERLANDS MINISTER OF HEALTH AND CULTURE

Mr. Speaker: I wish to bring to the attention of Members the presence in the gallery of Mr. Elco Brinkman, Minister of Health and Culture of the Netherlands.

Some Hon. Members: Hear, hear!

• (1440)

PRESENCE IN THE GALLERY OF DEPUTY CHAIRMAN OF COUNCIL OF STATE OF POLAND

Mr. Speaker: I also want to bring to the attention of Members the presence in the gallery of Mr. Tadeusz W. Mlynczak, Deputy Chairman of the Council of State of Poland.

Some Hon. Members: Hear, hear!

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THE ADMINISTRATION

CODE OF CONDUCT—STOCK HOLDINGS OF MINISTER FOR PUBLIC WORKS

Ms. Sheila Copps (Hamilton East): Mr. Speaker, my question is directed to the representative of the Prime Minister. We have seen seven Ministers in this Government go down under a cloud, so much so that the Prime Minister himself has stated in the House that he is responsible for the conflict of interest guidelines.

I was told this morning by the Acting Deputy Registrar General: "The matter is no longer in my hands. It is in the hands of the Government".

Given that the ADRG does not have the power to investigate, given that the ADRG admitted this morning that he did not have all the facts, and given that he said further this morning that he had not even been able to speak to the Minister in question, will the representative of the Prime Minister tell us whether the Prime Minister is prepared to conduct a full investigation and to turn that investigation over to a body of the House of Commons?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I indicated earlier that the Minister would be making a statement in the House, either later this afternoon or tomorrow, with regard to the issues the Hon. Member has raised. Perhaps she would like to wait for that statement to be made because it may enlighten her a little bit.

At the same time she may want to reflect upon the code that her own Leader has imposed upon all members of her caucus, namely, that in dealing with issues of this nature one should first get the facts, know the facts, know when you have made your case, and remember that you are not only affecting the Government but all elected Members and, indeed, the institution of Parliament. One should also remember that there are important issues to deal with rather than the sleaze and innuendo which the Hon. Member is—

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

Ms. Copps: Mr. Speaker, I would like to let the Deputy Prime Minister know that we have the facts, so much so that I am sure that is one of the reasons the Minister himself did not have the courage to come into the House and answer questions and why the Prime Minister is not here in the House today.

Some Hon. Members: Order!

PRIME MINISTER'S POSITION

Ms. Sheila Copps (Hamilton East): I will direct my question to the Deputy Prime Minister. When is the Prime Minister of Canada—

Some Hon. Members: Order, order!

Miss MacDonald: That is totally unacceptable.

Mr. Speaker: The Hon. Member will please put her question.

Ms. Copps: When is the Prime Minister going to take his responsibility as the Leader of the Government which has seen seven Ministers fall under a cloud with the potential now of the eighth? When is he going to take his responsibility and start ensuring that his Ministers are respecting the conflict of interest guidelines which he claims they adhere to? We do not think it is happening. We want an answer from the Prime Minister.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, as I indicated, the Minister will be in the House and will be perfectly prepared to defend himself in the Chamber and outside the Chamber.

Ms. Copps: I will too, believe me.

Mr. Mazankowski: I know the Hon. Member alleges that she always has the facts. I hope she is accurate in her comments today because she may want to reflect upon them after she hears the details of this particular case.

Mrs. Finestone: Oh, you already know the answers?

Ms. Copps: You know the details, do you?

Mr. Mazankowski: This would not be the first time that charges, insinuations and allegations were hurled across the floor, and found to be unfounded upon reflection and further examination.

Mr. Boudria: With your reputation I wouldn't lecture.

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CANADA POST CORPORATION

LETTER CARRIERS' STRIKE—REQUEST THAT MEDIATOR BE APPOINTED

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, my question is for the Minister of Labour. The Post Office has called for a mediator in the postal dispute. The union also wants a mediator. Why is the Government hesitating? Will the Minister be appointing a mediator? When will he be appointing a mediator? What is he waiting for?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, if I understood correctly, the Member asked a number of questions. I will answer at least one. Yes, I have received a formal request from the Post Office to appoint a mediator and I am considering it.

MINISTER'S POSITION

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, is the Minister prepared to indicate to this House that he is willing to appoint a mediator in this dispute? Is he looking for a mediator? Is he willing to make a commitment that he is going to appoint a mediator?

Hon. Pierre H. Cadieux (Minister of Labour): As I have just indicated, Mr. Speaker, I am considering it. My hon. colleague may be assured that as soon as I make a decision this House will be informed.

TRADE

CANADA-UNITED STATES NEGOTIATIONS—FUTURE OF AGRICULTURAL MARKETING BOARDS

Mr. Maurice Foster (Algoma): Mr. Speaker, my question is directed to the Minister for International Trade. Last February 9 the Minister told this House that the free trade negotiations were not about marketing boards and that our system of marketing wheat was not subject to discussion in the free trade negotiations.

We now learn from the memo of Mr. Merkin, the deputy chief negotiator for the United States, that the free trade negotiations are addressing dairy and poultry quotas and the practices of the Canadian Wheat Board.

How can Canadian farmers believe the assurances of the Minister that the marketing boards and the Canadian Wheat Board are not included in the free trade negotiations when the United States administrator says that they are?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I can give the Hon. Member much the same answer as I have given in this House earlier today. He is commenting on press reports on a memo which is allegedly being circulated in the U.S. I have no idea what stories are circulating on the U.S. side of the border. I can only assure the Hon. Member of what is happening on our side of the border.

On our side of the border we are not discussing measures which will undercut our supply management system. I met with our SAGIT on agriculture last Friday when that position was again put forward.

COMMITMENT TO FARMERS

Mr. Maurice Foster (Algoma): Mr. Speaker, could the Minister simply give a commitment today to Canadian farmers that the Government will walk away from any free trade negotiation which eliminates the quotas and border tariffs for our marketing boards? Can the Minister give Canadian farmers that commitment today?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I believe the commitment to Canadian farmers was made in the motion which was presented to this House, fully debated, and passed by this House. That is the commitment to Canadian farmers.

Mr. Foster: Answer the question, Pat.

[*Translation*]

TAX REFORM

QUERY CONCERNING JUSTICE IN POLICY OF REDUCING TAXES ONLY FOR THE VERY RICH

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, I should like to direct a question to the Minister of Finance concerning the impact of his tax reform and of all the other tax changes imposed by the Conservative Government since its election.

Mr. Speaker, our examination of the impact of these changes reveals that 98 per cent of Canadian families will be paying more sales taxes and income taxes in 1988 than was the case on a similar income in 1984, and that the only group of people who will be paying less are those with an annual income in excess of $100,000.

I am asking the Minister where is justice in a Conservative tax policy which reduces taxes only for the very rich and which raises them for 98 per cent of the people?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, what is fair about Conservative tax policy is what was brought in through the White Paper on tax reform on Thursday evening. Eight out of ten Canadians will be paying less tax. Eight hundred and fifty thousand Canadians will be paying no more tax after tax reform. Nine out of ten Canadians over the age of 65 will be paying less tax.

There are other elements of tax reform which I could repeat to the Hon. Member to underscore that point. I expect he will be reading the documents and finding out exactly what is happening with regard to tax reform. I am sure he will agree with my position.

EFFECT OF PROPOSALS

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, I have read the documents. I have also considered the Minister's tax reform proposals in light of the $1,300 of tax increases which he has imposed on the average Canadian family since 1984. He is now giving $300 back and asking people to feel grateful when he is keeping $1,000 of the increases which are already in place.

Would the Minister explain the double standard? Ninety-eight per cent of Canadian families earning a given income will be paying more in 1988 than they were paying in 1984. The only families that will be better off will be wealthy Canadians earning over $100,000. What kind of justice is that?

• (1450)

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, families under age 65 will find that the threshold level at which they begin paying taxes will be higher after tax reform than it was prior to our taking office in 1984. The same is true for senior citizens. The threshold at which they start paying tax will also be higher under tax reform than it was in 1984. These are two elements of tax reform that I think the Hon. Member has missed.

[*Translation*]

INQUIRY WHY RICH WILL RECEIVE MORE ADVANTAGE THAN POOR

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, my question is also directed to the Minister of Finance and concerns tax reform.

On the weekend, many experts, journalists and parliamentarians did some arithmetic to find out whether the reform proposed by the Minister was fair and equitable. Mr. Speaker, I would like to refer to the analysis made by Marjorie Nichols in today's Ottawa Citizen, and ask the Minister to explain why his tax reform, which was supposed to be fair and equitable, gives Canadian families earning an income in excess of $100,000 a year a tax saving of $1,520, which is nearly $30 per week, while families earning $15,000 or less will have a tax saving of only $99. Why $1,520 for the rich and only $99 for the poor?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, if the Hon. Member checks with the tax reform papers he will see that those earning $55,000 or more will be paying more tax as a share of our total revenues after tax reform than is the case before tax reform. Those who earn less than $27,500 will be paying less tax as a percentage of our total revenues after tax reform. We have increased the progressivity of the tax system.

[*Translation*]

FOOD TAX—GOVERNMENT POSITION

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, the Minister is saying that the figures published by Ms. Nichols are wrong. Well, I can inform the Minister that I did some figuring of my own, and while I did not come up with exactly the same results, the overall effect was the same.

If the Minister doesn't want to answer any questions about income tax, I would like to ask him a question about sales tax.

Mr. Speaker, when we look at the figures given by the Minister on page 47 of his White Paper, his *Economic and Fiscal Outlook*, we see that sales tax has provided the federal Government with a 94 per cent increase, in other words, the resulting revenues have increased by 94 per cent under this Government.

I want to ask the Minister: After a 94 per cent increase in sales tax revenues over five years, does it make sense for the Government to further increase those revenues by adding to the tax burden on consumers, and especially by adding a tax on food, on the bread and butter of Canadians?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, others have done these calculations as well. If the Hon. Member wishes to look at *The Ottawa Citizen*, *The Toronto Star*, and *The Globe and Mail*, he will see that they have gone to accountant firms to ask them to check some of the figures in the tax reform paper. They have found that the tax savings that we have set out in the personal income tax brochure, which is available at all supermarkets and shopping centres for Canadians in all parts of Canada to see, are correct.

The Hon. Member says that sales taxes have increased since 1984. As well, there has been an increase of 840,000 jobs since 1984. That is part of the reason for the increase in sales tax, the increase in economic activity. But it also a reason why we are going to a new sales tax system. I know that the Hon. Member agrees we should go to a new sales tax system. That is the purpose of the second stage of tax reform.

* * *

FISHERIES

CANADA-FRANCE DISPUTE—CANCELLATION OF MEETING

Mr. Rod Murphy (Churchill): Mr. Speaker, my question is directed to the Deputy Prime Minister. Considering that France has decided to pull out of negotiations on the fishing dispute between our two countries for the time being, and considering that the Government claimed that those negotiations were a victory for Canada, will the Deputy Prime Minister or the Minister responsible explain to fishermen in Atlantic Canada how the Government is standing up for their rights?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, France has not said that it is pulling out of the negotiations between Canada and France, either on the boundary issue or on the question of fish quotas for France in Canadian waters. France has said that it does not wish to meet on June 24 and June 25 this week because apparently it is peeved that Canada has taken a position that French fishing vessels will not be allowed to use Canadian ports until such time as France agrees to observe proper and reasonable fishing quotas in Zone 3PS, the disputed zone off the south coast of Newfoundland.

When we took that action, opposition Members said that it was hypocritical and ineffective, and members of the New Democratic Party said that we should be sending out the fleet to give the French a lesson. That suggestion was made by the Hon. Rambo Broadbent.

The step we have taken has obviously been extremely effective because since then the French have been attempting to have us change our minds. We will not do so until France ceases its over-fishing off the south coast of Newfoundland.

Mr. Murphy: The Government said that it achieved the meeting as a result of successful pressure on the French Government. This is the only Government that would now say it is successful because the meeting was cancelled.

CANADIAN POSITION

Mr. Rod Murphy (Churchill): Mr. Speaker, we already know from scientific study that the French over-fishing is hurting our stocks and the livelihood of our fisherpersons. What will the Government finally do to stand up for those Canadian fishermen?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, I would recommend to the hon. gentleman that he use the word "fisher" if he wants to describe both female fisherpersons and male fisherpersons.

Some Hon. Members: Oh, oh!

Mr. Crosbie: This is a compromise strongly recommended by my colleague, the former Minister of Employment and Immigration.

It appears to me now that the NDP are suggesting that we should surrender to the French and readmit their vessels to Canadian ports. We will not do that. We are staying steady on the course we have taken. We will negotiate with France and come to a conclusion that is good for the fishermen of Newfoundland, the fishermen of eastern Canada, and good for everyone but the NDP who are trying to sneak in in a by-election in St. John's East.

* * *

TAX REFORM

INCOME TAX—COMMITTEE MEETINGS

Mr. Bill Attewell (Don Valley East): Mr. Speaker, my question is directed to the Chairman of the Standing Committee on Finance and Economic Affairs. He announced earlier today that the committee will be meeting with finance officials. When does he plan to meet with Canadians from coast to coast who will be very interested and have comments to improve that document where it should be improved?

Mr. Don Blenkarn (Mississauga South): Mr. Speaker, the Standing Committee on Finance and Economic Affairs has called on Canadians to submit, for August 18, briefs and suggestions with respect to tax reform concerning the income tax portion of the White Paper. We will then commence detailed hearings in Ottawa, in western Canada and in Atlantic Canada throughout September. Hopefully we will be able to report to the House with respect to the income tax side of the tax reform by November 6. We would appreciate if Canadians would give us their views in order to have the House and Members on all sides of the House understand fully the import of the tax change.

SALES TAXES—MINISTER'S POSITION

Miss Aideen Nicholson (Trinity): Mr. Speaker, my question is directed to the Minister of Finance whose tax reform proposals continue his practice of assaulting the pocketbooks of middle and low-income Canadians, all in the name of fairness. Will the Minister explain to those Canadians whom he has burdened with the load of new, unreformed sales taxes, where is the fairness for them in a system whereby any reduction in income tax is followed by an increase in sales tax?

• (1500)

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I presume from the Hon. Member's question that she is referring to the sales tax reforms which, I understand, her Party feels are necessary because of the bad tax system we have in the existing federal sales tax. The fairness comes in because there will be a significantly enlarged refundable sales tax credit paid to low and lower middle-income Canadians in advance and on a regular basis. In addition, the surtaxes for all Canadians will be removed and there will be further income tax reductions for middle-income earners. So there is a good deal of fairness in this package which will be part of Phase Two.

EFFECT OF GOVERNMENT POLICIES

Miss Aideen Nicholson (Trinity): Mr. Speaker, the Minister has said that as a result of last Thursday's budget 850,000 low-income people will be removed from the tax rolls, but he failed to say that since 1985 his policies have added nearly a million Canadians to the tax rolls. According to the Minister's own figures, now a couple with two children will begin paying tax at well below $20,000 a year annual income and a single person begins paying income tax at $6,400. Will the Minister not admit that his policies are designed to keep the poor, poor?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, on the contrary, that is why we made these changes, to remove 850,000 Canadians from the tax rolls. The Hon. Member has missed one key point. One of the reasons there are more taxpayers today is because there are 840,000 people in a better position to pay tax. They have a job which they did not have in 1984.

Mr. Speaker: I want to advise Hon. Members that this will be the last question before the end of Question Period.

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NATIONAL PARKS

SOUTH MORESBY—COMMUNICATIONS BETWEEN PRIME MINISTER AND BRITISH COLUMBIA PREMIER

Mr. Jim Fulton (Skeena): Mr. Speaker, my question is directed to the Minister responsible for national parks. Last Wednesday here in the House the Prime Minister promised to use every possible lever to obtain the co-operation of the Government of British Columbia in setting aside South Moresby as a national park reserve. As of an hour ago, the Premier of British Columbia has publicly indicated that he has had no contact with the Government of Canada regarding South Moresby. Could the Minister bring the House up to date as to why there has not been any contact between the Government of Canada or between the Prime Minister and the Government of British Columbia to this point?

Hon. Tom McMillan (Minister of the Environment): Mr. Speaker, the Hon. Member for Skeena is correct in saying that it was the intent of the Prime Minister of Canada to call the Premier of British Columbia about the South Moresby question. I can confirm that the Prime Minister intends to do so. He may well have made his call even as I speak.

I will be talking to the Prime Minister later today to check whether the call has been made—and I expect it will have been made—after which I will brief the Hon. Member and any other interested Member on the results which may flow from the conversation if it has taken place.

WESTERN DEVELOPMENT INITIATIVE FUND

Mr. Jim Fulton (Skeena): My supplementary question is directed to Deputy the Prime Minister. It was reported earlier today as well that because there is no new money in the Western Development Initiative Fund that may be a part of the reason there is a delay in getting the co-operation of the Province of British Columbia. Could the Deputy Prime Minister advise the House whether or not linkage has been made between the Western Development Fund and the $106 million proposed for the national park reserve in South Moresby?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I am not in a position to comment on speculative reports at this particular of time.

Mr. Speaker: I want to advise Hon. Members that I have received from the Hon. Member for Oshawa (Mr. Broadbent) notice of a question of privilege which may take a few minutes. I have also just received a note from the Hon. Minister of Public Works that he wishes to rise on a point of personal privilege. I understand it would be acceptable to the House if we heard the Minister first.

* * *

PRIVILEGE

CODE OF CONDUCT—ALLEGED BREACH

Hon. Stewart McInnes (Minister of Public Works): Mr. Speaker, on my appointment to the Cabinet in August 1985, I established a blind trust and appointed McLeod Young Weir

as my trustee. Ross Montgomery was its agent in Halifax on this matter at the time. In March of this year the trust was transferred to Nesbitt, Thomson and Deacon Inc. where Mr. Montgomery continues to act as agent for the firm.

Since establishing my blind trust, there have been a few instances where statements or certificates were copied to me inadvertently by the brokerage firms. I notified my trustee of the error and asked that corrective action be taken. My trustee conducted my accounts absolutely independently and without involvement or direction by me.

I refer to Mr. Montgomery's statement:

I have been Stewart McInnes' investment advisor and broker for five years. When Stewart McInnes became subject to the federal Conflict of Interest guidelines, I opened a blind trust account with my previous employer. When I changed employers, a new blind trust was opened at Nesbitt Thomson. I have not, at any time, consulted with Stewart McInnes relative to the investments for the blind trust since they were opened. I am aware of a U.S. broker who was given responsibility to manage a small portion of the blind trust account. Inadvertently, after the fact, monthly statements were sent to Stewart McInnes but this practice was stopped when discovered. I am satisfied the Conflict of Interest guidelines for the blind trust account have been met.

I am disturbed by the insidious manner in which this matter has been dealt with by certain members of the Opposition. I categorically reject the innuendo and insinuations which have emerged. Everything I have done has been in full compliance with the conflict of interest guidelines. I immediately answered any and all questions with the facts at my disposal.

Some Hon. Members: Hear, hear!

Ms. Sheila Copps (Hamilton East): Mr. Speaker, I realize the Minister is rising on a point of privilege and, given that the privileges of all Members of the House relate to the question of honesty, I would like to be able to respond. I realize I cannot put a question to the Minister, but the Minister has stated in the House that in fact he had a blind trust under the direction of McLeod Young Weir which was managed by one Ross T. Montgomery. He should be aware that in fact Ross T. Montgomery has never been an official, nor has ever had any signing authority for McLeod Young Weir and therefore it would be impossible for him to individually process any transaction on behalf of McLeod Young Weir.

In fact, with respect to the Paine Webber statement, the Minister has stated that his so-called trustee asked that the statements, the secret documents coming from the United States, not go to his house when he became aware of it. In fact, we know from press reports that his so-called trustee, Mr. Montgomery—

Some Hon. Members: Oh, oh!

Some Hon. Members: Come on.

Mr. Mazankowski: Sit down.

Mr. Speaker: I would ask Hon. Members to leave the matter to the Chair. The Hon. Member for Hamilton East (Ms. Copps), who has raised questions in the House on this particular matter, has listened to the Minister. It may very well be that the Hon. Member for Hamilton East and other Members, in view of what the Minister has said, may want to ask questions which are deemed to be appropriate with respect to conflict of interests at another time, and there is, of course, procedures for doing so. However, the Chair feels it would not be appropriate to continue comments by Members at this time.

As I say, that does not preclude the Hon. Member or other Hon. Members from asking legitimate questions about the conflict of interest guidelines. But given the circumstances, and in keeping with the appropriate tradition of this place, the Minister made a public statement quickly after the matter became the subject of public discussion and immediately following questions in the Question Period, so I think it would not be appropriate to continue it now on either points of order or other points. The Hon. Member will have adequate opportunity to pursue the question of conflict of interest at another time.

• (1510)

Ms. Copps: Mr. Speaker, given that the Minister has said in the House that he is prepared to be completely open and to provide full disclosure on all matters surrounding his trust agreement, would it be appropriate, through the Chair, to seek the unanimous consent of the House to have this matter referred to the Standing Committee on Elections, Privileges and Procedure?

Some Hon. Members: Oh, oh!

Mr. Speaker: That is always something that can be done. There are, of course, appropriate ways of doing it.

As Hon. Members know, if there is a unanimous disposition in the House to make a move of that kind, or any other, it is sometimes helpful if there is discussion between House Leaders before that takes place.

I think that I will exercise the prerogative of the Chair and close off discussion on this issue at this time. As I have said, I leave it quite open to Hon. Members to raise the matter again. If there are questions that Members still have, there is of course Question Period tomorrow. Given that the questions are addressed to conflict of interest and to comments which the Minister may or may not have made, I will consider those questions when and if they are asked.

Mr. Nunziata: On a point of order, Mr. Speaker—

Some Hon. Members: Oh, oh!

Mr. Speaker: I wish to ask the co-operation of all Hon. Members. The Chair has decided not to hear further points of order on this particular matter. I think that is in the interest of order and decorum at this time.

As I said, no Member will be closed off if there are appropriate questions asked at the appropriate time. We are getting into debate here and this is not the time for it.

The Hon. Member for Oshawa (Mr. Broadbent) rises on a question of privilege.

Hon. Edward Broadbent (Oshawa): Mr. Speaker—

Mr. Nunziata: Mr. Speaker, on a question of privilege—

Mr. Speaker: The Hon. Member for York South—Weston (Mr. Nunziata) rises on a question of privilege. I will hear him, but I have indicated that I will hear the Hon. Member for Oshawa on his question of privilege of which I do have notice. I now have notice of another one, and I will keep the Hon. Member in mind.

The Hon. Member for Oshawa.

* * *

PRIVILEGE

CANADA-U.S. TRADE NEGOTIATIONS—ALLEGED CONTRADICTORY STATEMENTS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I wrote to you earlier this day concerning my interpretation of a possibility of a question of privilege. I pointed out, Your Honour, in a letter to you, that certain statements made in the House of Commons by the Parliamentary Secretary to the Minister for International Trade (Mr. McDermid) were in flat contradiction to statements that have been attributed to a senior trade official in the United States, specifically about an agreement that is alleged to have been made about the abolition of tariffs in the automotive sector in trade between Canada and the United States.

On the one hand the Parliamentary Secretary said on June 17 in the House that the subject matter has never even been discussed. On the other hand a senior American official has said something that is in flat contradiction to that, namely, not only has there been discussion but there has been an agreement reached.

If you should agree, Your Honour, that there is a prima facie case of privilege I am prepared to move the appropriate motion to have this matter referred to the Standing Committee on Elections, Privileges and Procedure.

Hon. Herb Gray (Windsor West): Mr. Speaker, this is a matter which does in fact touch upon the privileges of all Members of the House. It is very important that we be in a position to obtain clear, definite and correct statements from Ministers in answer to our questions.

I think it is a serious matter when a Minister of the Crown says, in effect, that a senior official of a friendly government, in this case the Deputy U.S. Trade Commissioner, is providing inaccurate information to the staff of the legislative body to which this U.S. official is ultimately responsible. That would be serious enough in any event, but when we are talking as we are here of what the Minister for International Trade (Miss Carney) should be saying in a clear and accurate way to Members of this House, then we have before us a very serious matter. This is so especially when it is clear that the Minister did not make a correct statement regarding the reality with respect to tariffs on automobile parts and finished automobiles coming from the United States.

I also wish to say in that regard that the House should know that it is the obligation of each individual auto company doing business in Canada pursuant to the Auto Pact to achieve the safeguard levels set for that company. Even if the over-all levels of production for the industry are far above what is required in total, if an individual company does not meet the safeguard levels then the duties are payable by that company. This has happened a number of times even though during those times the over-all safeguard levels had been met.

I think we have issues here which touch on the ability of all Members of the House to do their work properly, based on full and accurate information from the Government. Therefore I think we have an issue which creates a prima facie case of privilege.

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I have two points which I would like to contribute to what I think is an extremely important point that has been raised by my Leader. The first is with respect to a statement which was made by the Minister for International Trade (Miss Carney) on March 16, 1987. This is a statement reported at page 4178 of *Hansard* in which the Minister said:

> Tariffs are on the table because experience has shown that the Canadian economy has prospered through tariff reduction. This is so even with the Auto Pact which the Opposition keeps bringing up.

My clear interpretation of that statement is that the Auto Pact and reduction of tariffs affecting the Auto Pact are very much under discussion. That would seem to represent a clear contradiction to the statement made by the Minister's Parliamentary Secretary last week.

The second point which has to be stressed very strongly is that the memorandum, which could be tabled in the House if it were useful, is a memorandum which we ourselves checked through our office this morning in order to determine its authenticity. We checked with the organization which represents the coalition of over 200 American Congressmen and 38 American Senators who represent the Midwest and the northeastern United States. It was clear from the conversation with staff representatives of the organization that, indeed, the briefing which is reported in the memorandum did take place. It was carried out by Mr. Merkin and dealt with the precise points which the memorandum itself outlines in an abbreviated form for purposes of congressional offices.

I think that on those grounds and on the grounds of contradiction between the Minister and her Parliamentary Secretary there is a serious case here of confusion and, certainly, an attempt to avoid giving a clear picture to the House of Commons and to its Members of what is taking place. As one Member who represents a constituency which

includes thousands of automotive workers, I think this question of privilege should be allowed. My Leader, the Hon. Member for Oshawa (Mr. Broadbent), should be allowed to move the appropriate motion.

• (1520)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, as I understand the question of privilege, it arises out of an alleged contradiction in the comments made by the Parliamentary Secretary to the Minister for International Trade (Mr. McDermid) on June 17, wherein he stated:

> This Government has not requested that the Auto Pact be on the table for negotiation. To date, neither has the American side requested that it be part of the negotiations.

I am having a little difficulty piecing this together, Mr. Speaker, but as nearly as I can figure it out, I understand the issue to be that there is an alleged contradiction between the statement of the Parliamentary Secretary and a statement in a memo by a U.S. congressional staff member "who was part of a group briefed earlier this month by Deputy U.S. Trade Negotiator Phil Murphy". I could comment at length, Mr. Speaker, as to how excited we should get about just exactly where this congressional staff member is in the scheme of things, but I do not think I need do that.

The question of privilege fails on two grounds. First of all, you have already ruled on this when you ruled earlier today that there should not be an emergency debate on this matter. Failing that, I refer you to precedent.

There are several decisions and much commentary on what is a question of privilege. I refer you to the decision of Mr. Speaker Lamoureux of March 21, 1974, in relation to a claim that contradictory statements had been made by a Minister in the House, in committee, and in letters.

The issue in that case was whether or not allegedly contradictory statements of a Minister constituted sufficient cause to raise a question of privilege. The Speaker found at that time that there was not a prima facie case of privilege. I quote from the decision:

> The Speaker has no other responsibility than determining whether there is a prima facie question of privilege which later on could be submitted to the House in the form of a motion.

He went on to say that while the Hon. Member may have a grievance against the Minister, there are more appropriate avenues available, either in the House or in committee.

I suggest to you, Mr. Speaker, that if the House were to set aside time for debate every time there is a contradictory statement between Members of this House, or between Members of this House and other Canadians, and even other congressional staff members, all we would be doing would be examining contradictory statements.

I suggest that the question of privilege, Mr. Speaker, fails on two grounds: first, that you have already ruled on it in ruling out an emergency debate on the subject; and second, that it is a matter of contradictory statements, something which has been ruled in the past, by Mr. Speaker Lamoureux and others, as not being appropriate for a question of privilege.

Mr. Speaker: The Hon. Member for Essex—Windsor (Mr. Langdon), in reply.

Mr. Langdon: Mr. Speaker, just one brief comment in reply. The contradiction in this case is a contradiction within the Government itself, between the Parliamentary Secretary, whose statement last week indicated one thing, and the Minister, whose statement on March 16 said quite a different thing. That kind of a contradiction within the Government itself is something which has not been addressed by the Deputy House Leader.

Mr. Speaker: The Hon. Parliamentary Secretary.

Mr. Lewis: Mr. Speaker, I perhaps should have read more completely the case to which I referred.

Rising on a question of privilege, Mr. Caouette, the Member for Charlevoix, objected to what he claimed were contradictory statements made by Mr. MacDonald, the then Minister of Veterans Affairs, in relation to the possible extension of the deadline applicable to the Veterans' Land Act. The remarks cited by Mr. Caouette in his presentation were made by the Minister on various occasions in the House, before a committee, and in letter to him. By way of privilege, Mr. Caouette sought to learn from the Minister exactly what he intended to do on this issue.

I suggest to you, Mr. Speaker, that there is a parallel between that case and this. The complaint in that instance related to alleged contradictory statements made by one person, and I suggest to you, Mr. Speaker, that alleging contradiction between two members of the Government, a Minister and the Parliamentary Secretary, amounts to the same thing.

Mr. Speaker: I want to thank the Hon. Member for Oshawa (Mr. Broadbent) for bringing this matter to the attention of the Chair. As well, I want to thank the Hon. Member for Windsor West (Mr. Gray), the Hon. Member for Essex—Windsor (Mr. Langdon), and the Parliamentary Secretary to the Deputy Prime Minister and President of the Privy Council (Mr. Lewis) for their contributions.

Given that this is a serious matter, I think it would be appropriate that the Chair reserve decision on it until later this day.

The allegation is that there are contradictions not only between what is set out in a memo written by someone in the U.S. and something said by a Minister of the Government, but also an alleged contradiction between what the Minister has said and what others speaking on behalf of the Government have said on the same issue.

Hon. Members will be aware that that makes it somewhat difficult for the Chair. While the contradictions may be very serious indeed, the question the Chair has to decide is whether the contradictions are such that they make it more difficult for Members of Parliament to carry out their duties; in other words, that their privilege has been breached.

I shall return to the Chamber as quickly as possible to render a decision on this particular matter.

I know that the Hon. Member for York South—Weston (Mr. Nunziata) had indicated his intention to move a question of privilege. No doubt the Hon. Member has been called away on important business. I do have notice of his intention to raise a matter, and perhaps it could be dealt with at another time.

* * *

ELECTORAL BOUNDARIES READJUSTMENT ACT

TABLING OF SUPPLEMENTARY REPORT OF THE COMMISSION REPORT FOR 1987—BRITISH COLUMBIA

Mr. Speaker: It is my duty, pursuant to the provisions of the Representation Act, 1985, to lay upon the table a certified copy of the supplementary report of the Electoral Boundaries Commission for the 1987 report for the Province of British Columbia.

GOVERNMENT ORDERS

[*English*]

CAPITAL PUNISHMENT

ESTABLISHMENT OF SPECIAL COMMITTEE ON REINSTATEMENT

The House resumed consideration of the motion of Mr. Mazankowski:

That this House supports, in principle, the reinstatement of capital punishment and directs that a special committee on reinstatement, composed of 15 members, be established, hold hearings and make its final report to the House no later than three (3) months following the adoption of this motion, such report to provide recommendations on:

(a) which offence or offences should carry the death penalty, and in what circumstances;

(b) which method or methods should be used to carry out the penalty of death, and in what circumstances;

That, pursuant to Standing Order 107(1), this special committee be hereby appointed as a committee to prepare and bring in a bill no later than three months following the adoption of this motion, founded on the committee's recommendations on (a) and (b) above; such a bill shall be the object of a separate and distinct report of the special committee, and such a report shall be its final report;

That such bill, when reported from such special committee to the House, be deemed pursuant to Standing Order 107(1) to have been introduced and stand on the Order Paper, in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business"; and that, when the said bill has been read a second time, it shall stand referred to a Legislative Committee;

That the Striking Committee be empowered to name the Members of the special committee, provided that once the Striking Committee report is laid upon the Table, it shall be deemed concurred in;

That the special committee have the power to sit while the House is sitting and during periods when the House stands adjourned;

That the special committee be empowered to report from time to time and send for persons and papers, and to print such papers and evidence from time to time as may be ordered by the committee and to retain the services of expert, technical, professional and clerical staff;

That the special committee be empowered to adjourn from place to place inside Canada and that, when deemed necessary, the appropriate staff accompany the committee;

That a quorum of the special committee be eight (8) members for any vote, resolution or other decision; and that the chairman be authorized to hold meetings to receive evidence and authorize the printing thereof whenever six (6) members are present;

That any substitution of membership on the special committee be made pursuant to Standing Order 94(4); and

That, notwithstanding the usual practices of this House, if the House is not sitting when the special committee is ready to issue its final report and the said bill, the special committee shall present its report and the bill to the House by filing them with the Clerk of the House provided that the report shall then be deemed to have been laid upon the Table, and the bill shall then be deemed, pursuant to Standing Order 107(1), to have been introduced at the first sitting of the House thereafter and to stand on the Order Paper in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business".

And on the amendment of Mr. Nystrom (p. 7307).

The Acting Speaker (Mr. Paproski): When the House recessed, the Hon. Member for Portneuf (Mr. Ferland) had one minute remaining in the allocated time for his speech, to be followed by 10 minutes for questions or comments.

The Hon. Member for Portneuf.

• (1530)

[*Translation*]

Mr. Ferland: If I may, Mr. Speaker, after you interrupted me this morning, pursuant to our rules of course—people who are following the debate certainly must have difficulty understanding how a speech can be stopped right in the middle, and then you wait for two and a half hours before resuming it. So I just received the blues, and for a better understanding of the speech I would like if I may to complete a sentence, the last one, and it reads: Justice must be served and the accused must be kept awake, he must be kept alive. That is justice for society. I should say: that is retribution for society. Because as far as I am concerned, Mr. Speaker, re-instating capital punishment in this country is merely vengeance, it is abdicating before a reality, abdicating before the basic problem.

I mentioned earlier in my speech the efforts Parliament should make, the real efforts each Member in this House should make to reform our criminal system, our youth

assistance system and our crime prevention system. As long as we do not get to the root of crime in Canada, we may discuss death penalty for years, because we simply have no real desire to get to the root of the problem, which is prevention.

In conclusion, Mr. Speaker, I do not believe this debate is useless. It is a democratic debate. People were wondering, nearly 75 per cent of Canadian citizens have been wondering for years whether we should not revert to capital punishment. But the longer this debate goes on in this House, the longer we speak, the better we are trying to inform Canadians, and the less Canadians want us to revert to capital punishment. In conclusion, Mr. Speaker I would simply like to state that to a degree I am thankful to the Prime Minister for having allowed this democratic debate, and above all to have allowed a free vote on the matter.

Mr. Rossi: Mr. Speaker, first of all, I would like to congratulate the Member for Portneuf (Mr. Ferland) because he started his speech by saying, I remember it very well, that he did not claim to be one of the best speakers in this House. I will tell you that I have listened to every word the Hon. Member spoke and I must praise his ability to bring up the most essential points in a debate such as this. He did speak about prevention and the need for overhanding the penitentiary system; and I think he is perfectly right. I was also very much impressed by the fact, and I mention it because I share his view and everybody here knows that I was for capital punishment, that he refused to be influenced by the polls. Although it is reported that more than 70 per cent of the people are in favour of capital punishment, he spoke according to his conscience after quite a bit of soul-searching. I believe that if all those involved in this debate were to do the same, that is to decide according to their conscience, it would be almost impossible to say yes to capital punishment. Having said that, I do want to ask the Member for Portneuf, that I congratulate once again, whether in his view before calling for capital punishment, we should not think in terms of overhauling the penitentiary system and its effect upon criminals. There is one thing he mentioned I really liked and of which I spoke often when I was in charge of the Armed Robbery and Manslaughter Section in Montreal, that is crime prevention for young people 15 and 16 years old. Would he kindly develop this point?

Mr. Ferland: Mr. Speaker, first I want to thank my colleague, the Hon. Member for Bourassa, for his good words. I think he is absolutely right. I have had the pleasure to discuss with many police officers, people that work in the field where the criminals are. Even they were telling me that unfortunately, because of the way our judicial system works now—they often feel they work for nothing. One particular police officer told me he had arrested the same guy three times in the same weekend for drug trafficking. Isn't it something? Three times the same person on the same street in the same week-end. Why? Because we have a system that does not punish the real criminals. How many people are considered criminals and put into jail because they did not pay a parking ticket or whatever? How many people are in jail for as petty a crime as that while there is no room left in there for the real criminals? Because in fact one starts very young to live a criminal life.

As I have explained earlier this morning in my speech, the problems of the youth very often start at the kindergarden level. Often then they are already rejected by their family, even by society. I gave the example of a young boy who had been sent from foster home to foster home because he was supposedly very difficult to help or to raise, as we say. But that is where we have to work, that is where the problem lays, that is when a youth starts to become a criminal so that when he is 30 or 35, he will be a roughneck. How come?

The Hon. Member for Bourassa (Mr. Rossi) talked about teenagers who are fifteen or sixteen years old. In the beginning, a teenager will appear in juvenile court, and get a first warning, then a second and a third warning. A young lawyer next to him is going to tell him: "Whoop, do not talk, that policeman will try to do you in". Whereas in fact it is often the opposite, the policeman wants to try and help this person stay away from crime. And some day, the judge is going to be fed up, and he will say: Enough is enough, you get a two-year sentence. And then this teenager goes to jail for two years.

Mr. Rossi: The university of crime!

Mr. Ferland: It is indeed the university of crime. They are going to learn to become real criminals, and later in this House we will call for the reinstatement of death penalty. But I think that in the first place we should restructure our penitentiary system, our justice system, particularly in terms of crime prevention.

Mrs. Mailly: Mr. Speaker, on this same subject, I wish to congratulate my colleague both for his stand against the death penalty and for his approach in his speech. In the field of prevention, I would like my colleague to comment on the fact that statistics show that people who get hanged, who eventually become the victims of death penalty belong mostly to minorities, visible minorities, poor communities and so on. And in fact, a great expert in criminal law, Mr. Arthur Maloney, when he spoke in this House—he was the then Hon. Member for Parkdale—urged that we should insist on preventing the causes of crime rather than applying the death penalty after the fact. I would therefore like my Honourable colleague to comment on this aspect of statistics dealing with death penalty. According to those statistics, it is the poor, those who belong to minorities, who end up murdered by the State because they made a mistake.

Mr. Ferland: Mr. Speaker, in reply to my colleague, I have here an article which I hope most Canadians have read. This article, which appeared on April 18, 1987, in *Le Devoir*, refers to a study carried out by Mr. Kenneth Avio, a researcher at the University of Vancouver, I believe, which establishes a relationship between the racial origins of people accused of murder, native Canadians, for instance, and the number who

were hanged. If I may, I would like to quote a rather important passage:

"Mr. Kenneth Avio, 44, professor of economics at the University of Victoria, reported during an interview that he had discovered many memos from the Department of Indian Affairs recommending hanging for native murderers because, in the case of Indians, for instance, there was a special need for a deterrent. There is no doubt that if you had the misfortune to be a native Canadian, there was a greater risk of being executed, notes Professor Avio, adding that Ukrainians and Eastern Europeans ran the second greatest risk of being hanged if found guilty of murder."

I am not the one to say so. This study was carried out by Professor Avio. I have no reason to question his facts. This should tell us something. We have to remember that each of us has some racist feelings and some violent leanings, and that we each control these weaknesses differently and in various degrees.

When we are dealing with the justice of men, can we make certain that the men who administer this justice will be so perfect that they can put aside all such weaknesses?

Mr. Desjardins: Mr. Speaker, I would like to join with the Hon. Members for Bourassa and Gatineau in congratulating the Hon. Member for Portneuf for the quality and clarity of his speech. I know that he has consulted, like many Members of this House, various youth and senior citizens' organizations in his constituency and I congratulate him on his thoroughness.

I would like to ask the Hon. Member what he thinks about an argument much used by those who favour reinstatement, which argument can most effectively be described as the economic argument. According to this argument, a criminal who is in prison for twenty or twenty-five years costs the state a lot of money, and it is therefore better to eliminate or kill him to get rid of this burden on society.

I would like to know what my colleague thinks about this economic argument which we often hear to justify the killing of human beings by the state.

Mr. Ferland: Indeed, Mr. Speaker, as my dear colleague is suggesting, the economic factor is raised very often and I heard it on many occasions. What is the use of spending $57,000 or $60,000 a year to keep a criminal behind bars? But the other side of the coin is the choice our society has to make: should we eliminate an individual because he is a financial burden on society?

We need only consider the many institutions where we keep the chronically ill, psychopaths, violent and extremely dangerous patients. We keep them in institutions. We do not call that a prison, we call that a psychiatric institution. Yet society is paying for this and we know these people are irrecuperable. Should we put a price on that? Are those people candidates for mercy killing?

As you may recall, Mr. Speaker, there is a certain society, there was a war in 1939-44 when certain individuals attempted to set up a new order and solve problems through racism, where people were eliminated one way or another. They tried to eliminate people who were costing society some money. Then there was the Nuremberg trial. Sooner or later we get to the point where we ask ourselves: Are we prepared to go that far? Is Canadian society reaching the point where we consider doing away with people who are costing us money? I would not think so, Mr. Speaker. What Canadians want and look forward to is something other than that.

I do not think that the monetary aspect should be taken into account in the choice our society has to make.

Mrs. Bourgault: Just a couple of questions, Mr. Speaker. My colleague from Portneuf is known to be a very convinced and often very convincing man.

Now could my colleague from Portneuf tell me whether in his study of capital punishment he has given any consideration to compensation for the victims? You know, compensation is an aspect which comes up now and then and is the subject of many discussions. In my riding, for example, I often hear people talking about it and I am sure other Members have had similar experiences. Mr. Speaker, our constituents do not understand why an inmate sentenced to life imprisonment should be set free after seven years. People have the impression that our judiciary system is unduly permissive.

So could my colleague tell me whether he has given this matter any thought? Has he considered the possibility of finding a way to compensate the victims?

Mr. Ferland: Mr. Speaker, I would like to thank the Hon. Member for Argenteuil—Papineau. Indeed, we must look at the matter of compensation for victims.

But when we bring in capital punishment to compensate for the murder of an innocent, I do not think that will solve the problem of victim compensation. Because I do not believe the State can revive someone after he has been murdered. That is not the direction we should be taking.

If we are considering compensating people who are the victims of crime, this is something we might have to look at. Yes, I agree we should look at that. And that is the direction we should be looking at. We should be looking in the direction of "Crime does not pay". We should have a fair justice. But not a kind of justice that will eliminate an individual, that will kill. The 282 Members in this House, the 282 individuals who share the power of life and death in this country should not imagine that by re-establishing capital punishment, man's vengeance onto man, we will be re-establishing fairness where a crime has been committed. That is not true, Mr. Speaker, it is not the solution, we should be looking at. Quite the opposite, we must work at reforming the Canadian criminal system, our judicial system in Canada. But we must never go into the opposite direction and say that we will re-establish the law of

retaliation in Canada to try and solve a problem the solution of which we have not yet found.

Mr. Speaker, I believe that in view of that, all of us in this House should be working much harder at crime prevention.

The Acting Speaker (Mr. Paproski): The Hon. Member for Bourassa (Mr. Rossi) for a short supplementary.

Mr. Rossi: Mr. Speaker, it is not a question, but rather a brief comment I would like to make, since I have an opportunity.

As I said earlier, Mr. Speaker, I was certainly in support, I repeat in support of capital punishment, and after a very serious self-examination, I am now against capital punishment.

I commend the Hon. Member for Portneuf for voting the way his conscience tells him.

In a last submission, I would like to urge Hon. Members, the 282 Members in this House to stop wondering about surveys. Let us make a self-examination and put surveys aside. Surveys will not provide us with a reason to kill human beings through capital punishment.

The Acting Speaker (Mr. Paproski): Order, please. The period for questions and comments is over. Debate. The Hon. Member for Essex—Windsor (Mr. Langdon).

• (1540)

[*English*]

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, perhaps the greatest philosopher of our age said, "After the first death, there is no other". I think that captures the sense of significance, the sense of importance, the sense of very grave responsibility which faces the Members of this House of Commons as they face the question of whether to turn back the clock, of whether to change pace on the forward progress made by our civilized society and establish once more the death penalty.

I think that on many grounds, on grounds that could take us from statistics to the grounds of morality discussed by our churches similar to the excellent presentation by the previous speaker concerning alternatives to the death penalty, we can make our arguments. We can make our presentations, but fundamentally when it comes right down to it, I think what faces us and what faces this House of Commons is a question of whether we are committed to trying to place before the country our view of the sanctity of human life and that we as a Parliament, as a judicial system, should not have the right to be able to take the life of a human being. That, for me, is at the heart of what this debate is all about, Mr. Speaker.

I want to go through some of the statistics, some of the arguments and some of the alternatives, but I want to stress at the start that what motivates me as I think of my children, as I think of a society which their children and their children will ultimately inherit, is that we must look to build, as one of the great historians of Canada said, the peaceful kingdom in this country. We cannot do that if we take this step to start, through the state, systematically killing individuals.

There are realities which face us. These realities are the homicide rates which exist in Canada. In 1975, the last year before capital punishment was eliminated in Canada, there were 3.09 homicides per hundred thousand population. Our latest statistics show that under abolition, the rate of homicide has actually shrunk in 1985 to 2.78. That is one reality.

• (1550)

Another reality we must face is what lies south of us. We do not live in a country that is insulated from what takes place in the rest of the world. We can look at what exists elsewhere in the world, we can learn lessons from that and we can make wiser choices on the basis of those lessons.

There are 18 states in the United States in which the death penalty does not exist. Figures for 1983 show 5.91 homicides per hundred thousand population in those states. If we compare that with those states which have the death penalty, we find that the figure is 7.66 per hundred thousand population. In other words, those states with the death penalty have a higher rate of homicide. That is a reality.

Perhaps the reality which is strongest and most powerful, the reality which we as Members of Parliament must face, is the fact that if the death penalty had been in effect in Canada since 1976, the chances are great that people would have been executed by mistake. There can surely be nothing more devastating to the humanity and civilization of a society than to wrongly execute people, for crimes they did not commit.

In February of 1977, Kenneth Roberts was convicted of murder. Just three years later, a new trial was ordered and Roberts was acquitted. Derek Cole was convicted of first-degree murder in 1978. In 1981, after a new trial, Cole was acquitted.

In 1985, John Wildman was found not guilty of murder by the Ontario Supreme Court but had been in prison for seven years for a crime he had not committed. Donald Marshall, a native Indian from Nova Scotia, had served 11 years in prison after being convicted of murder. He too was found to be innocent.

I point out to Hon. Members what they will have received from the Assembly of First Nations which has written to each of us to make the case against capital punishment. The Assembly has said that there is evidence as it sees it that First Nations citizens have been and are being punished by the Canadian state in disproportionate numbers and could be in disproportionate numbers the victims of a restored death penalty.

Canada is a relatively peaceful country, but there have been such cases outside this country. Antonio Rivera and Merla Walpole of San Bernadino, California, were convicted of murdering their two-year-old daughter. Nearly two years after

the conviction the daughter was found to be alive in San Francisco. That occurred in 1974. In 1934, there was the case of Louis Berrett and Clement Molway, identified by eight eyewitnesses as the men who had killed a theatre employee. Some Hon. Members say that we will keep capital punishment for only those cases which are clear. Surely a case with eight eyewitnesses must be as clear a case as one could ask for. Yet just before the final arguments at the trial, the actual killers confessed. The jury foreman in that 1934 case was later quoted as saying, "This trial has taught me one thing. Before it I was a firm believer in capital punishment. I'm not now".

In 1922, Maurice Mays, a black man, was executed for murdering a white woman. Four years later, a white woman confessed in a written statement that she had disguised herself as a black man to kill the woman with whom her husband was having an affair. That is the responsibility carried by Members of the House of Commons if we vote to put capital punishment back into effect. We carry the responsibility of putting to death not just those who might have been guilty but of wrongly putting to death people who were not guilty. That is a reality that is very important for us to keep in mind.

I would like to talk very briefly about the way I will vote in this debate. Before I was elected in 1984, a great many people asked me about my stand on capital punishment. I told them that if the question came up in a new House of Commons, I would vote against the restoration of the death penalty. That was one promise I made at that time to my constituents. I also promised that in any debate that did take place, I would report the feedback I had heard from my constituents and I am quite pleased and willing to do that.

We sent to the households of Essex—Windsor a Householder in which, as there often is, there were questions permitting my constituents to write back telling us if they agree or disagree with the stands I take. So we asked them if they disagreed with my stand on capital punishment. Some 49 per cent of those who replied said they did. Some 46 per cent agreed. Some 5 per cent were undecided. It is quite clear that in my constituency a split exists, with a small majority who want to see the death penalty restored. However, I think that is not the issue. The issue is that we were elected to make an informed choice based on a degree of reading, listening, and consultation which the average citizen, I am certain, has not had an opportunity to devote to this question.

• (1600)

There are two things which have to be stressed in that informed choice. The first part has to be to recognize the concern across this country over the increase in violent crime even though that has not been evident in homicide statistics themselves. We have to do something serious in response to that concern. For example, our probation system is grossly underfunded and undersupported. I have friends working in that system and they are simply unable to carry with any kind of effectiveness the case-load they are forced to carry. We need to have a parole system with sufficient resources to see to it that those who leave prison are given a serious opportunity to make the transition to society.

We have to deal also with sentencing and with our penal institutions. As the Hon. Member who spoke previously said, far too often our penal institutions become universities of crime. They are not rehabilitating people. We have to work at that. We have to recognize it is not just the responsibility of Members of Parliament. It is not just the responsibility of our police. It is the responsibility of communities right across this country through institutions like Neighbourhood Watch and Crime Stoppers to try and do something about the development of crime. It cannot be done from the top, it has to be done from the ground up in our communities.

Although those things are important in considering our vote on this issue, far, far more important, overwhelmingly important, so much so that it has to dominate the thinking of everyone who makes a choice on this issue, has to be reverence for human life. Obviously capital punishment subverts that reference. You cannot have a society where both respect for human life and capital punishment exist. Capital punishment in its very essence undercuts that respect for life which lies at the heart of a civilized society. That is why I will be very proud when the day actually comes to stand and vote against capital punishment. That is a commitment I believe in not just for myself but for my children and all those I love. It is a commitment I hope will be shared on that day by a majority of this House of Commons.

* * *

PRIVILEGE

CANADA-U.S. TRADE NEGOTIATIONS—ALLEGED CONTRADICTORY STATEMENTS—RULING OF MR. SPEAKER

Mr. Speaker: I want to say to Hon. Members and the watching and listening public that it is not normal practice for the Speaker to interrupt this important debate, especially after hearing those speeches which expressed with great emphasis some sincerely held views. I ask the indulgence of the House to interrupt at this time to return to the matter of the question of privilege raised by the Hon. Member for Oshawa (Mr. Broadbent), the Hon. Leader of the NDP.

In the interests of ensuring that all Hon. Members and the public know exactly what this is about, I am going to read into my reasons the letter I received from the Hon. Member for Oshawa because I think it puts very, very succinctly the concern expressed by the Hon. Member as well as the Hon. Member for Windsor West (Mr. Gray). This is what the Hon. Member for Oshawa wrote to the Speaker:

• (1610)

The Question of Privilege arises from the complete contradiction between what the Parliamentary Secretary to the Minister of International Trade said in the House on June 17, 1987, about the Canada-U.S. Automotive Agreement not being a matter for discussion with the representatives of the U.S. government

and what a senior official of the United States is revealed to have asserted according to a Canadian Press story which appeared on the weekend.

He continues:

According to the Canadian Press story, Mr. Bill Merkin, Deputy Chief U.S. Negotiator for the U.S.-Canada trade agreement, in a briefing provided for United States Congressional staff, declared that there have been discussions on the Autopact taking place in the free trade talks. Specifically, he said that auto tariffs would be dropped and that the Canadian government believes that the provinces would agree to removing duty remissions and could get the provinces to make other requested changes in the Autopact.

The letter of the Hon. Member for Oshawa continues as follows:

This claim by Mr. Merkin on June 4, 1987, was flatly contradicted on June 17th by the Parliamentary Secretary to the Minister for International Trade when he said in the House: "This Government has not requested that the Auto Pact be on the table for negotiations. To date, neither has the American side requested that it be part of the negotiations".

The Hon. Member for Oshawa, the Leader of the New Democratic Party, closes off his application in writing by saying:

It it clear that if the briefing of the U.S. Congressional staff took place in the manner described by Mr. Merkin, the Parliamentary Secretary has misinformed the House.

I draw to the attention of Hon. Members that the Hon. Member for Oshawa has not said that there was any deliberate misleading or that misinformation was deliberately given. However, I thought that in the interests of clarity it was appropriate to read the entire written application of the Hon. Member for Oshawa because, in my view, it puts forward very succinctly the complaint and, I suppose to some degree, the dilemma which the Hon. Member and other Hon. Members feel they are in.

My response is to say, first, that the issue of the Auto Pact is a very serious one, not only to the Province of Ontario but, naturally, to all of Canada. I am sure there are Members on all sides of the House who are extremely concerned about any suggestions made, whether accurate or inaccurate, which lead to public discussion creating concern or anxiety with regard to the future of the Auto Pact.

I do not, therefore, minimize in any way the seriousness of the matter raised by the Hon. Member for Oshawa and others. My task, of course, is to decide whether, as important as the issue is, under the laws of procedure of this place it amounts to a breach of privilege.

The question of the issues which are or which are not subject to negotiation in the course of the free trade discussions currently taking place with the United States is one of very great importance. Questions have regularly been asked in this House on this fundamental point and Ministers have answered these questions within the context of a negotiating situation.

I stress that it is a legitimate matter for parliamentary questions, for debate, and for the expression of anxieties which may arise as a consequence of what may appear in the press, what may be said by different parties to the negotiations, or what may be said in this Chamber.

With regard to anxieties, I know that Hon. Members will have noted that in the continuing debate on free trade, and especially on the Auto Pact, both sides of the House have expressed anxieties with regard to what others in this House and in other places have either said or been reported to have said.

When negotiating an issue of this magnitude varying reports have to be anticipated, some well founded and some less well founded. Some, naturally, are no more than speculation. Some reflect a particular point of view. Reports emanating from the other side which appear to contradict assurances given by Ministers are clearly the subject of legitimate debate and questions in the House.

However, parliamentary privilege exists to protect Hon. Members from obstruction or intimidation in the fulfilment of their duties. The publication of contradictory statements, it would seem to the Chair, does not in itself provide justifiable grounds for a case of privilege. The privileges of Members are not infringed by the existence of controversy, disagreement, contradiction or any of the multifarious elements which enter into political issues.

I must add, however, that if those contradictions took such a form that there was a serious allegation that there was an intent to mislead, under those circumstances the difficulty in deciding whether there was a breach of privilege would give the Chair a great deal of concern indeed.

I say that because if, for instance, there was a deliberate tactic on one side or another to put forward misleading information, it might well be that it could amount to obstruction in the fulfilment of the duties of Hon. Members because of the material put forward and the motivation which lay behind it. However, as I say, that is not the allegation before us. The allegation is that there have been contradictions. As I pointed out, the Hon. Member for Oshawa was very careful to confine the question of privilege to those contradictions.

As I have said, any action which prevented full debate or the free expression of views on such issues could violate parliamentary privilege. However, in this case, at least at present, there is no evidence of that kind of action and I cannot, therefore, accord this matter precedence over all other business.

I point out to the Hon. Member for Oshawa and others that this ruling is, of course, strictly a procedural one on the narrow grounds of what constitutes a breach of privilege of the Members of this place and does not in any way minimize the very great importance of the issue. I want to thank Hon. Members again for their interventions and the attention all Hon. Members have paid to them.

In closing, I want to reiterate how much the Chair has appreciated the very clear and succinct terms in which the Hon. Member for Oshawa put forth the facts and the complaint in his written application to the Chair on this question of privilege.

GOVERNMENT ORDERS

[*English*]

CAPITAL PUNISHMENT

ESTABLISHMENT OF SPECIAL COMMITTEE ON REINSTATEMENT

The House resumed consideration of the motion of Mr. Mazankowski:

That this House supports, in principle, the reinstatement of capital punishment and directs that a special committee on reinstatement, composed of 15 members, be established, hold hearings and make its final report to the House no later than three (3) months following the adoption of this motion, such report to provide recommendations on:

(a) which offence or offences should carry the death penalty, and in what circumstances;

(b) which method or methods should be used to carry out the penalty of death, and in what circumstances;

That, pursuant to Standing Order 107(1), this special committee be hereby appointed as a committee to prepare and bring in a bill no later than three months following the adoption of this motion, founded on the committee's recommendations on (a) and (b) above; such a bill shall be the object of a separate and distinct report of the special committee, and such a report shall be its final report;

That such bill, when reported from such special committee to the House, be deemed pursuant to Standing Order 107(1) to have been introduced and stand on the Order Paper, in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business"; and that, when the said bill has been read a second time, it shall stand referred to a Legislative Committee;

That the Striking Committee be empowered to name the Members of the special committee, provided that once the Striking Committee report is laid upon the Table, it shall be deemed concurred in;

That the special committee have the power to sit while the House is sitting and during periods when the House stands adjourned;

That the special committee be empowered to report from time to time and send for persons and papers, and to print such papers and evidence from time to time as may be ordered by the committee and to retain the services of expert, technical, professional and clerical staff;

That the special committee be empowered to adjourn from place to place inside Canada and that, when deemed necessary, the appropriate staff accompany the committee;

That a quorum of the special committee be eight (8) members for any vote, resolution or other decision; and that the chairman be authorized to hold meetings to receive evidence and authorize the printing thereof whenever six (6) members are present;

That any substitution of membership on the special committee be made pursuant to Standing Order 94(4); and

That, notwithstanding the usual practices of this House, if the House is not sitting when the special committee is ready to issue its final report and the said bill, the special committee shall present its report and the bill to the House by filing them with the Clerk of the House provided that the report shall then be deemed to have been laid upon the Table, and the bill shall then be deemed, pursuant to Standing Order 107(1), to have been introduced at the first sitting of the House thereafter and to stand on the Order Paper in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business".

And on the amendment of Mr. Nystrom, (P. 7307).

Mr. Oostrom: Mr. Speaker, I would like to applaud the Member for Essex-Windsor (Mr. Langdon) for the eloquence with which he presented his views and his argument. However, I do not think the Hon. Member is very consistent in his argument for preserving life at any cost. He used the very laudable words "life is sacred", and I commend him for that. However, although he pleads for the lives of the guilty, I have never heard him speak or vote in this House for the lives of the innocent. I speak not only of protecting the lives of innocent victims from serial and repeat murderers by advocating life imprisonment without parole, I am also speaking for the innocent babies about to be born. The Member, his Party, and his Leader, advocate their abortion on demand. There are over 60,000 innocent victims a year.

• (1620)

Will the Hon. Member at least say a few words on behalf of those babies who are innocent victims being murdered each year? Will he also say a few words in support of a life sentence without parole for those premeditated murderers?

Mr. Langdon: Mr. Speaker, I certainly take the issue of innocent victims very seriously. It is very difficult for a family member, whether a wife or child, to deal with someone's murder. It is very difficult for a parent to face the viciousness of a murder, perhaps even a sexual murder of a daughter. One recognizes the grimness which is involved. This is not an issue on which certain people in the House have a monopoly. It is something for which all of us share a very human feeling and, therefore, I believe we have to talk about serious punishment.

We cannot talk about parole after seven years in a case where innocent victims have been badly hurt and expect them to support our justice system.

I believe with the Hon. Member that some serious change in the sentencing structure and the parole system in this country is very much required. I have made these points in my own constituency and I do not disagree with the Hon. Member in that respect.

However, I disagree with respect to the description of the New Democratic Party position as one of supporting abortion on demand. I recognize that this is not a debate about this subject, but let me briefly say that our view is that this too is such a crucial issue of life that it is inappropriate to be in the Criminal Code.

Instead, it is an issue in which the choices they face should be decided upon between a woman and her physician. I am not certain how recently the Member has gone to his physician. However, if his physician is anything like the ones I visit, I suspect that if he demands certain treatment from his physician the situation will be discussed before any action is taken.

I believe the issue of abortion does not belong in the Criminal Code. It is clear that some of us are opposed to abortion and some of us are in favour of abortion, but as I look around the House, very few of us are forced to face that choice. The Hon. Member and myself will never have to face that choice, and I think it is a question that should not be in

the Criminal Code. In my opinion, that is not saying that abortion on demand is the policy of our Party.

Mr. Elliott Hardey (Kent): Mr. Speaker, I rise today to speak against the amendment before the House and in support of the original motion. The issue of the restoration of capital punishment in Canada has caused us all to search deep into our hearts and feelings. We must then try to reach a decision based on honesty and common sense.

I know that I have spent countless hours studying and researching this subject, and more hours in discussing it with my wife and family and close friends. As a Member of Parliament, I have received hundreds of letters and had many discussions with constituents. I have attended and participated in many forums in my riding, as I am sure have all Members in the House.

I have listened to arguments in the House and I recognize that there is an honest argument both for and against the motion. I listened with extreme and intense interest.

Some of my colleagues insist that where there is life there is, in fact, hope and that reform should always be considered a possibility even in the case of first degree murder.

I also recognize that this issue is one of conscience. I will respect those Members who present arguments against the restoration of capital punishment, knowing full well that the majority of their constituents probably do not agree with them. I want to defend my colleagues who debate this issue in an honest fashion, based on conscience, regardless of which side of the issue on which they stand.

I ask the people of Canada to realize that while it is the duty and the honour of a Member of Parliament to represent the people, indeed to be servants of the people, on matters of conscience we cannot dismiss the fact that a Member is more than a delegate. When a motion or Bill is declared to be one on which there is a free vote, a Member is expected to vote according to his or her feelings after discussing the issue properly.

I am sure there is no exception that at election time all of us were asked at every candidate's meeting and in every interview our position on capital punishment. None of us should feel uncomfortable when we vote on the motion in this debate, as long as Members are being honest with themselves and with their constituents.

What bothers me the most and what has disappointed me in this debate recently is some of the cheap political shots that creep into the debate, especially from one side of the House. This is not a political issue. No one should be ranting about politics as some of my colleagues in the New Democratic Party have done.

On the first day of the debate, the Member from Regina made an argument about conscience with which I fully agreed. However, the Member went on, as did the Member for Burnaby (Mr. Robinson) and nearly every Member from the socialist Party, to rant about how the barbaric Tories want Canada to go back to hanging children for stealing a loaf of bread and that the Tories dreamed up this motion for political reasons.

• (1630)

I am disappointed in that approach. We should be dealing in truth and paying attention to the fact that in 1984 every candidate, regardless of political connection, was asked by the people to bring a free vote to this House of Commons on the capital punishment issue. We should not speak about irrelevancies which create confusion in order to gain political points. We should have a free vote and not to play "Follow the Leader" or a partisan game.

The Hon. Member from Regina presented a conscience approach. By attempting to move this free motion into the political arena, even though the other two Parties are absolutely free on the issue, is a detriment to the cause he claims to promote. How can anyone take a Member of Parliament seriously when he or she debates a free motion in a partisan manner?

The motion simply asks if we believe that capital punishment can be justified under any circumstances. In my view, I justify capital punishment as a symbolic act. In the case of the most heinous crimes, society should be prepared to effect retribution by taking the life of the perpetrator. The death penalty would be a warning like a lighthouse throwing its beams out to sea. I do not feel we should allow misguided compassion to erase our concern for the hundreds of unfortunate victims of bestial crimes.

There are those who fear that the state might execute the wrong person someday and to some extent that could possibly happen. However, as far as I have been able to research the subject, although we have put innocent people in prison, we have not as yet mistakenly executed someone accused of the type of murder about which we are speaking today. We are not talking about murders of passion. We are not talking about an emotionally deranged person convicted of murder. In this debate Members continually lump all homicides into statistics instead of dealing with what we are really concerned with, and that is capital punishment for first degree premeditated murders. We are concerned with killers of policemen, prison guards or serial killers. In our Canadian history we have recorded the cases of dozens of murderers who have been released or paroled after being convicted and sentenced of first-degree murder. Surely we do not have the right to expose the innocent to this type of danger. Some Members have indicated that we can fix that problem by changing our parole system. I agree that that possibility should be examined.

This motion would trigger a change in the system, and I will come back to that point later in my remarks. First, I want to talk a little about the deterrent factor. There are many ways to discuss deterrence when considering capital punishment. We have already heard many times in previous hours of debate

statistics and numbers used to prove practically all points both for and against, so I do not really intend to get caught up in that exercise. I do agree with my colleague, the Hon. Member for Swift Current—Maple Creek (Mr. Wilson), that one either feels that capital punishment is a deterrent or one feels it is not. J. Edgar Hoover wrote this regarding deterrents: "Experience clearly demonstrates deterrents to crime are, first, sure detection, second, swift apprehension and, third, proper punishment". Each is a necessary ingredient.

We have the right to expect that the efforts of law enforcement officers will be followed by realistic punishment. Enforcement officers in fact have certainly proven to be very efficient as far as sure detection and swift apprehension are concerned. Many times the criminal is apprehended within minutes or hours after the crime has been committed.

Surely the accusation that no one has the right to take a human life, that a person who executes a criminal is as guilty as the one he executes, must be discussed further. I also do not want to get into the exercise of quoting the Scriptures, but I am certainly aware that capital punishment cannot be rejected on the grounds of being morally wrong in the light of the Scriptures. There are dozens of verses to support capital punishment. Surely we must realize that all law and order would soon end if this objection were carried through to its logical conclusion. It would make it wrong for a nation to defend itself against an aggressor. It would be come wrong for a city or state to maintain a police force. Logic and common sense must prevail in considering the statement that he who implies the death penalty, and in this case we are talking about the state, is actually a murderer himself.

I do want to come back to the changes needed in the judicial system. Over and over again statements have been made in this debate that we must overhaul the judicial system. I think all of us must agree with that because it keeps coming up over and over again. The people have lost their faith in the system. Dangerous loopholes, discovered by clever lawyers over time, have set precedents. This has meant repeated failure to demonstrate justice in our courts. Every forum on capital punishment I have attended in the last several months within minutes moves into a discussion about the lack of faith Canadians have in the system. They repeat over and over again that victims of crime must have the same rights as the accused and the convicted criminals. They do not feel that this is the case today. I have been on record in this House as voicing that concern. I am also very concerned that vigilante action is condoned by a large segment of our society.

I am sure this debate and the passing of this motion will trigger an overhaul of our judicial system. That is probably the most important point I want to make here in my contribution to the issue we will be voting on shortly. If this motion passes, a special committee will travel across the country talking to people. It will hear what the people have to say. I am absolutely positive that Canadians will continue to voice the concerns I have just described. They will present briefs and opinions that something must be done to overhaul our judicial system. Certainly the committee would be obligated to react in its report to this House and we will be obligated to move in that direction with new legislation.

I fear that if this motion is rejected, all action in this regard will cease. In the many opinions and concerns all Hon. Members have expressed in this House on the overhauling of the judicial system, no one has really presented a way to get it started. This motion will start that process. I feel very confident about that.

I stated that I view capital punishment as a symbolic act for cases of the most heinous of crimes. The system bends over backwards to give the accused the benefit of the doubt, and it is important that that benefit continues to be part of our judicial system in order to ensure fairness to the accused.

• (1640)

I believe the system which would have the best chance of succeeding would be what is known as the double jury system. I will give a short description of what I mean by that. First, there must be a unanimous vote by the jury to convict. Second, the jury would then consider whether or not to impose a death sentence. A very high proportion, such as 10 out of 12 jurors, would be required to make that decision.

Records show that the most heinous types of murderers, serial killers, killers of hostages, et cetera, would likely be the ones upon whom the death penalty would be imposed. Surely, one can readily accept that the possibility of making a mistake in that type of system is very remote.

I invite all Hon. Members to consider the motion before the House very carefully. So much depends on its outcome. I particularly invite my colleagues in the New Democratic Party to participate in debate in a free fashion and to take the politics out of it. It is too important an issue to be approached in that manner.

[*Translation*]

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, I welcome this opportunity to speak to the motion for reinstatement of the death penalty, because I have an obligation to explain my position to my constituents and to Canadians.

Mr. Speaker, you will recall that in *MacLean's* my name was mentioned among the undecided. In fact, if this debate had taken place in 1979, when I was first elected to this honourable House, I would probably have voted in favour of the death penalty. At the time, I had made a survey of my constituents in the riding of Saint-Michel—Ahuntsic, and as in the response to recent polls today, the majority spoke out in favour of a return to capital punishment.

I must admit that growing up in a police family—my father was a member of the police force and was wounded on duty, my brother is retired from the police force, my son is now also a member of the police force, and I have several brothers-in-law and nephews who belong to the force as well—I often

heard stories about the wrongs and suffering experienced by the families of victims. I also share the profound concern of Canadians and of my constituents about the increasing number of violent murders being committed today.

Mr. Speaker, I was rather ambivalent about the subject for quite some time. I consulted, I listened, I read many letters and I read many papers on the subject. I prayed, I examined with my conscience, and after much thought and reflection, I have now decided to speak out against the death penalty.

I am now very comfortable with my decision, but I want to explain my change of heart.

Several serious considerations were a factor in bringing about my decision. One of the most important was a passage in a statement by the Canadian Conference of Catholic Bishops on the death penalty. The statement appeared under the heading: *Escalating Violence*. In this document, the author asked: Who is the master of life? He gave the following answer, and I quote: "If as citizens we recognize the sacred character of human life, and if, according to our faith, we believe we were created in the image and likeness of God and that God is the sole master of life, we must realize we can hardly dispose of another person's life."

I have been an active member of the Pro-Life movement for many years. I believe in the sanctity of human life from the moment of conception. How could I speak out today in favour of destroying human life through the death penalty, when I demand that we respect and protect the right of the foetus to be born? I firmly believe that human life is a gift of God and that we have a responsbility to protect it from its inception until its end. I believe violence breeds violence. How can we, as a society, claim that to avenge unlawful murder, the State should resort to a second, lawful murder?

The debate on the death penalty is part of a problem we inherited from the past. In former times, the death penalty was applied without any problem. At the time, the principle of an eye for an eye, a tooth for a tooth, was strictly adhered to. And to better camouflage this act of collective retribution, the death penalty was said to fulfil a four-fold purpose. The first purpose is atonement for the crime; the second purpose is social example; the third purpose is deterrence; and the fourth one is the protection of society. Nowadays, we acknowledge that those aims can no longer be the basis of a moral judgement. We know that is some corners of the world, there are still people and individuals who perpetrate ancient acts of cruelty and have barbarian behaviours. However, we note that throughout the centuries and more especially since the Second World War, there is a deeper understanding of the dignity of the human being. This leads us to say as a society that behaviours who used to be considered as humane, natural and fair and even necessary to the social order have now been proven to be entirely unfair and inhuman.

It is obvious that the idea of retribution easily comes to the mind of each and everyone of us. We all have a strong urge which drives us not only to defend ourselves but also to avenge ourselves. We have to consider ralistically our present problemes, the problemes experienced in 1987 to find effective solutions for 1987 and develop preventive measures which will give greater hope to the community in the year 2000.

I should like to examine one by one the four purposes aimed at in previous centuries and which justified the death penalty. The first was the atonement for crime. I should like to remind the House the generous gesture of Our Holy Father John Paul II who, as you will remember, forgave his assailant and even visited him in jail. More recently, when she was in Ottawa, Mrs. Coretta King, the widow of the lamented Martin Luther King spoke in strong terms against the death penalty. I quote her comments before the Standing Committee on Human Rights.

[*English*]

"I just don't see how people can say they're Christian and murder people".

In answer to a question from the Hon. Member for Eglinton—Lawrence (Mr. de Corneille) Mrs. King said that she regrets her fellow Americans are moving backward, rather than forward on the issue. She also said: "I certainly think it's barbaric for a civilized nation such as the United States. I certainly hope Canada won't fall into that".

Like many other Members of Parliament I have received a letter from Lesley C. Parrott of Summerhill Avenue in Toronto who is begging us to consider her deeply-felt views and vote no to the return of the death penalty. Hon. Members will recall that although her own lovely 11-year-old daughter, Alison, was murdered at the hands of a criminal, Mrs. Parrott states in her letter:

> I do not want to be part of a society that brings up future generations with the belief that killing can be legitimized under certain circumstances. Let the message be clear and unconditional: human life is sacred; killing is always wrong.

This letter weighs heavily in my decision to vote against capital punishment. I want to publicly commend Mrs. Parrott for her courage and her forgiveness.

[*Translation*]

The second purpose was the social example. The people who demand capital penalty believe that violent crime is worse than it actually is.

In a recent study by the Department of Justice of Canada, it was found that Canadians believed that violent crime was seven times as frequent as it actually is. According to a study by the Centre of Criminology of the University of Toronto carried out in 1982, almost 75 per cent of Canadians believed that at least 30 per cent of all crimes were of a violent nature. Actually, Mr. Speaker, only 5.7 per cent fall into that category.

Another erroneous perception of the problem is the following: Two-thirds of Canadians believe that the murder rate in Canada has increased since the death penalty was abolished,

while in fact, a study carried out in 1985 by the Solicitor General's Office proved there was no significant change.

The third purpose was deterrence. Figures from Statistics Canada show that the death penalty is not a deterrent for criminals. In 1975, the last year in which the death penalty was still in effect, there were 3.09 homicides per 100,000 inhabitants, while ten years later, in 1985, the number had dropped to 2.75 homicides per 100,000 inhabitants.

Like other Members, I also received a letter from the Police Association of Ontario last March, signed by its President, Mr. Neal W. Jessop, which said, and this is a partial quote:

• (1650)

[*English*]

Abolitionists continually refer to their belief that there is no evidence to prove capital punishment is a deterrent. Our simple response to that position is that there is no concrete evidence to prove that it is or it is not a deterrent and indeed it is quite likely that we will never know with certainty if capital punishment deters one who is contemplating murder. It is futile therefore to base any argument on abolition or reinstatement on the grounds of deterrence.

[*Translation*]

Finally, I would say that if the death penalty is not a deterrent, all we have left is the desire for retribution. Then we get back to the principle of an eye for an eye, a tooth for a tooth, with which, as I said earlier, I do not agree.

The fourth purpose was to protect society. Obviously, Mr. Speaker, no one in this House would question this principle. So it is not the principle itself that is so controversial but the question whether the execution of murderers by the State is the appropriate way to go about it.

What happens in case of error? We will never know how many people have been executed by mistake. I would like to recall two cases in our history where Canadians were the victims of a miscarriage of justice. Members will recall that in 1985, John Wildman was found not guilty of a murder for which he had already spent seven years in prison. The House will also recall that Donald Marshall, after being erroneously convicted of murder in 1971, spent eleven years of his life in a penitentiary in New Brunswick, until he was finally released in 1982.

I would like to add a new element to the debate, an argument against the death penalty, and I do so on behalf of those who are unable to obtain an adequate defence before the Courts. I am referring to the illiterate, the mentally handicapped, the deaf, the poor, the emotionally handicapped and minorities. During her visit to Ottawa, Mrs. Coretta King said an American study had shown that Blacks were three times as likely to be executed as Whites.

It is a fact that, in the United States, the poor, the Black and the uneducated run a greater risk of being executed than the wealthy and influential, who usually get lighter sentences. Here in Canada, six times as many Indians as white people are convicted. If the death penalty were reinstated, a greater number would be condemned to death.

The solution to our social problems does not reside in the death penalty, but rather in identifying the causes of certain behaviours in some people. Many of them are living through events beyond their control. For instance, we certainly do not consider the mental defective as being responsible for their condition. Yet, increasingly, they are being sent out in our society without the necessary resources to head an independent life.

Many other Canadians are in good mental health, but live in a hostile environment. This can be poverty, a broken home, sexual degredations or an environment where it is hard to get education or affection.

We have to remember that these are the individuals who make up the majority of our criminal classes. Someone who suffers from a psychosis is sick. He is not reponsible for his condition.

In looking for answers to the problems which lead individuals to murder, the Government should think about these figures: In 1982, 83 per cent of all murders in Canada were committed by spouses or friends. That same year, in only 2.2 per cent of cases was there no direct relationship between the victim and the accused.

I believe, Mr. Speaker, that the Government should consider the basic needs of the poor, the unemployed, the sick and the homeless and ask the following question: Can we afford not to offer rehabilitation programs to family violence agressors? What will an uneducated individual do in society on his release from prision? Probably commit another crime. Why are young first-time offenders not separated from professionnal criminals? They should not be put in prison to learn crime from hardened criminals. Why is our judicial system so ineffective? Why is there plea bargaining? Why plea bargain with criminals? Why urge a criminal to plead guilty on a lesser charge? Is it to speed up matters? The result of this is that dangerous individuals are put back on the streets when they should still be in prison.

It is against such aberrations that police officers object. They do their job conscientiously, but our judiciary system releases dangerous individuals, not to mention the fact that in too many instances the guilty are given minimum sentences by overly indulgent judges.

The entire prison system should be revamped. Too often dangerous criminals escape, and far too many paroles are granted without due consideration for the protection of society. The state must protect its citizens. The state has the responsibility of meting out punishment. If a crime goes unpunished or if the punishment does not fit the crime, the law or its enforcement loses credibility in the mind of reasonable people. Too often the punishment is not severe enough for the crime involved. In murder cases I think the state must impose life imprisonment, and the state must also restrict the right to parole.

Finally, Mr. Speaker, I maintain that killing a person only for the sake of punishment is nothing more or less than vengeance. I believe the state should have the political will to identify the causes of our society's malaises and evils, and seek preventive, non-violent solutions to new problems.

Lastly I should like to quote from a letter I received from Denise and Pierre Thériault of Péloquin Street in my riding and with which I agree. Here is what it says:

I am firmly opposed to capital punishment for the following reasons:

(1) Capital punishment has no deterrent value, therefore it does not protect society.

(2) It hides the real causes of criminality.

(3) It is inequitable, unfair and the only irreversible punishment.

(4) Its application reinforces disdain for life . . . which I consider sacred.

In a nutshell, Mr. Speaker, such are the reasons which prompt me to vote against the death penalty, and I urge my colleagues on both sides of the House to vote against the restoration of capital punishment.

The Acting Speaker (Mr. Paproski): Questions and comments.

Questions and comments are over. Debate. The Hon. Member for Winnipeg—St. James (Mr. Minaker).

• (1700)

[*English*]

Mr. George Minaker (Winnipeg—St. James): Mr. Speaker, I am pleased to have the opportunity to take part in this historic debate. It is probably the most serious and historic debate in which I have had the opportunity to take part in my 20 years in politics in different levels of government. I should like to say from the start that I am speaking against the amendment to the amendment and in support of the return of capital punishment.

My decision was not an easy one. I gave it much thought and carefully considered all aspects of my decision on this serious subject. As I suggested, it was not taken lightly.

In spite of the differences we may have as Members of the House on this subject, I respect the position of Members who have taken the opposite point of view in the debate. I am aware of the difficulty they may have had in reaching this decision. It was even more difficult for them because of the fact that the majority of Canadian citizens would like the return of capital punishment to our justice system. I recognize the difficulties faced by some of my caucus colleagues at this time.

In this debate we have heard statistics on both sides of the issue, dealing with crime rates, homicide rates, and many others. I know that to many they are just numbers; that is what they are—numbers. However, figures cannot begin to tell us about the pain, the horror, or the suffering which even one murder represents when it takes place.

I should like to cite the case of two-time murderer, Eli Guay, who was convicted in 1956 for murdering a Sudbury area man. He beat him to death during a robbery, and he was committed to prison for it. He was paroled four years later. In 1981, in front of witnesses, he threw his common-law wife out of a picture window, retrieved a knife and proceeded to slice open her throat. That is the reality of first degree murder—senseless brutality. In 1981 Guay's homicide was just one of 648 such offences.

We can put these criminals in prison, hopefully to rehabilitate them. However, what happens when they are paroled? I believe there are some 11 instances where first-time murderers have been paroled and have gone out to commit murder again.

It is wrong to imply that our system works just fine the way it is. I believe a return to capital punishment is a step in the right direction.

I want to be clear. I wish to state that my support for the death penalty is in its application to certain specific crimes of first degree, planned, and premeditated murder. These cases would include serial killers such as Clifford Olson, contract killers who gain personally from the crimes they commit, hostage killers such as terrorists, kidnap killers, and killers of police officers and prison guards.

There could be instances where the jury may want to find the person innocent. An example might be where a spouse has suffered mental cruelty through the years and suddenly, through pressures and so on, may decide to go out and get a weapon to eliminate or kill the spouse who caused the mental cruelty. There must be some leeway for the jury to decide whether or not the person is innocent. If it were just premeditated murder, the jury would have to find the person guilty. This is why I am specific in the particular areas where I believe first degree murder would justify the deterrent of capital punishment.

In the main motion we are proposing putting together a committee of the House of Commons to go across Canada to get the feelings of the majority of people and to find out their reaction on when they would like to see the return of capital punishment or what form of capital punishment. I believe this is the correct approach on a major decision which the Government and the House of Commons must make.

In the debate in which we are involved at this time, I do not plan on getting into the statistics, the moral insults, the religious arguments, or the"what ifs" which supply the basis of the abolitionist argument. My support for capital punishment is grounded in principles which stand on their own, regardless of statistical evidence one way or another.

First and foremost, my support for capital punishment is grounded in a belief in my democratic responsibility to respond to the will of the people. I stated my position on the issue when I ran during the election campaign, and my position remains consistent. The voters in my riding of Winnipeg—St. James and indeed across Canada have consistently supported

reinstatement with a considerable majority. As their representative I feel proud to be able to respond to their demands.

I have conducted two surveys on capital punishment in my constituency during the past two years. The first survey, which was done in April, 1985, revealed that 76 per cent supported the return of capital punishment, 18 per cent were opposed, and 6 per cent were undecided in the Winnipeg—St. James constituency. The last survey was completed several weeks ago. I might say that there is still the odd return coming in when mail is allowed to go through. The last survey was conducted in April, 1987. The results indicate that 73 per cent favour the return and reinstatement of capital punishment, 24 per cent are opposed, and 3 per cent are undecided. Basically, the majority of our area still wants the return of capital punishment to the justice system.

I intend to uphold the representation of my constituency and the voters' demands. To ignore the will of the people on this issue is to tell the majority of Canadians that their opinions do not count. I believe their opinions count, and I intend to make them count when I vote on this issue.

I also believe there is a serious imbalance in our justice system in favour of criminals. Let us consider the murderer. If arrested, he is not only informed of his rights and taken into police protection, but he is also given the counsel of a defence lawyer who protects his client's interest before a court comprised of a judge and a jury to ensure that everything is fair and proper. In addition, the defendant in the case also has the right of appeal to a higher court. Society makes a great effort to protect the rights of the accused.

Now let us consider the victim. A person, through no wish of his or her own, is arbitrarily deprived of the most basic human right—life, the right to live. There is no jury, no lawyer, no appeal; just the decision of the individual who set out to premeditate how to eliminate a life. The murderer's decision is singular and final. The penalty of capital punishment goes far in redressing the imbalance by imposing a penalty as final as the one of the murderer.

Our citizens are expecting this justice. They are taking the law into their own hands. During November and December, 1986 in Ontario, Quebec, and Alberta small store owners were arming themselves—and we saw what happened—against would-be thieves and potential killers.

In a matter of five weeks there were five attempted or successful armed robberies, two deaths had occurred, and three thieves were recovering from wounds. Are these citizens crying out for the right to be protected from the potential killer who seems to have no fear of the law or a serious penalty for his dastardly deeds?

As Members of the Parliament of Canada we cannot condone such behaviour. We have sworn to uphold the laws of the country and to make new laws. Surely we can return their confidence in our system of justice. If we cannot condone this action, we should at least return their confidence in our system of justice.

• (1710)

The fundamental questions of capital punishment are, is it deserved and is it appropriate? I believe that capital punishment vindicates the moral standard that it is wrong to murder and that the murderer deserves to die for his crime. I believe the only moral justification for capital punishment is that it is deserved and it is a just penalty. Either it is or it is not. Capital punishment is necessary to protect society and social order and should be available as an option in sentencing. As the situation currently stands, we are not adequately protected. The killer who has been jailed for life has one option to prison, that is, escape.

As a former Minister of Corrections in the Province of Manitoba, I knew of the difficulties in our prisons and penal system. Those people who argue that a term of life imprisonment is an appropriate alternative to the death penalty should recognize what is happening in our penal system. The crime rate in our prisons across Canada has risen by some 400 per cent since the abolition of capital punishment in 1976. There is an average of some 11 murders every year in our penal system. What we are doing is transferring the problem into our penal system. In the environment existing within our institutions, the convicted murderer has nothing to lose if he kills again. Will a longer sentence really make a difference to someone already serving a life sentence? Do we really want the Clifford Olsons out on the street again? That is a question we must ask ourselves. Do we really want an individual like that walking around in society knowing what he had done to his 11 victims some years ago?

Those are my reasons for supporting capital punishment. I believe that we, as part of the parliamentary system, have to recognize that the reality of first degree murder is senseless and it is brutal. Where there is no question that an individual has committed the ultimate crime, give the jury the opportunity to decide whether capital punishment should be imposed on that individual so that we can protect society and bring reality back into our justice.

Mr. Orlikow: Mr. Speaker, I would like to direct a brief question to the Hon. Member for Winnipeg—St. James (Mr. Minaker). In the course of his remarks he listed a number of types of murders which he believed warranted the use of the death penalty. Let me point out to him that all those types of murders occur in Great Britain. Not only that but Britain is faced very frequently with murders created by terrorists of various types. Yet, just a few years ago, the British House of Commons with a large majority of Conservative Members of Parliament in which the Prime Minister, no shrinking violet, is a strong supporter of capital punishment, voted by a substantial majority against a proposal to reintroduce capital punishment.

That situation is not peculiar to Great Britain. Virtually every democratic country in the world, with the exception of the United States, has now done away with capital punishment, and countries in which capital punishment is found are the communist countries, without exception, and most of the right-wing military dictatorships.

Why does the Hon. Member prefer to associate himself and this country with the communist countries and the right-wing military dictatorships and not take an example and lesson from the democratic countries which, as I have pointed out, with the exception of the United States, have all done away with capital punishment?

Mr. Minaker: Mr. Speaker, let me reply through you to the Hon. Member for Winnipeg North (Mr. Orlikow). First, I am not familiar with the resolution that was before the British Parliament but I understand that the last resolution which was defeated was confusing. I think it said basically, "Are you in favour of the return of capital punishment for murder?" Obviously I am not in favour of capital punishment returning just for murder, but for specific crimes, premeditated homicidal crimes.

I might throw the question back at the Hon. Member. Why would I vote like a communist country or like the United States? Why would the Hon. Member not vote like the majority of his constituency wants him to? Why will he not do what the people of Canada want? Is the Hon. Member against democracy?

Mr. Benjamin: Read Sir Edmund Burke.

Mr. Minaker: In my riding, 73 per cent of the people in the last survey wanted the return of capital punishment. Let the juries decide whether they want to apply it. Why would the Hon. Member go against the wishes of his constituents? I told the people of my riding how I was going to vote on the question of capital punishment during the campaign. I stayed with that decision. I believe in it. It is something that is just and will help deter homicidal crimes.

The Hon. Member says statistics do not apply. Let us go back to 1962 when we actually had the last hanging. That is when statistics should start. People do not pay attention when something is passed by legislation. They read in the newspaper how many people were or were not hanged when crime rates go up. You have to look at the year 1962, not the year 1976 when using statistics. We can throw statistics back and forth. I know what I believe in and I think that is what the majority of people of Canada believe in. I am proud that I will be able to vote on their behalf here in this House. I hope the Hon. Member will consider that when he casts his vote.

Mr. Nystrom: Mr. Speaker, the Hon. Member for Winnipeg—St. James (Mr. Minaker) said that in his riding the majority of people said that they wanted capital punishment and that he is now going to follow the wishes of his constituents. He said he wanted to be consistent and represent the people. If that is the case, will he be consistent and resign and call upon his Party to resign since according to the last Gallup poll 76 per cent of Canadians said that they did not want the Conservative Party as the Government of Canada?

Mr. Benjamin: Obey the wishes of your constituents.

Mr. Minaker: Mr. Speaker, the Hon. Member throws out something that has nothing to do with the issue with which we are dealing.

Mr. Keeper: It has to do with democracy.

The Acting Speaker (Mr. Paproski): Order, please. I realize this is a very emotional debate.

An Hon. Member: He walked into this by himself.

The Acting Speaker (Mr. Paproski): I hope that the Hon. Member will have an opportunity to rebut whatever statements other Members may make. We still have another few minutes for questions and comments. The Hon. Member for Winnipeg—St. James (Mr. Minaker) has the floor.

Mr. Minaker: Mr. Speaker, when the Hon. Member talks about the most recent poll, that poll will change, and it is changing right now. One of our mandates was to bring forward the debate on capital punishment. We are doing that. Another was to deal with pornography. We are dealing with that. Another one was free trade. We can go on and on. Those are the mandates our Government was given and we are going to provide them for the people of Canada. When they see where the New Democratic Party is on these issues, then we will see where the popularity of the New Democrats is. You can only straddle the line so long. When they have to make decisions and vote in the House, the people of Canada will see where members of the New Democratic Party stand on these issues. The Canadian people will see where those Members stand and then they will decide who they want for government. I am confident that they will decide they want the Progressive Conservatives returned.

• (1720)

Mr. Rossi: Mr. Speaker, the Hon. Member just mentioned that the Prime Minister (Mr. Mulroney) decided to bring the issue of capital punishment back in 1984 because capital punishment was actually abolished in 1976. I would like the Hon. Member to explain why the Prime Minister brought back the issue of the reinstatement of capital punishment as promised but today is against it. Why did he do that?

Mr. Minaker: Mr. Speaker, I guess the Hon. Member was not listening very carefully. I said that one of the promises made was that we would bring back the debate on capital punishment. I think it was very clearly understood that the Prime Minister (Mr. Mulroney) is opposed to capital punishment but he is a Prime Minister who will allow the Parliament of Canada to debate the issue. He believes in democracy, so there will be a free vote on this issue and I am proud we have a

Prime Minister who will allow that. The promise that was made during the 1984 election campaign was to bring back the debate on capital punishment, not to return capital punishment. It was to let the House of Commons decide that issue, not that we will decide it right now.

Obviously members of the New Democratic Party do not believe in democracy. I do not know if they have free votes over there on that side. I do not think they have free votes on any issues. The Hon. Member for Churchill (Mr. Murphy) depends on free trade. The majority of the workers, 7,500 workers in Churchill, depend upon mining and export, but the Hon. Member cannot vote for free trade. He must oppose it. That is the kind of democracy they have in that Party. When members of the New Democratic Party talk about democracy, we know where they stand on a free vote on any issue.

Mr. Benjamin: Mr. Speaker, I would like to advise my hon. friend that free votes originated in our caucus in 1933. I heard the Hon. Member say that the people of Canada have a right to feel protected from murderers. I do not want to put words in my hon. friend's mouth, but—

The Acting Speaker (Mr. Paproski): Order, please. I do have difficulty hearing the Hon. Member for Regina West (Mr. Benjamin) because there seems to be a crossfire exchange going on. The Hon. Member for Regina West has the floor.

Mr. Benjamin: Mr. Speaker, is the Hon. Member saying that every citizen of this country would then automatically become suspect as a potential murderer? I believe I heard the Hon. Member say, and I believe I heard him correctly, that the people of Canada want to be protected from murderers. Therefore, every citizen of Canada is suspect because it could happen to any one of us. The hon. gentleman could snap and he might kill somebody tomorrow, who knows. Does he want to have all of us examined and watched? That is the logical result of what he said. I wonder if he could enlarge upon that statement.

As well, could the Hon. Member tell me if he has ever read Edmund Burke's address to his constituents—

Mr. Nystrom: A good Conservative.

Mr. Benjamin: He was a good Conservative, by the way. He spoke of a Member of Parliament owing his constituents diligence, the fullest consideration of his constituents' opinions and maximum work on their behalf, but he is not their delegate but their representative and does not owe them his conscience. Has the Hon. Member ever thought of that?

Mr. Minaker: Mr. Speaker, I do not know where the Hon. Member's logic comes from. I do not know if he was sitting in the House or he was in the lobby watching me on television or what, but I cannot follow the logic of what he has suggested about what I said.

I said that naturally people want to be protected from murderers, but the reference I was making was that I believe that the return of capital punishment will be a deterrent. I firmly believe that. In that way, there will be some protection from first degree premeditated murder.

I would suggest that the Hon. Member read the statement of Edmund Burke to his constituents because I would think that in Regina—

Mr. Benjamin: I did.

Mr. Minaker: The Hon. Member has said that he did. I think he had better keep reading it—

Mr. Benjamin: When they were mad at me.

Mr. Minaker: He knows that the majority of his constituents want the return of capital punishment in order to let a jury decide if it wants to apply it. That is the key. Perhaps juries will not apply it but at least, if we follow through on this, we have said that if a crime is committed that deserves this punishment, a jury can use it. That is what we should provide to the citizens of Canada. That is what they want in our justice system.

Mr. McCurdy: Mr. Speaker, I heard the Hon. Member from the "PCP" Party talking about consistency. Let us rephrase the question and steer it away from the matter of free votes, although I am puzzled as to why he should have raised the issue of free votes. There has been no clear demonstration on the government side that they have any particular commitment to free votes. After the shenanigans of the last couple of weeks, it is entirely doubtful.

Having committed himself to follow the dictates of the majority of his constituents, will the Hon. Member always do that? That is question number one. Question number two is a little different from others he might anticipate.

Among those of us opposed to capital punishment, there are those who are concerned about the problem of judicial error. The Hon. Member may remember an occasion on which someone was made a victim of capital punishment as a result of judicial error. That victim said: "Forgive them, Father, for they not what they do".

I wonder if the Hon. Member would not see some inconsistency between that statement made by an historic victim of erroneous capital punishment and his own position on capital punishment.

Mr. Minaker: Mr. Speaker, I could read a number of lines from the Bible indicating that capital punishment is correct, if he wants to get into that type of debate. Perhaps the Hon. Member heard me say earlier that I did not wish to get into religion when debating this issue. I said that that is what I believe in and what a majority of people in Canada believe in. I believe that it is right for that type of crime.

The Hon. Member asked if I have always done what a majority of my constituents want. No, I have not always done that but I am fortunate in this instance. I am on the side of the majority.

I will be looking forward to seeing how members of the New Democratic Party vote on this. I cannot understand why my good friend and colleague from Winnipeg Centre is voting the way he is. I am sure the majority of his constituents are in favour of the return of capital punishment. If they are not, they are living in a pocket in the middle of no-man's land. I know that the majority of Winnipegers support capital punishment. It will be interesting to see how the Hon. Member votes.

The Acting Speaker (Mr. Paproski): Questions and comments are now terminated. Debate.

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, I will vote as I will always vote on any resolution before the House to restore capital punishment. I will vote against such a resolution or motion.

I will not be guided by polls. I will attempt to follow logic and principle. If you follow polls you are in great danger. A Decima poll published in *Maclean's* today indicates that the percentage of Canadians in favour of capital punishment has dropped from 72 per cent to 61 per cent, with only 38 per cent absolutely convinced of its necessity. There is a lesson there. Polls should not be the final determining factor in the actions we take in this House. Parliamentarians have an obligation to consider an issue of this sort with great care.

• (1730)

There are people paying a great deal of attention to what we say. That is an argument against any notion the Government may have in this free vote to impose closure on this House in order to stop debate and thus deny the Canadian people the opportunity to consider this question with great care.

The essential question in this debate is why Canada should be poised, in the view of many in this House, to be the first civilized western nation to restore capital punishment having once abolished it. Is it because Canada is overwhelmed with the violence which characterizes the televised portrayal of America? Is it because ours like U.S. cities are under seige by criminals? Is it because Canada is so overwhelmed with poverty that there is no alternative to crime, for which this measure is seen as a solution to the problem in the U.S? Is it because we have found, after years without capital punishment, that the deterrent effect has been lost and there is a great upsurge in the homicide rate? Is it because we have a system of justice so perfect that there can never be an error? Or is it because we have absolute equality with no possibility of discrimination which would deny to the Indian, the black, the Ukrainian and the Francophone equal treatment under the law? Or is it because we have a Government under seige and looking for an easy way to enhance its popularity and is intent on doing so by resorting to the views of its most primitive Members who seek simplistic answers to the fundamental and complex questions facing this land?

I have listened with attention to the declarations of those who advocate the restoration of capital punishment, and I am not convinced. It seems to me we are listening to many people with simple answers to everything. It also seems to me that if we restore the most absolute and irrevocable of punishments, we had better be prepared to advance the most absolute and irrefutable arguments in support of it. We may make those arguments on rational and intellectual grounds. We may seek to demonstrate that the existence of the threat of capital punishment deters the murderer. We may seek to demonstrate that it deters the husband who, in a fit of anger, kills his wife. Or the person playing cards with friends or relatives who, in a fit of passionate anger, decides to attack someone and as a consequence kills him or her. Or that it deters the person who, in the process of robbing a corner store, becomes momentarily frightened and shoots someone. All of those people, I am sure, are standing or sitting there carefully considering the consequences of such an act.

Do we see in statistics some justification for capital punishment where it exists as opposed to where it does not? If one examines those countries without capital punishment we see no evidence that its absence has led to an increase in homicide. We do not see that murder is deterred in the U.S. as compared to Canada. We have not seen in the last 10 years a vast increase in the rate of homicide in Canada.

The fact that in Illinois they kill people who kill people has not made Illinois a safer place with a lower homicide rate than Michigan where they do not kill people who kill people. If you look at the 13 states with capital punishment you will find they have a higher rate of homicide than in the 37 states which do not kill those who kill. Furthermore, we have the interesting statistics from Florida and Georgia which show that immediately after the restoration of capital punishment the rate of homicide increased. We have to agree with the president of a police association who said that to try to win the argument for capital punishment on the basis of its deterrent effect is futile. It is indeed.

It seems to me that if we are going to resort to capital punishment we must be convinced that our system of justice is infallible. It can never be in error. I would simply ask the ordinary citizen out there, when he or she is stopped for a traffic offence, whether they would want their lives to depend on the infallibility and fairness of the system which confronts them on the street when they receive that ticket. The evidence is abundant that unless we have infallible people we will not have an infallible system of justice. That system of justice is least infallible when it affects the poor, the racial minority, or a man as opposed to a woman. One has to assume infallibility in a system which mirrors our society and all of its frailties. We have to assume a system each stage of which will ensure that justice is done. Yet we know justice is not always done. We know that in the last century at least 25 innocent people were executed in the U.S. for murder. There is a legion of

reports about those who came within moments of losing their lives for crimes they did not commit.

One particularly relevant example of that is the case of Donald Marshall. I know that his was not a capital offence, but it was murder and it is a sufficiently dramatic example to bring forth as an illustration. An error was made and was compounded by the fact that we were not dealing with one of the winners in society, one of the well-to-do whose chances of dying for a capital offence in the United States are very slight as compared to those of the poor. He had one other characteristic which condemned him. He was an Indian in Canada.

• (1740)

I refer those who think that the unequal application of justice to those who are racially or nationally different is unique to the United States and cannot happen in Canada to the studies of Dr. Avio which demonstrate that even in Canada if you were a Ukrainian, a Francophone, black, or a poor person, your chances were far greater than those of your fellow citizens, if you were found guilty of murder, to be killed for such.

In the arguments of those who advocate capital punishment we cannot see an intellectual or rational basis in the infallibility of our law and the prospect that the application of that law would be error-free. I suppose that if you were looking for nice, neat, rational, intelligent and intellectually-based arguments for capital punishment, you might resort to the ultimate, that it is a lot cheaper to kill them. Never mind that you might make a mistake and kill an innocent person, thus causing our nation to become guilty of murder. Surely it is a potent argument that we could relieve the burden upon our prisons of having to incarcerate so many of those who are guilty of homicides and save the taxpayers some money.

The fact is that in New York State at least the cost of the judicial process necessary to bring about the death of a murderer would be equal to the cost of keeping that individual in prison for almost 100 years. Therefore, the argument of getting off cheap is not one for the restoration of capital punishment.

I suppose one would have to resort to the essentially emotional, moral, or ethical argument that the punishment must fit the crime. That is the familiar argument of an eye for an eye and a tooth for a tooth. The Member was talking earlier about consistency. If this most extreme form of violent crime must be met by the most extreme form of violent action by the state, it follows, therefore, that all violent crimes should be punished by violent action.

I have not heard that argument advanced so far, although I am sure that those who advocate capital punishment may be tempted by the simplicity, clarity and logic of it. It has been pointed out by a number of commentators that this is the primitive solution of a more primitive society, that there must be some standard to limit the punishment or there would be no way of keeping control over the populace as they attempted retribution.

Does that make it appropriate? Should we return to the state of the Old Testament and before? Or should we listen to that great historic victim of capital punishment administered as a result of judicial error? Should we take an eye for an eye and and a tooth for a tooth, or shall we listen to that early victim and say, "Forgive them"?

God said, "Vengeance is mine". God said that because only the absolute could understand all of the conditions, all of the factors, and all of the environmental influences on someone who kills. There can be no justice if we do not know all of those things which led to an event. I know that some of the more simplistic advocates of capital punishment believe that they have a closer alliance with God than the rest of us, but most of us think that we are by our nature limited in our capacity to understand, to bring about symmetry in the administration of justice, and to ensure that justice does fit the crime. This requires the weighing of factors which only God, only an absolute intelligence, could ever understand. Yet we would advance ourselves as final judges on something so absolute in its consequences.

No, Mr. Speaker, I am not prepared to see Canada revert to a primitive state. Canada abolished capital punishment as a sign that it had become an advanced civilized nation. This is something that de Tocqueville recognized many years ago. He said that the severity of a nation's punishment is least when its sense of social equality is greatest. It is a measure of the maturity of its democracy, the level of its civilization. The same man who is full of humanity toward his fellow creatures when they are at the same time his equals becomes insensitive to their affliction as soon as that equality ceases.

One hundred and fifty years ago de Tocqueville recognized what is evident now. It is in the least democratic and most regressive nations of the world that capital punishment exists—the U.S.S.R., Iran, Saudi Arabia and South Africa. Those who look at America will see that it is the contempt for equality that underpins capital punishment there.

It is no accident that it is the southern states of that nation which have rushed so quickly to capital punishment. In the southern states a black has about 10 times the chance of being a victim of capital punishment that a white does. Only in that nation, and I hope never in this country, would a Supreme Court argue that while there is discrimination in the application of capital punishment it is of no judicial relevance.

No, Mr. Speaker, I do not want this country to revert to that model of nationhood. From the message of de Tocqueville from many years ago one inevitably reaches the conclusion that those who advocate capital punishment have a considerably greater sympathy for the kind of nation which he portrayed than the kind of nation that we have become. As I said before, those are the people who see the simple answers. They have the simple answers on abortion, drugs and the poor. They look back on almost everything. They are the ones who

would seek to return to gallons while the rest of the world is going to litres. They do not represent the best in this nation. They do not represent our regard for social equality.

• (1750)

The records of those who most strongly advocate capital punishment will show that their vision is flawed compared to our vision of a country in which equality is the imperative.

I am not prepared to engage in a debate on whether the punishment should be hanging and whether we can tolerate that some people may survive hanging, with the only certitude being if their heads are ripped off. I am not prepared to consider someone being injected with a fatal fluid knowing that they are about to die in agonizing pain before witnesses. I am not prepared to argue whether the electric chair which burns the flesh is better.

I am only prepared to respond to irrefutable arguments which would support absolutely this absolute punishment. Without that, free vote or not, New Democrat or not, I will vote against capital punishment now and forever.

[*Translation*]

Mr. Hudon: Mr. Speaker, I would like to ask a question to the Hon. Member, whom I respect very much for the positions he takes.

What I always find disappointing in this noble Assembly is that, when we take difficult positions for or against something, people generally try to make those who hold different views from their own feel guilty, and this is happening now as abolitionists are falling in exactly the same trap as those who are in favour of the death penalty.

In my opinion, my hon. colleague made some good points, but his weakest argument was to criticize those who are opposed to his own views.

First, Mr. Speaker, there is something on which the Hon. Member might not have insisted enough. The criminals we do not want to see out on the streets are not necessarily those who have committed a first premeditated murder, because such murderers are generally kept in prison for a very long time. Those who are the most dangerous and who really destroy our society are those who have certain criminal activities, such as drug trafficking, and who are sentenced to five, six or seven years in prison and find themselves out on the streets two years later with an urgent need for money. They got used to a comfortable way of life and they are the ones who are dangerous.

However, what we are now discussing is imposing the death penalty to those who have killed. We might not be targeting the right people.

According to the figures, of 140 individuals found guilty of premeditated murder who obtained their parole between 1920 and 1975, that is over a fifty-five year period, only eight committed a second murder.

Saying that we want to kill people because they have killed is therefore besides the point. This should be our first argument.

Second, people always say that the death penalty will give the criminals a lesson. In my opinion, this is not the way to go about it. If we really want to give people a lesson, executions should be televised. As we do not want this because we are a civilized nation, then we should simply not have any executions.

[*English*]

Mr. McCurdy: Mr. Speaker, I am prepared to forgive those who disagree with me on this issue because it is obvious that they do not know what they are doing. Beyond that, however, I believe the rest of what the Member says weighs heavily upon all of us.

There is a great deal of concern among people that the justice system does not deliver, that punishment is not sure and swift, and that some are released from prison too soon. All of that is true. If the Hon. Member wishes to pursue that matter, there is the report of the Canadian Sentencing Commission.

Unquestionably, this is the single most important concern among the people. It is a concern which causes some to see relief in capital punishment. I was engaged in a debate about capital punishment.

We gauged that about two-thirds or three-quarters of the audience favoured the restoration of capital punishment. As we argued the issue, we decided collectively that the two most significant problems were the treatment of victims and the certainty and speed of punishment. If those concerns were met, then capital punishment was not supported.

In fact, after addressing that issue, at the end of the discussion, 100 per cent of the audience and 100 per cent of those participating in the discussion, including those who initially advocated capital punishment, agreed that it should not be restored.

[*Translation*]

Mr. Hamelin: As indicated by my colleague, Mr. Speaker, I was impressed not by the first part of the speech of the Hon. Member for Windsor—Walkerville but rather by his other arguments which he put forth brilliantly. He refers in particular to this image of a modern society, of an evolved society, so I should like to direct two questions to my colleague concerning his vibrant discourse on the need for an evolved and modern society. Would he be able to sell this line to the wife of the convenience store who has just been murdered? Would he be able to sell the same line to the parents of the young girl who was raped in a moment of madness, and then killed to hide the first crime? Would he be able to sell the same line that we in Canada are an enlightened society—are we not?—where our prisons are nothing short of sieves, where indeed we no longer kill anybody, right? Can you decently sell this line of Canada's enlightened society to these people? For me personally it is not a matter of exemplary nature, I know that capital

punishment scares people like you and I, criminals could not really care much less. But the point is a matter of responsibility. Indeed, are you in a position to utter the same remarks? And you said briefly, Mr. Speaker, that one cannot render justice because God alone knows the facts—God alone, you said, knows the facts. If we were to carry your argument to its logical conclusion, since we never know all the facts we should also close down our prisons. That is the question I want to ask the Hon. Member.

[*English*]

Mr. McCurdy: First, Mr. Speaker, I must pose a corresponding question to the hon. gentleman. Is he willing to be a participant in the application of the death penalty to someone who is innocent? Is he willing to share in that guilt? Is he willing to play God?

In addressing the issue of capital punishment, I have already indicated that the logic of the Hon. Member's argument must inevitably lead to the imposing of corporal punishment in all cases of violence. In each of those cases of violence one would have to face the victim and justify how that person is sitting in jail eating meals and so on. The depth of the tragedy that anyone might experience as a result of the murder of a husband or child is not going to be addressed by killing the murderer. That does not solve the problem. What will solve the problem is for the guilty to be brought to trial quickly, the punishment a certainty and proportionate to the crime, but not irrevocable, as execution certainly would be.

• (1800)

The Acting Speaker (Mr. Paproski): The time for questions and comments has now terminated.

It being 6 p.m., pursuant to order made Friday, June 12, 1987, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*English*]

THE DISABLED AND THE HANDICAPPED

ADVISABILITY OF FEDERAL SALES TAX REDUCTION

Mr. Bill Tupper (Nepean—Carleton) moved:

That, in the opinion of this House, the government should consider the advisability of introducing a measure to provide for the reduction of the federal sale tax for disabled persons.

He said: Mr. Speaker, I am delighted this evening to rise in my place and share with the House some thoughts about Motion M-72, that in the opinion of this House, the Government should consider the advisability of introducing a measure to provide for the elimination of the federal sales tax for disabled persons.

I have been interested in the welfare of the handicapped community for a long time. I am not alone in that objective. As I have come to know my colleagues here in the House of Commons and beyond, I have found many share this interest. I believe that our objective is to provide mechanisms which will allow all handicapped persons to enter as fully as possible into the mainstream of Canadian society. That is my objective and I am confident that it is the objective of this House. What I have to say this evening is with that in mind.

Some 14 per cent of all Canadians are handicapped. In Canada that amounts of some 3.5 million persons. For reasons which are not clear, the rate of disability tends to be higher in rural areas than in urban areas. Tragically, the rate also seems to be higher among females than among males, and dramatically, tragically, about 80 per cent of the handicapped persons in Canada are not in the workplace. Of the 20 per cent who are working, most are employed by Government, federal, provincial, municipal and their agencies. Not all that many are really employed in the private sector. Furthermore, some 54 per cent of disabled persons who are in the workplace earn less than $10,000 per year.

I could go into a long process this afternoon, telling Hon. Members everything about the handicapped, where they come from, what their handicaps are, and about the difficulties they have in facing life. However, I will forego that. They are indeed an underprivileged group in educational achievement, in their earning power and by the numbers who are in the workforce. Their opportunities in life are highly restricted. There has been a great deal written about the handicapped in Canada. Perhaps the best outline available to me is entitled *Profile of Disabled Persons in Canada*. It was written by the Department of the Secretary of State and published in November of 1986. I commend it to all Hon. Members to gain some insight into the handicaps of the disabled.

At the same time, I know that much has been done for disabled persons in Canada by this House and by other jurisdictions. The funding for the Disabled Persons Participation program has been increased to $16 million for the coming four or five years. These moneys will be used for a variety of projects to help disabled persons meet their objectives. In addition, the housing renovation program has been changed so that a subsidy of $5,000 is available per unit to upgrade and modify housing units for the handicapped. There has been improved access to federal and other Government buildings and to the universities. Employment opportunities for the handicapped have also been enhanced.

As a part of tax reform, the special deduction for disabled persons will be replaced by a federal tax credit of $550 starting in 1988. The disability tax credit is not to be refunded to the taxpayer, but the unused portion will be transferable to the disabled person's spouse, supporting parent or grandparent. I think that is a welcome initiative.

Furthermore, the present law provides for a deduction of nearly $2,900 in 1987 for disabled persons whose impairment

is markedly restricted or is expected to restrict their activities on a daily basis and for a continuous period of some 12 months. The amount of the disability deduction has recently been increased and the deduction was extended to a much larger segment of the population. As a result, the tax assistance now benefits approximately 250,000 persons in Canada.

However, more needs to be done, and more can be done. I originally took an interest in one particular aspect of the motion I put before the House. That relates to the purchase of motorized transportation by handicapped people. I found that a significant number of my constituents were confronted with the need to buy specialized transportation equipment. The more I looked into it, the more I found that a wide-spread aspect of the handicapped community across Canada had the same problem. For instance, you and I, Mr. Speaker, could probably go out and purchase an excellent automobile for $15,000 or less. However, my information would suggest that the handicapped person is required to purchase a specialized vehicle, perhaps a van, with equipment for egress and entry into the vehicle and for special equipment which would allow that person to drive the vehicle in a safe and secure manner. When the original cost of the special vehicle, plus the cost of the special equipment, is totalled, one can see the handicapped person is confronted with an extraordinary expense, and these persons are much more financially deprived than you or I, Mr. Speaker.

In fact, as I pointed out earlier, 80 per cent of the disabled are not in the workforce at all and are dependent on society or on their family for support. So we can see how difficult it is for handicapped persons to make expensive specialized purchases. In all fairness, I must bring to the attention of Hon. Members that there are provisions in the Excise Tax Act for the disabled. For instance, chapter E-13, Schedule III of the Excise Act, item 13 has exempt provisions for invalid chairs, commode chairs, walkers, wheelchair lifts and similar aids to locomotion, with or without wheels, including batteries especially designed for the use thereof. Another tax exempt item is found in Section 5.1 in chapter E-13, and I quote:

> Buses or vans specifically equipped for transporting handicapped persons when for use by public organizations or institutions exclusively for providing transportation to the handicapped, and that would have been capable of carrying 12 or more passengers if equipped in the normal manner.

• (1810)

In bringing that to your attention, Mr. Speaker, I do so only to point out that the House and other governments have already recognized the problem. I would also like to bring to the attention of Hon. Members this evening the report *Towards Equality* with which many Members will be familiar. Recommendation No. 69 of the report states:

> That the Income Tax Act be amended so that disabled persons are entitled to a deduction for the cost of special aids and devices, including extra transportation costs incurred because of their disability and necessary for their employment.

That is the problem I am trying to address this evening. In conjunction with that, but quite separate from it, I need to share with Hon. Members that there is now a move in progress by the Disabled Council of Canada to approach all provinces toward the reduction of provincial sales tax on items that would relate to the handicapped. I share this with Hon. Members because it is dramatically important that this approach is gathering momentum across the country and that there will be initiatives taking place in the next while in each provincial legislature.

I point this out to Hon. Members because it is quite independent of what I am attempting to do here this evening. Although the two are related and have a common goal, my own initiative started before I was aware of the initiative of the Disabled Council of Canada.

I have had substantial correspondence with the Department of Finance over the past year and a half in which I have tried to convince the Department, through normal powers of persuasion, argument and, hopefully, with appropriate evidence, that what I was attempting to do was something for which it could provide the lead. I have not been successful in that endeavour. Thus I have turned to the venue of Private Members' Business, hoping to find a solution here in Parliament and to have a thoughtful debate on the topic with my colleagues.

The principal objection raised by the Department of Finance at the time I focused in on correspondence with it was as follows. I was told by the Department that all of the items accorded relief as aids to the disabled are goods designated for or capable of use only by those persons. It was made clear to me that no relief has ever been provided for goods such as automobiles which are capable of use both by the disabled and by able-bodied persons. The arguments go on but, effectively, that is the point the Department made with me.

I have to confess and share with all here this evening that when I started my research into this matter my intent was, let us say by way of example of specialized automobiles for the handicapped, that the tax relief would apply to both the automobile and to the specialized equipment that would be attached or affiliated with it for the handicapped person. However, in discussions with representatives of the Department of Finance and with my colleagues in the House, I have changed my stance now so that the reduction relative to my motion would only apply to the accessories that are required by the handicapped person, only to those materials that are essential to the handicapped person and not to the routine things in that person's daily life.

I have spoken to many of my colleagues in the past three or four weeks about this motion. I was delighted to see how concerned they were for handicapped persons in Canada. They expressed a deep and sincere concern. I very much hope that that concern tonight will translate itself into the adoption of my motion.

[*Translation*]

Mr. Pierre H. Vincent (Parliamentary Secretary to Minister of Finance): Mr. Speaker, I welcome this opportunity

to take part in the debate this evening, and I would like to start by stating that the tax relief with respect to sales tax requested by the Hon. Member in his motion is already in place. Furthermore, recent proposals of the Minister of Finance (Mr. Wilson) on tax reform will, as you know, Mr. Speaker, benefit the disabled, especially those on low incomes. Finally, since 1984, the present Conservative Government has made substantial improvements in programs designed for the disabled. Perhaps I may expand on each of these points in my response to the Hon. Member's motion.

The disabled presently enjoy a measure of tax relief in that certain products for their exclusive consumption are exempted from federal sales tax. To that end, a broad spectrum of medical goods for the exclusive use and sole benefit of the disabled is already exempt from federal sales tax. Such goods include, for instance, hearing aids, wheelchairs, artificial limbs, pharmaceutical products and all goods purchased by public hospitals or institutions for the use of the disabled. The list is much longer, but these examples should suffice to demonstrate that the disabled already enjoy a measure of tax relief.

However, the list itself already indicates a major problem inherent to the exemption method. As medical technology progresses, new equipment to help the disabled is developed and must be added to the list of tax exempt goods. This ad hoc method was criticized in the recently published document on federal sales tax reform because of its complexity and its arbitrary nature. As mentioned in the document, it is often hard to draw the line between what goods should be taxable and what goods should be exempt. For instance, Mr. Speaker, we have a court ruling on fluoridated toothpaste which, according to the Department should not be exempt and which according to the courts should be exempt because it has therapeutic benefits and should not be taxed as a cosmetic.

The fact remains that despite their short comings, exemptions are in place to provide tax relief from sales tax for the disabled. Furthermore, financial assistance is not restricted to sales tax exemptions. The disabled also receive assistance through the income tax system.

This disability deduction, which is $2,890 in 1987, is available to individuals who are seriously incapacitated for an extended period. The disability deduction recognizes that a handicap implies fixed costs, and this is generally taken into account. The deduction is transferrable to the spouse or supporting parent. And as you know, Mr. Speaker, it benefits some 250,000 individuals who are seriously handicapped.

Medical expenses cover certain products and medical services and certain items designed to help the handicapped lead a normal life. Generally, those items are clearly identified as reserved to the exclusive use of the handicapped individuals. The expenses include allowable medical expenses incurred by the taxpayer or a spouse on behalf of a dependent handicapped individual where the amount is more than 3 per cent of the taxpayer's net income. In 1985, some 4.4 million taxpayers claimed such expenses, for a total of about $2 billion.

On the occasion of tax reform, the needs of the handicapped have not been overlooked, quite the opposite. For that reason, tax reform will bring significant benefits to the handicapped. Generally speaking, by converting deductions to credits we are able to direct increased help to low-income taxpayers. Since the handicapped in general are low-income people, they will benefit significantly from that provision.

In the case of the disability deduction, it is proposed not only that the deduction be converted to a credit, but also that the tax benefit be significantly increased. The conversion from a deduction to a tax credit meets the main concerns of handicapped groups concerning the deduction. The tax benefit provided by a deduction favours higher income taxpayers, even though low-income handicapped people, who have greater need of tax assistance, may have incurred equivalent expenses. The $2,890 disability deduction is being converted to a $491 tax credit for a 17 percent tax rate. However, it is proposed to set that rate at $550. The unused part of the credit will be transferrable to the handicapped person's spouse or supporting parent or grandparent. That improvement helps handicapped individuals buy the goods and services they need by reason of their handicap, and is the second similar improvement in two years. In 1986, the deduction was increased by $250.

The second major component of tax relief granted to the disabled, the deduction for medical expenses, has also been converted into a tax credit for expenses in excess of three per cent of net income. On the whole, the tax reform has solved one of the problems of providing tax relief for the disabled: the regressive distribution of benefits under the present system. The new disability credit provides the same tax relief for all disabled persons, whatever their income. The credit has also been increased to provide a greater measure of tax relief to all persons benefitting under the system.

Mr. Speaker, I would also like to draw the attention of Hon. Members to the many measures that have been introduced since 1984 to benefit the disabled. The most important measure is undoubtedly the decision to expand the definition of a disabled person, effective as of the 1986 tax year. All taxpayers with a serious disability are now entitled to claim the deduction, and, of course, to take advantage of the improved disability credit in 1988. This is a break with the previous, more restrictive definition under which the disability deduction was granted only to the blind or to persons who were bedridden or confined to a wheelchair. By expanding the definition, tax relief can be granted to 180,000 more disabled persons or their spouse or parent or grandparent who provides for their care; in 1988, Mr. Speaker, it is expected that 250,000 persons will be able to take advantage of this provision.

Furthermore, as of the 1987 tax year, which is this year, Mr. Speaker, the list of goods eligible under the heading of medical expenses has been expanded to include: van conversion accessories enabling persons confined to a wheelchair to enter

and drive such vehicles unassisted; Braille printers and large-print devices enabling persons with severe visual handicaps to use home computers; speech synthesizers enabling the deaf to speak with the help of a portable keyboard, TV closed-caption decoders for the deaf; monitoring devices to be attached to babies identified as being susceptible to the crib death syndrome.

Furthermore, since 1986 the federal Government has increased amounts paid to individuals receiving disability benefits under the Canada Pension Plan. In 1986, the maximum disability pension was $455.64 per month; in 1987, it will go up to $634.09, an increase of $178.45 per month, or 39 per cent. Some 15,000 people will be able to take advantage of this increase in the Canada Pension Plan disability benefits.

Veterans' pensions and allowances have also been increased. Once more, nearly 150,000 pensioners will benefit.

These measures clearly show that the Government is concerned about the ability of the disabled and those on whom they depend for financial support to pay taxes.

In summary, Mr. Speaker, devices for the specific and exclusive use of the disabled are now exempt from the sales tax. In addition, medical expenses are now deductable and will be the subject of a tax credit after the reform. Finally, the disability deduction, which will be transformed into a tax credit, has been considerably improved. Taken together, these measures are of considerable benefit to the disabled. The initiatives taken since 1984 to improve these benefits show that this Conservative Government is concerned about the needs of the disabled. This commitment is also reflected in the tax reform proposals. While other improvements may be necessary, those are achievements of which all Canadians can be very proud.

• (1820)

[*English*]

Mr. Les Benjamin (Regina West): Mr. Speaker, I rise to express general support and even sympathy for the resolution of the Hon. Member for Nepean—Carleton (Mr. Tupper). However, with all respect, I think he is attacking the problem in the wrong way.

Whether it is people who are disabled, war veterans, or old age pensioners who are eligible for the guaranteed income supplement, surely our tax laws should provide that they have an exemption. I realize that it is difficult to keep track of; I mean, we do not want to be handing out special identification cards like the KGB and the SS used to do.

I recall the last Budget of the present Leader of the Official Opposition (Mr. Turner) which implemented a 10-cent per gallon excise tax on gasoline. In committee of the whole I moved amendments to exempt senior citizens who were eligible for the guaranteed income supplement, war veterans, and the disabled from that tax. The then Minister of Finance, the present Leader of the Official Opposition, was kind enough to send me a note across the floor asking me to resubmit an amendment providing for a rebate of the 10-cents per gallon gasoline tax for the disabled.

Like my hon. friend, I have a number of constituents who have specially equipped cars. The municipality or charitable organizations run buses, vans, or specially equipped station wagons. It provided them with an opportunity to make application for a full refund of that 10 cents per gallon excise tax on gasoline.

It worked during 1977 and 1978. I wish my hon. friend—and I really think he has a good idea in his motion—would talk to his own colleagues first. The 1979 Budget of the then Minister of Finance, the present Minister of Transport (Mr. Crosbie), cancelled the 10 per cent rebate of the excise tax on gasoline for the disabled.

We have done enough playing around with this sort of thing. Even the tax reform announcements of last Thursday did not cover old age pensioners who are eligible for GIS—and surely they must be the poorest of our elderly—those on war veteran's pensions, and those who are disabled, in any so-called sales tax reform. I do not think there is any disagreement about it among all Parties in this place. There should be no argument. It should not require a motion from a member of any Party. It should not require a Private Member's Bill or a Private Member's Motion.

I point this out, not to be vindictive, not to try to make political points, or anything else. It seems to me that there should be no argument or question about the matter. It should be automatic in the head space of Ministers of Finance and those guys in the nether regions of the Department of Finance and the Department of National Revenue. No discussion should be necessary.

In part my hon. friend's motion says that "the Government should consider the advisability of introducing a measure". I do not think anyone in this place would argue against that. However, why should we be required to present it? It should be a matter of course, no matter what political Party is in power.

• (1830)

I hope my hon. friend's motion passes because it carries the weight of all Members of this place. I hope that he and his colleagues can have some influence on the people who advise and do White Papers et cetera, et cetera for the Minister of Finance (Mr. Wilson). The real test of any society is how well it treats its sick, its old, its veterans and its disabled.

If you examine countries all around the world, you will find that Canada does not do too bad a job, Mr. Speaker. In fact, we do fairly well. But what about this sitting around resting on our laurels with paltry sums? What about those who are maimed from birth, maimed by accident, those who have occupied hospital beds since the Second World War and/or those who have earned their retirement and who only get the Old Age Pension and the Guaranteed Income Supplement?

Surely no civilized society, and I think no Party in this place, will plead it is so hard up for dollars that it has to chisel on them. It is just not necessary. It does not amount to enough to upset or cause outrage or do violence to a Government's fiscal or monetary policy.

It means that this Parliament says that they are special people. That is all. They are special and they will receive special consideration. If we unanimously have to argue in favour of that special consideration, fine. But I make my point again that it should not be necessary. There need not be any debate or argument about it. I would urge that there be a unanimous voice vote now to pass this motion. We can then go out, have a sandwich, resume the debate at seven o'clock, and maybe have a 25 minute break. I want to assure my hon. friend if he wants to speak—

Mr. Boudria: Yes, I do.

Mr. Benjamin: Bless his heart. I hope he does not take any longer than I do. I think this question could be put. It could pass unanimously and then it would be on the Government's head. We have had this kind of discussion every year since I have been here. It is neither necessary nor needed. I urge the House to accept this motion as quickly as possible and then let us see what happens with it.

[*Translation*]

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, it gives me pleasure today to take part in this debate on Motion 72 standing in the name of the Hon. Member for Nepean—Carleton (Mr. Tupper).

[*English*]

The motion presented to us is indeed very worthy of our support. I am quite pleased, as one Member, to give it my full endorsation. The motion to provide a reduction in sales tax for disabled persons is something which governments should have done quite some time ago as suggested to us by our colleague, the Hon. Member for Regina West (Mr. Benjamin).

[*Translation*]

Mr. Speaker, it is too bad that the Minister of Finance (Mr. Wilson) does not read the *Orders of the Day*, because if he did, he would have known that his colleague, the Hon. Member for Nepean—Carleton, wanted to move such a motion, and he would presumably have taken into account the suggestions of his own colleague in preparing the pile of documents which were tabled last week supposedly as a tax reform and which we all recognized as a Budget of the Conservative Party.

[*English*]

One of the elements introduced in this budget of last week, which is called a White Paper by the Minister of Finance (Mr. Wilson), is yet new taxes that affect a large number of Canadians, including the disabled. I give you an example of what I am referring to, Mr. Speaker. There is a tax proposed in last week's budget called tax reform which will affect in a very particular and dramatic way rural Canadians. It is, in fact, a tax on rural Canada. I say to my colleague, the Hon. Member for Nepean—Carleton (Mr. Tupper), who I respect very much, that the tax proposed by the Minister of Finance on telecommunications is having a serious effect on rural and disabled people. This new telecommunications tax which has been brought forward is a tax on rural Canada. Here is why, Mr. Speaker.

The tax presented by the Minister of Finance is outlined in the little paper I have here in my hand which says:

> Extending the sales tax to telecommunications services at a rate of 10 per cent; the basic service charge for a private residential line will be exempt from this 10 per cent tax.

If you live in a rural area, the basic service is about $5 or $6 a month—somewhere in that neighborhood—depending on the area in which you live. If you live in an urban area, you pay approximately $15 or $20 for the basic telephone service. If you live in an urban area, say greater Ottawa or Montreal, you can phone approximately one million Canadian citizens without paying any long distance charges at all. For handicapped people who cannot get out, there is a method of access which is not there for others. But what if you live in the rural part of my riding or in the rural part of the riding of the Member for Nepean—Carleton? I think it would be the same in his case as it is in my riding.

Let me use the example of a farmer, which example could also apply to a handicapped person. The farmer may have a telephone in his home and one in the barn. Because only the basic service is tax exempt, the extra line in the barn is taxed. If he has a private line, which is extra in a rural area, that too is taxed. In a rural area you have to pay an additional amount of money. I believe it is in the order of $2 for every quarter mile from the nearest village to where you live if you have a private line. The cost of that private line is taxed under the measure introduced last week.

• (1840)

I was speaking with a group of farmers last weekend and they told me that their telephone bills are in the order of $75 per month in rural areas. Of that, $5 will be tax exempt and the other $70 will be taxed. This tax applies only to rural Canadians, and it applies in a most unfortunate way.

Mr. James: Seventy-five-dollar telephone bill?

Mr. Boudria: I think a Tory is heckling from across the way, but it is probably irrelevant. The Hon. Member across the way says that farmers do not pay $75 monthly telephone bills. I would like the record to show that the Hon. Member indicates that that is not so and that is fine. All rural Canadians who have to pay those fees will know the view of the Government. If government Members want rural Canadians to be taxed to death, that is fine. That is their opinion, but it is not mine.

Mr. James: I'm a farmer and I know what farmers pay.

Mr. Boudria: If he is a farmer, he should know better than to make the ridiculous statements he has been making in the House.

People living in rural areas phone long distance regularly. Even the Hon. Member opposite who is heckling should know that it is sometimes long distance to phone to the nearest village. If a handicapped person who lives in St. Isidore de Prescott has to phone a doctor in Rockland, Hawkesbury or any other community, he has to pay a long distance charge because that is the way it is. There is no choice in the matter. I am sure you know that, Mr. Speaker. It is too bad some Hon. Members opposite do not. I will speak a little slower so that they will understand.

[*Translation*]

Mr. Speaker, I want my friend the Hon. Member for Nepean—Carleton to know that I wish him every success with his motion, but I must say that at the very moment when he moved this motion in the House, his colleague the Minister of Finance (Mr. Wilson) had himself taken a big step backward, and imposed a heavier tax burden on those who are least able to pay, I mean the disadvantaged, the handicapped and all Canadians residing in rural areas. In my opinion, it is because of this ill-advised tax on communications which was introduced last week and should be withdrawn.

Having said that, Mr. Speaker, I want to say again that I support the motion moved by my friend the Hon. Member for Nepean—Carleton. I know that if the Minister of Finance does not understand anything, at least the Hon. Member for Nepean—Carleton understands that a taxation measure should be fair and honest. It is quite unfortunate that his colleague the Minister of Finance does not seem to understand anything, while the Hon. Member for Nepean—Carleton understands everything so well. I wish him every success with his motion and I dare hope that the House will adopt it and especially that the Minister of Finance will listen to him.

[*English*]

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, I am pleased to be able to join in debate in private Members' hour and to speak in favour of the motion put forward by my colleague, the Hon. Member for Nepean—Carleton (Mr. Tupper), to the effect that the House should consider the advisability of introducing a measure to provide for the reduction of the federal sales tax for disabled persons.

If I understand correctly the thrust of the motion, it has been proposed because my colleague has a long-standing interest, as many Hon. Members do, in the welfare of the handicapped and disabled. He is seeking to secure the removal of federal sales tax on certain aids to the disabled and handicapped which, to my surprise, indeed do bear sales tax.

I have noticed that over the past several years the Government has taken a number of initiatives for the disabled, particularly from a taxation point of view. The disability deduction has been increased to the point where $2,610 in the last taxation year was the amount that was allowed to the handicapped in computing taxable income.

The May 1985 Budget enlarged and extended this deduction. In effect, it widened the definition of handicapped under the Income Tax Act to include individuals with severe cardio-respiratory failure, mental retardation, profound bilateral deafness and a range of other severe disabilities. Indeed, that deduction was increased by $250 in the 1986 taxation year. Those changes raised the number of persons who would qualify for a disability deduction to about 185,000, an increase of some 60,000 over previous years.

I would certainly like to concur in the direction the Government has taken. I notice also that very recently the Department of Finance and the Minister released a communiqué indicating that certain new devices would qualify as tax deductible medical expenses. Five recently developed devices designed to assist individuals with physical disabilities and other medical impairments now qualify for the medical expense deduction under the Income Tax Act.

Those items that will qualify as eligible medical expenses that will be deductible when total medical expenses exceed 3 per cent of net income in a year are conversion kits to modify family vans to permit persons confined to wheelchairs to gain independent access to vehicles and to drive them, synthetic speech systems, Braille printers and large-print devices that enable persons with severe sight impairment to utilize personal computers; electronic speech synthesizers that enable non-speaking individuals to speak using a portable keyboard; television closed-caption decoder for the deaf which deciphers special television transmissions and shows on television screens a script of the program; and monitors attached to babies identified as being prone to Sudden Infant Death Syndrome, commonly known as crib death, which sound an alarm when babies stop breathing.

It is my understanding that these measures are being taken to ensure that people who require these devices are treated fairly and equitably. Quite frankly, I was not aware of the fact that sales tax applied to any or all such items. If it does, I am certainly in complete agreement with my colleague from Nepean—Carleton that devices of this nature or similar ones which assist the disabled and handicapped should certainly be free of sales tax. I think we should move in that direction.

I believe it is important, however, that we view the matter in the context of the over-all tax reform White Paper which was released just last week. In phase two of that reform, the sales tax will be examined in great detail. Regardless of which of the three choices is made after consultation with all Canadians, it is apparent that decisions will have to be taken on the application of the tax. Will it apply to all goods, services and devices of this nature or will there be certain exemptions?

It is the opinion of some and, I believe, of Finance Department officials that for a sales tax to be as equitable, fair and reasonable as possible, it should apply to virtually all goods and services within the economy. Having a base as wide as that

would then permit the lowest possible sales tax rate to be applied to items in order to generate the amount of revenue required as part of the comprehensive tax reform system.

If on the other hand we are to have exemptions within the system, that would have the effect of narrowing the base. The result of that would be that the rate of the sales tax would have to be increased because the higher rate of tax would apply to fewer products. That of course creates the kind of distortions and unfairness we have seen in our sales tax system in the past, something which tax reform is trying to get away from.

• (1850)

I would like to say that I find myself in complete agreement with the sentiment and thrust of the motion put forward by my hon. colleague. I might also compliment the Hon. Member for Regina West (Mr. Benjamin). His heart is in the right place on this matter. We have to look seriously at it. I believe if we are going to have any exemptions at all under the new sales tax, one of the first should be items of assistance to the disabled and handicapped. I want to compliment my colleague for bringing this matter to our attention.

As a member of the Standing Committee on Finance and Economic Affairs which will be involved in detailed hearings on all aspects of tax reform, I undertake that this matter will be raised in those hearings. If exemptions are to be allowed under a comprehensive sales tax, I will bear in mind what my colleague has said. It is a sensible and reasonable suggestion.

[*Translation*]

Mr. Claude Lanthier (Parliamentary Secretary to Minister of Public Works): Mr. Speaker, I am pleased to take the floor this evening in this important debate which involves both the social situation and the financial situation.

Mr. Speaker, I should like to review briefly the main components of what we call the Canada Assistance Plan implemented pursuant to agreements concluded with the provinces and the territories. And, as of 15 days ago, we can say all the provinces of Canada, Quebec included. We are very proud, our federal Government now shares 50 per cent of expenditures incurred by all provinces and municipalities to provide the following through the Canada Assistance Plan:

—assistance to the needy;

—the plan helps provinces and municipalities provide social welfare services for the needy or others who would probably need them if they had no access to such services;

—in addition, Mr. Speaker, the plan offers work activity projects designed to improve the working skills of people who experience unusual difficulties to find or keep jobs or undergo training leading to employment.

This is now available in all ridings throughout Canada, including the beautiful constituency of LaSalle—Émard.

Mr. Rossi: Make the best of it, you are not going to be there much longer.

Mr. Lanthier: Notwithstanding the untimely jeers of the Opposition, we are still in good humour. Mr. Speaker, the Canada Assistance Plan offers help to the needy as follows:

—items to meet such basic needs as food, housing, clothing, heating fuel, public services, household equipment, and services for personal needs;

—in addition, the plan provides assistance to the needy to obtain items required for a trade or other employment: operating permits; tools and equipment; items required for the safety, well-being and rehabilitation of a needy person, for instance, necessary home upgrading and repairs, as well as essential items which the handicapped cannot do without;

—the plan also helps the needy obtain certain welfare services such as day care as authorized by an organization or at the request of an organization approved by a province;

—the plan helps the needy obtain care in special homes, for instance, senior citizens' homes, rest homes, child care institutions, and shelter homes for battered children and women.

Mr. Speaker, since April 1st, 1977, most of the federal costs related to long term care of adults in institutions are paid out of the Extended Health Care Services Program under the Federal-Provincial Fiscal Arrangements and Established Programs Financing Act, 1977.

I appreciate particularly the interest of the opposition for that question. All this to say that the Canada Assistance Plan provides help to needy persons and pays for costs, for example drugs and dental care, neither covered by the universal health care programs of the provinces, nor paid through general financing under the Fiscal Arrangements Act of 1977, between Canada and the provinces, which also provides for postsecondary education and health care.

Mr. Speaker, that same Canada Assistance Plan, still in force and unaffected by the white paper, helps needy persons to pay for children in foster homes. In Canada, what is meant by "needy person"? Under Canada Assistance Plan provisions, a person in need is defined as someone who, regardless of the cause of his needs, is deemed to be unable to provide adequately for himself and his dependants. Eligibility for social assistance is determined on the basis of a special needs and means test administered by the province. This tests takes into account the material needs of the applicant, as well as the income and resources he has to meet these same basic needs.

Mr. Speaker, a "person in need" is also defined in the Canada Asssitance Plan as a child who is the ward of an authority responsible for his social welfare. A person in need in Canada can also include all children in foster homes.

Under the Canada Assistance Plan Agreement, each province has agreed not to require a period of residence in the province or in Canada as a condition of eligibility for assistance. The agreement also requires that each province shall provide, by law, for a procedure for appeals from decisions

made with respect to applications for assistance and the granting of benefits.

My point is, Mr. Speaker, that our Government has recently set aside a budget of $4 billion for the Canada Assistance Plan Program, of which $1.2 billion is directly paid out in the form of direct or indirect assistance to the disabled. I therefore welcome this opportunity to help explain the principle that has led our Government both in the recent White Paper and its usual programs, which is that of giving more to those who need it. There are two ways to do this: first, by not giving to those who do not need it and second, possibly by getting the money from people with a larger disposable income as the recent White Paper suggested and reducing the tax burden on those who are not in need, so as to provide a better service through our Canada Assistance Plan.

Mr. Speaker, I think this is a progressive measure, and one that all Canadians will be prepared to accept once they look at the White Paper. It is understood that the disabled, those who are in need, and all those people about whom we and the Minister of Finance are concerned, whatever the Hon. Member opposite, who just a minute ago was trying to establish a contradiction between the mover of the motion and our valiant Minister of Finance it is understood, Mr. Speaker, that our Government is going to produce a White Paper that will ensure that the disabled and the needy in this country receive their rightful share.

The Acting Speaker (Mr. Paproski): The hour provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 42(1), the order is dropped from the Order Paper.

GOVERNMENT ORDERS

[*English*]

CAPITAL PUNISHMENT

ESTABLISHMENT OF SPECIAL COMMITTEE ON REINSTATEMENT

The House resumed consideration of the motion of Mr. Mazankowski:

That this House supports, in principle, the reinstatement of capital punishment and directs that a special committee on reinstatement, composed of 15 members, be established, hold hearings and make its final report to the House no later than three (3) months following the adoption of this motion, such report to provide recommendations on:

(a) which offence or offences should carry the death penalty, and in what circumstances;

(b) which method or methods should be used to carry out the penalty of death, and in what circumstances;

That, pursuant to Standing Order 107(1), this special committee be hereby appointed as a committee to prepare and bring in a bill no later than three months following the adoption of this motion, founded on the committee's recommendations on (a) and (b) above; such a bill shall be the object of a separate and distinct report of the special committee, and such a report shall be its final report;

That such bill, when reported from such special committee to the House, be deemed pursuant to Standing Order 107(1) to have been introduced and stand on the Order Paper, in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business"; and that, when the said bill has been read a second time, it shall stand referred to a Legislative Committee;

That the Striking Committee be empowered to name the Members of the special committee, provided that once the Striking Committee report is laid upon the Table, it shall be deemed concurred in;

That the special committee have the power to sit while the House is sitting and during periods when the House stands adjourned;

That the special committee be empowered to report from time to time and send for persons and papers, and to print such papers and evidence from time to time as may be ordered by the committee and to retain the services of expert, technical, professional and clerical staff;

That the special committee be empowered to adjourn from place to place inside Canada and that, when deemed necessary, the appropriate staff accompany the committee;

That a quorum of the special committee be eight (8) members for any vote, resolution or other decision; and that the chairman be authorized to hold meetings to receive evidence and authorize the printing thereof whenever six (6) members are present;

That any substitution of membership on the special committee be made pursuant to Standing Order 94(4); and

That, notwithstanding the usual practices of this House, if the House is not sitting when the special committee is ready to issue its final report and the said bill, the special committee shall present its report and the bill to the House by filing them with the Clerk of the House provided that the report shall then be deemed to have been laid upon the Table, and the bill shall then be deemed, pursuant to Standing Order 107(1), to have been introduced at the first sitting of the House thereafter and to stand on the Order Paper in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business".

And on the amendment of Mr. Nystrom (p. 7307).

• (1900)

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I rise to speak to the motion on the reinstatement of capital punishment. I want to say to the House, without reservation and without qualification, that I do not support the motion to reinstate.

Some Hon. Members: Hear, hear!

Mr. Mulroney: I will be voting against capital punishment on moral and logical grounds. I believe that it is wrong. This is a subject on which Canadians hold strong views and speak from very deep conviction. It is an issue on which a periodic review of public policy should be undertaken in the public interest.

That was the commitment that I made in the last election campaign, namely, that a free vote would be held on capital punishment during the course of our present mandate. That is the intent of this motion, to permit debate and a free vote on the question of capital punishment.

For obvious reasons, none more important than the participation of everyone in this House today, this is a debate that should be conducted on the highest level and with genuine

respect for opposing views. I tell you, Mr. Speaker, that I enter the debate today with that sentiment.

This is more than a matter of conscience, although it is that indeed. It is a matter of how we see ourselves as a nation and how others see us among the nations of the world. It is a matter of seeking justice, not revenge.

All of us share in the tragedy and sorrow of the taking of a human life, whether criminally inspired or from anger or passion. All of us want justice in full and swift measure. A society without respect for the law and acceptance of order is a society at risk.

We must be vigilant and firm in applying the law and in dealing at all times with those who violate that law. The legal system, the judiciary, the law enforcement agencies constitute a cornerstone of freedom, a guarantee of our liberty. Without them and the values that they represent, our democratic concepts would, in my judgment, be quickly and irreversibly eroded. There must be law and there must, in a civilized society, be respect at all times for that law.

[*Translation*]

But for those who would change the law in such a fundamental manner, the onus is upon them to make a compelling case. For myself, Mr. Speaker, I am not persuaded. I am not persuaded the death penalty works as a deterrent. Nor am I persuaded it is appropriate as a punishment. On the contrary, I believe it is repugnant, and and I believe it is profoundly unacceptable. It is wrong to take life, and I can think of no circumstance excepting self-defence to justify it. I have held these views since I was a young student and I still hold them today.

More than quarter of a century ago, a great Canadian lawyer, Arthur Maloney, stood in this House and defined the issue for all parliamentartians of all parties:

"There is no question, he said, of revenge or retribution that enters into the thinking of any of us in this House . . . the only question we are called upon to decide is this: Is the penalty of death the only effective deterrent available to stamp out the crime of murder or is there another alternative penalty that is equally effective and less drastic?"

These speeches by Arthur Maloney, a man of great dignity and compassion, are still vivid in my mind and remain an enduring appeal for reason before passion, for justice rather than revenge, and for an enlightened society whose criminal justice system admits both the possibility of error on the one hand, and forgiveness on the other.

We begin in this country from a legal system that combines two of the world's enduring legal traditions—British common law and French civil law. By these traditions, we are a nation of laws, not individuals. And we hold for the sanctity of human life.

That remains a responsibility of the state that must not be set aside even in judging those who disregard human life.

We often hear from those who would limit the power of the State.

[*English*]

The effect of this resolution, if enacted, Mr. Speaker, would be to confer upon the state the ultimate power, that of executioner. Moreover, if this motion were carried, the state, in the exercise of that responsibility, could indeed put to death an innocent man or an innocent woman. I refuse to contemplate such a possibility, much less support a resolution which would strengthen the likelihood of such an occurrence.

Some Hon. Members: Hear, hear!

Mr. Mulroney: We must admit to the possibility of error, of executing an innocent person wrongly accused and wrongly convicted.

John Diefenbaker spoke in this House in a memorable address on this issue on April 4, 1966. In addition to political experience, Mr. Diefenbaker, one of our greatest Canadians, had vast experience before the criminal bar throughout Canada, and particularly western Canada.

He said:

From my experience at the bar I say that anyone who says an innocent man cannot go to the gallows is wrong, because I know differently. It is a frightful thing when a man you believe to be innocent and whose attitude is, Don't worry about me, God will not allow it, walks to the gallows and months later the truth comes out.

Mr. Diefenbaker was speaking from personal experience and his knowledge of cases heard before the courts of Canada. Imagine the unspeakable horror of this happening to the relative of a Member of this House, a child, a nephew, a brother, a friend, or a neighbour.

As Mr. Diefenbaker said, because laws and systems are made of human beings, they are essentially, by their very nature, susceptible to error. If that error had that result, imagine the overwhelming horror that would be felt by every Member of this House.

We know, regrettably, that our judicial system can indeed be imperfect. We know also, unless we are wilfully blind to certain realities, that the scales of justice can weigh more heavily on the poor and the disadvantaged. These imperfections would loom large indeed when human life is at stake.

[*Translation*]

Mr. Speaker, while acknowledging the imperfections in our criminal justice system, we are constantly striving to improve it and to enhance the public's confidence in it.

In this regard, the Law Reform Commission and the Canadian Sentencing Commission have been doing important work to improve the quality and administration of justice.

• (1910)

[*English*]

But before all else, we uphold one simple principle: the inherent dignity of a human being, the inherent worth of a human life. I will resist with all of my strength, all of my life,

any action that would diminish that reality and would lessen that value.

Some Hon. Members: Hear, hear!

Mr. Mulroney: I realize that there are many arguments and many considerations. One, of course, deals with the empirical evidence. Let us deal briefly with that empirical evidence.

No executions have been carried out in this country for a quarter of a century. The death penalty was legally abolished more than a decade ago, in 1976. Ten years later, in 1986, the homicide rate in Canada reached a 15-year low. Last year the murder rate declined by 20 per cent. First degree murder charges have declined by nearly 25 per cent in the last two years.

What about the argument that the fear of execution will deter would-be murderers? That goes to the fundamental notion of those whom I respect but hold views different from mine. When one sees the incredible crimes that are inflicted upon young people and the elderly across this country, other Members articulate that concern of the deterrent. In the United States, the highest murder rates are in states such as Texas or Florida where capital punishment is enforced. In the State of Florida, the murder rate has increased by 30 per cent since the restoration of capital punishment.

As Lord Parker, the Lord Chief Justice of Britain said at Westminster in 1965:

> The great deterrent to crime is not severity of punishment but certainty of conviction . . . I have agreed with John Bright when he said, "a deep reverence for human life is worth more than a thousand executions in the prevention of murder".

I am not persuaded by this argument of deterrent. The burden of proof for the restoration of the death penalty must rest, and must rest very heavily, on those in favour of it.

[*Translation*]

Mr. Speaker, one of the reasons frequently advanced for the reinstatement of capital punishment is the supposedly high cost of keeping a prisoner incarcerated for life.

But in Canada, we do not and should not engage in a "cost benefit analysis" when it comes to questions concerning the value of a human life.

No matter how it is administered, capital punishment terminates human life. No matter how thorough the evidence, the possibility of executing an innocent person remains.

Mr. Speaker and dear colleagues in this House, for me, this is unacceptable and abhorrent in a civilized society.

[*English*]

Let there be absolutely no doubt about what this resolution is all about. If it is adopted, the House will be voting in principle for reinstatement of the death penalty. This debate is in and of itself an instrument of democracy in which the voices of the people are heard through their elected representatives. I commend the thoughtfulness with which people have intervened on all sides of this issue in terms of the parliamentary debate.

The views of our constituents are, of course, very important, but in the final analysis, the most demanding constituency of all in this regard must remain our consciences. This is a matter on which the House of Commons owes the country its independent judgment and this is a matter on which each Member owes the House of Commons his or her moral leadership.

For all of these reasons, I shall be voting against the resolution, against restoration, against capital punishment. But most of all, I shall be voting against it because I believe it is wrong.

Some Hon. Members: Hear, hear!

Mr. Kaplan: Mr. Speaker, I rise on a point of order. Every Member who speaks on this resolution is subject to being questioned by other Members of the House after he concludes his remarks. I realize that under the rules the Prime Minister (Mr. Mulroney) is exempted from that requirement. However, he is participating in this debate, which is not a government measure and which requires a free vote. He is participating as a Private Member.

Therefore, I wonder if he might agree and there may be unanimous consent to have the normal question and answer period that has applied to all other Members?

Some Hon. Members: No.

[*Translation*]

Mr. Malépart: Mr. Speaker, on the same point of order, I also want to ask whether the Prime Minister would be willing to answer a few questions with the unanimous consent of the House. In passing, I must congratulate the Prime Minister for his eloquent speech. What I want to ask the Prime Minister is this: When this debate concludes, will the Government make a commitment to bring in Bills and programs to reform our penal system so that we might discuss practical means of improving the situation and preventing crime?

[*English*]

Mr. Clark (Yellowhead): Mr. Speaker, I rise on a point of order. Members of the Liberal Opposition are seeking to have extended to the Leader of the Government a practice that I understand did not extend to the Leaders of the two other Parties. The Member who has just put a question in the context of a point of order has, in effect, tried to have things two ways. He seeks to have the Prime Minister (Mr. Mulroney) respond to comments and questions because he is a Private Member but then, using that excuse, he raises questions concerning government policy.

The Hon. Member cannot have things both ways. I submit with the greatest respect that the rules that were agreed to should be respected.

Mr. Speaker: I think in the interests of informing all Hon. Members and the public which is watching and listening to this debate, that it should be made very clear that under the rules, for Party Leaders and the Right Hon. Prime Minister (Mr. Mulroney), there is no mandatory provision whereby the usual following 10 minutes of questions and comments would be directed at the Right Hon. Prime Minister, unless of course it was with the unanimous consent of the House. I think it is quite clear that there is not unanimous consent. Resuming debate.

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, first I want to take this occasion to express my gratitude to the Prime Minister (Mr. Mulroney) for his helpful observations and his excellent speech on the subject of capital punishment. We all listened to him intently and find his reasoning to be most helpful to us.

• (1920)

I also want to commend the Right Hon. Leader of the Opposition (Mr. Turner) for his contribution, and the Leader of the New Democratic Party. In this case, all three Leaders gave us the same leadership and word, so I wish to commend them in this regard. Even though it is true that we come here as Members of Parliament to speak as individuals, nonetheless, as Leaders of their Parties, they have certainly given to us the direction in which we may look.

One principle in this debate on capital punishment on which all Members of Parliament can unite is our abhorrence of murder. We all agree it is the worst of all crimes and it is especially heinous if it is premeditated, if it is planned ahead of time and then carried out. We all feel horror, anguish and revulsion when multiple deaths are involved or when children are victims of murder. We all share the anguish for the innocent victims and for their bereaved families. This unites us all. But where this House is divided, and many people of Canada are divided as well, is on whether the death penalty should be restored. Should we kill someone who is convicted of having committed murder of whatever kind, and perhaps kill someone who might in fact be innocent?

What I hope and pray is that through my thoughts and words I may be used by God to speak to at least one Member of Parliament, or one Senator, who is presently in favour of capital punishment and speak in such a way that they will hesitate and give the matter further renewed consideration. Since the debate began in the House of Commons on April 27, public opinion has moved in the direction of being less and less in favour of the death penalty. This is not just because the debates have taken place in this House. After all, up until last week, only some 20 people had a chance to speak. Rather, I suggest, the reason that opinion is shifting is because we have been seeing through the media and through our discussions the facts, realities and truth being brought more and more to the attention of the public. Then, too, almost all of the experts and opinion makers are lined up against capital punishment.

It is said there is still a majority of Canadians who favour it in one or another special circumstance, but this majority is dwindling. Surveys of opinions of Members of Parliament definitely show that their views are also changing. I suggest again the reason is the same. Great leaders and parliamentarians of the past have struggled and agonized over this issue. They have weighed the evidence and have eventually concluded that capital punishment in all its forms must be totally abolished.

We have more reasons than ever before to come to the same conclusion. However, I suggest that one of the most persuasive reasons for our leaders in the past and, indeed, for our present parliamentarians is that every country in Europe, except Turkey, has voted out the death penalty in totality is because they realize that being concerned about the potential victims of murder and their families is the most important of all priorities and that capital punishment in fact distracts us from getting at the root problems of violence.

It is because I believe that everyone of us is, or should be, most concerned about how to prevent murders, that I think we can all unite and vote against capital punishment and deal with these real issues. We know the death penalty does not prevent murder. As long ago as 1966, the Right Hon. John Diefenbaker said: "The argument is that hanging is a deterrent but history does not support that argument". I quote Mr. Diefenbaker because he is a former leader of the Conservative Party. I hope his opinions, and the opinions of succeeding leaders of the Conservative Party, will have their influence on Members of that Party, as indeed have the words of the various leaders of the Liberal and NDP Parties upon their constituents.

The statistics in Canada, in the United States and elsewhere, support the idea that capital punishment will not deter, discourage or prevent the number of murders which take place. Simply put, capital punishment does not prevent murders. What we do know is that killing the alleged killer can serve only one purpose. It satisfies the hunger for revenge, of vengeance, of making the victim's relatives, friends or society feel that something was done about it. Of course, we find that this is not always the case. In fact, some of the most publicized cases of people who have spoken against capital punishment are those whose relatives were in fact victims of murder. I remember that Pauline Maitland was quoted in this Parliament by Andrew Brewin in 1976 as having pleaded as the wife and widow of a policeman who was murdered that the capital punishment of his alleged murderer should not be carried out. In the case of Lesley Parrott, whose daughter Alison was abducted and murdered last year, her plea was the same. One could go on with any number of cases both in this country and throughout history where the relatives of the victims have realized the futility of such an act and have not wanted revenge in that form.

By killing in revenge, one can perhaps feel something was done to get rid of the existing anger, frustration and feeling of loss, but it is a primitive way of dealing with murder and murderers and a very ineffective way. It only provides an

emotional quick fix. That is what militant advocates of the death penalty want to give to their constituents who are frustrated, a quick fix, a solution which appeals to a shallow politician. However, parliamentarians I know in this House would not find that an appealing conception. Real parliamentarians will look for a real solution and make decisions because he or she is wise and moral rather than because they look for what is popular and momentarily satisfying.

I said we should join together to vote against restoring capital punishment. What I mean is that restoring capital punishment is a quick fix. The real challenge is to come to the real issue. The real concern should be to prevent murder and to provide greater safety for the enforcement officers and all those who have to deal with the social work in the community. It is misleading, distracting and a primitive diversion to beat the drums for capital punishment or to try to buy off a society by giving it revenge. It is a backward and regressive move which delays us from the tough demanding issues we must face.

All of us, I suggest, are truly outraged at violence and murder. Instead of having a group of Members of Parliament travelling around the country to ask for opinions on how to kill a human being, as this motion which is before us suggests, what about having a committee which deals with asking how to prevent murder? What if we were to replace a committee which goes around the country asking which one shall we kill and how are we going to put them to death with one which seriously addresses the real issue and asks how to deal with the matter of preventing murder? Should we not be taking another look at how we are sentencing people who commit their first crimes and what we can do more effectively to rehabilitate and to redirect them? Should we not take another look at what we do with people who repeatedly commit violent crimes?

• (1930)

What about our sentencing and parole system? Is it fair? Is it adequate? Is it effective? What about our halfway houses, probationary assessment, psychiatric assessment and care for the violent and mentally ill? Is it adequate? Do we really seriously feel we have done an adequate job in this area? Instead of talking about capital punishment, should we not ask whether or not the courts are overcrowded and whether justice is too long delayed? A quick fix of having capital punishment after a murder is not even as good as locking the barn after the horse is stolen.

What about our justice system? Is it adequate? Do police have enough latitude in cases of doubt to protect themselves? Do police and law enforcement officers and those who work in penal institutions and in halfway houses have enough staff and enough safety? Do they receive enough respect, appreciation and rewards from the community? Will capital punishment solve that or will it not in fact provide us with a false sense of security and, by revenge, a feeling of satisfaction which will distract us from these our real problems?

What about the problems associated with drugs, poverty, alienation, unemployment, mental illness, child and wife abuse, of hunger in slums and illiteracy, all of which make certain small pockets in our country the major breeding grounds for most of the homicides that do take place? Will capital punishment prevent those violent crimes from occurring? We know it will not.

What about the entire phenomenon of violence in our society, the way our media deals with it, its commercialization and mystique? It is not only government that has a responsibility, not only the House of Commons and politicians, it is the people of our country. Do they tolerate perhaps and even encourage violence in sports and entertainment and in relation to our environment? Will the quick fix of capital punishment not distract us as Canadians from dealing with the violence which is the breeding ground of murder and so many other tragic criminal acts?

To kill an alleged killer is to provide a scapegoat instead of dealing with the issues. We know that it is not a deterrent, that it will not save lives, that it will not prevent murder. Morally, we know that capital punishment is absolutely wrong. It brings to risk the possibility of killing an absolutely innocent person. Even if the person is guilty it is still, in any case, immoral.

While the evangelical Baptist churches and a number of some of the independent churches have indicated their support for capital punishment, and I would be inaccurate not to mention this fact, the overwhelming opinion of all the major religious communities in the country and throughout the world condemns capital punishment. Within the Christian community in Canada I only need to point to the Canadian Conference of Catholic Bishops, the Anglican Church, the United Church, the Presbyterian Church, the Baptist Convention of Ontario and Quebec, the Canadian Unitarian Council, the Evangelical Lutheran Church, the Mennonite Central Committee, the Reformed Church of America, the Religious Society of Friends, the Salvation Army, and so on. These institutions, these churches, these leaders have absolutely and completely condemned capital punishment as being immoral and cruel.

I go on to point out that not only are these Christian organizations expressing their views against capital punishment but a multitude of religious communities throughout the world that are not Christian, and which are also in this country, are also expressing their views. They include, for example, the World Jewish Congress, the World Muslim Congress and other organizations that are involved in human concerns on behalf of religious people such as the World Young Women's Christian Association, the World Student Christian Federation, the World Federation of United Nations Associations, the World International Zionist Organization, the Union of Arab Jurists, Amnesty International, and the list goes on and on.

The world community of people who work in the area of religion and in terms of alleviation of human suffering

understand and explain that capital punishment is not acceptable. So do all the organizations of social workers. So do most lawyers working with criminals because they know of the fallibility of the trial system. So do all human rights organizations here and throughout the world.

Of course, there are other reasons to reject the death penalty other than that religious communities are against it. I would very rapidly like to cite just a few of them.

First, we know that juries and judges are less likely to convict a person if they know that the consequence is to condemn that person to death. They would hesitate because they would not be completely and totally certain that their decision would be entirely and certainly right. So they might withhold what might normally be a judgment to imprison the person because it looks as if he has committed a crime, and rather than condemn that person, they might dismiss that person if we have capital punishment. One danger of bringing back capital punishment is that there will be a failure to bring about what would normally be a correct conviction.

Second, we know that the tragedy of torturing a prisoner on death row with a verdict of death which is often delayed, sometimes commuted and even reversed by acquittal sometimes on the basis of new evidence, is another reason we should be very strongly hesitating to pass a motion for the return of capital punishment. We also know that the poor are more likely to be executed than are the rich. The visible minorities are more likely to be executed than are others.

Because of these and many other reasons we know that the only use capital punishment serves is to provide a scapegoat and a distraction from dealing with the real problems in our society, in our country and in our world, problems that are crying out for difficult and soul-searching solutions.

As one who is working in the field of human rights, I want to remind Hon. Members as effectively as I can that only in nations such as the Soviet Union, Saudi Arabia, Turkey and certain other non-democratic African and Asian countries does the death penalty still survive. The one anomaly in democratic countries is the United States where some states still have capital punishment.

Because the death penalty is still used for purposes in the world other than murder in those nations, such as theft, adultery, black marketing and disagreeing with the government, every effort is being made, with some success, by human rights organizations and by the United Nations to eradicate the death penalty. Canada's example until now has been salutary and most helpful.

In the name of God and for the credibility of human rights abroad as well as at home, let us vote against capital punishment. Let us strengthen Canada's hand in bringing justice to other countries, rededicating ourselves to dealing with the real issues that lead to violence and murder.

Jesus Christ taught: "You have heard that it hath been said 'an eye for an eye and a tooth for a tooth' but I say unto you that you resist not evil, but whosoever shall smite thee on the right cheek, turn to him the other also". Saint Paul said: "Dearly beloved, avenge not yourselves, but rather give place unto wrath; for it is written, 'Vengeance is mine, I will repay saith the Lord'."

• (1940)

To my fellow Christians I say, please look upon the face of a man who was charged, properly and legally tried, and executed; look at the face of Jesus and look at the Cross; think of what it might mean if you vote for capital punishment because He from the Cross asks us, as we risk again and again the execution of an innocent person, "Would you crucify me again because inasmuch as you do it unto the least of these my brethren you do it unto me".

I would maintain that the only excuse for taking a life is self-defence for oneself or on behalf of others about to be killed. That is the usual justification for war—self-defence on behalf of one's nation or of others in another nation.

It seems strange to me that some who would advocate capital punishment would demand of our soldiers a higher discipline during war than they would of themselves in our country in peacetime.

For this reason I should like to conclude by reading part of a letter written by a 53-year old Dutch Canadian, living in Guelph, Ontario, whose name is H. J. Dyckman. Mr. Dyckman recounts September of 1949 when the Netherlands was liberated and says:

> I was 11 years old when Canadian infantry men stormed the house I lived in on April 4, 1945, after a three day battle. It has been a tremendous pleasure for me over the last two years to locate, to meet with and to talk to those members of the Stormont, Dundas and Glengarry Highlanders Regiment, who liberated us. Sharing stories has brought us close. I have gained a much better picture of the life of a foot soldier in war time through them. How much they suffered!
>
> One of the hardest things for the men who had to deal with the enemy face to face was to accept that as soon as a Nazi soldier dropped his rifle and raised his hands, he had to be spared, no matter what had happened minutes or even seconds before that. No soldier was allowed to shoot or torture a prisoner of war, an unarmed man, no matter how cruel an enemy he had been.
>
> I was told of an infantry man being spat in the face by a young Nazi fanatic. I was told of a soldier taking captive a gun crew, which had just blown up his own brother.
>
> Even in times of war, in such horrendous times of anger and pain, the law was strict: no unarmed man was to be killed! How strange, now, in peacetime, it might happen again, sanctioned by the law. Something is going wrong.
>
> Canadians fought and died, that democracy might be maintained and civilization restored in the Netherlands, in Canada, in the world. Are we remembering our soldiers well, if we return to the practice of deliberately killing defenceless human beings, in the name of justice?
>
> "But those people are not human beings", I hear some people say. "They are monsters, to kill them is justice".
>
> I do believe I understand the rage we all feel when monstrous atrocities are committed. It is that helpless, powerless rage we experience when confronted with a senseless and brutal act of violence. As a child I lived in a nation that was ruled by monsters. Yet I am firmly convinced that it is not justice, to put such a so-called monster to death because by doing that I would commit a senseless and brutal act and I would become a monster also.

If the death penalty returns to Canada, I will no longer live in a civilized nation. I chose to come to Canada, I married one of its daughters, I have learned to love this country and I will continue to do so whatever Parliament decides.

But returning the death penalty is turning back the clock of civilization and in my opinion it is doing a dishonour to the memory of the men who died for that civilization. Please, Members of Parliament in Ottawa, do not force me to commit premeditated murder against my will.

Mr. Kindy: Mr. Speaker, I have somewhat of a comment to make. It is a known fact that we have democracies in the world and that we have dictatorships. One of the functions of the state is to defend its own people against dictatorship. This is why we have wars. People in the Second World War fought against the Nazis because they wanted to preserve liberty.

Article VII of our Constitution guarantees legal rights to life, liberty, and security of person. The state has an obligation to preserve the security of the individual. If we have a war, the armed forces go out to defend the security of the state. When they go out they fight and they kill to preserve democracy, to preserve the security of persons, to preserve it from tyranny.

The Hon. Member talked about Nazi Germany and about the Jewish people. I think Canada and other free countries were involved to destroy Naziism because it was killing people.

Mr. Oostrom: Six million.

Mr. Kindy: Yes, six million Jews, and I am not counting the 20 million in eastern Europe who were killed. The state has an obligation to preserve life and to preserve liberty.

On the other hand, we have terrorists that work within the country, so the state has its obligation. It has a police force to preserve liberty of the individual so that terrorists do not take over. We have the mafia and we have the criminal killer.

If we follow the logic of the Hon. Member, we should disarm the police forces; we should disarm the army and just give up or succumb to dictatorship and to anarchy inside the country. This logic is difficult to follow.

The Acting Speaker (Mr. Paproski): I would hope the Hon. Member would come to his question. This is questions and comment period.

Mr. Kindy: It was a comment, but my question is: Would he propose complete disarmament so that nobody would be killed? That is my question.

Mr. de Corneille: Mr. Speaker, I appreciate the opportunity to reply to my colleague. I am glad he is asking questions, as we all should ask one another, on a matter as serious as this one.

First, the quotation I took was from a man whose name is Reverend H. J. Dyckman, a Christian clergyman living in Canada, who is recounting his experiences in the Netherlands as a child.

The objective of his letter was to point out that when we send out our men to fight against an enemy, we tell them that when the enemy throws down his arms, no matter what they have done until that point, we must not then kill them, we must not then torture them. At that moment they must obey that understanding. He said that if we follow that, even with the atrocious killers as took place with some of the Nazi soldiers in some of the Nazi activities, if we tell our soldiers to do that, can we do any less for ourselves as parliamentarians? I think that was the first question, and I think that is what he was asking about.

Second, my colleague also raised the question of war. I think I indicated that we use war, that in fact we kill in self-defence. Self-defence is the only kind of action which I think people in civilized countries and civilized societies would hold to be the time when they would take up arms to kill someone.

Of course when Canada went to war with the Germans, with the Italians, and with the Japanese, it was a war to prevent murder, a war in self-defence. Canada sought no aggrandizement of territory. Canada sought no plain ordinary war just to fight. Canada fought in self-defence with other nations that they might survive. It was not a war of aggression. It was a war of defence. I hope Canada will never undertake any wars of aggression. It is not in our interest to do so. We enter into war only to defend ourselves and other people throughout the world from the horrors of dictatorship, to which my colleague quite rightly pointed.

• (1950)

Mr. Orlikow: Mr. Speaker, I was struck by the statement of the Hon. Member from Calgary who reminded us that six million Jews were slaughtered by the Nazis before and during World War II. I would like the Hon. Member for Eglinton—Lawrence (Mr. de Corneille) to confirm my understanding that the State of Israel, where so many of the Jews who survived the Holocaust have settled, has abolished capital punishment and that when Israel wanted to put Adolf Eichmann, who was responsible for the killing of so many Jews, to death it passed a special law for just that case. There is no death penalty for any other murderers, including terrorists who are so active killing people in Israel.

Mr. de Corneille: Mr. Speaker, I would confirm what my hon. friend has pointed out. Not only is this true in the case of Israel, but as Reverend H. J. Dyckman from the Netherlands, who has lived and worked in Canada all these years and is now a Canadian pointed out:

Reinstatement of the death penalty happened in the Netherlands in 1940, about 60 years after it had been abolished. It was a Nazi Government which restored state executions after a brutal invasion. Civilization ended in the lowlands then, barbarism returned for five long years.

In the spring of 1945 my country of birth was liberated. In September of that year a new, democratically elected parliament in a free nation voted to abolish the death penalty again.

In other words in the Netherlands it was only during the era of Nazi brutality that in the last nearly 100 years we saw capital punishment in that land. It was with the driving out of

the Nazis from that country and the restoration of civilization that capital punishment was eliminated.

Mr. Winegard: Mr. Speaker, I have a comment in terms of the discussion of the Hon. Member for Eglinton—Lawrence (Mr. de Corneille) concerning prisoners of war. It is quite true that once an enemy was unarmed the general rule was that you would take no action and you would treat that life as sacred until—and this is the important thing—you found out whether that person had taken any action which, even under the rules of war, was considered an atrocity. If under the rules of war, that person had committed an atrocity, that person was liable to execution and sometimes was executed.

I think we have to remember that one was dealing with the same kind of thing, the same kind of freedom, liberty and respect as soon as that unarmed soldier appeared, but he had to go through a trial if it was thought that something had been done wrongly, even under those conditions.

Mr. de Corneille: Mr. Speaker, I appreciate the observations of my colleague in terms of the way in which people who were convicted of military offences were dealt with.

What is important in this context is that in our country, as I have pointed out, we have the responsibility to deal with all of the problems to which I have referred in trying to prevent murder. I suggest that bringing in capital punishment will not direct our minds as much to the correction, the elimination and prevention of murder, as it will to having felt that we have dealt with the subject. But far from dealing with the subject, the matter of violence is so rooted in our society that it seems to me that we have a lot to deal with that should occupy the minds of this House if we really care about the victims of murder and crime.

The Acting Speaker (Mr. Paproski): Questions and comments are now terminated. Debate. The Hon. Member for Edmonton South (Mr. Edwards).

Mr. Jim Edwards (Edmonton South): Mr. Speaker, as has been remarked so many times, this is a painful question. It is a question which has been probed during these many hours of debate very thoroughly. I rise to state my view on the issue and to give some indication as to how I have arrived at that view and to give for those who elected me intentions as to how I will vote.

My own involvement with this issue began in 1959 when, as a young delegate to a national convention of my Party, I presented a motion calling for the abolition of capital punishment in Canada and calling for the appropriate amendments to the Criminal Code in order to see that carried out. I presented it with all of the conviction that I could summon. When I had completed my presentation to the resolutions committee, I was congratulated by one or two people. They said that I obviously felt that point of view very strongly. I am not making light of what then happened, Mr. Speaker. I must tell you that I was not in favour of the resolution that I was presenting although I saw it as my duty to present it with all of the conviction that I could muster.

In the election of 1984 most of us, if not all of us, were called upon to give our views on this issue. Some of us have altered our views. Others, I suppose, are listening attentively to this debate, praying for the wisdom that will give them guidance as to how they will ultimately vote.

As I think all Members have, I have done my utmost to inform myself, to study the issue, and to be aware not only of the facts but of what thinkers have said on the matter, including a number of thinkers who are Members of this House and who have been Members of this House. This involved considerable reading and study. It involved discussion and consultation with Members of the clergy. In the course of my preparation, I met with representatives of most if not all of the major denominations of the Christian clergy, with Jewish clergy and with others of less widely held persuasion. I met with a panel of criminologists from the University of Alberta who put together what I think is one of the best and most cogent positions opposing the death penalty.

I have heard, as we all have, from a great number of constituents on the issue and, indeed, others who are not constituents but who are caring Canadian citizens. I wish to quote very briefly from two of those letters just to dramatize the intensity of the views. These were both received in my office within the last week, and are both from constituents of mine.

• (2000)

Dear Sir:

I am writing to voice my concern over the possibility that the Canadian Government may reinstate the death penalty.

I object to the death penalty because I do not feel that it serves any useful purpose. Extensive studies of the deterrent effect of the death penalty indicate that it does not serve as a deterrent; in fact, in Canada in the ten years after the death penalty was abolished in 1976, the homicide rate actually dropped.

I do not feel that the death penalty can be justified on the grounds that it would prevent murderers from murdering again because in the history of Canada only four people have been paroled for murder and then murdered again. Furthermore, assuming that a person will repeat an offence also contradicts one of the basics of the Canadian justice system, namely, that people are innocent until proven guilty.

I feel that our money and efforts would be better spent trying to discover why people murder and cycles of violence can be stopped instead of debating whether or not we, as a nation, should return to the barbaric practice of state-sanctioned violence.

The only issue that I would take with that letter at this point is that this resolution is not a resolution of the Canadian Government. It is not the Canadian Government which is proposing to reinstate the death penalty.

On the other side of the issue, I just received another letter from a constituent, and it reads as follows:

Dear Mr. Edwards:

As the debate on capital punishment drags on I think so often of a young friend of ours who was murdered in cold blood.

Our friend whom I will call "Rick" was in his early 30's. He had been a gold medalist at U. of A. and had his own consulting firm.

He and his wife and three small children were asleep in their beds in a good area of Calgary when Rick awoke about midnight to realize that there was an intruder, armed with a knife, in the bedroom. Rick told his wife to run for help; as she passed the assailant, he slashed her. Rick struggled with him and was stabbed to death. If you had seen your wife wounded and knew your three small children were also in danger, how would you have reacted?

The murderer was apprehended and given 13-1/2 years imprisonment. He had entered that home quite prepared to kill. I maintain that the death penalty would have caused him to think twice before committing the crime.

Rick's mother has lost her only son, his wife has lost her husband, the three children have lost their father. Yet in a few years the murderer will be free; even now he sees the sunrise and the sunset, the greening grass, and hears the birdsong. Is this fair?

Please vote 'yes' for capital punishment. Lethal injection would be my choice.

In the course of the examination of these issues, because there are many sub-issues in this very fundamental one, I have received some interesting proposals. I have heard variations on conventional thought. One of them was that when a person has been convicted of murder, then a panel of distinguished legislators of all people should examine the record of that person's life and should determine whether he or she has been a good person, whether or not there was, I suppose, an extended life-long *mens rea*. I received the following idea from Liverpool, Nova Scotia under the heading "Capital Punishment, A Middle Position".

I advocate the death penalty on the Second Capital Crime by the same person separated from the First Crime by time and distance.

This position would:

1. Eliminate the danger of punishing by death the wrong person.

2. Allows us as God fearing people to forgive the first crime after suitable punishment.

3. Strengthen our prison guards positions in dealing with first time convicted murderers.

In order to try to get some kind of focus on what my constituents thought of this issue, I held a town hall meeting on May 16 which went on for three and a half hours. Our objective was to shed as much light and to radiate as little heat as possible. I think in that ambition we succeeded.

There were four panelists present, a chaplain from the University of Alberta, a criminologist, the founder of Victims of Violence who happens to be the stepfather of one of the child victims of Clifford Olson, and the Acting Chief of Police of the City of Edmonton. There were many views expressed during that three and a half hours. There were statements from individuals who had lost loved ones through crimes of violence. There were statements, passionately felt statements, that it is not up to the state to take a life. However, the one common denominator emerging from the day's deliberations was that we must, whether or not we have the death penalty, improve the criminal justice system so that those who are to be set free in society at some point will be at the least risk of repeating their crimes or indeed of harming others.

There have been numerous references to statistics through the course of this debate. The criminologists to whom I referred earlier have drawn up a chart entitled "Homicide and First Degree Murder Rates per 100,000 Population, 1961 to 1985, Source, Statistics Canada". The chart clearly shows that the rate of homicide or deaths caused by others deliberately increased dramatically from 1961 to 1976 when it began to gradually decline. However, the same chart also shows that the rate of first degree murder has been on the steady increase since 1976 to the present.

There is the question of religious objection to the death penalty. Does capital punishment violate the law of love? Believers are admonished to love their enemies, to turn the other cheek. I submit, though, that to use this argument against capital punishment is to overlook the fact that two different matters are under consideration. One is personal, the other is official. The judge functions as an officer of society and has a different relationship with the criminal than does the individual who has been wronged by the criminal.

Another objection to capital punishment that is sometimes held is that no one has the right to take human life except God. This idea is related to the belief that the person who executes a criminal is as guilty of murder as the one he executes. It is, I know, not always constructive to quote at random from the Scriptures, but I would cite Romans 13:1-7 and I Peter 2:13-17 to indicate that God does approve of certain individuals being his instruments of justice on the earth.

So the question comes up, does the state have the right to put aside the duty? Does the state have the right to inflict the death penalty? A noted theologian has said:

I do not think one can deny to the state, as the moral person responsible for the common good of society, the right to exact the death penalty if it is deemed necessary for the common good, just as anyone has the right to self-defense and the state has the right to engage in defensive war.

When then should the state intervene, if at all? After giving this question considerable thought and after examining the views of others, I have come to the conclusion that the state should reserve the right to intervene in the most extreme cases. In just a moment, Sir, I will cite those cases.

Finally, in my research, I went to the views of the public in my own city. Last year, in 1986, 82.9 per cent of the adult population of Edmonton said that they favoured capital punishment. That in itself, Sir, is not the principal reason why I would vote for this motion because I do believe that there are certain issues on which we as elected Members should reserve the right to go by our own consciences, and this is one of those issues.

I want to be fair and so I will give a brief breakdown of that 82.9 per cent. When it is analysed, this apparently strong position fractures somewhat.

• (2010)

Four questions were posed. First: I am opposed to the death penalty under any circumstances. Some 6.9 per cent responded yes. Second: I am opposed to the death penalty except in a few cases where it may be appropriate. Some 24.1 per cent

responded yes. Third: I am generally in favour of the death penalty except in a few cases where it may not be appropriate. Some 40.1 per cent responded yes. Fourth: I am strongly in favour of the death penalty as an appropriate measure. Some 28.9 per cent responded yes.

This whole process is beginning to cause Canadians to think more profoundly about the issue and indeed to use the light rather than generate the heat. However, there are certain situations when society demands that the state take the most extreme action. I quote Simma Holt, a former Member of this House, who said:

> Five of us—myself, two ex-Mounties, and two lawyers—fought to save a very bright but notorious western safecracker/bank robber charged with a Seattle holdup-murder we knew he did not commit. As a result, he was acquitted. Subsequently, he became my "adviser" on the justice system from his perspective. When capital punishment was taken from the books he told me: "We never carried bullets in our guns in our holdups because we knew if someone got killed we would hang . . . I tell you, Simma, capital punishment kept a lot of us from firing real bullets.
>
> I predict loaded guns will appear in robberies now."

In conclusion, I believe imposition of the death penalty can best serve justice in the most extreme cases. I believe the case of greatest degree is when the entire nation is threatened. That would be treason committed in time of war. Second is first degree murder. Third is murder while committing an indictable offence.

Thank you for this opportunity, Mr. Speaker.

The Acting Speaker (Mr. Paproski): Questions or comments.

Mrs. Finestone: Mr. Speaker, I think everyone in this House respects the right of each individual to his or her own opinion. Certainly I have great respect for my hon. colleague. However, he made a statement which raises a question in my mind.

I listened very carefully to the Prime Minister's (Mr. Mulroney) speech a little while ago. He said that the rate of first degree murder had declined by 25 per cent over the last 25 years. In particular, 1986 was a 15-year low. I wonder if the Hon. Member could reconcile that with his statement that the rate of first degree murder has gone up.

Mr. Edwards: Mr. Speaker, I have great respect for my hon. friend from Mount Royal. I also have great respect for the Prime Minister's research. My statistics are taken from a study compiled by five criminologists at the Centre for Criminology, Research Centre of Sociology, at the University of Alberta, who to a man, and they are all men, opposed capital punishment.

I listened, as did my friend, to the Prime Minister's remarks. The statistics I have indicate there has been a rather steady increase since 1976 in the incidence of first degree murder in Canada. From 1984 to 1985 there was a levelling off, not a decline, a levelling off. I stand by my statistics, which as I say were derived by these noted criminologists from StatsCan figures.

Mr. Crosby: Mr. Speaker, in his excellent and even-handed presentation my colleague from Edmonton referred to polls and the opinions of Canadians taken over a period of time, particularly those expressed by his constituents. The point I want to make to Members of the House, indeed to all Canadians, is that this is as much an exercise in democracy as it is an exercise in decision-making on a given subject. We in Canada believe that the will of the majority governs, and it is very difficult to deny that will when it is so clearly expressed by so many people who have a right to express a view on a subject like capital punishment. This is not a question dealing with monetary policy which requires expert knowledge and experience. It is a subject on which any Canadian can rightly express his or her view. I compliment the Hon. Member for recognizing the importance of the view of his constituents and the general public on this subject.

In expressing that view in the House of Commons does he not recognize, as I have said, that this is an exercise in democracy as much as an exercise in decision-making? What does he think about those in the House of Commons who would deny the Canadian people an opportunity to express their views to a parliamentary committee? They would deny the House of Commons the opportunity to send a parliamentary committee across this country to elicit the views of Canadians so that we can develop a consensus, not the elite view of sociologists, or a view that denies the right of other Canadians to express their views.

We have a motion before us which would construct a parliamentary committee to give Canadians the opportunity to express their views. We are not making a decision here and now on the issue of capital punishment. We are not voting to execute anyone. We are simply voting to decide on a process. I would like the Hon. Member to comment on the process involved here.

Mr. Edwards: Mr. Speaker, I am happy to clarify my views on that. In the first instance, I hope I made it sufficiently clear to the House and my hon. friend that there are certain, very few but certain, very fundamental issues on which I think we would all, certainly I would, respect the right, indeed the duty, of individual Members to go against what they perceive to be the opinion of their constituents. On this issue I do not believe I have that difficulty, although I have many, many constituents who feel at odds with me on this issue and whom I love dearly and whose judgment I respect. I have great empathy for my colleagues in this House who will be voting with their conscience when they know it goes against the strong majority view in their constituency.

To get to the process, my friend raises a very significant point. The resolution put before this House provides for a joint committee of the two Houses to travel the country to ascertain the view of Canadians on this fundamental issue. I think it is put in such a way that we would learn rather than be inflamed and we would be enlightened rather than antagonized one against the other. I think that is a healthy part of the process. I

listened with great care to what the Prime Minister said on that subject. While he and I disagree on the basic issue, it is an important part of Canadian democracy to review these very fundamental questions from time to time. The Canadian people demanded that in 1984. I am pleased that the Government is permitting, although not initiating, the process which will discharge that commitment.

• (2020)

Mr. de Corneille: Mr. Speaker, I have both a question and a comment. I think this kind of debate and dialogue is very helpful. My hope is, of course, that I would be able to persuade my colleagues about some of these issues.

The questioner and the speaker have said that this allows us to discuss the subject of capital punishment and that the public is given access to that opportunity. If we vote upon and pass this resolution, will we not be saying that this House supports, in principle, the reinstatement of capital punishment? In other words, our decision will then be made. We will not wait for the committee to go across the country and report back. When we vote on this motion we will be voting in principle.

Second, the committee is not being asked to listen to people's opinions on capital punishment but, rather, will be sent across the country "to provide recommendations on (a) which offence or offences should carry the death penalty, and in what circumstances; (b) which method or methods should be used to carry out the penalty of death". Those are the words in the actual motion we are debating.

If, as the Hon. Member suggested, this committee would be able to travel across the country and, for example, have the benefit of hearing those criminologists in Alberta of which the Hon. Member was talking and explore the statistics further as a committee, that would be one thing. However, I understand that if this motion were to pass, God forbid, the committee will not be going to discuss capital punishment but, rather, how to do it and when. Would the speaker like to clarify his views on that?

Mr. Edwards: Mr. Speaker, I think my hon. friend opposite is missing the essential point of the resolution. The essential point is that this committee would determine under what circumstances, if any, capital punishment should be brought back. That does not mean, as I suggest my hon. friend might be implying, that an affirmative vote will mean the reinstitution of capital punishment. The Member, who has infinitely more experience than I, knows that the process is much more laborious than that.

There would first be the activity of the committee, the reporting back of the committee, and the formulation of a Bill which, I imagine, would be a Bill to amend the Criminal Code of Canada. That Bill, like any Bill in this House, would be subject to a majority vote for approval. I understand very clearly that the vote at that final stage would be a vote permitting amendments and all the other privileges that are available to this House and its Members. Finally, that would be a free vote.

The Acting Speaker (Mr. Paproski): Questions and comments are now terminated.

Mr. David Orlikow (Winnipeg North): Mr. Speaker, this will be the fifth time since I became a Member of Parliament that I will be voting on this question. As I have on the four previous occasions, I intend again to vote for abolition and against the reimposition of capital punishment.

While it is the fifth time I will be voting, it is the first time I will have participated in the debate. A substantial part of the reason I am participating in the debate is that I am appalled by the threats which have been made to impose a form of closure on the Members of this House. If I remember correctly, in the debate in 1976 there were over 100 speakers. If this question is as important as those who are so passionately committed to the reimposition of capital punishment believe, then surely they ought to be the first to accept the idea that every Member of Parliament who wishes to put his or her position on the record should have the opportunity to speak.

The Government decides the order of business. It could have brought this proposal forth a long time ago and provided sufficient time for every Member who wished to speak to do so. We ought not be rushed into making a decision because we are coming close to the summer adjournment.

The view which I have just expressed was supported in the 1976 debate by the former Member of Parliament for Yukon, the former Deputy Prime Minister, Erik Nielsen, with whom I very seldom, if ever, agreed. During that debate he said: "I do not endorse the point of view expressed in one of the newspaper editorials tonight that closure should be imposed. I believe Members should have an opportunity to speak". I too, Mr. Speaker, believe that Members should have an opportunity to speak.

I have not taken a poll of my constituents but I am willing to accept the reality that the majority of them, like the majority in every constituency in Canada I think, support the imposition of capital punishment. I did not come here to vote because a poll on any particular subject has been taken and tells me what to do. I told the people of my constituency my beliefs on the major issues with which we would probably have to deal. I have reported to them regularly on the position I have taken. They have known that after each debate on this subject I have voted for abolition. That has not affected me adversely at all.

I have told my constituents who believe very strongly in capital punishment that when deciding who to vote for I would like them to look at the record of how I had voted and what I had said on all the issues which come before Parliament. If they believe in capital punishment and believe that I was wrong to vote against it, they have the democratic right to vote for someone else, to elect another person to be their Member of Parliament. I have survived four of those votes and am confident that I will survive a fifth.

I remind those Members who say that they are going to vote for capital punishment because their electors tell them that that is what they should do, that the last four Leaders of the Progressive Conservative Party have been abolitionists. John Diefenbaker, Robert Stanfield, the present Secretary of State for External Affairs (Mr. Clark) and the present Prime Minister (Mr. Mulroney) were and/or are abolitionists. In voting against the reimposition of capital punishment they will be ignoring the views of their constituents because they believe that the principle is so important that they have the duty not to follow the views of their constituents.

• (2030)

I listened to recent arguments of some Members who support the imposition of capital punishment and base their position on their readings from the Bible. I respect their right to express their views, but I remind them that the leaders of all the major churches in Canada, including the Roman Catholic bishops; the former Primate of the Anglican Church, Ted Scott, the Moderator of the United Church; the leaders of the Presbyterian, Lutheran, Baptist and some of the Mennonite Churches, and the Canadian Jewish Congress in its convention, all have opposed the reimposition of capital punishment.

What are the reasons for supporting the reimposition of capital punishment? I suppose the major reason is the belief of some people that capital punishment acts as a deterrent to murder. The record is clear. The facts are there for anyone who wants to see them. Since capital punishment was abolished in 1976, the incidents of murder or manslaughter per 100,000 people in Canada has declined. It was 2.9 per 100,000 in 1976 and went down to 2.6 per 100,000 in 1977, to 2.4 in 1978 and in 1982, the last year for which we have figures, it was 2.4 per 100,000.

If capital punishment does not act as a deterrent, why should we even be discussing whether it should be reimposed as part of our justice system? We are told that we should permit capital punishment for the killing of police officers or prison guards. The Hon. Member for St. Catharines (Mr. Reid) received a letter from a member of the Ontario Police Force, Richard Bagley. He said in part:

—I am a resident of your riding, I am a police officer with the Ontario Provincial Police, and I am also against the restoration of the death penalty.

He went on to say that a silent majority of the police officers agree with him.

The Member for Edmonton South (Mr. Edwards) quoted from a letter in which it was claimed that a murderer was released from prison after thirteen and a half years. The fact is that for first degree murder in Canada the penalty is 25 years of incarceration before parole can even be considered.

If I heard the Hon. Member for Halifax West (Mr. Crosbie) correctly, it seems he suggested that for monetary matters Canadians need the advice of experts and implied that on the question of the taking of a life we do not need that expert advice. That seems a strange approach, if I heard him correctly, that money is more important than life. It is certainly not a view that I could support.

I ask Members to consider what happens in other countries in light of a question asked by the Hon. Member for Edmonton South about whether the state has the right to impose capital punishment. Let us look at what happens in other countries.

Capital punishment has been abolished in all the democratic countries except the United States, which I believe to be a special case. Capital punishment has been abolished in Norway, Sweden, Denmark, Holland, Belgium, France, West Germany, Spain, Portugal, Australia, New Zealand and Israel.

I want to talk about two countries in particular. Great Britain is a country that frequently faces murder as a result of terrorist activities. In the last couple of years, they again debated and voted on the question of capital punishment. Despite the fact that there was a substantial majority of Conservative Members in the British Parliament and Prime Minister Thatcher is a strong believer in capital punishment, the House of Commons rejected reimposition of capital punishment by a substantial majority.

Mention was made of the State of Israel. I remind Hon. Members that the State of Israel, if not daily, certainly faces almost weekly terrorist attacks which result in the murder of some of its citizens. It has abolished capital punishment, and when it tried Adolph Eichmann, who was responsible for the murder of tens of thousands of Jewish people in concentration camps controlled by Nazi Germany, it had to pass a special law which permitted it to execute him.

I ask Hon. Members to consider which countries still use capital punishment. Essentially, there are two types of countries: the first is communist countries such as China and the Soviet Union, and the second is the military dictatorships of Africa, Asia and South America. There are too many such dictatorships even for me to try to list.

If I have to make a choice of an example of the right way to proceed on this question, I want to associate myself with the democratic countries rather than the communist countries and those with military dictatorships.

I want to conclude by relating an experience I had in 1976 when we last debated and voted on this question. One day I came out of the union centre in Winnipeg on Portage Avenue and Main Street. I was confronted by an executive member of my constituency NDP association who was also the president of his local union. This man, who had been a strong supporter of mine, challenged me as he was completely committed to the idea that this country needed capital punishment. We discussed the question for an hour and a half as he tried to convince me that I was wrong and should support the imposition of capital punishment, and I tried to explain to him why I was against it and would vote for abolition.

It became obvious that there was no way in which we would change our opinions, and so I sought a graceful way to end the

conversation before I would lose my temper and begin to shout at my old friend.

The thought I expressed to him, and which I commend to Members of the House, is that there was one thing on which we could agree, that this was a great country. One of my constituents could harangue and harass me for an hour and a half, telling me in so many words that I was wrong and stupid, while knowing that he could go home that afternoon and not be arrested for expressing his views which were so contrary to mine. He would not be evicted from his house. He would not lose his job. These things would have happened to him in many countries which do not permit democratic views to be expressed and do not permit the challenge of authority. I knew that the worst that could happen to me because he and I disagreed was that in the next election, if he so desired, he could vote for a candidate from another Party.

• (2040)

I told him that if my record and the position I have taken on issues such as unemployment, housing, inflation and all the other questions parliamentarians deal with, a position with which that person agreed, were less important than the single question of capital punishment about which we disagreed, he should exercise his democratic right and vote for another candidate, one who believed in capital punishment.

I do not know whether he took my advice, and voted for or against me. I do know that I was re-elected and I have been re-elected several times since then. So I say to you, Mr. Speaker, that I intend to vote for abolition and against the reimposition of capital punishment.

I have been pleased with the debate to which I listened today. The arguments presented by Members who have spoken on both sides of the question have been thoughtful and conciliatory, not like some of the debate I heard in earlier days. I say again that I intend to vote for abolition and against capital punishment on this occasion as I have on previous occasions.

Mr. Mantha: Mr. Speaker, I respect the Hon. Member for Winnipeg North (Mr. Orlikow) for his comments on the question of capital punishment. However I would like to ask him a question. Given that we now have better high-tech in medicine and all the life-saving devices, would the Hon. Member not feel in his heart that the lower statistics on death per population from stabbings, shootings and so on, are possibly because we have better equipment and knowledge now than, say, 10 or 15 years ago? Is that not the reason why the figures are down?

Mr. Orlikow: Mr. Speaker, I must admit that I have not researched the reasons. I do know that one reason we have a fantastically lower rate in Canada than in the United States is that we have not adopted the insane idea that every person should be entitled to carry and implicitly to use a gun. I think we have fewer murders in the whole of Canada than there are in the Cities of New York and Detroit. I am quite happy that this is a fact. I certainly hope that direction will continue.

I cannot say categorically why we have fewer deaths than before, but I can say that it certainly proves that we do not need capital punishment as a deterrent to murder.

The Acting Speaker (Mr. Paproski): The Hon. Member for Eglinton—Lawrence (Mr. de Corneille) has the floor, and then I will recognize the Hon. Member for Burnaby (Mr. Robinson).

Mr. de Corneille: Mr. Speaker, I have a comment, then a question for my colleague. We were looking previously at the fact that there is a need for the Canadian public to be able to debate not only capital punishment but, it would seem to me, the causes of murder, which is really part of this whole question of deterrence. One of the reasons people have expressed for wanting to adopt capital punishment is that it is a deterrent to murder. They are also concerned about people getting out of prison too soon. Would it not seem wise for the Government to allow the people of Canada, through a committee, to discuss whether or not they believe in capital punishment? Most clearly we would vote only in principle for the reinstatement of capital punishment, and we would only be discussing the terms of reference of the committee, which are strictly limited to what offences carry the death penalty and what methods should be used. It is commanded on the basis of that to prepare a Bill to carry it out. It is not recommended here to discuss the subject of capital punishment.

Would it not be more democratic to ask the Government to consider amending this resolution so that it would have as its first principal clause that the committee discuss with the Canadian people whether or not there should be capital punishment, and if so what offence would carry the death penalty and then what methods would be used? That probably would have received more sympathy.

Second, I ask my colleague, would it not be helpful if in fact we were able to discuss in that same committee, and hear the views of the Canadian people, on how we would be able to improve the things they are concerned about, the sentencing, the violence and all those things which would lead to capital punishment?

Mr. Orlikow: The Hon. Member asked a good question but he is asking it of the wrong Member. The suggestion he made was contained precisely in the amendment proposed by my friend and colleague, the Hon. Member for Burnaby (Mr. Robinson). Unfortunately, the House voted against that amendment.

Yes, we ought to give a great deal more thought and study to the reasons for violence, the reasons for murder. We ought to look very carefully at the one democratic country in which some states have brought back capital punishment, namely, the United States. If we did, we would see that the vast majority of the people who have suffered the penalty of the death sentence in those states are people who are poor, non-

white and poorly educated. It is my belief and my fear that if we were to reimpose capital punishment in this country, we would have a very similar situation. Of those who committed murders, the poor, the uneducated and the non-white might suffer the final penalty.

The Acting Speaker (Mr. Paproski): I will recognize the Hon. Member for Burnaby, and then the Hon. Member for Halifax West (Mr. Crosby).

Mr. Robinson: Mr. Speaker, I will be brief. I know my colleague, the Hon. Member for Halifax West, wants to speak as well. My colleague, as he has indicated, has participated in four previous debates on this issue. I would like him to comment on an event which occurred last week when the national leaders of the youth wings of Canada's three major political Parties issued a joint statement urging the Parliament of Canada to vote against the reinstatement of the death penalty. I, as a Member, was not present in this House in 1976 and during previous votes on the death penalty, but to the best of my knowledge, this kind of statement in which the youth wings of the national political Parties speak out in unison, calling upon this Parliament not to take this step backwards as a society, is unprecedented. The statement was signed by Elaine Fox, the chairperson of the Youth Steering Committee of the New Democratic Party, Jonathan Schneiderman, President of the Young Liberals of Canada, and Irene Porter, President of the Progressive Conservative Youth Federation.

To the best of my colleague's knowledge, does this extraordinary statement from the leaders of all three of Canada's political Party youth wings not represent a very fundamental and profound statement, which indeed is unprecedented in the history of debate on this very important question?

Mr. Orlikow: Mr. Speaker, the Hon. Member for Burnaby is correct. This is indeed a profound change and a very significant statement coming as it does from the leaders of the youth wings of the three political Parties. I want to say to the Hon. Member that I was not only impressed by that, but I was impressed by statements made by the leaders of all the major churches, to whom I referred earlier, and profoundly impressed by the large number of letters from individuals and individual congregations of all churches. I am referring not just to the leaders of those churches who are speaking out, but to a broadly based coalition of local residents speaking through their churches. Certainly, we have seen what I believe is the beginning of a major change in the thinking of Canadian people on the subject.

• (2050)

Mr. Crosby: Mr. Speaker, fortunately for us all the official report *Hansard* records our remarks, and they are there to be read by all. My remarks stand on their own merits.

Let me explain to the Hon. Member for Winnipeg North (Mr. Orlikow) what exactly I said and what exactly I meant when I drew comparisons between capital punishment and the International Monetary Fund, since the result is the exact opposite of what he indicated in his remarks.

The International Monetary Fund is not something on which most Canadians are knowledgeable. It can be left to experts. We can rely on the expert opinions to form the basis for our decisions. But capital punishment is an issue that belongs to each and every Canadian. It is not for an elite few to decide what to do with capital punishment. It is not for sociologists, the clergy or professionals—it is for every Canadian. We ought to regard the view of every Canadian on this issue. That is what I meant.

The Hon. Member is totally wrong if he frames those remarks in any other way. What is at issue here is the opinion of all Canadians on a matter on which all Canadians have an opinion.

I simply want to say this to the Hon. Member. Although the point is made about voting in principle, if the motion passes, then all Canadians will have an opportunity to express their views. In that process a consensus can be formed on the issue of capital punishment.

Because the Hon. Member does not agree with capital punishment and because he has decided for himself that he is against it, does he not want that process to take place, a process that can bring about a consensus on the issue that may result in a negative vote in the House of Commons against capital punishment, which will be satisfactory to all Canadians?

Mr. Orlikow: Mr. Speaker, first, let me say that if I misunderstood the Hon. Member's comments earlier then, of course, I apologize. I have no intention, nor have I ever had any intention or desire, to misinterpret any Member's statements.

On the question of the views of the Canadian people let me say this. There are countries, and I will use the example of Switzerland, which have built into their democratic systems a procedure whereby if a certain percentage of the people want to have a referendum on any question, then they prepare a petition and obtain enough signatures so that that question goes on the ballot at the time of the next election. That is a part of the democratic system in Switzerland, and I respect it. If we had that in our system, then I would accept it. But we do not have that. We have a system in which Members of Parliament are elected to do and to say what they believe and to vote the way they think is correct. The penalty for them, if their electors think that they did wrong, is that they will not be re-elected.

I ask the Hon. Member for Halifax West (Mr. Crosby) why he and his friends say that we should follow the views of the people of Canada on this particular question because it is what the polls state. Why have they not said—and I am not saying that they should—that Members of Parliament should vote on the question of abortion or on the question of price and wage

controls which we had imposed some years ago, or on any other question because the polls say it?

I say to the Hon. Member that I am not prepared to have him or anybody else choose the subject on which I or any other Member must follow the dictates or advice of the Canadian people because there is a poll.

What was the question asked in the poll? Who decided that that was the question to which every Member had to pay attention and had to follow? I say to the Hon. Member that if he really believes that the views of the people as expressed in polls should be followed by Members of Parliament, then let him propose a fundamental change to our system of representative democracy, such as in place in Switzerland. If we debate that topic, approve of it and put it into our system of democracy, then and only then would I be prepared to follow the views as expressed in polls. But I am not prepared to let the Hon. Member for Halifax West, or any other Member, or the general public, say to me that because on one subject or another the polls state that I must do this or I must not do that I should be prepared to accept that as a valid reason for voting for or against any question.

Hon. Walter McLean (Waterloo): Mr. Speaker, in entering this debate and in speaking against the motion on the restoration of capital punishment I would like to say that I do so this evening speaking in concurrence and, indeed, in support of the position outlined by the Prime Minister (Mr. Mulroney) in his speech in this debate a few moments ago. I come to this decision because I believe that the right to life is the most fundamental human right. I believe it is a gift of God. I strongly believe that it is the state's foremost duty to protect this right for all citizens, not to take it.

I do not believe that men and women have the right to decide who should live and who should die. As the Anglican Archbishop of Canterbury, Dr. Donald Coggan, said in 1975: "—there is an ultimate sense in which justice must be left to God". I oppose capital punishment not because I do not recognize the monstrousness of murder and the need to mete out appropriate punishment but because I believe in the absolute sanctity of life.

I know that my colleagues who have spoken so eloquently against capital punishment share the same abhorrence for all crime, and murder in particular. But let me emphasize that no one has gone soft on crime. I was particularly encouraged a few weeks ago, in fact on May 15, to see in *The Globe and Mail* that my colleague, the Hon. Member for Ottawa West (Mr. Daubney), outlined very succinctly five points to consider in rejecting the death penalty. He laid before the Canadian public some of the importance to the moral fabric of our country behind this debate.

He asked questions and invited us to consider whether the death penalty is a genuine deterrent to murder; the effects on juries; the brutalization effect; the risk of executing the innocent; and the matter of retribution. I think that what the Hon. Member for Ottawa West was underlining as he wrote and spoke of his growing convictions and those of an increasing number of Canadians is that a 20th century society such as ours cannot seek solutions to social problems by returning to past history but rather should do so by looking to today and on to tomorrow. I cannot accept the logic of a morality that teaches that the state should commit murder to demonstrate that murder is wrong.

Clearly, I believe that restoring capital punishment would be a retrogressive step. By performing such an act I believe we become less than human, proclaiming not only the worthlessness of the offender but of ourselves as well. Capital punishment debases and brutalizes all society, in my experience.

• (2100)

Executions draw the interest of the morbid and can have a criminogenic effect on unbalanced minds. I believe the goal of a civilized society should be to reform and to deter criminals, not to cry out for vengeance.

Sociologists, psychologists, and other experts have suggested that the causes of murder lie in a multiplicity of factors. They tell us they lie in the slums, broken homes, poverty, drug addiction, and drunkenness, along with the lack of opportunity and education. The effects of these backgrounds on individuals are heightened by the general affluence of our society and by television depictions of violence as being acceptable.

As those who are watching by way of television switch their channels in the evenings, they can ask themselves tonight how many people they have seen blown out of the water or blown off the streets. How acceptable are the pictures across our channels of violence? Such explosive combinations of course produce cataclysmic results for our society.

The vast power and resources of the Canadian state should be utilized to find ways and means of dealing with the fundamental issues of social dislocation. Canada's Catholic Bishops, in reaffirming their opposition to capital punishment, have called for an improvement of our correctional systems. They have called for an attack upon the social factors which spawn delinquency and crime. The Bishops, Canadians will have noticed, rejected the four reasons which are often given as a justification for capital punishment—retribution, an example to society, deterrence, and protection of society.

According to the Bishops, and I quote:

> It is now recognized that these reasons are problematic and cannot serve as a basis for moral judgment. Solutions that people once considered natural, just, and even necessary for social order, have thus come to be seen as radically unjust and inhumane.

The Bishops recognized the following:

> The death of a murderer cannot make good the suffering that crime brings, as it destroys lives, ruins families, and crushes the hopes of innocent people.

Many churches—and this has been alluded to by many Members who spoke in the debate today—including my own

Presbyterian Church have adopted a similar position. I believe we should listen to them.

In leafing through information materials which were sent to all Members of Parliament, I came across a poster which has the picture of a hand with a stone in it. Interestingly enough, the poster, sent by the Mennonite Canada Victim Offender Ministries in Kitchener, has this thought-provoking caption for those who would use scripture pro or con in their debate: "Jesus was once asked for his support of the death penalty. His reply was: "Let one who is without sin cast the first stone".

For some of us capital punishment has a horrifying reality. It evokes memories that we wish to forget. However, in these circumstances I wish for a moment to share with the House my experiences, because as I have listened and monitored the debate, to date it has been largely theoretical.

I lived in Nigeria, West Africa from 1962 to 1967. I returned to Nigeria in March, 1976. At that time 34 very senior military officers who had been accused of plotting the assassination of the head of state were sentenced to death by firing squad. I should explain that the head of state in question, General Murtala Mohammed, was a popular leader indeed.

His assassination in a botched up coup attempt touched a raw nerve in the country. The death sentences quickly passed on the accused were designed not only as a fitting punishment but to serve as a deterrent. The executions became a public spectacle. People were invited to Bar Beach near Lagos where the executions took place. There was full press and television coverage of the event.

I can still see in my mind's eye the clergy giving the last rites, then the shooting of the firing squad, and the bodies as they lay slumped against the poles to which they were tied. An officer went about poking the bodies to finish off those who were not dead. I said to myself then, as I say it today: What a cruel waste. It achieves nothing. It is the wrong medicine for societal illnesses. It satisfies only animal instincts of humankind.

Yes, the Nigerian State had exacted revenge, but it had also alienated many people. The families, the friends, the extended families, and the relations of the executed persons suddenly became enemies of the state, not friends. The violence had achieved nothing. It had not stopped people from employing violent means to win power.

Those who support a return to capital punishment suggest a public consultation about the method of execution. Somehow it is a very antiseptic and far from personal experience. We will be asked to weigh firing squads versus the noose, the electric chair against lethal injections or perhaps stoning, as is done in some societies. While we are at it, they will probably decide, in order that it should be an effective deterrent, that executions should be held in public for all to see. To follow this logic, why not here on Parliament Hill? After all, if we are to look at the past record, executions were staged publicly before Confederation.

I find dehumanizing all this discussion about the best way to kill a man or woman. The whole idea is that we are somehow here to find a humane way of doing the inhumane. There is nothing humane about killing. Indeed a humane society, which is what we claim to be, will not consciously kill a human being. It will affirm the sanctity of life. Capital punishment is, I suggest, against our Canadian way of life. It is against the very principles of our existence as a free, a caring, and a civilized society.

One issue which to my mind the proponents of capital punishment have not adequately addressed is what happens if the system makes a mistake and we execute a completely innocent person. According to Amnesty International, there have been 28 cases of mistaken executions in the United States since 1900. Who, I ask, takes the blame for such monumental injustice? I have heard the argument that Canada has never recorded one such case of mistaken execution since Confederation. I am happy to hear that our record is so unblemished, but that is as far as it goes.

Tonight in his speech the Prime Minister was reminding us of the grave reservations of Prime Minister Diefenbaker about this whole matter in his criminal legal experience. The fact that we have not made such a mistake in the past does not mean that we cannot make it in the future. What if it does happen? Can anyone imagine the consequences of such an act?

I received in my mail today a letter dated June 19 from a Douglas E. Moore living in Thornhill, Ontario. In his letter he outlined his own experience and he described the horrifying circumstance when it was determined that a mix-up had occurred at the hospital and that the bullet fragments were found in the tissue samples from another unrelated case after two and a half years of his life being upside down.

Let me emphasize that other speakers before me addressed the several arguments against capital punishment. I fully endorse these arguments. However, even for those of us who strongly oppose capital punishment, there are legitimate public concerns about crime and our penal system which must be acknowledged and with which we must deal.

There is no doubt that ordinary citizens are terrified by rising crime and violence in our North American society. They are perplexed by what they see as the condoning of crime by the criminal justice system. There is a real fear in our streets and in too many of our homes. The rising tide of vigilante-ism and the public support for capital punishment are the manifestations of this fear. This has not come just out of a vacuum.

• (2110)

People come to me from across Kitchener—Waterloo and ask why the law appears to favour criminals and not the victims. There is a perception that law-abiding citizens are not receiving adequate protection from the law. It seems that the

law is more interested in the rights of criminals than it is in victims. These are legitimate fears and questions to be addressed. I perceive that these are questions of which people on both sides of this debate are seized as Members of Parliament in Canada.

There was, for example, a report on the television program *60 Minutes* recently about a notorious murderer known as Austin Choker who murdered a string of women by choking and then beating them mercilessly. He was caught and sentenced to a term totalling 123 years. After eight years, a parole board released him on a two to one decision. He went to Houston and immediately resumed his trade. He attacked two women. Fortunately, he was caught and is now back behind bars. In interviews, the two victims expressed horror that such a notorious killer could be paroled after eight years. Their conclusion was that the law did not care about them as law-abiding citizens. This happened in the United States, but people in Canada relate to these things and worry about them.

The only way to assure people that the law is on their side is by example. Those on the front line in the fight against crime—police officers, prison officers and others—must be given adequate protection, even it means changing the law. Training techniques need to be vastly improved. We are lucky to be a nation of great scientific and technological achievement. We can avail our law enforcement agencies of the latest techniques in crime fighting.

I hope that this debate will underline the fact that our criminal justice system needs to be improved. But we need not become an inhumane society in the process. Criminals can be dealt with firmly and effectively. And, if need be, our parole system should be strengthened. Those who have expertise in the field can study this system and bring us the necessary changes. We should not encourage types like Austin Choker. Perhaps it may be in our interest to have judges or representatives from the Justice Department sit on parole boards.

The range of new ideas is limitless. I suggest that we explore them, that we use the scientific and social resources of our fast developing nation, of this vast knowledge explosion, that we begin to understand how much we have moved in behaviour modification and in the whole understanding of our society in the last decade, to say nothing of the last quarter century.

It is interesting, and Canadians will be aware of this, that as this debate has gone on through the media and here in Parliament through many months, polls are changing. I find again and again that men and women in conversation agree on what is the problem and what is the medicine. Because of this fear, concern and anxiety, capital punishment has suddenly become the cure-all. I plead that out of this debate we may have a renewed resolve to use the technological and the sociological tools available to us to support those who seek to bring law and order into our community and to maintain it. I, with others who will vote against this motion, obviously wish to be on the side with all parliamentarians in building a better Canada, in seeking to light a candle rather than to curse the darkness.

Mr. Alan Redway (York East): Mr. Speaker, I listened very attentively and with great interest to the Hon. Member for Waterloo (Mr. McLean), for whom I have the greatest respect. I was taken with his comments, particularly about his ideas of strengthening the criminal justice system as an alternative to capital punishment.

I too am one who believes that this is an important objective and one that we should not only be investigating wholeheartedly, but turning into something positive so that we can reassure the people to whom the Hon. Member was referring, those who are afraid, who have concerns, who are perhaps terrorized by the reports that they receive when reading about violent crime, particularly murder. I must say, however, that I have become very discouraged about the potential of reassuring people by strengthening the criminal justice system in other ways.

I would like to refer the Hon. Member to a situation which occurred a very few weeks ago in Canada, not in the United States. This is not the case of an Austin Choker, this is the case of a Rheal Chartrand.

As the Hon. Member will recall, Rheal Chartrand was convicted of first degree murder of a police officer at a time when capital punishment was the penalty for first degree murder of a police officer in Canada. Of course, capital punishment was repealed while Mr. Chartrand was awaiting the ultimate penalty. He was then sentenced to serve the full penalty for first degree murder under the present law, namely, 25 years imprisonment. Recently as the Hon. Member is aware, Mr. Chartrand applied through his lawyers to a jury in the community where the murder had taken place to ask for the right to apply for parole after serving some 15 years of his sentence. The jury, which knew all the facts relating to this man awaiting execution, who had his sentence commuted to life imprisonment, decided that he should be eligible for parole and granted him the right to apply. We do not know whether that parole will be granted by the National Parole Board, but we know now that he has that right to do it.

Does the Hon. Member agree with that process? Does he believe that someone convicted of first degree murder of a police officer in those circumstances should be entitled to parole after 15 years? If he does, does the Member think that that is the way we will reassure the citizens of Canada and return their faith in our criminal justice system?

Mr. McLean: Mr. Speaker, I would like to thank the Hon. Member for York East (Mr. Redway) for his very helpful question and illustration. One of the obvious needs is the question of confidence building measures in the population. The question of strengthening criminal prevention has to do not only with the perpetrator of crime and the victim, but also with the community.

I have been particularly impressed in the community in which I live with the work which has been done largely by the leadership of the Mennonite community on victim-offender reconciliation and the question of beginning to build across communities an understanding of what is the societal part in anti-social behaviour and what is the appropriate and necessary restraint, the necessary prevention required.

In my comments I had thought that such a question might arise. I suggested that since each case would need to be looked at on its own merits that we might well want to begin to move to having people from parole boards, the judiciary, the Departments of Justice as well as communities and others represented so that when these decisions are made, they are not sudden and offensive to those who have been victims of crime, but rather some sense of participation in the decisions will have been experienced.

• (2120)

Mr. Kindy: Mr. Speaker, I was astounded to hear the Hon. Member for Waterloo (Mr. McLean) say that he was pro-life. It is nice to be pro-life. I looked up *Hansard* for June 2, the day we voted on the motion of the Hon. Member for Grey—Simcoe (Mr. Mitges) which read as follows:

> Everyone including a human foetus or unborn being has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

Looking further to the record of the vote, I note that the Hon. Member for Waterloo voted against that motion. I find it astounding, not to use a stronger word, that he would say that he is pro-life.

I believe that whether one is unborn or is living, one has the right to life. As it was so well stated, this is in accordance with the principles of fundamental justice. I believe an unborn child has the right to life. However, as I said earlier this evening, the state has the right too to protect its citizens against forces outside the country during war, and that is why we have the Armed Forces, and forces inside the country, and that is why the police carry guns. If someone murders someone else in a way that is detrimental to the interests of the entire community, the state has the right to take that person's life.

My question is simple. How can the Hon. Member explain that he says he is pro-life but voted against the motion of the Hon. Member for Grey—Simcoe?

Mr. McLean: Mr. Speaker, I understood that the motion this evening was on capital punishment. I have been seeking to address that and I will be quite happy on another occasion to address that other matter with the Hon. Member.

Mr. Foster: Mr. Speaker, I was impressed with the speech made by the Hon. Member for Waterloo (Mr. McLean) and I would like to commend him for it. I think he made the argument very well that capital punishment is not really a deterrent to murder. We need only look at the statistics down through the years and certainly those since 1976 to realize that in that 10-year period, the removal of capital punishment did nothing to increase the number of murders in Canada and that in fact they have dropped quite dramatically. When one looks around the world, one sees that there are more homicides in the City of Detroit, for instance, than there are in the entire country of Canada.

Likewise, another point that it is important to make is that people who are convicted and hanged if capital punishment is utilized are always the poor, the weak and the minorities. Clearly on death row in a State of the United States which has capital punishment, it tends to be the poor, the weak, minorities, blacks and members of other groups. Rich men seldom if ever are convicted of murder.

I believe the most important point the Hon. Member made was that there is tremendous concern in Canada over public safety and this point was made very forcefully to me by the police association in my riding. It was pointed out that we need a reform and improvement in the parole system, the sentencing system, crisis intervention centres and family assault centres because the prevention of murder and violence is more important. Unless we address that, I do not think that this debate can really accomplish very much. I certainly hope the Government will look into those aspects of public safety because that is what we are trying to achieve.

We may disagree about whether or not capital punishment is a useful mechanism for achieving that goal, but I do not think anyone disagrees that improving the sentencing, plea bargaining and parole systems and our systems for assisting young people with drug and alcohol problems and families suffering from violence is very important in preventing violent acts such as murder.

The Acting Speaker (Mr. Paproski): I suppose that that was just a comment. Questions and comments are now terminated. Debate.

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, the issue of capital punishment is a subject on which I have done a great deal of soul-searching. I do not support capital punishment and I vigorously oppose this resolution. I intend to vote against capital punishment.

The issue is an important one to all of us. It is not important simply because Canadians say it is important but because it deals with the sanctity of human life. I am opposed to capital punishment out of moral conviction and out of a deep reverence for human life. In my view, human life is sacred. It is my belief that no person other than the Creator should determine the life of an individual.

Second, I am not in agreement with those who say that the reintroduction of the death penalty for selected Canadian citizens would give additional safety to police officers, prison officials or private citizens. It is simply not a fact that the death penalty acts as a deterrent. When the death penalty was abolished in Canada, the murder rate actually declined. The

Prime Minister (Mr. Mulroney) pointed that out earlier this evening in his address.

Third, the interlinking between social and economic factors in Canada as well as the administration of our criminal justice system needs to be more closely understood, defined and applied. Most particularly, we need to revise, review and find creative answers to our systems of sentencing, plea bargaining and parole.

[*Translation*]

Mr. Speaker, at the risk of repeating the comments of Members who have already taken part in this debate, I wish to add my voice to all those in this House and throughout Canada who are vigorously opposed to reinstatement of the death penalty. I must say that I am in good company as, apart from the civilized nations which voted the Universal Declaration of Human Rights in 1948, including this country, which declaration recognizes in article 3 that—

Everyone has the right to life—

—there are also many abolitionists in Canada, including the Coalition Against the Return of the Death Penalty, which includes thirty-two different organizations, such as the Canadian Council of Churches, the Canadian Jewish Congress, the Canadian Association of Social Workers and Amnesty International.

[*English*]

The leaders of our three political Parties have taken a strong position against capital punishment. As well, there is the most unique situation of the three presidents of the youth wings of our three political Parties, the Liberal, Conservative and NDP youth presidents, who jointly expressed their ongoing concern and, in a vote of solidarity, their wish not to see this motion carry.

[*Translation*]

Mr. Speaker, I think I should say from the start that many ordinary Canadians have wanted to express their views on this issue, as shown by the great number of open letters to the newspapers. With very few exceptions, including the noteworthy one of Guy Brouillette, professor of philosophy at the Collège Maisonneuve in Montreal, they are vigourously opposed to the reinstatement of the death penalty. Many editorial writers, both francophone and anglophone, have also taken a stand against the old principle of an eye for an eye and questioned the use of resuming a debate which seemed to have been concluded once and for all in 1976. They have also expressed surprise at the fact that the Prime Minister did not see fit until the last moment to take part himself in this debate to express his abolitionist views, that he did not see fit to join personally in a debate which he will surely describe as being historic, as he does everything from an annual meeting with the President of the United States to a Constitutional Conference.

• (2130)

[*English*]

Editorial writers, along with Members of this House, will not easily forget the mean spirit of the Conservative Government which promised an open and full parliamentary debate followed by a free vote, only to then try and choke off debate by calling for closure. The Government tried that trick not once but twice. This is a matter of life and death. The motion calls for the return of capital punishment and the very act of trying to force closure shows how the majority Government is trying to suppress what it considers to be minority opinion on this very sensitive matter. The Government proposed the motion and it should have better managed its legislative calendar. The Prime Minister, who gave a very moving address this evening, talked about genuine respect for opposing views. He said we need periodic review of public policy and that this debate is the instrument of democracy. I do not call it democracy when you try and choke off the debate. When you use the threat of closure on a motion of this kind, that cannot be called straightforward.

Neither is the motion itself straightforward. It does not call for the death penalty, it calls for a decision that this House supports in principle the reinstatement of capital punishment and then directs that a committee be formed to deal with the issue. If the Government calls for the reintroduction of capital punishment, then it has taken a position even though its Leader and other Ministers are against it. I suggest that is not a very strong way to lead. Normally the Government would introduce a Bill for debate, send it to committee for amendment, and then pass it. The method the Government is using in this case is not very democratic. This is not leadership. This is hiding behind the skirts of a committee which is supposed to go out and find out what people want. I am not interested in how people wish to kill and I think the Government should have taken its responsibility a little more seriously.

[*Translation*]

Admittedly polls report that a majority of Canadians favour restoring the death penalty. What does that mean exactly? In an excellent article published in the May 1987 issue of *L'Actualité* magazine, Mr. Jean Paré expressed serious doubts about a poll in which 78 per cent of our fellow citizens said they were for capital punishment. That poll, he wrote, needs much finer interpretation. Moreover, he said, and I quote: "That opinion is volatile as is shown in the experience made in 1975 by two sociologists, one from Massachusetts and one from Ontario." In their samples, the support for capital punishment fell from 51 to 38 per cent, after the reading of a report offering factual arguments against the death penalty. When moral and social arguments were added, the support fell from 72 per cent to 42 per cent. Quoting one of the authors, Mr. Paré adds the following: "Most people are badly informed on the issue. When they know the facts, they tend to take a stand against."

Results of a survey published on May 7 last in several newspapers of this country confirm that statement.

[*English*]

Proponents of capital punishment are often reported as proclaiming that the people should be allowed to decide. Over the last few months people from my riding, indeed from all over Canada, have spoken to me about this issue. I have heard from them by letter, telephone, and postcard. They have sent me speeches, news clippings, and have even come to see me in person. These people have been doing a lot of soul searching and I would like to take a few moments to share with this House the sentiments of a few who have had a strong impact on me.

First I heard from Mr. Edwards of Toronto who said "Let us not demean ourselves or our nation by resorting to violence to control violence". Then there is a Mr. Epp, the former chief keeper at a Saskatchewan prison who in 1965 had in his prison an inmate who was convicted of murder and sentenced to death by hanging. He asked at that time why we were killing this man. Presumably it was to teach people that killing is wrong. That seemed very strange to him since we do not steal from thieves to teach that stealing is wrong. We do not assault violent people to teach that assaulting people is wrong. We do not rape people who have raped in order to teach them that raping is wrong. The Reverend Charles Eddis of the Unitarian Church of Montreal wrote to protest against capital punishment. He said it only brutalizes us all and cheapens the value of human life itself. Then there was the father of a young Ottawa girl, Celia Rygrok, who was a murder victim. He said nothing can give him his daughter back. Killing another person would not make him any happier. I have had hundreds and hundreds of postcards from across this country telling me that they oppose the death penalty. They say: "Don't kill for me". We have been told continually that the majority of Canadians favour capital punishment. The hundreds of people who have contacted me are not giving me that message.

[*Translation*]

It remains however, that in the bottom of their hearts, many Hon. Members across the way, many fellow citizens and even constituents support the reinstatement of capital punishment. To those people, whose views I respect but I totally oppose, I would like to point out three specific reasons why I am an abolitionist.

First, a societal reason. We are fortunate in being a democratic nation that finds violence totally abhorrent and immoral. The situation is different in totalitarian states, where torture is an inherent feature. By reinstating capital punishment, we meet violence with violence in a spirit of retribution. We will join the ranks of countries such as South Africa, most Iron Curtain nations, a few Third-World countries, Iran and Saudi Arabia, where a human being is a negligeable quantity whose life is subject to the State's pleasure. This would be a major step backward that would bring dishonour to this civilized society.

It is time we knew where Canada stands and where it wants to stand. Around which banner do we want to rally? As an answer. I am reminded of a very pertinent comment a member of the National Coalition Against Capital Punishment, Mr. Pierre Beauregard, recently shared with readers of *Le Devoir*.

And I quote:

"Contemporary history provides good examples of the relationship between capital punishment and power. In 1934, General Franco reinstated capital punishment in Spain for certain terrorist crimes. In 1938, the range of crimes punishable by death was widened. That was a sure way of eliminating political opponents. After the dictator's death, the new democratic government in Spain abolished capital punishment in 1978.

In Argentina, the very day it came to power in 1976, the military junta reinstated capital punishment that had been abolished in 1972. And it is the civilian government that abolished it once more as soon as it returned to power in 1984."

I shall not insist on the conclusion I draw from those comments.

A second reason is discrimination. The restoration of capital punishment would bring back in the country a cause of discrimination on two grounds: race and economic status.

Race: Several surveys made in the United States since over 15 years have shown that the legislation on capital punishment is often applied in a discriminatory fashion to black people. In a report published in February last in London, Amnesty International agrees. In our country, this kind of discrimination would affect another group. A recent study shows that in this country native people would be put to death more frequently that the white.

• (2140)

[*English*]

Like the American statistics on race and class which bear out the fact that them without the capital get the punishment, a recently completed survey of state executions in Canada between 1926 and 1957 by University of Victoria Economics Professor Kenneth Avio, found that while 17 out of 21 non-whites found guilty of murdering a white person were executed, only one out of five English Canadians was executed for the murder of a native Canadian. Using a model based on 440 capital murder cases, he further found that there was a 21 per cent chance of an English Canadian being executed for the same factual situation. As a Liberal I cannot tolerate this injustice and inequality. The scales of justice are unequally balanced.

From an economic perspective—

[*Translation*]

Economic status: The poor can also be the victims of discrimination in our legal system. Good lawyers are costly

and some accused cannot afford distinguished criminal lawyers.

Mr. Speaker, I do not want to suggest that a legal aid lawyer is not efficient on the contrary. I also know distinguished criminal lawyers who made their services available to penniless accused.

However, if only one alleged murderer was condemned to death because his financial means did not permit an adequate defence, I think that it is already unacceptable in a civilized country such as ours.

The third and last reason is that it is not a deterrent. Over the years, the statistics have demonstrated many times that the death penalty is not a deterrent. In fact, since it was abolished in Canada, the number of murders has not increased, and the American States which have renounced capital punishment have the lowest homicide rates in the United States.

The Association of Canadian Criminologists, made up of over 500 lawyers, shares this view. It states that a murder is often the result of an unexpected event, that it is committed on the spur of the moment, while the murderer is being carried away by passion.

I share its view that capital punishment as a deterrent is quite secondary, not to say irrelevant in most cases.

[*English*]

Is the fear of punishment an act of deterrence? No, not in Canada where we have had no executions for the last 25 years and where in actual fact first degree murder has declined by 25 per cent based on the statistics we have just heard.

[*Translation*]

It goes without saying that I could go on for quite a while developing my reasons for opposing the reinstatement of capital punishment. I urge those who do not share my view to consider honestly the recent decision of my friend the Hon. Member for Bourassa (Mr. Rossi) and wonder with him whether we should not rather review our penal system.

Instead of advocating a solution as radical and final as capital punishment, should we not reconsider seriously the administration of justice? Should we not make sure that the sentences are fully respected? That parole is granted more sparingly? What is needed is a system before which all are equal, a system where judges make the most equitable rulings possible. This review of our judicial and penal system should take into account the motives leading to crime: frustrations, disillusionment, unemployment, poverty, discrimination, distress, etc., and should try to support and encourage all those who are desperate to the point of murdering their neighbours.

We should not overlook the prisoners about to reenter society. We should help them more while they return to their community by providing them with adequate supervision and the psychological or psychiatric treatment which are often necessary if not essential to a successful return to normal life and the labour force.

It is through constant prevention and rehabilitation efforts and not through capital punishment that we will reduce crimes in this country. This way, Justice, whether or not with a capital J, would be better served.

[*English*]

For me, Mr. Speaker, voting for capital punishment is not done out of a sense of justice but rather one of vengeance. A vote for premeditated state killing or state murder is odious and offensive as well as unacceptable. I have not been persuaded by any of the arguments. God forbid that this committee be formed, but if it is I say to it, do not kill for me.

Mr. Oostrom: Mr. Speaker, I commend the Member for a very fine speech. I have a few questions for her. She mentioned that there is not ample time to discuss this issue. The joint committee may find no circumstances in which capital punishment would be justified. After the committee reports, we will have months and months to debate the issue. I would like to hear the Member's comments on that.

The Member knows of the Nuremberg trials held in Germany for the atrocities committed during the Second World War. If such a thing were to happen again, would she not recommend another such trial and the death penalty for those who committed atrocities on innocent people during a war? Six million Jews were killed, Mr. Speaker.

The Hon. Member may remember that at the Olympics in Germany a group of young Jewish athletes was killed. We are going to have the Olympics in Calgary next year. If such a thing were to happen here, would she not be in favour of the terrorists being killed for their actions?

Mrs. Finestone: Mr. Speaker, the Hon. Member has asked a series of questions. With regard to the kind of actions the state shall undertake if we pass this motion, the committee will not have to decide whether we will execute if the motion is passed. The question will be that of how we should execute and who we should execute.

I would like to bring to the attention of my friend and colleague remarks which were made by some students who were visiting here last week. I must say that it shook me to my roots. One of them said, "Mrs. Finestone, I understand that you are in the midst of a debate on capital punishment". "Yes", said I, "and what do you think?" "Well", he said, "I do not quite understand. You are supposed to be trying to decide whether you should fry, hang, or inject. What is the shake and bake all about?"

When I hear young people ask questions in that way, I know that it is time to ask questions about what we are doing about the organization of the education of our youth. Why are we not spending our time addressing the violence in this society and how we can promote a different lifestyle? Why are we not addressing poverty, lack of education, jobs and job-training? Why are we wasting our time on this silly kind of non-constructive approach to this problem?

• (2150)

Let me respond to the second question. I find it totally offensive and quite surprising, coming from that Member, that he would try to mix two such serious issues. One is a question of war and the other is a question of the comportment and decency of people during the course of war. One is a question of how society behaves when it has found itself in an uncivilized situation.

We are supposed to be addressing a civilized and mature Canada, a fine land that is allied with the western countries, not with nations of obscene character like the Nazis.

I am not only concerned about the six million who were killed to which the Hon. Member referred me, I am concerned about the 20 million, whether they were the gypsies, fighters for freedom, the French, Yugoslavs or any of the people who were murdered at that time in Russia, Ukraine and every part of that area. That was wartime and the Hon. Member should not mix those two issues. I find it totally offensive.

Mr. Hawkes: Mr. Speaker, I am sorry to hear the Hon. Member indicate that this is a silly debate.

Mrs. Finestone: I did not say silly.

Mr. Hawkes: I think if the Hon. Member carefully checks the record, she will find the word there. Perhaps she may not have intended to say silly, but when she looks at today's *Hansard* she will find the word there. It is not a silly debate, but a very important one.

It is important to recognize that it is the Opposition Parties that have determined that House time normally devoted to subjects like unemployment and other concerns shall be used for this debate. There has been plenty of opportunity to reach agreement in the House on such things as shorter speeches, longer hours and other ways of dealing with this debate outside of the normal flow.

I hope Hon. Members opposite reflect on the Hon. Member's comment and consider whether or not it is important to move outside of regular hours to allow more Members to be heard and whether restriction on the length of speeches might be in order due to the importance of the debate. However, I believe we share a common goal that we would like to reduce violence in the world, particularly murder. Essentially, we are saying that we would like to reduce killing in society.

It is my strongly held view that killing is reduced primarily because people have faith in their system and their laws. It seems to me that the retention of the right of the state to take a human life is an important building block in the development of the faith in the system. I believe that when we, as elected representatives, tell our citizens that we will not do what they believe is important, we are really promoting a certain lack of faith in the legal system. In the final analysis, we are really inviting killing in spite of the protections and processes which the law has to offer.

Perhaps I feel more strongly about that today because of the nature of a trial in Calgary where a druggist has been charged with murder for shooting a robber. He shot a robber because he lost faith in the system, bought a shotgun and decided that he had the responsibility of protecting his home and his family.

Has the Hon. Member considered that if the state does not retain the right to take a human life, it invites others to take some of those same lives and perhaps the lives of innocent people as a result of a lack of faith and trust in the judicial system? Are we likely to achieve our common goal if we, as Members of Parliament, go against the view of the general population and reduce their confidence in the law? Are we more likely to reduce the crime of killing when people are more comfortable with the law and what it achieves?

Mrs. Finestone: Mr. Speaker, I wish I knew shorthand so that I would have been able to better answer the Hon. Member's question with the sincerity and concern it deserves. I know his questions were posed in good faith. If I used the word silly, it was inaccurate and I did not intend to use it in the context of this debate.

First, I do not intend to discuss the case in Calgary because it is presently before the courts. I am sure the Hon. Member would not expect me to do so. At a time when we are not addressing the issue of violence in a society that is becoming more violent, would it be wise to enable people to carry more guns? I suggest it would be a very unhealthy response to the situation that he presents.

Second, faith in the system is exactly what I was discussing. If there has been a diminution of the application of the intent of the law, which I alluded to in my speech, then we must redress the way the judicial system operates. This could include educational systems for our judges, a fairer system that does not consider whether or not one is rich or poor in our society, a sentencing system that is more even, or more effective and judicious decision-making by the parole boards. There could be a number of reasons for a loss of faith in our system.

Why was the Government not more straightforward and take its responsibility to present a Bill? The Government should not proceed by proposing this motion which was called for by its members but with which its Leader does not agree. It should have introduced a Bill on the death penalty on which there should have been proper debate and consultation throughout the country. Hearings throughout the country could have been based on constructive approaches. This motion is designed so that a number of Members can travel on a ghoulish mission to determine how people will be killed. The Government has not fulfilled its commitment and has been absolutely hypocritical.

This debate is a political ploy. The leader did not agree with the premise of the proposal and left it to the committee to decide. My Party and I disagree with this procedure and I do

not believe Canadians like it when the Government tries to choke off debate.

The Acting Speaker (Mr. Paproski): It being ten o'clock, pursuant to order made Friday, June 12, 1987, this House stands adjourned until tomorrow at eleven o'clock pursuant to Standing Order 3(1).

At 10 p.m. the House adjourned.

HOUSE OF COMMONS

Tuesday, June 23, 1987

The House met at 11 a.m.

Prayers

[*English*]

BUSINESS OF THE HOUSE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I rise on a point of order. I understand that my colleague, the Member for Guelph (Mr. Winegard), has a report to present. I ask that the House revert to presenting reports from committees at three o'clock because there is another committee report being translated. It is not ready now but will be ready at three o'clock.

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, it is 11 o'clock. I would like to know what report and what committee we are talking about so that we can understand exactly what we are trying to do.

Mr. Speaker: Perhaps the Parliamentary Secretary could explain.

Mr. Lewis: Yes, it is the Committee on Government Operations.

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I rise on the same point of order. This is, of course, the same report as has been referred to this morning by the media before it has been tabled in the House. It is unfortunate that time and again reports of standing committees are being discussed by the media. Members are being asked to comment on them before they are tabled in the House and yet the media has full knowledge of their contents.

You know, of course, Mr. Speaker, that that is a breach of the Standing Orders of the House. I use this opportunity to bring that to your attention. That does not mean that we are not willing to give consent for the report to be tabled this afternoon. Now that it is leaked it is better that it be presented this afternoon than on a later day.

It is unfortunate that these reports get into the hands of the public before other members of this House have the opportunity to see them. I happen to know the contents of the report so my privileges were not breached, but the same does not apply to many of my colleagues in this Chamber.

As a final point, I find it particularly—

Mr. Turner (Ottawa—Carleton): A Liberal leak.

Mr. Boudria: That comment by the Member for Ottawa—Carleton (Mr. Turner) was unnecessary. I hope he takes the opportunity to apologize for it at the appropriate time.

Mr. Turner (Ottawa—Carleton): Excuse me, sonny.

Mr. Boudria: I raise my share of tough issues in this House. However, I do believe that it is unfair that all Members of Parliament are not permitted to see reports of standing committees simultaneously. This seems to happen again and again in the same committee, that being the Committee on Government Operations, of which I am a member.

Mr. Speaker: The Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria) has raised a matter which has troubled the Chair and Hon. Members. It may well be that he will want to raise it more extensively at another time. If there is consent to present the report this afternoon, the Chair might observe that the report might not be exactly the same as that which has been commented upon elsewhere. Nonetheless, the point which the Hon. Member makes is an important one.

I take it that there is consent to introduce that report this afternoon? The Hon. Member for Kamloops—Shuswap (Mr. Riis) indicates consent.

ROUTINE PROCEEDINGS

[*Translation*]

EXTERNAL AFFAIRS AND INTERNATIONAL TRADE

PRESENTATION OF THIRD REPORT OF STANDING COMMITTEE

Mr. William C. Winegard (Guelph): Mr. Speaker, I have the honour to present the third report of the Standing Committee on External Affairs and International Trade.

• (1110)

[*English*]

This report is concerned with automotive manufacturing and trade in Canada. The Committee does not accept the suggestions of the North American manufacturers that the Government of Canada legislate Canadian content for Japanese and Korean manufacturers.

At the same time we urge that import restraints continue to be imposed and that the offshore manufacturers be urged and pushed, if necessary, to add Canadian content.

We are distressed at the lack of R and D done here in Canada by U.S. manufacturers.

* * *

[*Translation*]

CRIMINAL CODE, IMMIGRATION ACT, 1976 AND CITIZENSHIP ACT

MEASURE TO AMEND

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada) asked for leave to introduce Bill C-71, an Act to amend the Criminal Code, the Immigration Act, 1976 and the Citizenship Act.

Mr. Speaker: Shall the Hon. Minister have leave to introduce the bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

Mr. Speaker: When shall the bill be read the second time? At the next sitting of the House?

Some Hon. Members: Agreed.

* * *

[*English*]

HAZARDOUS MATERIALS INFORMATION REVIEW ACT

REFERENCE TO STANDING COMMITTEE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, there are three motions which have been discussed among the Parties. I think you will find unanimous consent for them to be introduced and voted on immediately.

The first motion is with respect to Bill C-70, an Act to amend the Hazardous Products Act. I move:

> That, when Bill C-70, an Act to amend the Hazardous Products Act etc., is read a second time, it be referred to the Standing Committee on Consumer and Corporate Affairs.

Mr. Speaker: Does the Hon. Parliamentary Secretary have unanimous consent to move the motion?

Some Hon. Members: Agreed.

Mr. Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

CONSTITUTION ACT, 1982

REFERENCE TO STANDING COMMITTEE OF CONSTITUTION AMENDMENT (NEWFOUNDLAND ACT)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the second motion refers to an item on the Projected Order Paper today with respect to what is called the Pentecostal Assemblies Act of Newfoundland. There have been discussions among the Parties and I think you will find that there is unanimous consent to the following motion being introduced and passed. I move:

> That notwithstanding any Standing Order of this House, when debate on the motion in the name of the Minister of Justice respecting an amendment to the Constitution of Canada on the matter of the Pentecostal Assemblies of Newfoundland, Government Business No. 9, is concluded, the said debate shall be deemed adjourned and the motion shall be deemed referred to the Standing Committee on Justice and Solicitor General;
>
> That the motion shall remain on the Order Paper for resuming the adjourned debate;
>
> That the Standing Committee shall take up and consider the motion at its next meeting and shall report or shall be deemed to have reported same back to the House at the next sitting of the House, provided that if necessary the House shall revert to Presenting Reports from Committees for the purpose of receiving the report;
>
> That no Notice of Motion to concur in the Committee report shall be received by the House; and
>
> That notwithstanding the usual practices of the House, when debate on the motion is resumed whether or not the Committee has made a report to the House, Members may refer to the deliberations of the Committee in debate.

Hon. Bob Kaplan (York Centre): Mr. Speaker, I rise on a point of order. I am certainly disposed to agree with this motion but I have a genuine question. It states at the middle of the motion that the committee shall be deemed to have reported the same back to the House at the next sitting of the House. Does that mean if the resolution proceeds today the next sitting of the House is Thursday?

Mr. Speaker: Perhaps the Hon. Parliamentary Secretary can assist the Hon. Member for York Centre (Mr. Kaplan).

Mr. Lewis: Mr. Speaker, I think that is in the vernacular of this place. He will know that when Bills are introduced, the normal terminology is to ask, when shall the Bill be read a second time, at the next sitting of the House, and think that is what this means. It may or may not be Thursday.

Mr. Kaplan: If the resolution proceeds today, and the Government could choose to call the Bill on Thursday, unless the committee had met between today and Thursday there would be no opportunity for the committee to meet. I do not object to that, I just want to be clear if that is what might

happen so that we would only have the rest of today to call a meeting?

I asked the question simply because we were wondering about possibly having witnesses from Newfoundland. However, if the resolution might be called at the next sitting of the House, Thursday, then it would not be possible for us to have witnesses.

Mr. Lewis: If that were to happen, I would object to it. Obviously, this is done after consultation with House Leader in order to facilitate a committee hearing and the calling of witnesses if that is the wish of the committee.

The Government would not be proceeding in any way which would derogate from the committee's ability, if deemed desirable, to have witnesses and hold as many meetings as it wants.

Mr. George Baker (Gander—Twillingate): Mr. Speaker, I wish to have some clarification as to the Government's intent concerning the motion. Is the motion going to be passed? Is the Parliamentary Secretary saying that it will go to the committee, that the committee will hold its hearings, then it will come back to the House before it recesses for the summer? Is that what the Parliamentary Secretary is saying? This has come up in the House twice since 1971. It has to be passed.

Mr. Speaker: The Hon. Member for Gander—Twillingate (Mr. Baker) has some concerns about this.

Mr. Lewis: I wish to advise the Chair that we will not proceed with this motion.

Mr. Speaker: The Chair did not hear the Hon. Parliamentary Secretary.

Hon. Herb Gray (Windsor West): Mr. Speaker, I wonder if we could stand this and return to it later this morning? I am sure that whatever misunderstandings there may be are inadvertent and could easily be clarified.

Mr. Speaker: I thank the Hon. Member for Windsor West (Mr. Gray). It was a suggestion I was hoping someone would make.

* * *

COMMEMORATIVE STATUES

REFERENCE TO STANDING COMMITTEE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I have a third motion which has been discussed among the Parties. I say to my hon. friend from the New Democratic Party that I discussed it with the Whip. This refers to what might be called the statue question.

I move:

Petitions

That the resolution adopted by the House on February 10, 1987, respecting the installation of a statue in honour of former Prime Minister Lester B. Pearson, and the document entitled "Report on Commemorative Statues to Canadian Prime Ministers and Commemoratives to other eminent Canadians", tabled in the House on Tuesday, February 10, 1987 (Sessional Paper No. 332-7/13), be referred to the Standing Committee on Government Operations.

• (1120)

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I can tell you that indeed there have been consultations. Our Party is very pleased with this initiative and we will certainly support it

Mr. Rod Murphy (Churchill): Mr. Speaker, on behalf of the New Democratic caucus, we agree to this. We believe there really should be some comprehensive review by a standing committee on which significant Canadians will have statues placed in the parliamentary presence.

[*Translation*]

Mr. Speaker: Does the Hon. Parliamentary Secretary have the unanimous consent of the House to move his motion?

Some hon. Members: Agreed.

[*English*]

Mr. Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

* * *

[*Translation*]

PETITIONS

OPPOSITION TO RENTAL INCREASE FOR MAISON D'AMITIÉ

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I am pleased to present to the House a petition from my constituents of Ottawa-Vanier who humbly state that according to a report made public by the Advisory council on the Status of Women, one woman out of eight will be the victim of psychological, economic, sexual or verbal violence from her spouse; that at a time when the Government should act rather than punish, the National Capital Commission intends to increase by more than $3,000 a month the rent of the *Maison d'Amitié*, the only French-speaking and voluntary organization in the region to help women and children in distress; that the Prime Minister recently stated in the House in reply to a question which I asked him that the problem of women victims of violence is one of the gravest social and legal challenges of the *Maison d'Amitié* to take up; wherefore your petitioners humbly pray and call upon Parliament to direct the National Capital Commission to reconsider its decision to increase the rent and continue as in the past to charge a nominal fee of $1.

Order Paper Questions

[*English*]

REQUEST FOR INQUIRY INTO USE OF CHEMICAL PESTICIDES

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is my pleasure to present a petition pursuant to Standing Order 106. The petition is signed by petitioners from Hinton, Calgary, Olds, and Medicine Hat, Alberta, as well as Lillooet, Crescent Valley, Kootney Bay, Nelson, Castlegar, South Slocan, Winlaw, Silverton, Mayerthorpe and Rochford Bridge in British Columbia.

The petitioners are concerned about the increased number of chemicals being used as herbicides and insecticides. They believe it has been proven to be harmful to human health. They are also concerned that these chemicals produce short and long term harmful effects on non-target organisms such as soil and water.

The petitioners therefore humbly pray and call upon the House of Commons to initiate a full public inquiry into the safety, testing, registration and regulation of the use of pesticides and the examination of alternative ways of controlling pests such as biological control and plant derived pesticides.

FREE TRADE—EFFECT ON AUTO PACT SAFEGUARDS

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I have a petition to present to the House which deals with the question of the Auto Pact and the concern that my constituents and constituents in other parts of the country have with respect to the safeguards in the Auto Pact. I am certain that many of those constituents will be pleased to see the report from the Standing Committee on External Affairs and International Trade which also supports those safeguards.

I would therefore table this petition because of the petitioners' concern with the many thousands of jobs which could be lost if the safeguards themselves are done away with.

* * *

• (1130)

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr Speaker, the following questions will be answered today: Nos. 119 and 137.

[*Text*]

FEDERAL CLEAN COAL TECHNOLOGY PROGRAM

Question No. 119—**Mr. Caccia:**

1. In 1985 was a federal clean coal technology program announced with a budget of $70 million and have the funds been allocated and, if so (*a*) in what manner (*b*) to whom (*c*) on what dates?

2. Are the projects cost-shared or wholly funded by the Government?

3. Have there been recent changes to the total value of funds committed under the program and, if so, is the commitment now greater than, or less than, the original $70 million?

Hon. Marcel Masse (Minister of Energy, Mines and Resources): 1. On March 6, 1985 the Government announced the unveiling of the federal acid rain control program. A press release, of the same date, stated "We are continuing our support of technology development for the cleaner and more efficient use of coal for power generation. Over $70 million has been budgeted".

This $70 million was a compilation of funds already committed by Energy, Mines and Resources for both coal research and development and for the Coal Utilization Demonstration Program to be spent between 1985/86 and 1988/89. For breakdown of expenditures, see below.

(a)—(c) The funds identified by CANMET were planned expenditures for the 1985/89 period for either in-house or contracted work.

The funds planned to be spent under the Coal Utilization Program were for projects already approved by Treasury Board with the exception of a coal beneficiation study for which several contracts have been let for various phases.

Allocations under the Coal Utilization Program which constitute a major part of the $70 million are as follows:

(I) CIRCULATING FLUID BED COMBUSTION DEMONSTRATION PROJECT, CHATHAM, NEW BRUNSWICK

Agreement made on December 19, 1983 between the New Brunswick Electric Power Commission and Energy, Mines and Resources after approval from Treasury Board on September 13, 1983. Treasury Board gave authority to enter into Phase II of this agreement on August 1, 1984.

(II) COAL-WATER FUELS DEMONSTRATION PROJECT, CHARLOTTETOWN, PRINCE EDWARD ISLAND

Agreement made with the Maritime Electric Company approved by Treasury Board February 13, 1985 and signed effective March 1, 1985.

(III) BUBBLING FLUID BED COMBUSTION MATERIALS TESTING PROGRAM, POINT TUPPER, NOVA SCOTIA

Agreement made on September 1, 1982 between Nova Scotia Power Corporation and Energy, Mines and Resources after Treasury Board approval on July 29, 1982.

(IV) SELECTION OF ENVIRONMENTAL CONTROL TECHNOLOGIES

Agreement made with the Canadian Electrical Association initially on January 1, 1982 after Treasury Board approval November 5, 1981. Subsequent releases of additional funds were approved by Treasury Board November 22, 1982; June 13, 1984; and July 23, 1986.

(V) COAL BENEFICIATION STUDY: CONTRACTS

Electric Power Research Institute, February 6, 1985. Atlantic Coal Institute, May 10, 1985. Coal Mining Research Company, September 1, 1985. SNC, September 23, 1985.

2. The projects funded by CANMET focus on contracts awarded to the private sector, many of which are cost-shared, but CANMET provides technical support to and complements the scope of these projects. In addition, CANMET provides substantial technical support to projects funded directly by the Coal Utilization Program.

The Coal Utilization Program projects are wholly funded by Government, although utilities have provided for some of their own staff services.

3. There are no changes to total funding under the Coal Utilization Program since the program officially terminated on March 31, 1986. There have been changes in cash flow since 1985 and a cost overrun on the Chatham circulating fluid bed project required additional expenditures which have been absorbed by EMR.

The amount of funds spent by CANMET on clean coal R and D has remained relatively constant.

Breakdown of Expenditures — Coal Combustion Technology
($ millions)

	1985/86	1986/87	1987/88	1988/89	Total
CANMET R & D					
Coal Preparation	2.4	2.4	2.3	2.3	9.4
Conventional Combustion/coal characterization	1.4	1.3	1.3	1.3	5.3
Fluid bed combustion	2.0	1.8	1.8	1.8	7.4
Coal-liquid fuels	.5	.6	.6	.6	2.3
Combustion for Pollution Abatement	.9	.8	.9	.9	3.5
Materials evaluation	.9	1.0	1.0	1.0	3.9
Coal Utilization Demonstration Program					
Circulating Fluid bed	22.0	5.0	2.0	—	29.0
Coal-water fuels	8.0	.8	—	—	8.8
Point Tupper, Materials Evaluation	1.3	—	—	—	1.3
Canadian Electrical Association	.3	—	—	—	.3
Coal Beneficiation Study	.6	—	—	—	.6
Total	40.3	13.7	9.9	7.9	71.8

CANADIAN JOBS STRATEGY

Question No. 137—**Mr. Grondin:**

Did the Department of Employment and Immigration, under employment development programs for youth, for the fiscal year 1985-86, allocate $673,200,000, thus creating 253,400 jobs and, in 1986-87, allocate $720,300,000, thus creating 230,200 jobs and, if so, for what reasons were less jobs created in 1986-87 with a higher allocation of funds?

Hon. Jean J. Charest (Minister of State (Youth)): The Department of Employment and Immigration does not allocate any specific funds for youth under the Canadian Jobs Strategy. In 1985-86, expenditures on youth are estimated at $673.2 million providing work opportunities and training to approximately 253,400 participants.

In 1986-87, based on budget allocation, youth expenditures are estimated at $736.3 million and will provide work experience and training to approximately 230,200 participants.

The 1985-86 figure is based on expenditures whereas 1986-87 figure is based on budget allocation. There are two reasons why less jobs were created with more money. Allowances and wages paid to participants have increased. In addition, the average days duration of Canadian Jobs Strategy activities is longer in 1986-87 than it was in 1985-86.

* * *

[*Translation*]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, if question No. 129 could be made an order for return, this return would be tabled immediately.

Mr. Speaker: The questions enumerated by the Parliamentary Secretary have been answered. Is it the pleasure of the House that Question No. 129 be made an order for return?

Some Hon. Members: Agreed.

[*Text*]

GRANTS AND/OR LOANS TO METROPOLITAN TORONTO REGION

Question No. 129—**Mr. Redway:**

Since September 4, 1984, did the Department of Communications make grants and/or loans to persons or corporations, non-governmental organizations and governments within Metropolitan Toronto and, if so, in each case, what was the (*a*) purpose (*b*) amount?

Return tabled.

[*Translation*]

Mr. Lewis: I ask, Mr. Speaker, that the remaining questions be allowed to stand.

Mr. Speaker: Shall the remaining questions be allowed to stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

CRIMINAL CODE AND CANADA EVIDENCE ACT

MEASURE TO AMEND

The House proceeded with consideration of Bill C-15, an Act to amend the Criminal Code and the Canada Evidence Act, as reported (with amendments) from a legislative committee.

Hon. Barbara McDougall (for Mr. Hnatyshyn), moved that Bill C-15 be concurred in.

Mr. Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

Hon. Barbara McDougall (for Mr. Hnatyshyn), moved that Bill C-15 be read the third time and passed.

Mr. François Gérin (Parliamentary Secretary to Minister of Justice and Attorney General of Canada): Mr. Speaker, I welcome this opportunity to address the substance of Bill C-15, but first of all, I would like to acknowledge the important work done by members of the Legislative Committee.

I was also very impressed by the statements of the witnesses. Their testimony proved to be very useful in considering a Bill that is so important for Canada's children and young people. The Bill was well received by those who regularly care for children who have been victims of sexual assault, although proposals were made to amend some of the provisions of the Bill.

Indeed, we agreed to introduce some major amendments to improve certain aspects so that the Bill will more effectively protect children and young people against sexual assault. Furthermore, this Bill seeks to reinforce the rights of victims by facilitating access to the judicial system.

Another purpose of this Bill is to identify offenders and give them a chance to receive the support and treatment they need. On the whole, the Bill's structure is much the same as it was when the House decided to refer it to a legislative committee.

Basically, the Bill contains three important measures. First of all, in order to provide additional protection against sexual abuse, it creates three new offences relating to the sexual abuse of children and young people. Second, the Bill abolishes certain offences under the Criminal Code that have become obsolete and amends provisions relating to other offences to make the Criminal Code more effective and more attuned to today's society. Third, the Bill provides for ways to enable children to testify.

The Bill therefore contains three new offences. To protect children under fourteen years of age, it creates the offence of sexual interference. Every person who, for sexual purposes, touches a child under fourteen years of age is liable to imprisonment for a term not exceeding ten years.

Children under fourteen years of age are also protected by a new offence which consists in inviting a child of that age to engage in sexual touching of others. This offence would also carry a maximum prison term of ten years.

The third new offence is aimed at protecting young people under eighteen years of age from sexual exploitation by any person who is in a situation of trust or authority towards these young people. In very serious cases, the offence would carry a maximum prison term of five years. Furthermore, each of these offences may be punishable on summary conviction.

Since for each offence, the legislation emphasizes the terms "for sexual purposes", the Crown will have to prove that those purposes are one of the essential components of the crime. In this way, parents, teachers and all persons involved in caring for children will be protected against frivolous charges.

Anyone who takes care of children knows that they have to be hugged and shown love and affection. The usual way we express love and affection, by touching the child in whatever way, is of course not what is meant by these new provisions.

Only the kind of contact or touching or invitation to touching that is aimed at awakening sexual desire or obtaining sexual satisfaction is covered by these offences. The Badgley Committee found that many sexual assaults against children and adolescents in Canada involve such touching. Liability may be attributed for each of these offences, even if there is an element of consent, or at least of non-opposition on the part of the victim. Of course, if there is no such consent to touching, the incident obviously constitutes a sexual assault. However, even if such consent exists, it cannot be used as a defence to a charge, except in a very few cases. It is necessary to provide for such an exception so as not to make criminal acts out of the normal sexual discovery activities of young people.

Under the Bill, if the accused is not in a position of trust or authority towards a child twelve years of age or more but under the age of sixteen and if he is not two years older than the complainant, consent can be used as a defence. I underline the fact that consent can be used as a defence in such cases. In fact, the Badgley Committee and the evidence given before the legislative committee both point out that young people who indulge in sexual touching with younger children can in fact be exploiting them.

The second major initiative contained in this Bill consists in amending existing sexual offences and eliminating some others. There is no need to explain why some outdated offences have been eliminated, such as those which deal with the seduction of young women or of female passengers by the crew of a ship. Such offences no longer lead to a charge. They have no place in a modern Criminal Code.

Other offences have been amended to reflect the evolution of our society and the changes required by the new provisions

contained in the Bill. These changes include the addition of two new offences which also, aim at protecting children and adolescents. The first concerns a person who, in any place, for a sexual purpose, exposes his or her genital organs to a person under the age of fourteen. Such indecent exposure was already covered by the Criminal Code if committed in public. However, if committed in private, there had to be in addition an intent to insult or offend. These provisions were found to be inadequate in cases where people showed their genital organs to children for a sexual purpose. The new provision therefore makes this an offense punishable on summary conviction.

Once more, I emphasize the fact that such exposure must be for a sexual purpose. This means that the simple fact of going around the house without any clothes on in the presence of children, for instance, will not constitute an offence.

The second offence concerns the customers of young prostitutes. From now on, requesting the sexual services of a person under the age of eighteen will constitute an offence.

According to many comments, the problem of juvenile prostitution is getting increasingly serious. These young people must be protected against the consequences of such activities. The Badgley Committee recommended that, as a last resort, prostitution by young persons constitute an indictable offence, but such a solution does not seem acceptable. It would be better to target the customers who use young people for sexual services. Consequently, those who request the sexual services of prostitutes under the age of eighteen will be liable to five years in prison in the most serious cases. In addition, to ensure that those who live on the avails of prostitution of young people are not simply soliciting for the prostitutes, the penalty for living on the avails of juvenile prostitution is being increased to fourteen years of imprisonment.

Existing provisions which deal with the evidence given by children reflect outdated attitudes as concerns the reliability of such evidence. While Common Law rules originally provided that anyone could be a witness for the Crown, women and children were gradually judged to be less than reliable witnesses, especially when giving evidence about sexual assaults of which they had been the victims. A major detail of the evidence given by women and children had to be corroborated by a piece of compromising evidence against the accused. Because of the very nature of these offences, however, it was impossible in many cases to find corroborating evidence. This injustice against women was corrected in 1976, and Bill C-127, which came into effect in 1983, clarified the applicable provisions. We are now attempting to repair the injustice done to children who have witnessed criminal acts.

There is increasing, convincing evidence that children who have to report on facts they have experienced are truthful witnesses. The injustice in denying child victims of criminal acts the right to explain the facts to the court has been recognized by the Badgley Committee and the Fraser Committee. Both committees recommended repealing the rule requiring corroboration.

The corroboration rule prevented a child from obtaining justice. Moreover, the rules on child evidence often prevented children from explaining to the court what they had experienced. Even though a child was called to the witness box, seeing his alleged aggressor often disconcerted him to the point where he could not give coherent evidence.

The Bill would allow children to more easily report on acts they have been victims of, in keeping with the accused's rights. It would also allow a larger number of children to give evidence. Any child who could state the facts and promise to tell the truth could give evidence. Such evidence would be heard by a judge or jury, who would determine its credibility. So that he could give a full and truthful statement of the facts on which the charges are based, a provision could be used by the court to allow the child to testify without seeing the accused.

That goal could be reached by putting a screen in the courtroom or by having the child in another room. In the latter case, the other parties involved should be given an opportunity to attend the testimony on closed circuit television. The child no longer would be put under the obligation of repeating the recital of facts because the Bill includes a provision under which a videotape could be made within a reasonable period after the alleged offence has been commited.

The effect of that proposal could be to avoid the child having to repeat the same evidence, often a number of times. It would also enable the child to make in his own words a recent report of the facts while they are still fresh in his or her memory.

So that such a videotape could be allowed in evidence, the child would of course have to confirm the contents when testifying before the courts. The child could then be cross-examined, which cross-examination would clearly have to be led in light of the child's age and ability to understand if the court were to be able to take it into account.

Mr. Speaker, I only referred to the most significant aspects of the Bill, which is aimed at protecting children and youth against sexual aggressions by creating new offences, and to make it easier for children to access the criminal justice system.

On the other hand, the proposals are based on the principle that the rights of the accused also have to be respected. When such sweeping changes are being introduced into an area of the law that is of such tremendous importance, the impact of course has to be carefully reviewed. Steps have therefore been taken for such a review to be initiated immediately and for a report to be submitted to a committee four years from now. A complete review could then be made of the impact of the implementation of those legislative proprosals.

Clearly, amendments could be brought in sooner, if provisions in the legislation were to prove inefficient or lead to some unwanted consequences. However, I am certain that the main

objectives of the legislation will be reached, and I have no hesitation in recommending it to all Members.

• (1140)

[*English*]

Hon. Bob Kaplan (York Centre): Mr. Speaker, I intend to be brief, the reason being the decision of the Minister of Justice (Mr. Hnatyshyn) to hold a press conference at this moment downstairs. Let me simply say that Bill C-15 is a Bill to which we devoted a considerable amount of attention. During committee hearings, Liberal Members, led by myself, proposed a number of amendments.

I want to confirm what the Parliamentary Secretary has just said.

[*Translation*]

Indeed, a lot of cooperation existed on that committee, and the Government genuinely accepted some of our suggestions, while of course rejecting others. We have decided not to push forward at the report stage our amendment proposals, because of the wide consensus that has indeed been reached during committee work.

[*English*]

The committee heard from a large number of witnesses, and I want on behalf of the Liberal Party to thank all of those who took the time and the trouble to appear before the committee. Some came from as far away as Vancouver to assist the committee in its work.

While the recommendations do not go as far as the Badgley Commission recommended, they are a tremendous improvement over the present law. Bill C-15 will result in more prosecutions than has been the case to date. Many of the obstacles to bringing cases forward have been disposed of as a result of the work of the committee.

I was hoping to hear the Parliamentary Secretary say that there would be an evaluation of the effect of the changes beginning from their implementation, such that within two or three years we might have some idea as to the impact of some of the measures introduced, through this legislation, into Canadian jurisprudence for the first time.

Some are extremely innovative; some undermine traditional safeguards—which we agreed to undermine for the sake of being able to bring cases forward in the interest of seeing justice done in more cases. However, for my part, I would want to be assured that the Government is watching the situation and that if it evolves to the point that simply being charged means one will be convicted, there would be another look at the law to ensure that there is a full opportunity for an accused to bring forward his defences and to have the opportunity of having those defences fairly considered by the court.

In conclusion, I want to say to the Parliamentary Secretary that I hope that the kind of co-operation we enjoyed in dealing with Bill C-15 will apply when it comes to considering Bill C-54, the pornography Bill. I and my Party have many more objections to Bill C-54 than we had in respect of the child abuse legislation. If we do get to the second reading stage of Bill C-54, you will hear the Liberal Party express the wish that the Bill be quickly referred to committee for detailed consideration.

Notwithstanding that there are parts of Bill C-54 with which we disagree fundamentally, we think that the pornography laws in this country, as with the child abuse laws, do need to be improved, and Bill C-54 represents a good vehicle for doing so.

We have a Minister who recognizes that the Government and those who serve the Government do not have all of the wisdom on the subject and that a parliamentary committee can do a good job, in the public interest, in making legislation better.

In that spirit, I offer our support for Bill C-15, notwithstanding that many of the amendments which we think should have been included have not been included.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I want to add the support also of our Party on Bill C-15. It is our intention to co-operate fully today to ensure the expeditious passage of the Bill.

This is legislation that all of us have been awaiting for many years. I know within our own caucus we spent probably 50 to 60 hours in discussions trying to find ways and means of fine-tuning this legislation, and toward that end we worked in co-operation with the committee, the Minister and the Parliamentary Secretary.

I know that most of us have received volumes of mail from people across the country drawing our attention to the very tragic situation that exists in society today in respect of child pornography and child abuse. If there is one form of pornography that is repulsive to all, if there is one form of pornography that raises the ire of sensitive and decent people everywhere, it is that which is attached to young people. For that reason, we are anxious to facilitate the passage of Bill C-15.

I want to compliment those who have worked on the Bill. In a sense, all of those who worked on it put aside partisan differences to come together in support of an issue that deserves support in all ways and with all means to ensure the bringing to an end of the tragic situation that exists, not only in our country, but around the world, in respect of child pornography and child abuse.

On behalf of the New Democratic Party, we are pleased to see Bill C-15 coming to this point in its passage through Parliament. We look forward to significant changes flowing out of this legislation. We look forward to the kind of society that we all envision, where young people and children are nurtured and supported and allowed to develop their talents and their expertise, their abilities, in every way possible. A step toward this aim is the initiative taken in Bill C-15, to bring to

an end the abuse of children. Anything that brings to an end child pornography is something that we can all rally around.

As Bill C-15 is a piece of legislation that our justice critic has been working on and concerned about for a great length of time, Mr. Speaker, he may want to say a word or two about it. However, as House Leader of my Party, I simply wanted to speak for the caucus and to say that we are pleased Bill C-15 has moved to this point. We want to see its rapid completion and passage through the House today.

• (1150)

Mrs. Mary Collins (Capilano): Mr. Speaker, I just wanted the chance to add a couple of words in respect of Bill C-15 as a member of the legislative committee. We spent many months working on this piece of legislation. I have been in Parliament for almost three years, and I should like to say that it was probably the most constructive opportunity we have had to work together, as previous speakers have said, in a non-partisan way for the public good. In dealing with the vital issue of child sexual abuse, I think we have come forward with a piece of legislation which will be a very important first step.

I was particularly pleased that the Minister agreed to recommendations of the committee, particularly those in respect of the ability of children to testify based upon their ability to communicate. This certainly means that children will be able to bring forward evidence. As well, the other amendment to have a review after four years puts into perspective the concerns we heard from all sides. We tried to create a balance between protecting the accused and ensuring that young people will be able to come forward, those who have been abused.

We recognize that this piece of legislation is only one part of dealing with the problem. The Minister of National Health and Welfare (Mr. Epp) has come forward with a $20 million program over a period of five years to help with the educational process. For example, the West Vancouver Police Association has been involved in this process, as have many others in British Columbia.

We need more public awareness. We need to view the issue of child sexual abuse within the broader framework of how we deal with violence in society.

I see this issue as a very positive step forward, one in which all Members have played a very constructive role. I hope in the years to come we in the House will deal with some fundamental issues in respect of how we will attack the problems of family violence and societal violence in a constructive way.

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I am pleased to participate in this important debate and to echo the comments which have been made by the Hon. Member for Capilano (Mrs. Collins) who certainly played an important and constructive role in the work of the legislative committee on Bill C-15.

I have participated as the justice critic for my Party in many legislative committees and in many sittings of the justice committee on legislation. I can say without any hesitation whatsoever that I felt the work done in this committee, chaired I might add by Your Honour, was really outstanding.

The committee looked at a piece of legislation dealing with a very important, sensitive, and complex question. We heard from many witnesses from across Canada, such as groups representing the Child Welfare Community and the Canadian Council on Children and Youth, which had conducted its own extensive hearings and consultations in respect of the legislation. Many witnesses voiced their concerns about the legislation.

In a truly non-partisan spirit the legislative committee, after having heard from these witnesses, proposed some very significant amendments to the legislation. I see the Parliamentary Secretary in the House who spoke earlier on the debate representing the Minister. I can say that there were times when perhaps the Parliamentary Secretary was not entirely in agreement, as Your Honour will recall, with the spirit of some amendments proposed by members of the committee. Nevertheless, the committee as a whole, in a non-partisan approach, in fact made some very major and important improvements to the piece of legislation. I should like to touch upon some of the areas in which I believe the Bill has been significantly improved.

Before doing so, however, I should like to indicate my concern that while we are establishing a legislative framework today, it is an important and essential first step, but it is certainly not enough. We heard from a number of witnesses in the committee about the critical shortage of resources, both at the federal and provincial level, to deal with the concerns of the community, to deal with the sexual abuse of children.

It is one thing to establish a framework for prosecution of these offences, but it is quite another thing for us as a society, having done so, not to recognize that we are terribly underfunding programs to prevent child abuse, programs to deal with and to assist children to recover from the trauma of abuse, and programs to deal with those who offend.

Another area in which we received representations as a committee was in respect of the adult survivors of child abuse. This is an area in which further legislative action is clearly necessary. We must take steps to ensure that those adults who still bear the scars of abuse as children after, in some cases, many years must be in a position to come forward to tell their stories. There must be resources to ensure that they receive the kind of support they so desperately need.

I hope the Government will recognize that we have unfinished business here. Yes, we have taken important steps in respect of children who have been abused, and I welcome those steps. However, we must go further and deal with the very serious concerns which have been raised by adult survivors of abuse.

It is clear that in too many parts of Canada, including my own Province of British Columbia, Governments pay lip service to the importance of resources for dealing with abused children. They quite properly call for effective enforcement mechanisms, but those same Governments fail miserably when it comes to providing support for children in our communities.

In this regard I should like to quote from a report of the National Council of Welfare entitled "Poor Kids". In part it reads:

> Canadians like to believe that ours is a society in which all children are born with equal chances to rise as far as their abilities will carry them. Though they begin their lives in very disparate circumstances, we comfort ourselves with the belief that success is as attainable for the child of humblest origins as for the most affluent. The facts, however, are otherwise.
>
> To be born poor in Canada does not make it a certainty that you will live poor and die poor—but it makes it very likely . . . The tax system and the income security system together determine the patterns of income redistribution in this country. The changes that are made in these systems as a result of the present federal provincial review—

And I might add the tax reform proposals:

> —will affect the lives of every one of Canada's poor kids. New programs that are adequate to raise Canada's poverty families out of poverty will transform the futures of these poor kids. Inadequate programs will leave them facing the grim prospects that mark the landscape of their lives today.

It is essential that we as a society pay far more attention in terms of resources for these children. They do not have a vote. They cannot speak in the House. Surely it is incumbent upon each and every Member of the House to recognize our obligations to the children of the country.

I should like to make another point before turning to some of the changes made in the legislative committee. The Government announced over a year ago that the Minister of National Health and Welfare (Mr. Epp) would shortly be announcing the appointment of a special adviser on child sexual abuse to co-ordinate activities at the federal level. The Badgley Commission recommended strongly that there must be a high level co-ordinator—indeed, Badgley recommended a co-ordinator attached to the Prime Minister's Office—to co-ordinate government activities at the federal level in the area of child abuse. The Minister of National Health and Welfare said that the special adviser would receive advice from a small committee of regional advisers who would bring forward ideas from different parts of the country and so on.

That commitment was made on January 10 of last year, over a year ago, and we are still waiting for the Government to live up to the promise it made to appoint that special adviser to take the kind of co-ordinating action so desperately needed across Canada.

• (1200)

The legislation before the House, Bill C-15, before the House was significantly improved by the work of the legislative committee that studied it. I would like to touch on two or three of the areas that I believe major changes were made to improve the Bill.

Perhaps the most important element of the legislation is the extent to which children are able to tell their stories in court and relate to the court in a manner in an and environment which is not threatening to them the experience they went through. The current provisions of the Criminal Code deny them that right. As the Canadian Council on Children and Youth stated, the fundamental and important element of the Bill is the degree to which victims of child sexual abuse have the opportunity to tell their stories in court. The original proposals did not clearly facilitate children telling their stories in court.

I am very pleased, Mr. Speaker, that the committee made important changes in this area of the legislation. Now, instead of there being a test of sufficient intelligence, which were the words used in the Bill, the sole test will be the ability of that child to communicate his or her story to the court. If necessary, the courts may want to use devices to assist children, anatomically correct dolls, for example. The courts may wish to use art work. The committee heard from a psychotherapist who demonstrated how children can tell their stories through art. That may be another avenue of approach.

Another important change made to the legislation was the change with respect to the actual giving of evidence. In the Bill as presented to the House there was provision for the accused to be removed from the courtroom. There was strong criticism of that and the committee came up with a compromise. We recognized that a child or a young witness can be intimidated by the presence of the person who is alleged to have abused them. We said we would not remove the accused from the courtroom, but we would allow for arrangements to be made for children to give their evidence in a manner in which they do not have to directly confront the accused. That compromise was important, and one which I am pleased the committee adopted.

The provisions with respect to the substantive offences, namely, the provisions with respect to the offences created for the sexual abuse of children were also significantly changed. What the committee had to wrestle with was, on the one hand, a clear concern that young children should be in any way exploited because of their age and exploited in a sexual way. On the other hand, we had to recognize the reality that teenagers do engage in sexual activity and do indeed engage in sexual exploration. The Bill as it was drafted did not recognize that reality.

The committee said that where teenagers are engaged in consensual activity, and there is an age difference of less than two years, that behaviour will not be the subject of criminal sanction. Again, I believe that was an important change to the legislation.

There does remain a weakness with respect to one element of the legislation, namely, the failure of the legislative committee to respond to virtually every witness who appeared before the committee, whether it be the Canadian Council on Children and Youth, the Canadian Psychological Association,

the Teachers Federation or the Attorney General of the Conservative Province of Saskatchewan, who called upon the Government to establish a uniform age of consent for all sexual activity. That recommendation was made some time ago by the special committee on equality rights, recognizing that the current provisions of the Criminal Code and, indeed, this Bill as it has been reported, does discriminate on the basis of sexual orientation.

As well, and perhaps just as serious, is the fact that the Bill would subject teenagers to lengthy terms of imprisonment for engaging in consensual sexual activity, which is not the subject of criminal sanction elsewhere. It is regrettable that the legislative committee refused to recognize the concerns raised in this area by virtually every witness who appeared before the committee, and to move forward on amendments in this area of the legislation as well.

Finally, I am pleased to note that one of the amendments adopted was a provision building in a review mechanism. I believe it was the Hon. Member for Capilano (Mrs. Collins) who proposed this amendment. It is one that we welcomed and supported. We are embarked in major changes in this area of the law. There is no question about that. To the extent that this review process is built into the Bill, it is essential that the Department of Justice carefully monitor the implementation of this legislation in order that we as parliamentarians may be in a position to conduct the review properly at the time it comes, some three or four years from now.

It is clear, beyond doubt, that we have significantly improved the law in Canada with respect to children who have been victims of sexual abuse. It is vitally important that we now turn our attention to the scandalous lack of resources to deal with children who are victims of child abuse, sexual abuse and with those who perpetrate these terrible acts, as well as the adult survivors of abuse. I would call upon this Parliament and this Government to work toward, as our next priority, an end to the scandalous underfunding in this area and to recognize that we have no greater obligation than to assure Canada's children that they will grow up in an environment free from all forms of abuse, including poverty, neglect, hunger, homelessness as well as that of physical and sexual abuse.

We in our Party welcome the proposals and we will be continuing to call, as my colleague, the Hon. Member for Vancouver East (Ms. Mitchell) has called for for some time now, for effective action in the other areas that I have mentioned.

Mr. Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

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

• (1210)

BUSINESS OF THE HOUSE

Mr. Gray (Windsor West): Mr. Speaker, I wonder if I could ask the deputy government House Leader if he would now be prepared to deal with government Order No. 9, the amendment to the Constitution Act dealing with the Pentecostal Assemblies.

Mr. Lewis: Mr. Speaker, I would be prepared to deal with the motion which was suggested that we put to the House earlier today, but I believe that if we could deal expeditiously with Bill C-41 which I think there is a disposition to do, we could then move immediately to government Order No. 9 to which my friend refers.

* * *

[*Translation*]

JUDGES ACT, FEDERAL COURT ACT, TAX COURT OF CANADA ACT

MEASURE TO AMEND

The House proceeded to the consideration of Bill C-41, an Act to amend the Judges Act, the Federal Court Act and the Tax Court of Canada Act, as reported (with amendments) from a legislative committee.

Hon. Barbara McDougall (for Mr. Hnatyshyn) moved that Bill C-41, as amended, be concurred in.

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

Hon. Barbara McDougall (for Mr. Hnatyshyn) moved that the Bill be read the third time and do pass.

Mr. François Gérin (Parliamentary Secretary to Minister of Justice and Attorney General of Canada): Briefly, if I may, Mr. Speaker, I should like to remind Hon. Members of the main features of Bill C-41, an Act to amend the Judges Act, the Federal Court Act and the Tax Court of Canada Act.

Bill C-41 makes four major amendments to these acts. First, it substitutes the industrial aggregate for the industrial composite with respect to the formula established under Section 19.1 of the Judges Act to calculate the annual indexation of the salary of judges. As Hon. Members would know, the industrial composite is no longer published and Statistics Canada officials have recommended that it be replaced by the industrial aggregate.

Second, it sets at 75 the retirement age of all federally appointed judges, in keeping with the requirements of Canadian Charter of Rights and Freedoms Section 15. At the present

time, county and district court judges as well as Federal Court and Tax Court judges must retire at 70, whereas all other federally appointed judges may continue to hold office until age 75.

Third, it makes a correlative amendment to the provisions concerning a judge who elects to be supernumerary. A judge who so decides may accept a lighter caseload and still be entitled to the same salary and the same benefits. Henceforth all judges will have two options: act as supernumeraries after having attained seventy years of age if they have held judicial office for at least ten years, or after having attained age 65 if they have held judicial office for at least fifteen years. The latter option is now the only one open to judges who must retire at age 70.

And, fourth, it provides that district and county court judges will hold office in the same capacity as their colleagues who sit on provincial superior courts, the Federal Court, or the Supreme Court of Canada. In future all these judges may be removed only by the Governor General on address of the Senate and the House of Commons. Pursuant to Charter Section 15, the Bill is intended to promote equality among federally appointed judges. It does not seem normal that people we have chosen to implement the Canadian Charter of Rights and Freedoms on our behalf should continue to be subject to a different removal procedure and different rules concerning retirement. Mr. Speaker, these are the main amendments contained in this measure. Hopefully the Bill will now pass the third reading stage immediately.

Hon. Bob Kaplan (York Centre): Mr. Speaker, I should like to remind the House that we were prepared to go through the three stages the first time this bill was introduced in the House. These are rather technical changes which are nevertheless important for judges.

First of all, we have adopted an indexation system for judges' salaries in line with the other types of indexation within the Public service, but independently.

Also, we had to chose between ages 70 and 75 as retirement age, because there were two before, one for a category of judges appointed by the Federal Government and the other for the other categories. We have chosen age 75 and, personally, I am quite satisfied, considering the possibility for earlier retirement and the supernumerary judges status which is also provided for in the legislation.

So, we are going to change . . .

[*English*]

There is an important change in the tenure of judges of the County and District Courts and Tax Courts to make for more similarity in the different categories of appointed federal judges. With all of these changes, we are in agreement.

I would like to use the occasion of a reference to the tenure and status of judges to remark on the commitment expressed by the Government to appoint more female judges. I would express my satisfaction at the recent appointment of the second female judge to the Supreme Court of Canada. We in the Official Opposition are very pleased with that and we look forward to having more women represented in the judiciary in Canada.

In general, we are in favour of all of the amendments and are looking forward to seeing the Bill passed today and sent to the Senate. We hope that it will be entered into before the summer break.

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I rise on the occasion of the third reading of Bill C-41 to briefly indicate our support for the legislation and to take this opportunity to raise a couple of points that I believe are of concern, points with respect to the judiciary and the process of the appointment of judges in Canada.

Over a year ago, the then Minister of Justice, the Hon. Member for St. John's West (Mr. Crosbie), made a commitment. He recognized that the current system for the appointment of the judiciary in Canada was not satisfactory, was not good enough. The Canadian Bar Association had established a special committee which found that there were serious weaknesses in the judicial appointment process in Canada. It found that in a number of provinces partisan political considerations played a major role in the appointment of judges. Naturally, this tends to bring the judiciary and the process of the appointment of judges under a cloud, particularly in those provinces in which this is the case.

That commitment was made by the then Minister of Justice well over a year ago. The Government has still not moved on it. The Hon. Member for St. John's West, who is now the Minister of Transport, made that promise in February of 1986. His successor as Minister of Justice made a similar promise to the Canadian Bar Association in March of this year. He said that changes would be made to the judicial appointments process very soon.

[*Translation*]

Mr. Speaker, I see again in the House the Parliamentary Secretary to the Minister of Justice (Mr. Gérin) and I know quite well that he will agree when I say that we need fundamental changes in the way Canadian judges are appointed. Mr. Speaker, I must recognize that the Hon. Member has used high pressure tactics with the Government and the Minister of Justice (Mr. Hnatyshyn) to force the Government to keep its promises. Unfortunately, the Hon. Member for Mégantic—Compton—Stanstead (Mr. Gérin) has not yet succeeded, together with his colleagues, in making sure that the Government will keep its promises.

Mr. Speaker, I know that there are a great many Quebec Conservative Members who want changes. There was an election quite recently, and the Hon. Member for Richelieu (Mr. Plamondon) nearly won. He almost succeeded, but the forces of the Conservative establishment managed to overcome. But it sent a very serious message to the Government.

You should hear the voices of Quebec Conservative Members when they ask for basic changes for instance in political party contributions and especially the system for appointing judges.

• (1220)

[*English*]

I commend the Parliamentary Secretary to the Minister of Justice (Mr. Gérin), but I also ask him why the Government turned a deaf ear not only to him and his colleagues from Quebec, but to the Canadian Bar as well. They said it is about time we cleaned up the appointment system. I hope the Government will finally keep its promise and bring forward changes to that system.

I also want to take this opportunity to call upon the Government to move forward quickly with the establishment of a judicial education centre. Given the responsibilities of our judiciary with respect to the Charter of Rights, it is very important that they update their knowledge of how they impact on women, native people and minorities. Certainly a judicial education centre would go a long way towards fulfilling that important need.

It is also very important that the Government take further steps to ensure that our judiciary reflect the multicultural reality of Canada. There should be far more women, representatives of visible minorities and natives appointed as judges. Yes, the Government has taken some steps in this direction but it should be taking far more. It should do so by consultation with those individuals and groups who have knowledge and expertise in this area with respect to establishing a new system. That is the spirit in which I call upon the Government to make changes in the process.

Finally, a word about judges' salaries. The Standing Committee on Justice and Solicitor General recently adopted, by a split vote, a motion approving the recommendations made by the special committee struck to look into remuneration of judges. That special committee was chaired by Donald Guthrie. It recommended very substantial increases. We recognize that the judiciary must be well paid. But I said in committee, and I say again today, that the proposal was excessive. We are not prepared to co-operate in the passage of legislation that would dramatically increase judges' remuneration as proposed in that report. Judges' salaries were increased very significantly just recently and they are indexed to the cost of living. Each year they receive an increase, as do Members of Parliament. I do not believe a case has been made for the kind of lavish increases proposed.

We are told there are lawyers who actually turn down appointments to the Bench because they will not make enough money. The average salary of a federally-appointed judge is something like $105,000 a year. They have one of the most generous pension plans in the country. They have the prestige and status that comes with an appointment to the Bench. They do not have the pressures of operating a law practice. I think they are adequately compensated, certainly comparable to judges in countries like Britain, the U.S. and elsewhere. I do not want a judge on the Bench who is motivated solely by the desire for more money. If a lawyer is going to say he or she is not prepared to accept $105,000, he or she wants $120,000 or $130,000, I do not want that man or women on the Bench. I want judges there who will serve, having recognized the honour the appointment brings.

One other point with respect to judicial pensions. The current provisions of the judicial pension scheme do not provide for a partial pension after judges have served on the Bench for at least 10 years. One recommendation made by the Guthrie committee that we should look very closely at is that judges who have served for 10 or more years but fewer than 15 receive a retroactive pension. I believe this provision should be made retroactive so that those judges, such as former Justice Thomas Berger, who have performed such a distinguished service for the country on the Bench, will not be denied the pension they have rightly earned.

In conclusion, I am pleased to have had the opportunity on third reading of this legislation to raise these concerns, particularly with respect to the failure of the Government to move forward on changes to the appointment process. I would hope that before June 30 the Government will respond to the very strong representations made by the Bar Association and *les réformistes dans le caucus conservateur du Québec*, and that we will see the changes the Government promised.

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

* * *

CONSTITUTION ACT, 1982 (NEWFOUNDLAND ACT)

PENTECOSTAL ASSEMBLIES OF NEWFOUNDLAND

Hon. John C. Crosbie (for the Minister of Justice and Attorney General of Canada) moved:

April 27, 1987—The following proposed motion:

WHEREAS section 43 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province to which the amendment applies;

NOW THEREFORE the House of Commons resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE
AMENDMENT TO THE CONSTITUTION
OF CANADA

1. (1) Section 3 of the *Newfoundland Act* is renumbered as subsection 3(1).

(2) Section 3 of the said Act is further amended by adding thereto the following subsection:

"(2) A reference to this Act, or a reference to the Terms of Union of Newfoundland with Canada set out in the Schedule to this Act, shall be deemed to include a reference to any amendments thereto."

The Constitution

2. (1) Term 17 of the Terms of Union of Newfoundland with Canada set out in the Schedule to the said Act is renumbered as Term 17(1).

(2) Term 17 of the Terms of Union of Newfoundland with Canada set out in the Schedule to the said Act is further amended by adding thereto the following:

"(2) For the purposes of paragraph one of this Term, the Pentecostal Assemblies of Newfoundland have in Newfoundland all the same rights and privileges with respect to denominational schools and denominational colleges as any other class or classes of persons had by law in Newfoundland at the date of Union, and the words "all such schools" in paragraph *(a)* of paragraph one of this Term and the words "all such colleges" in paragraph *(b)* of paragraph one of this Term include, respectively, the schools and the colleges of the Pentecostal Assemblies of Newfoundland."

3. This Amendment may be cited as the *Constitution Amendment, year of proclamation (Newfoundland Act)*.

He said: Mr. Speaker, this is a matter of significant importance to the people of the Province of Newfoundland and Labrador, and in particular the adherents of the Pentecostal faith in that province. According to StatsCan reports, there are 37,450 such adherents in my province. That could easily have doubled by this time because their number is expanding rapidly.

The purpose of this resolution is to enshrine the educational rights of the people of the Pentecostal faith in my province in the Constitution. In other words, to entrench in the Constitution the right of the Pentecostal Assemblies in Newfoundland and Labrador to operate schools and receive a share of public funds for that purpose. They have had that right in provincial legislation since I think 1954. However, that right was not enshrined in the Constitution because, of course, it had not been recognized in 1949 when we became part of Canada. It has not been covered by Term 17 of the Terms of Union of Newfoundland with Canada.

• (1230)

The educational system of Newfoundland is denominational. This is based on our historic experience in Newfoundland. Education was first provided by various religious bodies. We have had a denominational educational system throughout our history and it continues today. I venture the opinion that this system is favoured by the vast majority of the people of Newfoundland.

At this time we have three educational systems. The first is the integrated system which is comprised primarily of the people of the Anglican faith, the United Church of Canada, and the Salvation Army. That system is operated by the Integrated Educational Council, the President of which is the Reverend Ian Wishart of St. John's. We have the Catholic Education Council which is headed by His Grace Archbishop Penney which looks after the schools of the Roman Catholic denomination in Newfoundland. Finally, we have the Pentecostal Educational Council, the head of which is Pastor Roy King, which looks after the Pentecostal schools in Newfoundland.

In the opinion of those who are knowledgeable in these matters, all three of these bodies are doing fine work in administering our schools. The funding, for the most part, is public funding from the Province of Newfoundland and Labrador. In addition, as in all educational systems, a great deal of time and effort is expended free of charge by the ministers, priests and nuns of the churches which I have mentioned. I think they are all to be congratulated for this public service and they deserve our support.

If the House passes this resolution, as I am sure it will, this will be a very significant day for the people of the Pentecostal faith in the Province of Newfoundland and Labrador. The resolution would authorize Her Excellency the Governor General to issue a proclamation which will amend Term 17 of the Terms of Union of Newfoundland with Canada set out in the Schedule to the Newfoundland Act.

It is a historic occasion also because this resolution proposes the adoption of the first amendment to the Terms of Union of Newfoundland with Canada. The resolution has been put forth at the request of the Government of Newfoundland, as you might well imagine, Mr. Speaker.

[*Translation*]

As you know, Mr. Speaker, the Terms of Union of Newfoundland with Canada are part and parcel of the Canadian Constitution, but they apply only to the province of Newfoundland. So, under Section 43 of the Constitution Act, 1982, the Terms of Union of Newfoundland with Canada can only be amended by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate, the House of Commons and the Newfoundland Legislative Assembly.

[*English*]

This resolution affects the Canadian Constitution only as it applies to Newfoundland and it originates with the Government of Newfoundland. On April 10 the House of Assembly of Newfoundland adopted a resolution to amend Term 17 in terms identical to those now before the House.

The Government of Canada is happy to assist the Government of the Province of Newfoundland to achieve these objectives in a manner which basically falls within the jurisdiction of Newfoundland. Education is a matter under the jurisdiction of the Province. We are helping the Government of Newfoundland to rectify a situation which it considers inequitable.

Not only does the Government of Newfoundland consider it inequitable. I, Members of our Party and, I am sure, other Members in the House of Commons consider this situation to be inequitable and will be happy to join us in ensuring that Pentecostal people are treated in exactly the same manner as are those who belong to other denominations in the province. An inequality exists because the educational rights of the Pentecostal Assemblies are not yet constitutionally guaranteed. I mentioned the number of people who are affected by that. There are quite likely in excess of 37,400 at the present time.

Through this measure we are enshrining in the Constitution the equality of the Pentecostal Assemblies of Newfoundland with the other recognized religious groups which enjoy status now on educational matters under Term 17 of the Terms of Union.

As a historical footnote, Mr. Speaker, at the time of union in 1949, there were seven denominations specifically authorized by the law of Newfoundland to operate denominational schools and entitled to share in public funds for that purpose. These were the Anglican, Roman Catholic, United, Presbyterian and Congregational Churches, the Salvation Army and the Seventh Day Adventists. Term 17 entrenched these rights as they existed at the time of union and with respect to the denominations then enjoying those rights.

Term 17 of the Terms of Union was a substitute for Section 93 of the Constitution Act, 1867, as it ratified the adoption of the system of denominational schools in Newfoundland. I will not read that section. Anyone who wishes may look at Term 17 of the Terms of Union.

After union in 1954, the Pentecostal Assemblies were recognized under provincial law as being organized for educational purposes. They have been treated that way ever since but have not had the protection of Term 17 for the reasons I mentioned. There is a continuing desire by the Pentecostal Assemblies to be put in a position constitutionally similar to that of other recognized school-operating denominations, hence the resolution now before the House.

You will see that the main provision of the resolution aims at amending Term 17 and provides:

> (2) For the purposes of paragraph one of this Term, the Pentecostal Assemblies of Newfoundland have in Newfoundland all the same rights and privileges with respect to denominational schools and denominational colleges as any other class or classes of persons had by law in Newfoundland at the date of Union, and the words "all such schools" in paragraph (a) of paragraph one of this Term and the words "all such colleges" in paragraph (b) of paragraph one of this Term include, respectively, the schools and the colleges of the Pentecostal Assemblies of Newfoundland.

This will, of course, give them the same constitutional rights as now held by the other recognized denominations.

In order to take into account the proposed amendment, the resolution also proposes that Section 3 of the Newfoundland Act be amended to provide:

> (2) A reference to this Act, or a reference to the Terms of Union of Newfoundland with Canada set out in the Schedule to this Act, shall be deemed to include a reference to any amendments thereto.

The proposed amendment does not purport to create new rights for the Pentecostal Assemblies of Newfoundland, but to entrench those rights which they already have with respect to education under provincial law. Once again, the amendment does not alter the rights which students belonging to any unrecognized group have under the law of Newfoundland to attend Pentecostal schools.

I am sure that Members of the House, regardless of their political affiliation, will recognize the importance of this amendment requested by the Province of Newfoundland. I am also convinced that they will join forces with us in helping Newfoundland achieve its objectives in a matter which falls under its jurisdiction. I spoke to Premier Peckford this morning and told him that we would be debating this matter today. I believe that with the consent of the opposition Parties we will pass this resolution through all stages today.

It has been a distinct honour and privilege to move this on behalf of the Pentecostal people of Newfoundland. I see the Members for Gander—Twillingate (Mr. Baker), Bonavista—Trinity—Conception (Mr. Johnson) and Grand Falls—White Bay—Labrador (Mr. Rompkey) here to support this motion.

• (1240)

Hon. William Rompkey (Grand Falls—White Bay—Labrador): Mr. Speaker, it is an honour and privilege for me to respond to the remarks of the Minister of Transport (Mr. Crosbie). Let me say at the outset that it is this Party's position that, while normally amendments to the Constitution would go through the House and to the committee, because this is an important measure and indeed has been before the public since 1971, we intend to dispense with those steps and pass this motion at all stages in the House today.

This is indeed an historic day for the Pentecostal Assemblies in Newfoundland and it is significant that we have with us in the galleries on this historic day the head of the Pentecostal Church in Newfoundland, Pastor Roy King.

Some Hon. Members: Hear, hear!

Mr. Rompkey: I know that on behalf of his people he is watching with interest this historic occasion.

As the Minister of Transport has said, churches in Newfoundland have operated schools from the beginning and continue to do so. We have a unique system of education in Canada, possibly in the world, as adequately documented by a distinguished colleague in the other place, Senator Fred Rowe.

At the time of Confederation in 1949 the denominational system of education was enshrined in the Terms of Union because Newfoundlanders wanted to retain a spiritual base to the kind of education that went on in our schools. We still believe that is very important.

We have lived close to the sea. Perhaps it is the sea and our experiences with the sea that have shown us that there is a higher power in this world and there is a spiritual force that we do not necessarily understand but feel. Our people have always believed very strongly in that and have indeed been a strongly religious people.

The Pentecostal schools began in 1954 in Newfoundland. Since then, they have grown and prospered as denominational schools in our province. I think today particularly of some pastors whom I have known who served in my constituency. I think of Pastor William Gillette, who stopped on the northern peninsula of Newfoundland to establish churches on his way to

Labrador. He went to places like Postville, Charlottetown, and Port Hope Simpson not only to establish churches but to make sure there were schools for the children.

Today, the Pentecostal Assemblies operate some of the most modern, efficient and progressive schools in the province. Those men are to be congratulated because they took the Bible seriously when it said, "Go ye into all the world, even unto the remotest parts". They are to be congratulated for bringing to those remote places and all places in Newfoundland not only the three Rs but a spiritual context for education.

The largest Pentecostal Assembly in Newfoundland is in Windsor, in my riding. I know they will welcome this amendment today. I say in concert with all my Newfoundland colleagues in the House that today we owe the Pentecostal Assemblies not simply thanks but praise for the work they have done in the spiritual dimension of our province, and indeed in education in our province. It is an honour and privilege for me to say that I agree with the Minister of Transport that this is a historic day for them and that we should pass this motion very speedily.

Some Hon. Members: Hear, hear!

Mr. George Baker (Gander—Twillingate): Mr. Speaker, when I made my intervention a few moments ago when the Parliamentary Secretary to the Government House Leader (Mr. Lewis) read the motion concerning this resolution, I was quite frankly thinking about the previous attempts that have been made in this chamber and the Newfoundland House of Assembly to pass this resolution.

I can recall twenty years ago the present Minister of Transport (Mr. Crosbie) being in the Newfoundland Legislature when the original resolution was passed. It came up again in the provincial legislature after the Minister of Transport had departed, I believe, in the form of a resolution to Ottawa.

It then came to the House of Commons in Ottawa some 17 years ago. Each time it died on the Order Paper. That is why I was a bit harsh with the Parliamentary Secretary when he read the motion. I do not believe anyone understood the motion he was reading and it sounded so complicated that I thought perhaps this resolution would leave the chamber, go to a committee, and probably never see the light of day again.

I understand that there is an agreement to put this resolution through today so that we will accomplish what so many people had tried before.

I can only reiterate what has already been said. The Pentecostal Assemblies of Newfoundland have been left out of that aspect of recognition that is needed under the Constitution. They are probably the most active force in education today in Newfoundland. Vocational Bible school is in full swing in various parts of Newfoundland. Children from all denominations are attending VBS. Even when the school year is over, the Pentecostal Assemblies are still active in every part of Newfoundland and Labrador. As the Minister of Transport pointed out, they are becoming more active every day.

I do not want to delay this resolution any longer. I will be watching very carefully and will not leave the chamber until the Minister of Transport puts it through as he said he would. I do not know what the NDP will do, but they better not hold it up. I include the Official Opposition as well. In other words, there have been many attempts to put this through before. Let us settle it today. While that was not the original motion put forward, I imagine it was the intent of the motion put forward by the Parliamentary Secretary to the Government House Leader. I shall resume my seat and watch as the motion is put through the House. If any other item comes up, I will filibuster until we return to this motion and put it through.

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, that is always a tough act to follow, but I want to say how pleased I am that we have been able to persuade the Liberal Members of Parliament to back down and allow this very important resolution to go through the House today. I know there was some initial reluctance on the part of the Liberals and that they perhaps wanted to talk for a couple of hours, but we in the New Democratic Party consulted with them and reminded the Liberals that it took their Government some 17 years to produce absolutely nothing.

I have consulted carefully with my colleagues in Newfoundland, including such eminent people as Jack Harris, the very distinguished labour lawyer from St. John's East, who incidentally happens to be our candidate in the federal by-election there. Mr. Harris has indicated to us that he very much regrets that for decades there was silence and inaction on this very important resolution on the part of the previous Liberal Government. I am glad we were able to persuade the Liberals to agree today to allow this motion to go through.

• (1250)

As another Member said, normally when dealing with a constitutional amendment, we would want to have some study, have it go to committee and allow witnesses to make their views known. That would be the normal course of action on a constitutional amendment. However, we have agreed in the spirit of non-partisan co-operation, after many years, that the resolution should go forth today.

I must confess some personal bias in this matter. I was adopted by a very distinguished elderly Haida woman who herself happens to be a loyal and faithful Pentecostal. She has tried hard to persuade me of the virtues of that particular religion.

Mr. Baker: It is never too late.

Mr. Robinson: And as my colleague from the Liberal Party says, it is never too late. At the time of the Union in 1949, seven denominations were specifically authorized by law to operate schools and to share in public funds. The Pentecostal Church has played a very active role in Newfoundland. I am

told that Pentecostals in fact constitute some 10 per cent of the population of that province.

Obviously, we are not in a position to make any fundamental amendments with respect to the denominational school system itself. Certainly strong and powerful arguments can be made that in Canada today the school system should be a public school system from one ocean to the other, but we are not in a position today to make those arguments. We believe that the school boards in Newfoundland should be elected and accountable to the people and to the communities, and we hope that will come to pass as well.

I want to reiterate that, because this resolution is merely attempting to put in place a recognition of a historical reality, and the fact that there have been many years of Liberal neglect, a failure to move forward on this, we in the spirit of non-partisan co-operation agree to the adoption of this resolution today in all stages.

Mr. Morrissey Johnson (Bonavista—Trinity—Conception): Mr. Speaker, it is with great pride that I rise to support the amendments to Term 17 of the Terms of Union of Newfoundland with Canada. I am sure we all realize that it is difficult when drafting legislation to draft it in such a manner as to take care of all the problems which might arise down through the years.

I believe we also realize that for some number of years since 1954, an inequality has existed with regard to the Pentecostal school system in Newfoundland. Although it has been granted rights by the Province of Newfoundland and has received equal treatment in funding from that province, it has not experienced the same constitutional rights as other denominations. With passage of the amendment to Term 17, the Pentecostal Assemblies of Newfoundland will in fact come into the Canadian Constitution with the same equality in education as other denominations and will have its rights enshrined in the Constitution.

I realize that all Parties have consented to quick passage of this amendment. I want to congratulate the Minister of Transport (Mr. Crosbie) for moving the resolution. Indeed, today will be a historic day for the people of the Pentecostal faith in the Province of Newfoundland. I am sure this is a time for them to be proud of being Canadians and it is time for all of us to realize how fortunate we are to live in a country which encourages freedom of religion and not religious discrimination.

I am pleased by the fact that all Parties represented in the House have agreed to give this resolution quick passage. It shows that we want to see the inequality corrected and to have enshrined in the Constitution of Canada the equal rights of the Pentecostal Assemblies with that of other denominations in the Province of Newfoundland.

Mr. Deputy Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

Mr. Lewis: Mr. Speaker, in view of the progress we have made this morning, I think you will find it agreeable to call it one o'clock.

Some Hon. Members: Agreed.

Mr. Deputy Speaker: It being 1 p.m., I do now leave the Chair until 2 p.m. this day.

At 12.57 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

FAMILY VIOLENCE

GOVERNMENT POSITION

Mrs. Lucie Pépin (Outremont): Mr. Speaker, *La sexualité blessée*, a study published by the provincial shelter association, makes a number of horrifying revelations on sexual abuse in the home. The results of this study clearly demonstrate the link between pornography and violent sexual behaviour.

Eighty-three per cent of the women interviewed admitted they had been sexually abused by their spouse or partner; 66.3 per cent said that sexual relations were never an occasion for love and affection, while 61 per cent talked about sexuality as a painful and humiliating experience.

The study also found that three out of four of the men who were the spouses or partners imitate certain situations shown in videos, magazines, and other pornographic material.

The study will help the staff of the shelters improve their assistance to these women, by taking all their needs into consideration. When people talk about violence, they think in terms of battered women, fractured arms and cheekbones. They will not admit this violence goes further to intrude on a couple's most intimate moments.

The Quebec Minister of Health and Social Services has taken a step in the right direction by allocating $7.4 million to help the shelters.

We are waiting to hear what the Conservative Government will do about the problem. It is time it took the lead instead of following the example set by others as is the case among certain provincial governments.

S. O. 21

CAPITAL PUNISHMENT

OPPOSITION TO ULTIMATE PENALTY

Mr. Fernand Ladouceur (Labelle): Mr. Speaker, in 1976 the Canadian Government wrote a major chapter in its history by abolishing the death penalty, thereby showing the whole world that ours was a very civilized country that wanted to use its intellect to find ways of combatting violence, and that it respected human life.

In a few days we will be informed of the outcome of this debate on capital punishment, and I sincerely hope it will be another step forward for Canada in its fight against inequity and violence.

Mr. Speaker, I am definitely opposed to the reinstatement of capital punishment. To me it constitutes a violation of our right to life. It is cruel, inhuman and, deprading punishment and a form of revenge. Furthermore, Mr. Speaker, it is against the principles by which I live.

* * *

[*English*]

ABORIGINAL RIGHTS

CALL FOR ENTRENCHMENT IN CONSTITUTION

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, shortly after the failure of the First Ministers' conference on aboriginal constitutional rights I asked the Prime Minister (Mr. Mulroney) what the Government of Canada intended to do about the "burden of failure", to quote the Prime Minister, which had been placed upon the first citizens of Canada.

The Prime Minister has since taken credit for a constitutional Accord which virtually ignores the aspirations of aboriginal people. He is reported as having said that this chapter in Canadian history is closed and that the Government will not be considering amendments.

The Prime Minister should indicate when the Government intends to start on the process of resolving the outstanding injustice of the exclusion of aboriginal self-government rights from the Constitution. After all, it was he who told the House that "this failure was a moral obligation that has been unfulfilled by Canada, by the federal Government".

The Prime Minister knows that his Government is allowing funding for aboriginal constitutional research to expire at the end of this month. Without such funding the experts will have to be laid off—indeed, many of them have now received their notices. It will be impossible for the national aboriginal organizations to provide not only the proper input to the hearings on the Meech Lake Accord but to continue the process of aboriginal constitutional development.

CAPITAL PUNISHMENT

REINSTATEMENT SUPPORTED FOR FIRST DEGREE MURDER

Mr. Gordon Taylor (Bow River): Mr. Speaker, I support the death penalty for murderers convicted beyond the shadow of a doubt of deliberately planning and killing another human being.

Abolitionists who use Donald Marshall as an example of executing the wrong person are misleading the people as he was convicted on circumstantial evidence only. Under this motion he would in no way be executed. When they say a court is committing murder when a judge sentences a first degree murderer to die, is complete folly. It is tantamount to saying that a judge is a thief when he convicts a person of stealing. Such wild statements undermine our whole system of justice which is based on appropriate punishment for crimes committed.

Capital punishment is not a matter of revenge or statistics. Some can prove or disprove anything with figures. Executing a murderer like Olson, for example, is not half as repugnant as was the raping and clubbing to death of young boys and girls, or forcing a beautiful young girl like Kelly Cook to do "God knows what" and then chaining her to rocks and sinking her to the bottom of a lake.

If we claim to be civilized it is time to think more about the innocent people murdered, the victims and their loved ones, and less about the murderers. Christ showed compassion, but he did not stop the execution of a man whose crime was far less than that of a cold-blooded murderer.

* * *

[*Translation*]

CANADA POST CORPORATION

URGENT NEED TO APPOINT MEDIATOR

Hon. André Ouellet (Papineau): Mr. Speaker, this Conservative Government is stupidly destroying six years of efforts at reconciliation between the postal administration and the postal unions. The former Liberal Government had realized the need to trust employee representatives and postal administrators and to let them settle themselves their own labour disputes; the new Conservative Government has absolutely refused to go along with this.

The Conservative Government has kicked out the union officials who used to sit on the board of directors and replaced such top executives as Michael Warren and René Marin who knew Canada Post very well and who had a demonstrated capacity to administer this Crown Corporation effectively without any risk of strike action. This Conservative Government has introduced again the shadow of the Treasury Board in all administrative decisions involving Canada Post and especially in collective bargaining.

The responsible Minister allows PMO's assistants and a group of Conservative backbenchers to have more influence on Canada Post than the members of the board.

All of this is stupid, and the Government is reaping today what it has sown: it is responsible for this mess. It is therefore urgent for a mediator to be appointed as soon as possible to diffuse the situation. The Government is responsible for the violence, thereby demonstrating either its incompetence or its irresponsibility.

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CANADA POST CORPORATION

DEMAND THAT SCABS NOT BE USED IN ABITIBI DURING STRIKE

Mr. Guy St. Julien (Abitibi): For the past several days, Mr. Speaker, the postal service in Canada has been severely perturbed by rotating strikes organized by the Letter Carriers' Union.

Postal workers and letter carriers are very popular in Abitibi, for they are reliable representatives and play a very important social role in this far away region. The letter carrier is often the only person who visits lonely people and senior citizens. And he or she will often intervene immediately when someone is ill or helpless.

Ever since the conflict started, Canada Post has treated its employees very badly. It has used scabs. Mr. Speaker, I warn the President of Canada Post and his officials not to use this kind of repulsive tactic in Abitibi, for it could cause the conflict to deteriorate even more and poison the working climate for quite a long time.

The Canada Post Corporation should honor the Quebec legislation which forbids the hiring of scabs in Quebec.

Mr. Speaker, I should like to send this message today to the Minister responsible for the Canada Post Corporation.

* * *

• (1405)

[*English*]

ELECTORAL BOUNDARIES COMMISSION

REJECTION OF RECOMMENDATION THAT VANCOUVER RETAIN FIVE SEATS

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, in spite of the unanimous recommendations of the House of Commons Standing Committee on Elections, Privileges and Procedure, and the support of the Mayor and Council of Vancouver, the support of the Leader of the Official Opposition (Mr. Turner) here, and in Victoria, the support of the Premiere of British Columbia and that of the Leader of the New Democratic Party (Mr. Broadbent), the Hon. Member for Vancouver South (Mr. Fraser), and the Minister for International Trade (Miss Carney), for five seats for the city of Vancouver, the Electoral Boundaries Commission rejected that recommendation, thus rejecting the views of the people of Vancouver.

The city of Vancouver is a growing city, not a city that is losing population.

Let me quote what the Electoral Boundaries Commission said:

> —members may more easily serve compact constituencies, where government services are readily available, than they can serve scattered and mountainous rural ridings.

Rural ridings have problems, but they are different from those of the urban riding. In my riding we had 2,600 new Canadians last year, compared to 200 in other ridings. There are problems in the inner cities for MPs. MPs have to be ombudsmen. They have to fight for the people of their ridings in such areas as health, prostitution, crime, government bureaucracy problems, immigration problems, and so on.

This is a wrong decision. It is a sloppy decision and is ill-conceived. It really does not serve the interests of the people of Vancouver.

* * *

EXTERNAL AID

THIRD WORLD COUNTRIES—HUMANITY FUND ESTABLISHED BY CANADIAN SECTION OF UNITED STEEL WORKERS OF AMERICA

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, the Humanity Fund established recently by the Canadian section of the United Steel Workers of America is an innovative approach to providing humanitarian aid to people in poverty-stricken Third World countries.

Members can volunteer to have a one cent an hour check-off made from their pay cheques. If all 160,000 union members agree to this, about $3 million would be raised annually, and it is likely that these private funds would be matched on a three-to-one ratio by government agencies.

These steel workers deserve our appreciation for their initiative. It is noteworthy that other labour organizations, such as the Confederation of National Trade Unions in Quebec, are endorsing similar aid programs.

S. O. 21

[*Translation*]

ST. JOHN THE BAPTIST DAY

GENERAL INVITATION TO CELEBRATION

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, I am rising to remind the House that millions of Quebecers will be celerating Saint-Jean-Baptiste Day tomorrow. As a Member from Quebec, I am sure that I can invite all my colleagues, whether they are themselves from Quebec or from other provinces, to join me in wishing all Quebecers well and in telling them that all of Canada will be celebrating their national holiday with them tomorrow.

* * *

• (1410)

[*English*]

HUMAN RIGHTS

KOREA—PLEA FOR PRAYERS FOR PRISONERS OF CONSCIENCE

Mr. Dan Heap (Spadina): Mr. Speaker, last week I received a letter from Shim Sang-Wan, a Korean student, whom I met four years ago in company with a number of clergy and professors of Korea who had been jailed for organizing unions.

When I heard he had been jailed in March, I wrote to him and received a letter back from him which reads in part:

> I would like to extend my gratitude to you for your warm concern and prayer about my imprisonment.
>
> I was imprisoned on March 3 on account of my participation in a rally protesting against a student's torture-death incident. But not so long, I was released on March 30 under suspension of prosecution, and resumed my work at the Christian Institute for the Study of Justice and Development. This is thanks to the solidarity actions and prayers of many friends in and abroad, I think.
>
> Still, however, there are a growing number of prisoners of conscience for justice and democratization in Korea.
>
> May I ask your prayer for these suffering people and for justice and democratization in Korea?
>
> Yours sincerely,
> Shim Sang-Wan

* * *

DISASTERS

SECOND ANNIVERSARY OF AIR INDIA CRASH—PROSECUTION OF PERPETRATORS URGED

Mr. Bill Attewell (Don Valley East): Mr. Speaker, most Canadians can all too readily remember the horrifying explosion which occurred on Air India flight 182 on June 23, 1985, two years ago today. Three hundred and twenty-nine innocent men, women, and children perished because some deranged person or persons placed a bomb on the plane before it left Canada.

I was in Ireland this time last year with the Secretary of State for External Affairs (Mr. Clark). We participated in a benediction of a special memorial on the seaside of Dunmanus Bay, 200 miles from the site where flight 182 plunged into the cold, grey Atlantic Ocean.

I can still remember the grief in the eyes and the hearts of the more than 200 relatives from India and Canada who were at that extremely emotional service.

Many walked to the shores of Dunmanus Bay and waded into the sea, in a sense to be closer to their relatives. Some placed flower petals in the sea and watched the flowers drift outward toward the site of the crash.

Moments like this should galvanize the Government's resolve to find and prosecute the individuals responsible. Also, special studies such as the one initiated by Senator Kelly on terrorism may help to prevent soul destroying incidents like this in the future.

* * *

DISASTERS

SECOND ANNIVERSARY OF AIR INDIA CRASH—CALL FOR ESTABLISHMENT OF ROYAL COMMISSION

Mr. John Nunziata (York South—Weston): Mr. Speaker, today marks the second anniversary of one of the saddest moments in Canadian history. On June 23, 1985, 329 men, women, and children, most of whom were Canadian citizens, perished when flight 182 was blown out of the sky off the coast of Ireland by a terrorist bomb. It was the largest and most hideous mass murder ever in Canadian history. All Canadians were shocked by the unspeakable brutality of this terrorist act. We mourn the loss of so many of our fellow countrymen, and we share the sorrow of the surviving family members.

We owe it to the victims and relatives of the Air India tragedy to bring those responsible for this vicious crime to justice. It has been two years now, and charges have not yet been laid. All Canadians have a right to know why this investigation was so badly bungled by the RCMP, the Canadian Security and Intelligence Service, and the Government itself.

The time for dithering has passed. We cannot tolerate any more excuses or delays. The Government of Canada has a moral responsibility to establish a royal commission of inquiry into the Air India disaster.

The Irish Government and the Indian Government have both had their public inquiries. We need a public inquiry here in Canada, not only to investigate this terrorist act but also to inquire into the conduct of the Government itself.

AIRPORTS

CONSTRUCTION OF THIRD TERMINAL AT LESTER B. PEARSON INTERNATIONAL AIRPORT

Mr. Bob Horner (Mississauga North): Mr. Speaker, last week as a preamble to a question I attempted to tell the House how the great riding of Mississauga North had benefited under Conservative policies since 1984. Last year $1.1 billion in building permits were issued in Mississauga North. We have a 2 per cent unemployment rate, and we have 7,000 thriving businesses in the riding.

Now, to continue the saga, the announcement was made yesterday for the building of the third terminal at Lester B. Pearson International Airport. This project will cost $365 million and is financed by the private sector. Involving the private sector in the financing and operation of such a major airport capital project is a new approach for Transport Canada.

In 1963, when Terminal One was built, it was designed to accommodate 3.5 million passengers. In 1986 it handled 8.4 million passengers. This new facility is scheduled to be partially operational by 1989 and will include shopping plazas, office complexes, and a 500-room hotel.

It is just another Conservative success story. Mississauga North thanks the Government.

* * *

• (1415)

DISASTERS

SECOND ANNIVERSARY OF AIR INDIA CRASH—DELAYS IN INVESTIGATION

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, today, the second anniversary of the tragic death of 329 Canadians in the Air India crash, we in the New Democratic caucus join in extending to the families of these victims our very sincere condolences. At the same time we want to register our concern at the lengthy delays in the investigation of this matter. Surely we owe it to the families of these victims to ensure that justice is done speedily.

In this regard I want to note our concern that the RCMP officer who was responsible for the investigation in British Columbia has been given another assignment. It is not acceptable in an investigation of this importance that there should be this kind of stalling and delay.

As well, the failure to move forward quickly on this casts quite an unfair cloud over the Sikh community itself. The community is a law-abiding community with an honourable tradition in Canada. It is totally unacceptable that there should be the kinds of blanket accusations that have been made in some quarters concerning that community. The Sikh community itself in Canada joins with all Members of this House, I am sure, in calling upon the Government to renew its commitment to pursuing justice in this very important area.

We owe no less to the families of the victims than to ensure that at last action is taken with respect to this very serious matter.

* * *

[*Translation*]

AGRICULTURE

WOMEN AND FARM MANAGEMENT

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I recently received a letter from an organization called *La femme et la gestion de la ferme*. I would like to put this letter on record:

> We, of *La femme et la gestion de la ferme*, are vigorously opposed to the proposal announced last week in the House by the Minister of Defence to spend $184 billion on submarines to kill people. If the Government has so much money to spend wastefully on means to destroy human beings, why not allocate more to agriculture? Do you realize everything that could be done in agriculture with only half this amount? We could feed all of Canada for nothing. I hope that you send a copy of this letter to Mr. Mulroney.
>
> Sincerely yours in farming,
> Marie-Rose Paquette, Vice-President
> of *La femme et la gestion de la ferme* of Prescott County.

ORAL QUESTION PERIOD

[*Translation*]

TAX REFORM

NEW TAX

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, my question is directed to the Minister of Finance and concerns the tax reform.

Canadians are beginning to realize that the tax reform unveiled by the Minister last Thursday comes complete with a Trojan horse, that the Trojan horse bears bad news and is full of surprises. Among other things hidden in this Trojan horse there is the sales tax which might hit all Canadians in a way which has never been experienced before in this country.

So I should like to ask the Minister of Finance whether, for the time being, he is prepared to shelve this Machiavellian plan and tell us first when he intends to levy this new tax.

And since in his White Paper the Minister gave a number of examples calculated at 8 per cent, I would ask him just how much money does the federal Government expect to collect through this 8 per cent tax on all goods and services, as he stated last Thursday?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, it surprises me to hear the negative comments of the Hon. Member. Twice during the course of the past week he has said specifically that the existing sales tax is not working and should be replaced.

We have put forward a specific proposal here for consultation. We want to consult with social policy groups, with the provinces, with the business sector and other interested Canadians. What we have decided must be a part of that sales tax proposal is a significantly enhanced—into the hundreds of dollars—refundable sales tax credit which will benefit low and middle-income earners. Part of it as well will be a removal of the surtaxes, and finally a change in income tax rates, a drop in those rates for some middle-income earners as well.

• (1420)

SALES TAX PROPOSALS—ESTIMATED REVENUE

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, the Minister did not answer the question. It was a very straightforward one. The Minister has certainly made calculations.

We were told by officials of the Department of Finance yesterday that the new business transfer tax, or a value-added tax, would have to raise enough revenue to cover the present federal sales tax, to replace the general 3 per cent surtax on personal and corporate taxes, to pay for the sales tax credit, to lower by 3 per cent the middle-bracket rate for personal income tax, and to cover the additional federal spending because of the sales tax. Why does the Minister not want to give us the total amount of money required? The Department has certainly made calculations. How much revenue will an 8 per cent sales tax on goods and services raise to cover all those items I have just mentioned?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, that is exactly what I said in my answer to the first question, the different things that have to be covered by the new sales tax. I do not know the final design of the refundable sales tax credit. We have some ideas of how big that should be and how far up the income scale it should go, but until we have the final design of the sales tax credit which will be a major benefit to those in lower and lower-middle-income brackets it is not possible to give the precise amount of the tax.

INCOME TAX—EFFECT OF PROPOSED CHANGES

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, we worry about tax reform because we do not have the information which would be needed to bear judgment on it. The only thing we know now is that the rich will get richer and the poor will get poorer. Since the Minister did not want to answer my first two questions, I will try another subject.

One of the stated objectives of the tax reform was to simplify the tax form for individuals. However, yesterday a Tory Member of Parliament said to officials of the Department of Finance after examining the proposed tax change: "Why do you have to make it so hideously complicated?" In the words of the Conservative Finance Committee Chairman, why is the Minister driving people to H & R Block to complete their tax forms? Why was the Government not able to deliver on the Minister's promise to simplify the personal income tax form?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, let me state absolutely and categorically that the Hon. Member's statement that the rich will be getting richer and the poor will be getting poorer is simply false.

Some Hon. Members: Hear, hear!

Mr. Wilson (Etobicoke Centre): It is proven, it is in the statement. If the Hon. Member would take the time to read the document he would see that the share of income taxes paid by those who earn over $55,000 is going up and the share of those who earn less than $27,500 will be going down. That is contrary to what the Hon. Member has just said and he knows that my way is the truth and his way is not the truth.

Some Hon. Members: Hear, hear!

Mr. Wilson (Etobicoke Centre): Contained in the White Paper as well is that most Canadians will be better off after the income tax reforms plus the impact of the sales tax reforms. That is set out in the document as well, and I would hope that the Hon. Member would repeat that when he is talking to his constituents and would not continue to leave these mistruths that he is trying to perpetrate hanging around.

[*Translation*]

OPPOSITION TO ANY FOOD TAX

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, I have a question for the Right Hon. the Prime Minister.

Since September 4, 1984, elderly Canadians remember the old age security pension deindexation trick, and families remember the family allowances and child tax credit deindexation tricks. The sick remember the 12 per cent prescription drugs sales tax trick. And people generally remember that, since September 4, 1984, this Government has saddled individuals with 25 new taxes or direct tax increases.

My question to the Prime Minister is this. Now that senior citizens' associations are all ready for action, can the Prime Minister assure them that his Government will not slap a new tax on food such as bread and butter?

• (1425)

[*English*]

Will you not tax food, bread and butter, yes or no?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I want to be absolutely clear with the Hon. Member that senior

citizens benefit from stage one of tax reform. They will benefit again in stage two. Nine out of 10 senior citizens will pay less income tax after tax reform. Some 850,000 Canadians will be off the tax rolls, and 250,000 of those are senior citizens. That is the direction we are taking in the first stage of tax reform.

In stage two many senior citizens will get full benefit of the refundable sales tax credit which will be paid regularly in advance to offset the impact of sales taxes.

[*Translation*]

Mr. Malépart: The Prime Minister and the Minister of Finance would rather not respond to this question because they once misled elderly Canadians about the old age security pensions de-indexation, and they intend to tax food.

INQUIRY WHY POOR FAMILIES DO NOT OBTAIN COMPLETE REIMBURSEMENT OF TAXES

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): My supplementary is directed to the Minister of Finance. After his last five Budgets full of new taxes on drugs, food, telephone calls, the result of all these new taxes—the 25 new measures—is that a family of four with an income of $15,000 is paying $424 more in direct and indirect taxes, yet all they get from the Minister of Finance is a $210 tax credit on the sales tax.

Can the Minister tell us why he did not find a way to make sure that poor families in Canada would get a complete reimbursement of the taxes they have to pay? Why did he choose to levy 50 per cent of the new tax from poor families and the most destitute elderly Canadians?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, it does not take a whole lot of courage to follow the scare-mongering tactics of the Hon. Member opposite.

Some Hon. Members: Hear, hear!

Mr. Wilson (Etobicoke Centre): There is nothing in the White Paper to tax food. There is nothing in the White Paper that says taxes of low-income Canadians are going to go up. Their taxes are going down. The Hon. Member seems to feel he has a monopoly on compassion for senior citizens. If he had any compassion for them he would not be trying to scare them now by talking about a tax on food.

Some Hon. Members: Hear, hear!

* * *

TRADE

CANADA-UNITED STATES NEGOTIATIONS—AUTO PACT—ONTARIO PREMIER'S INTEREST

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Prime Minister. Yesterday in the House the Minister for International Trade did nothing to assure Canadians that the automotive tariff policy would remain as the instrument for enforcing investment safeguards in the Auto Pact. Neither did Simon Reisman outside the House.

I understand from a news report that the Prime Minister got a telephone call yesterday from the Premier of Ontario. Will he confirm that he got such a call, and did he offer assurances to the Premier that tariffs would remain as the effective mechanism for enforcing the investment provisions of the Canada-U.S. Auto Pact?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, indeed I received a call from my friend, the Premier of Ontario, last evening. Among other things he inquired about the Auto Pact and I indicated, as I have in the past, that the Auto Pact was not placed on the table by the Government of Canada negotiators, nor by the U.S. Government negotiators.

REQUEST FOR RETENTION OF TARIFFS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I assume the Prime Minister is not interested in simply playing linguistic games so I will ask him to answer the question I put to him. Did he offer assurances to the Premier of Ontario, and will he do so to Members of the House, that the Government of Canada will keep in place tariffs on automotive trade between Canada and the U.S. as the effective instrument for enforcing the investment requirements in the agreement? Will he answer that question?

• (1430)

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the Government sees very little benefit for Canada in keeping in place a mechanism which would cost us 40,000 jobs if it were ever employed.

REQUEST FOR ASSURANCE GOVERNMENT WILL RETAIN TARIFFS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, this Minister perpetually shocks the House with revelations of profound ignorance. Would she kindly explain the statement she just made? More basically, will she do today what she refused to do yesterday, in her perpetual attempt to mislead the people of Canada—

Some Hon. Members: Oh, oh!

Mr. Broadbent: Oh, oh, oh. Oh, oh, Mr. Clark, it's true.

Some Hon. Members: Order!

Mr. Clark (Yellowhead): Withdraw.

Mr. Masse: Nonsense.

Mr. Broadbent: No, Joe, I won't withdraw.

Mr. Speaker: The Hon. Member for Oshawa will no doubt have noticed that the suggestion that the Hon. Minister is

"perpetually attempting to mislead" is equivalent to "intentionally misleading". I know the Hon. Member for Oshawa will want to withdraw that and rephrase the question.

Some Hon. Members: Withdraw.

Mr. Broadbent: Certainly, Mr. Speaker, totally and without hesitation I will take away the word "attempting". I accept that.

Some Hon. Members: Order, order!

Mr. Broadbent: Now, will the Minister be straightforward with the House and answer the question? Will she offer assurances to those thousands of Canadian families which are directly or indirectly dependent on jobs in this sector that the Government will maintain tariffs in the automotive sector in trade between Canada and the United States to enforce the investment requirements and the safeguards? Will she be clear and finally answer that question?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I have continually told this House that the Auto Pact is not on the table. I have continually told this House that the very tariffs about which the Hon. Member talks would only be triggered if production fell by 600,000 units at the cost of 40,000 jobs. We do not think that is a very effective mechanism.

It is interesting to note that neither did the Hon. Member in debate in this House. In 1977 he called for changes in the safeguards in a renegotiated Auto Pact.

Some Hon. Members: Hear, hear!

Mr. Broadbent: To improve them. Do you understand that?

Mr. Mazankowski: Isn't that interesting?

Miss Carney: Mr. Speaker, we are not suggesting that. We have said that the Auto Pact will not be put on the table by Canada.

Mr. Broadbent: Just the tariffs.

Miss Carney: The Americans could put it on the table if the NDP keeps inviting them to do so.

Some Hon. Members: Hear, hear!

Miss Carney: In *Hansard* of 1977 the Hon. Member talked about the losses. He said:

> We have to change one of the safeguards in the pact, which is probably the best approach—

Mr. Broadbent: To make them better. Read the rest.

Miss Carney: Tampering with the Auto Pact is his idea, not ours.

Some Hon. Members: Hear, hear!

Mr. Broadbent: Do you think that will wash?

Some Hon. Members: Shame, shame!

MAINTENANCE OF SAFEGUARD LEVELS IN AUTO PACT

Hon. Herb Gray (Windsor West): Mr. Speaker, I have a question for the Minister for International Trade. Is the Minister not aware that the tariffs which will be triggered if safeguards are not met apply to the failure of individual companies to meet the safeguard levels and not simply to the fall to safeguard levels of the entire industry? If that is the case, the safeguards are relevant each and every day.

If she does not know that, why is she keeping her job? Why does she not admit now that if the Auto Pact, *per se*, is not on the free trade negotiating table, then the tariffs are? Come out and say that. Tell the truth.

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I defer to your judgment as to whether the Hon. Member's allegation about telling the truth is unparliamentary or not. You may want to deal with that.

Some Hon. Members: Oh, oh!

Mr. Axworthy: Answer the question.

Mr. Broadbent: Try telling the truth.

Miss Carney: I have said that the Auto Pact is not on the table. I have explained to this House that the so-called protection that they want to keep would, if ever triggered, cause a loss in production of $5.5 billion and a loss of 40,000 jobs.

Mr. Axworthy: She's crazy.

Miss Carney: I do not know why they keep asking for changes of this nature but it will be on their heads, not ours.

Some Hon. Members: Hear, hear!

Mr. Gray (Windsor West): Mr. Speaker, I hope the Prime Minister recognizes this admission of ignorance and incompetence of his Minister for International Trade. The safeguards being triggered do not cause the fall in production and jobs. It is the safeguards and the tariffs which protect them that prevent the jobs and production from falling.

Mr. Axworthy: That's right.

Mr. Gray (Windsor West): I hope the Minister realizes that. If she does not, I wonder why the Prime Minister is keeping her in her job.

Mr. Clark (Yellowhead): Try that again in English.

REDUCTION OF TARIFFS TO ZERO—INQUIRY CONCERNING CARS AND PARTS

Hon. Herb Gray (Windsor West): Mr. Speaker, yesterday the Minister said:

—I can point out that the negotiators are talking about a hypothetical model of taking all tariffs on everything on a broad basis, except those areas that have been identified as sensitive, to zero.

Are the tariffs on cars and parts coming into Canada from the United States included in that hypothetical model? Will she at least tell us that, even on a so-called hypothetical basis? If that is the case, the fact is that the auto tariffs are on the table and are about to go in a way that will gut the Auto Pact and harm the jobs involved.

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I have told this House that the Auto Pact has not been discussed at the table. A working group on automotive issues met twice in November. This scare tactic of the Opposition is ignoring—

Mr. Axworthy: Be serious.

Miss Carney: —the fact that we do not intend to alter the Auto Pact. We intend to take only those measures which will benefit Canadians and the automotive industry.

It is their continual harping and dragging the Auto Pact on the table, and dragging it back on the table, and suggesting it be reopened, and suggesting it be renegotiated, that will be of interest to those Americans with vested interest who would like to build their automobile industry at the expense of the industry in Ontario and Quebec.

* * *

[*Translation*]

TAX REFORM

IMPACT ON CANADIANS

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, my question is for the Minister of Finance who will be as interested as I am to know that the Liberal Party has now discovered that the tax system introduced by the Liberals has made the rich richer and the poor poorer, and that the Conservative Government is keeping up with the tradition.

Here is my question: If the Minister insists that most Canadians will be better off after the income tax reforms than before, will he also confirm that after the tax reform and after tax increases implemented by this Government since 1984, 88 per cent of Canadian families will be paying more taxes instead of less, and that the only ones who will be paying less are those wealthier Canadians with an income in excess of $100,000 per year?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I am not sure where the Hon. Member is finding his statistics. The per centage of taxes payable by those earning more than $55,000 will go up as a result of tax reform. The share of the personal income tax burden of those earning less than $27,500 will go down. I remind the Hon. Member that 6.3 per cent of taxpayers earn more than $50,000. Their share of the tax burden will go up to 36.2 per cent as a result of tax reform. We tried to find a balance. The balance has resulted in the wealthier Canadians paying a greater share of the burden and I would think that the Hon. Member, coming from that Party, would support us in that effort.

• (1440)

POSSIBLE EFFECT OF SALES TAX PROPOSALS

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, Canadians were looking for honesty from the Minister of Finance. That is why they do not understand the statements from the Minister of Finance when they also see that three out of four families earning over $100,000 will get a $4,000 tax cut and that the tax cut for those rich families will be 30 times the amount that is saved by families earning under $15,000 a year.

They ask what kind of justice is involved there and why the Minister is not prepared to be honest and tell them what they will pay in sales tax on items like food in 1989, after they get some kind of a tax cut in 1988?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the Hon. Member asks what will be the impacts of stage two. I do not know what those impacts will be because we want to consult with the provinces, with the social policy groups, with the business groups, and with those industries that are going to be affected, to get a better understanding of the impact of the proposed tax change on them.

We consulted fully in the lead up to stage one. We have consulted fully on the development of a proposal which I think Canadians have said benefited from that consultation process. We will consult fully in the lead up to stage two and make sure that Canadians have a full opportunity. The Chairman of the Finance Committee has said that there will be full hearings on sales tax reform before his committee.

I think Hon. Members should realize that we are approaching this in good faith to ensure that we listen to the views of all Canadians before we take a decision.

* * *

HOUSE OF COMMONS

PRESENCE IN GALLERY OF CZECHOSLOVAKIAN MINISTER OF AGRICULTURE

Mr. Speaker: I want to bring to the attention of Members the presence in the gallery of Mr. Miroslav Toman, Minister of Agriculture, of Czechoslovakia.

Some Hon. Members: Hear, hear!

Oral Questions

TRADE

CANADA-UNITED STATES NEGOTIATIONS—AUTO PACT TARIFFS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, my question was to be directed to the Minister for International Trade but she has disappeared for the moment, perhaps along with the Government's position. I will direct my question to the Prime Minister.

On March 16, as reported at page 4178 of *Hansard*, the Minister for International Trade, in addressing what is being negotiated as part of the Canada-U.S. trade negotiations, said that tariffs are on the table because experience has shown the Canadian economy prospers, this is so even with the Auto Pact. She went on to say that: "We are reducing the tariffs for the Auto Pact down to zero". Those are the words of the Minister for International Trade herself as quoted in *Hansard* which I think quite definitely demonstrate that this issue is presently being negotiated.

Some Hon. Members: Question.

Mr. Axworthy: Therefore I want to ask the Hon. Minister has she changed her position from what she stated on March 16 when she said that the tariffs as they relate to the automobile trade are being negotiated down to zero? If she has not changed her mind, does that not therefore mean that the whole basis of the Auto Pact is being negotiated away?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I am sorry that I was called out of the House briefly. I did not have the opportunity to find the reference about which the Hon. Member is talking and I have no opportunity to find out if, in fact, the Hon. Member is even quoting it correctly—

Some Hon. Members: Oh, oh!

Miss Carney: Given the history of the Hon. Member, I doubt it.

Mr. Gauthier: Shame!

Miss Carney: Let me explain once more. For 22 years the Auto Pact has operated without any tariffs on automotive trade within the Auto Pact—22 years without tariffs. The Opposition wants to take us back to the level of production which existed 22 years ago.

Mr. Gray (Windsor West): That is nonsense.

Miss Carney: This Government does not plan to do that.

Mr. Axworthy: Mr. Speaker, it is really not my fault that the Minister does not know what she said.

Mr. Clark (Yellowhead): Try again, Lloyd.

GOVERNMENT POLICY ON TARIFFS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, perhaps I can jog her memory by referring her to that wonderful day of March 16, to page 4178 of *Hansard*, where the Minister said explicitly that there is an existing tariff in the Auto Pact of 9.2 per cent and the intention of the Government is to reduce that down to zero. Those were her words on March 16. Are they still the basis of government policy today and, if so, does that not therefore mean that the Government is negotiating away the very basic safeguards and foundations of the Auto Pact system that provides jobs for hundreds of thousands of Canadians? Will the Minister at least admit her own words of some two months ago?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I have answered that question many times. May I point out that I used the words "automotive trade", I am advised, and we will check that out. I have not talked about the Auto Pact.

May I remind him that when the Auto Pact was put in place tariffs were dropped from about 27 per cent to about 9.5 per cent, and that for 22 years it has operated without any tariffs on automotive trade within the Auto Pact. I see no purpose in trying to do something—I see no purpose in trying to operate this industry—

Mr. Axworthy: Because they met the conditions.

Mr. Broadbent: That is what the pact was about.

Mr. Rossi: Brian is looking at you. You are going to be in the next shuffle.

Mr. Speaker: When Hon. Members are asking questions which, by their very nature are complex, I am sure they would of course let the Hon. Minister reply in perhaps more detail than otherwise. A question that asks for detail and is argumentative is entitled to a lengthier reply. The Hon. Minister.

Miss Carney: I can only repeat what I have said. For 22 years there have been no tariffs on automotive trade within the Auto Pact.

Mr. Axworthy: You just said there are tariffs.

Miss Carney: There have been no tariffs in effect for 22 years. This Government does not intend to alter something which has worked very well for 22 years.

May I add that if the safeguards they are talking about were ever required, it would mean that the industry was operating with 40,000 fewer jobs than today, with $5.5 billion less production than today, and 600,000 less units than today. If that is what they want, that is what they would get if their policies were put into place.

MINISTER'S STATEMENT

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, my question is directed to the Minister who seems surprised to find that telling the truth is not unparliamentary.

Some Hon. Members: Order.

An Hon. Member: Cheap shot.

Mr. McCurdy: On March 16 the Minister said that tariffs are on the table and: "We are seeking to reduce them to zero". I think the people of Canada deserve a straight answer.

An Hon. Member: What is your question?

Mr. McCurdy: Never mind all this obfuscation—

Some Hon. Members: Question.

Mr. Speaker: Both questions and answers on this issue are becoming debate. I would ask Hon. Members to put their questions specifically and the Hon. Minister, if they are directed to the Hon. Minister, to answer as succinctly as possible. The Hon. Member.

Mr. McCurdy: Will the Hon. Minister maintain the threat of tariffs as a means of ensuring the application of content requirements and production requirements in the Auto Pact? Yes or no.

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, may I repeat that the Auto Pact is not being discussed at the table. May I repeat that there have been no tariffs on automotive trade—

Mr. Broadbent: That is not so.

Miss Carney: —no tariffs in effect on automotive trade within the Auto Pact for 22 years.

Some Hon. Members: Wrong.

Miss Carney: There is a possibility of tariffs being applied at a level so low that the economy of the Province of Ontario would be destroyed were it ever required to put them into effect.

REQUEST FOR MINISTER'S RESIGNATION

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, my supplementary question is directed to the Prime Minister. Has the Minister not demonstrated sufficient evidence of duplicity and incompetence as to require her resignation?

Mr. Speaker: The Hon. Member for York South—Weston.

• (1450)

THE ADMINISTRATION

CODE OF CONDUCT—MINISTER'S STOCK HOLDINGS

Mr. John Nunziata (York South—Weston): Mr. Speaker, my question is directed to the Prime Minister. It concerns the blind trust of the Minister of Public Works. I would like to ask the Prime Minister, who is responsible for the conflict of interest code, whether he himself has investigated this particular matter and whether he has satisfied himself that the Minister is in full compliance with the letter and spirit of the conflict of interest code?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the Minister of Public Works made a full statement to the House yesterday and outlined in a very succinct way the details surrounding this. I remind the Hon. Member that the Minister has engaged the services of two highly reputable firms to handle his blind trust, namely, McLeod Young Weir, and Nesbitt Thomson and Deacon. If the Hon. Member is suggesting that these two reputable firms have in some manner, shape or form, breached the spirit and technical guidelines of the conflict of interest guidelines I wish he would point it out to the House.

In his enthusiasm, perhaps the Hon. Member may want to slander people, and not engage in slandering the reputation of two highly respected national firms.

Mr. Nunziata: Mr. Speaker, the two companies are not required to comply with the conflict of interest code. It is the Minister who must comply with the conflict of interest code.

MANAGEMENT OF STOCK PORTFOLIO

Mr. John Nunziata (York South—Weston): The conflict of interest code is quite clear. It says a trustee shall clearly be at arms length from the public office holder. It goes on to say that a Minister has an obligation to act in a manner which will bear the closest public scrutiny—

Mr. McDermid: Make your accusation.

Mr. Nunziata: —an obligation which is not fully discharged by simply acting within the law. How can it be said that the Minister of Public Works was within the letter and spirit of the conflict of interest guidelines—

Mr. McDermid: Make your accusation.

Mr. Nunziata: —when his public trustee, or his trustee, is his best friend and political fund raiser? How can it be said when that individual is managing the Minister's stock portfolio he is at arms length with the Minister and the Minister is acting according to the letter and spirit of the conflict of interest code? I would like the Prime Minister, who has said in the past in this House that he is the individual primarily responsible for compliance with the code, to answer.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, in the Hon. Member's attempt to mislead, he is suggesting that McLeod Young Weir, and Nesbitt Thomson and Deacon—

Some Hon. Members: Order.

Mr. Riis: Order. Show some respect.

Mr. Speaker: I have earlier today had to suggest to another Hon. Member that the words "attempt to mislead" are, at least in the mind of the Speaker, equivalent to "intentionally misleading". I know the Hon. Minister would not have wanted that impression to be left.

Mr. Mazankowski: Mr. Speaker, I certainly do not want to leave the wrong impression. I certainly want to comply with parliamentary tradition. However, I must tell the Hon. Member that his suggestion that this is not an arms length transaction is certainly not in accordance with the facts.

The Minister has engaged two reputable national firms to handle his trust. If the Hon. Member finds something offensive in that regard, let him state his case and clearly show it.

Mr. Crosbie: And put his seat on the line.

* * *

[*Translation*]

CANADA POST CORPORATION

LETTER CARRIERS STRIKE—APPOINTMENT OF A MEDIATOR—GOVERNMENT'S POSITION

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, my question is for the Minister of Labour. Letter carriers have now been on strike for one week. Picket line violence is on the rise as the Canada Post Corporation continues to use scabs to deliver the mail. The Canada Post Corporation has asked for a mediator. Will the Minister appoint a mediator today to end this strife?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I have considered the request for mediation. I am indeed keeping the whole matter under close scrutiny. I wish to point out to the House that a conciliator and a commissionner have already reported that they had failed to reach an agreement in the present confrontation. As the parties involved have not shown sufficient flexibility, it would not be appropriate to appoint a mediator, since one would expect this to happen when a settlement is at hand.

[*English*]

Mr. Rodriguez: Mr. Speaker, the Minister cuts an ironic figure, fiddling while violence and injuries are taking place on the picket line, because Canada Post is hiring scabs to break the union.

MINISTER'S POSITION

Mr. John R. Rodriguez (Nickel Belt): I want the Minister to stand up and tell us if he does not consider it now appropriate, in view of the confrontation and the heightened violence on the picket line, that both sides might very well be ready for mediation? Will the Minister accept his responsibility as the Minister of Labour and appoint a mediator?

[*Translation*]

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I suggest that it is indeed because I am accepting my responsibility as the Minister of Labour that I have come to the conclusion that it was not appropriate at this stage to appoint a mediator.

As for violence, it has nothing to do with the process of collective bargaining, and I believe it is up to the parties involved to act in a responsible way, to get back to the table and to reach an agreement.

[*English*]

Mr. Rodriguez: But not hiring scabs.

USE OF STRIKE-BREAKERS

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, I would like to direct my question to the Minister responsible for the postal strike.

Some Hon. Members: Order.

Some Hon. Members: Hear, Hear!

Mr. Guilbault (Saint-Jacques): The Government should have known that using strike-breakers for the first time in a postal strike would invite the kind of escalating violence that Canadians are getting sick and tired of seeing on their news every night. Now the Minister of Labour, the slow moving Minister of Labour, is telling us—

Mr. Crosbie: Question.

Mr. Guilbault (Saint-Jacques): —that he has rejected the one solution which everyone knows has to be taken. Why will the Government not appoint this mediator—even Canada Post has been asking for it—and do it now before it is too late?

An Hon. Member: Hello? Anybody home?

Mr. Gauthier: Anybody home?

An Hon. Member: That question is out of order.

Mr. Speaker: The Hon. Member for Saint-Jacques.

Mr. Gauthier: No answer? What a bunch of goodies.

Mr. Guilbault (Saint-Jacques): Mr. Speaker, if the Minister is not willing to accept his responsibilities, maybe the Prime Minister will think of someone else to do the job.

Some Hon. Members: Order.

[*Translation*]

Mr. Guilbault (St-Jacques): I want to turn to the Prime Minister and remind him that far from decreasing, violence is increasing daily. Canada Post just stated that the day is coming when it will have to lay off 40,000 people, which could stop the service completely.

LIBERAL PARTY'S THREE SUGGESTIONS TO END STRIKE

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, the Prime Minister might accept—and this is my question to him—three suggestions from the Liberal party to put an end to the strike. First, appoint a mediator; second, stop using strike-breakers in order to stem violence; and third, give Canada Post the flexibility needed to make reasonable offers.

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, everyone in this House, I assume, deplores violence. As the Minister of Labour has indicated, we should all be encouraging parties to reach a negotiated settlement at the table.

I would remind the Hon. Member that the conciliation commissioner stated in his report that the Post Office has a social obligation to try to continue to deliver the mail. I have asked, and I have been instructed that it has sent out messages to all of its managers that they are to avoid confrontation if at all possible while fulfilling their social obligation of trying to deliver the mail. As the Hon. Member just pointed out, they may not be able to do that. They may have to lay off. I hope it does not come to that.

Mr. Guilbault (Saint-Jacques): You hired the strike-breakers. They are doing it.

Mr. Andre: In the meantime, it does no good to the process, no good to finding a resolution and restoring good service, and improved service to Canadians, for the Hon. Member continually to try to raise false issues—

An Hon. Member: Shame.

Mr. Andre: —false accusations, and bring the issues from the table to the floor of this House of Commons.

Mr. Guilbault (Saint-Jacques): And you are doing nothing meanwhile.

* * *

• (1500)

ENVIRONMENTAL AFFAIRS

INTRODUCTION OF POLLUTION CONTROL LEGISLATION

Mr. Alan Redway (York East): Mr. Speaker, my question is for the Minister of the Environment. Last December the Minister issued a draft Environmental Protection Act for discussion purposes. He indicated that this spring he would be introducing in the House tough new pollution control legislation. On Sunday last week spring turned into summer. Why has the Minister backed off? When are we going to throw the book at these guys?

Hon. Tom McMillan (Minister of the Environment): Mr. Speaker, as a result of a broadly-based consultation process all winter and all spring, the Environmental Protection Act, which I tabled in the House of Commons in December for consultation purposes, will have been substantially revised. I intend to table the proposed revised Act in the House of Commons for first reading on Friday, June 26. At the same time I will be releasing a major enforcement and compliance policy of the Government of Canada towards which end the Government will also be approving significant new funding for Environment Canada. In this way, not only in the statute books but also in the real world, we will have a truly effective instrument to throw at the polluters and at pollution.

* * *

NUCLEAR ARMAMENTS

IMPORTATION OF WEAPONS-GRADE ENRICHED URANIUM

Ms. Pauline Jewett (New Westminster—Coquitlam): Mr. Speaker, my question is for the Prime Minister. Keeping in mind Canada's long-standing policy of not contributing to the proliferation of nuclear fuel and technology for military purposes and the Prime Minister's own commitment restated in Quebec City on May 23 to strengthen, not weaken, the non-proliferation regime, will the Prime Minister assure the House that Canada will not use, import, or produce weapons-grade enriched uranium for military purposes, including the fueling of military submarines?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, as my colleague the Minister of National Defence has made clear in this House before, actions that we take and intend will continue to be consistent with the non-proliferation treaty.

CANADIAN POSITION

Ms. Pauline Jewett (New Westminster—Coquitlam): Mr. Speaker, I deliberately used the words "non-proliferation regime", words which I know the Minister understands. Therefore is he saying that we will be the first non-nuclear weapons producing state to engage in highly enriched weapons-grade uranium to fuel our submarines?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, when members of the New Democratic Party find that the treaties in place do not serve their ideological purposes they don't any longer talk about treaties, they talk instead about regimes.

Ms. Jewett: Well, it is a treaty, too. If you want a treaty, the treaty is right here.

Mr. Clark (Yellowhead): I know that the Hon. Member does not like the non-proliferation treaty as it is written. Our obligation is to adhere to the treaties to which Canada is party.

Ms. Jewett: But you're not!

Mr. Clark (Yellowhead): We are, and we intend to continue to adhere to the non-proliferation treaty which Canada has signed.

Some Hon. Members: Hear, hear!

Ms. Jewett: From you of all people that is shocking. You have just given up all your principles, that is what you have done.

* * *

THE ADMINISTRATION

CODE OF CONDUCT—TRUSTEE OF MINISTER'S BLIND TRUST

Ms. Sheila Copps (Hamilton East): Mr. Speaker, we have now heard the Deputy Prime Minister confirm the statement of the Minister of Public Works that his blind trust was actually held by McLeod Young Weir. Yet I have in my hand a document authorizing the transfer of all securities and cash positions from McLeod Young Weir to Nesbitt Thomson. That particular document is signed by R. Montgomery, trustee.

Can the Deputy Prime Minister explain who was the real trustee, McLeod Young Weir, or the friend and fund raiser of the Minister, Ross Montgomery?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the Hon. Member's allegations are false.

Mr. Nunziata: We have a document here.

INQUIRY CONCERNING TRUSTEE

Ms. Sheila Copps (Hamilton East): Mr. Speaker, I have the document. Given that the Minister said in the House yesterday that he was prepared to be very open will he in fact table in the House any authorization for a trust account that he has specifically from the company McLeod Young Weir? Will he come forward with the documentation which he claims shows that the trust was held by McLeod Young Weir? Or is it in fact true that Mr. R. Montgomery, trustee, who signed this document authorizing the transfer, was in fact the non-arms length trustee of the Minister's so-called blind trust?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the Minister made a clear statement yesterday. Today, I have tried to elaborate further. If the Hon. Member opposite wants to throw dirt she will be digging her own grave. That is all I can say.

Some Hon. Members: Hear, hear!

Mr. Speaker: The Hon. Member for Annapolis Valley—Hants will ask he last question.

* * *

THE CONSTITUTION

1987 CONSTITUTIONAL ACCORD

Mr. Pat Nowlan (Annapolis Valley—Hants): Mr. Speaker, my question is for the Right Hon. Prime Minister. I see that Question Period is almost over and the Prime Minister is starting to leave the House.

In view of the surprising interview that the Right Hon. Prime Minister gave yesterday about Meech Lake and the status of the joint committee of the House of Commons and the Senate, and in the more surprising absence of a question being asked by an opposition Leader on the subject today, I would like to ask the Prime Minister this. What will the status of the committee be in view of the very definite statement of the Prime Minister that he really does not care what the committee does, that he will not entertain any amendments on the Meech Lake Accord? Further, what will that do to the provincial hearings presumably to be held in Ontario and/or Manitoba?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the Hon. Member is of course quite wrong.

An Hon. Member: He's one of yours!

Mr. Mulroney: Yes, indeed, he is a member of the government Party. I am just saying that he is quite wrong.

My undertaking as a First Minister pursuant to Meech Lake is in the 1987 Constitutional Accord which states:

> The Prime Minister of Canada will lay or cause to be laid before the Senate and House of Commons, and the first ministers of the provinces will lay or cause to be laid before their legislative assemblies, as soon as possible, a resolution, in the form appended hereto—

The resolution in the form appended thereto is the agreement agreed upon by all First Ministers.

In regard to the question yesterday which I was asked by a very distinguished member of the gallery, I said:

[*Translation*]

As far as I am concerned, I have no hesitation in suggesting that the Meech Lake Accord is an impressive document that tends to reaffirm Canadian unity. And I have no hesitation in recommending that document to the country and to Hon. Members in this House.

Now, our democratic, parliamentary usage provides for participation, something I approve entirely. And we will see what will come out of it, in terms of the Parliamentary Committee.

But as far as I am concerned, Mr. Speaker—

[*English*]

My obligation pursuant to the Meech Lake Accord, undertaken and signed by all First Ministers, was to bring forward without hesitation and without change the Meech Lake document in which I believe very strongly, as do the other First Ministers, and to present it before the House of Commons. That is exactly what I have undertaken to do. There is nothing in the interview at variance at all with that undertaking on behalf of the people of Canada.

Some Hon. Members: Hear, hear!

ROUTINE PROCEEDINGS

[*English*]

GOVERNMENT OPERATIONS

PRESENTATION OF THIRD REPORT OF STANDING COMMITTEE

Mr. Felix Holtmann (Selkirk—Interlake): Mr. Speaker, pursuant to Standing Order 96(2), I have the honour to present, in both official languages, the third report of the Standing Committee on Government Operations. The report pertains to the operational plans of Canada Post and covers a range of issues such as postal disruptions, door-to-door mail delivery and third-class unaddressed mail.

I wish to note that we have examined the plans of Canada Post strictly from a consumer and user point of view. It is deemed that this was the most appropriate approach.

I would like to thank witnesses, Members of Parliament who participated in this report, and our hard working staff.

[*Editor's Note: See today's Votes and Proceedings.*]

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PRIVILEGE

ALLEGED STATEMENT BY MEMBER

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I am rising on an urgent and important question of privilege. The actions of a Member of this House have seriously impaired my ability to discharge my duties and responsibilities as a Member of Parliament. I am referring, of course, to the despicable and irresponsible actions by the Leader of the New Democratic Party in calling me a liar a few feet outside this Chamber yesterday afternoon.

• (1530)

The facts are these. Yesterday, the Leader of the New Democratic Party rose on a question of privilege to claim this Government had misled him and the House on the matter of the Canada-U.S. Auto Pact being included in the present free trade negotiations. You will remember that, in your wisdom, Mr. Speaker, you ruled that the Member had no question of privilege.

Not content with that ruling, Mr. Speaker, and showing contempt for this House, the Member for Oshawa (Mr. Broadbent) walked a few feet outside the Chamber and said to reporters, and I quote, "I think she's lying to us about the Auto Pact", as reported in today's *Ottawa Citizen. The Toronto Sun* reported that the NDP Leader said I was, and I quote, "lying".

Of course, he must be aware of the fact that in making these charges without the protection of Parliament he is exposing himself to the possibility of legal action. In fact, the only person who has ever called for changes in the Auto Pact in this House is the Hon. Member.

I have been asked repeatedly in this House, Mr. Speaker, whether the Auto Pact is on the table, and I replied to the Hon. Member for Windsor West (Mr. Gray):

> Canada does not intend to put the Auto Pact on the table. We believe, as I have told the House, that it is working well. If the Americans wish to make any proposals, which they have not yet done, we will look at them. If they increase employment, increase production, and increase investment in Canada, we will look at them.

As you will recall from the rest of Question Period yesterday, Mr. Speaker, members of the opposition Parties continued to question me about the Auto Pact and whether or not it was being negotiated. They based their questions on a third-hand report, a press report of a memorandum written by a congressional staffer in Washington purporting to interpret an oral briefing by the Deputy Chief Negotiator for the United States. That report, Mr. Speaker, has been called into question by no less an authority than the Chief Negotiator for the U.S., who has publicly characterized it as containing "a lot of inaccuracies". Others at the same Washington briefing hold far different interpretations of what was said.

Despite that, the Leader of the New Democratic Party has put this forward as the etched-in-stone American position. The Chief U.S. Negotiator has backed up my statement that the Auto Pact is not on the table. Despite all of this evidence, and my word that the Pact is not on the table, the Leader of the New Democratic Party has damaged my ability to discharge my duties by calling me a liar.

I know, Mr. Speaker, that there have been precedents when statements made outside the House have been determined not to constitute questions of privilege. However, I feel strongly in this case, and so suggest to you, that the behaviour of the Leader of the New Democratic Party, which would be unacceptable and certainly a question of privilege had it taken

place in the Chamber, is just as obnoxious, just as despicable, and just as damaging in the lobby of the House.

If you find, Mr. Speaker, that there is a prima facie case of privilege, I would be prepared to move the appropriate motion to refer the matter to the Standing Committee on Elections, Privileges and Procedure.

Hon. Edward Broadbent (Oshawa): Mr. Speaker, in response to the Minister's suggestion that there is a prima facie case of privilege, let me say right at the outset that she knows, of course, that there isn't the slightest case of privilege about something that occurs outside the House. She has—

Miss Carney: Except legal action.

Mr. Broadbent: Well, if the Minister wants to take legal action, I say to her right now, go ahead, lady, do it. If—

Mr. Clark (Yellowhead): "Go ahead, lady"! Sexism raises its head. The NDP and sexism.

Mr. McDermid: Well said, Ed.

Miss Carney: Mr. Speaker, I rise on a point of order. The Hon. Member has called me "lady". While I certainly do not deny it, the rulings of this House indicate that when said of an Hon. Member it constitutes a sexist comment.

Mr. McDermid: The great Leader of the New Democratic Party, the socialist party! Gotcha, Ed. It gets the needle in a little bit. It hurts, doesn't it.

Mr. Broadbent: For a Progressive Conservative to talk about a sexist observation—

Mr. Clark (Yellowhead): Get your cigar.

Mr. Broadbent: Mr. Speaker, I gave them the courtesy of listening to what they had to say—

Mr. McDermid: You should, too.

An Hon. Member: Calm down.

Mr. McDermid: He is starting to believe the polls.

Mr. Speaker: As Hon. Members know, and as the public would be interested in knowing, there is an application before the Chair by the Hon. Minister for International Trade (Miss Carney) to the effect that her privileges, her capacity to carry out her duties as a Member of Parliament, have been abridged by the fact that the Hon. Leader of the New Democratic Party, the Hon. Member for Oshawa (Mr. Broadbent), has allegedly said of her outside of this Chamber, but within the precincts of Parliament, that she was lying or was a liar. That is the issue. Tempers, of course, are understandably frayed, and in that situation there is a tendency to use a lot of other language—language which, I hope, I shall not have to rule on.

The specific issue before the Chair is, first of all, whether or not those words were used of the Minister and whether their use just outside this Chamber constitutes a question of privilege.

I would ask the Hon. Member for Oshawa, who is a very experienced parliamentarian, to assist the Chair by addressing his comments to that specific point.

Mr. Broadbent: Mr. Speaker, I take the matter raised by the Minister seriously. She has raised a couple of points that I think are only tangentially related, and I should like to pick up on those before I come to what I regard as the nub of the issue.

She has suggested, for example, that as Leader of my Party, as a man who represents an automotive community, I have talked about putting the safeguards of the Auto Pact up for negotiation. I want—

An Hon. Member: You have.

Mr. Broadbent: The Minister, having made her accusation, I note is leaving the House in a great huff.

An Hon. Member: She huffs and she puffs.

Mr. Broadbent: I listened to her point. I would have thought she would listen to the reply.

Mr. Speaker: Hon. Members do realize that there is a tradition not to refer to the presence or absence of Hon. Members. Hon. Members have many responsibilities in carrying out their duties and serving their constituents. It may be that the Hon. Minister has to leave for some other engagement. It is not for me to comment one way or the other. If in fact the Hon. Minister is leaving the Chamber, that should not be the subject of a deprecatory comment in arguing the question of privilege.

Miss Carney: Mr. Speaker, I rise on a point of order. As the fact of my departure from the Chamber has been raised, I should like the record to show that I am leaving to chair a cabinet committee before which will be appearing people from all across the country to discuss the very serious issue of free trade.

Mr. Ouellet: Then, why did you raise the question of privilege in the first place!

Mr. Speaker: The Chair recognizes the Hon. Member for Oshawa. I assure the Hon. Member that I shall listen carefully to his intervention.

Mr. Broadbent: Thank you, Mr. Speaker. I shall simply continue. The Minister pointed out that I had in fact suggested that the conditions of the Canada-U.S. automotive agreement be up for discussion. What she might have added, had she been interested in a comprehensive view of the truth, is that when these matters were raised by me I was talking about improving the safeguards from the Canadian point of view, not reducing them, which, to understate the matter considerably, is a little different from the impression the Hon. Minister tried to leave with the House.

Secondly, the Minister went on—and I say, in this context, not simply throughout yesterday's Question Period, but throughout many previous Question Periods, as indeed she has done outside of the House—to play what I call, without any hesitation, linguistic games. She has said that she was not interested in having the Auto Pact put on the negotiating table; that the Auto Pact was not on the negotiating table. Anyone who is familiar with the details of the Auto Pact—and I am not prepared to concede that in fact the Hon. Minister is, after listening to what she had to say on certain technical aspects—

Mr. Clark (Yellowhead): You cannot rise above the cheap, can you!

Mr. Broadbent: I would ask the Hon. Member opposite to be quiet. We listened to his colleague when she was speaking, and I would ask him to extend to me the courtesy of—

Mr. Clark (Yellowhead): Don't speak to me of courtesy.

Mr. Broadbent: —of listening to me—

Mr. Speaker: I know that Hon. Members will want to quietly listen to the comments of the Hon. Member for Oshawa.

An Hon. Member: Why?

Mr. Speaker: The quieter Hon. Members are, the easier it will be for the Chair to appreciate the points being made.

Mr. Broadbent: Mr. Speaker, I am replying, and intend to reply, only to the precise points the Minister raised.

She talked about putting the Auto Pact on the discussion table. I talked about that, pointing out that the impression she left was completely contrary to the purpose that I had in mind when I raised the subject. I said that the safeguards should be improved, not reduced, not removed, as the present Government seems clearly to be moving in the direction of doing. Second, I pointed out that this matter was very important, not just to the thousands of people in the country who depend directly and indirectly on those jobs, but that happens to be the case of those who voted for me in my community. They have a central concern, and I think all Members of Parliament have an understandable concern about the well-being of their constituents.

• (1520)

I was not interested in the Minister, either inside the House or outside the House, saying that she did not have the Auto Pact on the negotiating table when in fact what she had on the table were the tariff policies which are the guts and essence of the Auto Pact, and the Minister knows that.

In my very serious view it was the Minister—and I am not going to say deliberately; I am not going to use an adverb at all—inside this House and outside this House who has been misleading the people of Canada on this issue, not me. I believe that profoundly, Mr. Speaker.

Mr. Clark (Yellowhead): That is not what you said outside. Show a little courage.

Mr. Broadbent: I want to conclude with my point—

Mr. McDermid: Tell us what you said outside.

Mr. Broadbent: I want to conclude with the specific—

An Hon. Member: Be honest.

Mr. McDermid: Have the courage to repeat what you said outside.

An Hon. Member: You are gutless, Ed.

Mr. Riis: It is safe calling from your seats.

Mr. Speaker: I know there are some Hon. Members who would wish this particular matter was over. It will be over sooner if they would keep their comments to themselves.

Mr. Broadbent: I want to go to the very specific concern of the Minister about my use of the word "liar". I was asked a question outside the House when I was pointing out what I regard as abominable contradictions between what the Minister said, that she was involved in negotiations on the one hand, and the reality of tariff policies which pertain to the Auto Pact on the other hand. I was asked at that time, "Do you think the Minister is lying", and I said: "Yes". I want to be very clear what I mean by that. To lie is to deliberately mislead. Outside the House when I was asked the question, I believed then and I believe now that that was the case, that the Government has a policy of misleading the people of Canada on what they are really up to.

Mr. Clark (Yellowhead): Oh!

Mr. Broadbent: I also respect the traditions of the House in terms of the use of language in this regard inside or just outside. I accept those traditions, and I will withdraw the use of the term unequivocally.

Mr. Clark (Yellowhead): Mr. Speaker, I rise on a point of order. Does the Leader of the New Democratic Party also withdraw the unparliamentary accusation he just made, that it is the policy of the Government to mislead the House?

Mr. Nystrom: That is common knowledge, Joe. That is Brian, and you know Brian, Joe.

Mr. Speaker: That is a question which at the moment needs not to be met in debate or answer or otherwise. It may well be pursued further at another time. The Hon. Member has absolutely withdrawn the statement—

Mr. Malone: No, he has not.

Mr. Nystrom: Respect the Speaker.

Mr. Speaker: The Hon. Member has absolutely withdrawn the statement of which the Hon. Minister complained. So far as the Chair is concerned, that ends the matter.

* * *

PRIVILEGE

ALLEGED STATEMENT BY MEMBER

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I rise on a question of privilege relating to the Hon. Member for Oshawa (Mr. Broadbent).

An Hon. Member: Up yours, Joe.

Mr. Clark (Yellowhead): In case the *Hansard* reporter missed the comments of the Hon. Member for Oshawa, as he walked out of the House he said, "Up yours, Joe", thus keeping himself consistent with the kind of leadership that he and his Party have been giving on matters relating to decorum in the House.

My question of privilege is very brief. The Hon. Member for Oshawa, before he left the House, made an accusation that it is the policy of this Government to mislead the people of Canada. As a member—

Some Hon. Members: That's right.

Mr. Fulton: That is your policy, Joe.

Mr. Clark (Yellowhead): As a member of this Government—

Mr. Riis: That is the truth, Joe.

Mr. Clark (Yellowhead): Mr. Speaker, the NDP is now trying—

Mr. Fulton: People are allowed to tell the truth in here, Joe. You might try to muzzle us—

Mr. Speaker: The Right Hon. Secretary of State for External Affairs (Mr. Clark) has raised a question of privilege in respect of a comment made by another Hon. Member. Of course he is entitled to be heard, as were other Hon. Members during the last few minutes. The Right Hon. Secretary of State for External Affairs.

Mr. Clark (Yellowhead): Thank you, Mr. Speaker. I will try to complete my very brief question—

Mr. Riis: Watch it, John. He will storm the chair next.

Mr. Clark (Yellowhead): —if the shouting will stop from the New Democratic Party.

Mr. Rodriguez: No wonder he is not the Leader any more.

Mr. Clark (Yellowhead): I will wait for the socialists to stop shouting—

Mr. Fulton: Right, you are always very quiet, Joe! You yelled the whole time Ed was talking.

Mr. Clark (Yellowhead): My very brief—

Mr. Fulton: You are pathetic.

Mr. Clark (Yellowhead): My brief question of privilege is that that accusation is a breach of the language of the House and a breach of my privileges as a member of the Government.

I would like the Leader of the New Democratic Party to have the courage to come back into the House and to withdraw that statement in a forthright and direct way.

Mr. Nystrom: The Conservative Party misleads the Canadian people all the time.

Mr. Heap: Mr. Speaker, for the third time, the Hon. Secretary of State for External Affairs (Mr. Clark) has referred to the absence of a Member, just a few moments after you reminded Members of the rule against that in the House.

I am surprised, Mr. Speaker, that you did not apply the same rule to the Hon. Secretary of State for External Affairs that you did to the Leader of our Party.

Mr. Speaker: It may be that I did not have time.

The Hon. Member for Spadina (Mr. Heap) very correctly points out that it is absolutely improper to refer to the absence of Members. The Right Hon. Secretary of State for External Affairs has made his point. Are there other Members on this question of privilege?

Mr. Clark (Yellowhead): Mr. Speaker, I would not want to be guilty of any impropriety in the House, and I want to withdraw those references.

Mr. Speaker: The Chair will consider carefully the representations that have been made and will deal with them, I hope, appropriately.

GOVERNMENT ORDERS

[*English*]

MOTOR VEHICLE TRANSPORT ACT, 1986

MEASURE TO ENACT

The House resumed from Wednesday, June 17, consideration of the motion of Mr. Crosbie that Bill C-19, an Act respecting motor vehicle transport by extra-provincial undertakings, be read the third time and passed.

Mr. Gordon Taylor (Bow River): Mr. Speaker, I will continue from where I left off the other night.

Another issue worthy of elaboration concerns the equal treatment of truckers on both sides of the Canada-U.S. border. In 1982, the United States imposed a moratorium on the issuing of licences to Canadian truckers. The power to reimpose the moratorium remains in the United States law and, in addition, a Bill now before Congress would reinforce and extend this power.

The Minister of Transport (Mr. Crosbie) and this Government believe that if Canadian truckers are treated unfairly in the U.S.A., Canada should be able to reciprocate against American truckers in this country. Thanks to an amendment approved by the Standing Committee on Transport, Bill C-19 will provide the Governor in Council with this countervailing power.

Given the close economic relationship between the two countries, we do not anticipate that this power will ever need to be invoked, but we are enacting a regulatory regime that is meant to stand the test of time.

Thus, Bill C-19 represents good, responsive legislation. It has been improved through changes suggested by carrier and shipper consultations, by witnesses who appeared before the standing committee earlier this year, and by the provincial Governments.

When Bill C-19 is enacted, both shippers and carriers will benefit. There will be less economic regulation through the elimination of the public convenience and necessity entry test. The move to reverse onus by January 1, 1988 will mean that only those applications of major importance will go to a public hearing. This will result in less need for costly legal services and a considerable saving for truckers.

The remaining restrictions on rates and routes to be served will be gradually eliminated. This will give both shippers and carriers more flexibility to tailor price and service packages to meet their respective needs and circumstances. As a result of lower costs and innovation, Canadians will have a trucking system that achieves the best service at the best price. This is vital to our economic well being. Jobs—real, permanent jobs—will be created in every region of the country as our producers become more competitive.

• (1530)

The Government of Canada has demonstrated much flexibility in developing and modifying the economic reforms in Bill C-19, but its commitment to safety has never wavered. Safety is the first priority, and this Government has initiated major improvements in the regulation of safety in every mode of transportation. For the trucking industry, the federal and provincial Governments and industry representatives have co-operated to produce a uniform national safety code.

While this Bill was in the committee stage, the federal and provincial Governments reached an agreement on implementation and cost sharing. The code now has a concrete existence. All Governments are committed to implementing it and key components will be in place in federal regulations when this Bill comes into force on January 1, 1988.

The Government of Canada will assist in funding implementation of the National Safety Code to a maximum of $23.5 million over the next five years. We will contribute 100 per cent of the development costs for new initiatives under the Code and 100 per cent of the costs of the information exchange system. We will also contribute up to $250,000 per year per province toward additional operating costs for the first five years.

For their part, the provinces have promised to spend an additional $6 million per year over the same time period to improve enforcement. Of course, these are merely the incremental costs. For example, the provinces will hire new enforcement officers and re-train existing ones as necessary. I understand that the number of commercial vehicle enforcement officers, approximately 1,400, will be increased by 10 per cent. This is in addition to the thousands of provincial and municipal traffic officers who routinely enforce safety on our highways.

The National Safety Code will form the basis of safety regulation in future. Several key elements of the code will be included in the federal safety regulations. The detailed standards for these regulations will be finalized by August, 1987. Hence, once this Bill is passed, federal regulations setting out safety requirements for both trucks and buses will be in place by January 1, 1988.

This should not be misconstrued to mean that we have no highway safety at this time. Canada has an excellent safety record, but we are determined to improve it. We already have a fine regime of safety regulation in each of the provinces and territories. Indeed, most of the elements of the new safety code are already in place in one or more provinces.

Provincial safety regulations are in place now to control driver qualifications and medical standards. All provinces have joined the North American Commercial Vehicle Safety Alliance which sets standards for roadside inspections of trucks and buses. Increased roadside enforcement has already started in some provinces and other provinces will follow suit this summer.

There will be improvements made to safety standards in provincial regulations, some of which will be ready by January, 1988 and the remainder of which will be ready by mid-1989. The provinces have made a commitment to have enforcement resources with regard to these improvements in place by the end of 1989.

Over all, Mr. Speaker, the improvements which we will have under the new safety code and Bill C-19 include first, a safety requirement for obtaining an operation licence. For the first time in legislation, all applicants for an extra-provincial trucking licence will have to meet tough safety standards. Legally, the National Safety Code will be adopted in regulation under the new Motor Vehicle Transport Act and under

the laws of each province. Second, there will be uniformity among the provinces. The code will provide the basis for ensuring that safety requirements for all extra-provincial traffic are the same in every province. Third, there will be information exchange among the provinces. Records on safety deficiencies by companies and individual drivers will be kept and available to all provinces. This means we will have a national enforcement scheme. Work has already commenced to create the required national computer network.

In addition, existing national safety programs for driver testing and control, vehicle safety enforcement and insurance and dangerous goods legislation will be augmented by the following new initiatives to be implemented on or before January 1, 1988: First, upgrading the single driver licensing system, which has been in place for 20 years, to enhance enforcement and control; second, standardization of existing licensing classification; third, modification of existing medical standards for drivers; fourth, modification of existing regulations for security of loads; fifth, a new training course for dangerous goods trainers; and sixth, integration of the Canada Vehicle Safety Alliance with its American counterpart to ensure uniformity throughout North America to the greatest possible degree.

This last initiative is very significant because it will provide a uniform roadside vehicle inspection program. All provinces have signed memberships and paid their dues to the North American organization. As Members from Quebec probably know, a pilot project for safety inspections is being undertaken in that province. This program is already having a positive impact on truck safety in that province. Other provinces are expected to follow suit with similar projects of their own.

Finally, uniform vehicle maintenance standards are being developed as part of the code and will be enforced across Canada by October 1988. Hours of service regulations will be fully enforced by January 1989 and the interprovincial exchange of records will be fully implemented by December, 1988.

Governments, both federal and provincial, the carriers and their employees are all participating in these initiatives to ensure that Canada achieves the highest practicable standards in accordance with the policy statement of the new National Transportation Act, Bill C-18, which we have been considering.

Regarding administration of the code, it makes good sense from all viewpoints to leave it with the provinces which have clear jurisdiction over highway safety. It has been noted, however, that nowhere in law is there a delegation of off-the-road safety practices of extra-provincial trucking and bus companies. We have, therefore, added a section to Bill C-19 which would enable provincial enforcement of safety in the federal jurisdiction.

The time has come for change. The costs of trucking service can be held down, in some cases lowered, by reducing the regulatory restrictions on entry, rates and routes. Both the federal and provincial Governments are confident that the Canadian trucking industry has matured. It is fully capable of meeting the challenge of greater competition that will result from Bill C-19 and competition with all other modes. Without a doubt, a solid foundation is being laid for long-term healthy growth, both in the trucking industry and in the economies of all the regions of Canada.

There will be a significant improvement in highway safety through promulgation of uniform safety regulations, both federally and provincially and through enforcement by the provinces. We are enacting a regime that seeks to advance the interests of all Canadians by removing obstacles to the growth of our economy and our trade. This legislation will permit enterprise to flourish in the trucking industry, safeguarded but not oppressed by government regulation.

The experience of other countries indicates that the greatest benefit of reducing economic regulation is innovation. It is not possible to predict exactly how it will occur, but free from restrictions transportation companies will develop innovative new services and rate structures. Shippers can then take advantage of these innovations to become more competitive in their markets and jobs are thereby protected or created throughout the economy.

Of course, these benefits will not arise overnight. We are planning and laying the foundation for long-term economic growth. Similarly, there will be no drastic upheaval in trucking services, no destructive, super-heated competition. Why? Because the approach to reform has been thoughtful and balanced with a view to ensuring gradual adaptation.

We stand before a clear window opportunity. The need for the reforms in Bill C-19 is clear, as are the significant long-term benefits for all Canadians in every region of the country. Now is the time to act. Canada is maturing as a nation in transportation.

Mr. Lewis: Mr. Speaker, I rise on a point of order. I have had some discussions with my colleagues in the other Parties and there has been a good deal of co-operation from them on this very minor matter that I wish to bring before the House. There is a feeling that the Bill would be more accurately described if the year were changed from 1986 to 1987.

I appreciate that this is an unusual procedure but it would be our desire to have the short title mentioned in Clause 1 of the Bill now before the House changed. I move that it reads as follows:

Motor Vehicle Transportation Act, 1987.

• (1540)

Mr. Angus: Mr. Speaker, I would like to indicate to the House that we agree. In fact, there were efforts made in committee to suggest that the more appropriate year would be 1987, seeing as how that is the year in which we are passing the legislation. However, I would like it if the Government would consider changing it to 1988 so that we would get the

year's delay in implementation that we have been seeking as well.

[*Translation*]

Hon. André Ouellet (Papineau): Mr. Speaker, I agree with the Parliamentary Secretary's motion, especially since at the report stage, our own suggestion for such a change was turned down by Government Members on the Standing Committee on Transport. We realize the Parliamentary Secretary has finally seen the light, and we support the motion.

[*English*]

Mr. Deputy Speaker: The House has heard the terms of the motion proposed by the Hon. Deputy House Leader. Is there unanimous consent to adopt the motion?

Some Hon. Members: Agreed.

Motion (Mr. Lewis) agreed to.

[*Translation*]

Hon. André Ouellet (Papineau): Mr. Speaker, I welcome this opportunity to speak on third reading of Bill C-19, an Act respecting motor vehicle transport by extra-provincial undertakings.

This Bill, which has raised some perfectly legitimate and normal fears in the Canadian trucking industry and elsewhere, will replace the Motor Vehicle Transport Act. When the initial legislation dealing with this sector was adopted in 1964, the federal Government at the time had decided to delegate to the provinces its authority to regulate extra-provincial truck leasing services.

The main consequence of this legislation was that over the years, the provinces adopted a different regulatory framework with widely varying rules and administrative procedures for regulating market entry, abandonment of services, and the setting of rates in the extra-provincial trucking sector. Obviously, we as Liberal Members of the Opposition found cause to rejoice when in 1985, the Government announced it had reached an agreement with the provinces on the general structure of what was to be a new system for regulating extra-provincial trucking, a system that would be more uniform and less cumbersome.

Unfortunately, the proposed legislation arising from this agreement leaves much to be desired. That is why many operators, owners, representatives and experts in the trucking industry are asking some serious questions about the changes introduced by the Government through this Bill. They wonder with good reason why, when dealing with such a major piece of legislation which could change the very nature of the trucking industry in Quebec, the Conservative Government refused to pay any heed to the quite legitimate requests of those who are more familiar than anyone else with this industry. As in the case of Bill C-18, the Government listened only to the organizations controlled by the large and wealthy shippers.

We believe that the Government should have used a much more careful and responsible approach. In preparing a Bill with such a major impact, the Government should have taken care to evaluate the consequences of this measure on such things as road safety, unfair pricing and competition from American supercarriers.

During the next few minutes, Mr. Speaker, I shall attempt to draw a picture of the consequences passage of Bill C-19 by this House will have. We no longer have any choice. The Government has pushed us and speeded up the process to make us agree at any costs, whatever the consequences, to Bill C-19, in spite of the deep opposition of all those involved in the trucking industry in Canada.

For those who did not have the privilege of attending the proceedings of the Committee on Transport, I would like to examine some of the most striking submissions we heard in the committee to underline how unreasonable and even dangerous this Government's initiative could prove to be. First, let us deal for a few minutes with the issue which, perhaps more than any other, gives Canadians cause for concern when we speak about deregulating the trucking industry, and that is road safety. This is the fundamental issue which worries everyone. Once again, we find ourselves faced with a Bill which is the result of the bad habit the Conservative Government has of wanting to imitate the United States in everything. I would even say in this case that the American model is viewed as the ideal of perfection by the Conservatives.

[*English*]

Indeed, in everything it does, the Tory Government seems to be reaching for the American dream. It wants to emulate the Americans in everything, at any cost, even if in some cases it means repeating tragic mistakes. One such mistake would be to go the way of the American Motor Carrier Act of 1980 which, like this Government's Bill C-19, had the effect of eliminating the public convenience and necessity entry criteria, leaving only the question of whether or not an applicant was fit, willing and able.

[*Translation*]

Looking at what is going on in the United States under deregulation, we realize it led to an increase in road accidents, increased bankruptcies and concentration into the hands of a few large carriers that conquered new markets through price discrimination. The hard-nosed approach that seems to be favoured by economic advisors to the Minister of Transport takes on a quite different look when confronted to the stark reality experienced by truckers.

[*English*]

That unfortunate tendency in the Department and in the office of the Minister of Transport, of wanting to reduce what is essentially the human condition to mathematical equations, telling us of gain for shippers, must in fact be looked at in light of human suffering. It must be looked at in light of lives lost on the highways because of trucks which cannot economically be maintained any longer. It must be looked at in light of the health of drivers which is jeopardized by taking pills in order to be able to work longer hours. That is the harsh reality of

deregulation. That is the human reality and no number of economy models will make it go away.

[*Translation*]

But why such a legislation? Why do you find it so terrible, so bad, you might ask?

What the Bill does is open the door to increased competition in an already saturated market. Because what Bill C-19 does is drop the criteria for entry into the market, the so-called public convenience and necessity rule. That criteria, which has been in place since 1954, puts the onus of proof on the applicant. In order to have a chance to get a licence, the applicant must show that the proposed service is needed and the general public will benefit. Only carriers who supply a service that is required and needed get a licence. But under the guise of increasing competition, this Conservative Government decided to change everything, to replace the public convenience criteria by what is now called the "fit, willing and able" criteria. That new criteria is aimed at allowing any business, whether large or small, that proposes to operate an extraprovincial trucking service and that meets minimal standards—I am not referring to maximum standards, because now they are lowering that down to the most minimal of standards, the least common denominator in terms of safety and insurance—to get a licence almost automatically, as a matter of course.

The Government says that in order to meet provincial and industry concerns, the Bill provides for a five-year transitional period for moving from the current system to a so-called capacity system.

However, Mr. Speaker, a closer look at Bill C-19 proves this to be a scam.

● (1550)

[*English*]

During this interim five-year period when what is called a reverse onus test will be applied amounts to *de facto* deregulation. It is interesting to listen to what the Canadian Trucking Association had to say on this issue:

Based on all the legal advice available the CTA Board is convinced that the reverse onus language in Section 7 of Bill C-19 is useless to achieve the purpose supposedly intended of providing a transitional mechanism.

The reverse onus concept in C-19 amounts to subterfuge in terms of any transitional protection. That is because: The approach removes virtually all discretion from provincial boards.

Following the U.S. example, the change to a totally new test must lead to a deluge of early applications that will swamp the process before it can be properly tested.

The prospect must be that the new language will sooner or later result in court challenges thereby tying up the interpretation of the concept indefinitely in the courts.

It can be easily circumvented by carriers acquiring existing operating licences of which there will soon be a glut with minimal, if any, review mechanism applicable.

[*Translation*]

Because that new criterion reverses the burden of proof to licence holders, who will now have to prove that the entry of a new carrier on a route that is already served will endanger the service's profitability. The difference between that test and the previous one is quite clear: under the new system, anyone owning a truck will get a licence if he is fit, willing and able.

The repercussions of that increased competition on road safety is a matter of upmost concern to us and to the trucking industry. Because it is clear that safety considerations cannot be examined or perceived independently from a specific, economic context.

Let me quote on this the excellent brief submitted by the Ontario Trucking Association to the Committee on Transport, in March 1987.

[*English*]

Safety considerations cannot be separated from economic regulatory reform. We know this is not the intent of the Government of Canada. However, this point needs to be emphasized. There is a direct relationship between economic deregulation and highway safety. Faced with increased competitive pressures and declining profitability, some carriers will—in a deregulated environment—be forced to give less than adequate consideration to those factors which ensure public safety. Costs will be cut in those areas most related to safety—proper vehicle maintenance, inspection and replacement procedures, driver training and operational control. An October 1986 study of road accidents involving heavy trucks in eastern Quebec, points to implications arising from the impact of deregulation on independent truckers or owner-operators.

A 1986 U.S. study conducted by Transportation Research and Marketing in conjunction with the Commercial Vehicle Safety Alliance also reported some shocking results. The study's 100,000 interviews showed that average speeds of trucks increased sharply following deregulation from 60 m.p.h. in the 1977-79 period to about 65 m.p.h. in the 1983-86 period. The study also showed that the average age of equipment rose from 3.7 years in the initial period to 5.2 years in 1986.

In the struggle for traffic, some owner-operators will be forced to run excessive hours and over-exploit their equipment. All of these factors endanger the lives of motorists and truckers alike. Experience in Australia and California has demonstrated that the economic ills resulting from deregulation put some carriers' commitment to safety under extreme pressure.

[*Translation*]

Often, Mr. Speaker, both during the second stage debate on Bill C-19 and during the hearings of the Standing Committee on Transport, we, of the Liberal Party, have indicated just how concerned we are about the consequences deregulation will have on highway safety.

The Minister of Transport (Mr. Crosbie) and the Conservative Members kept repeating that we were raising a non-problem. They felt that there was no connection between highway transport deregulation and the deterioration of safety experienced in the United States.

[*English*]

That attitude shows either a sign of intellectual dishonesty or a disquieting lack of homework on this crucial issue, on the part of the Minister, his officials, and Conservative members of the committee.

Indeed, let us look at the California experiment with deregulation. The California Public Utilities Commission has been recently looking to reinstate some basic rate regulation, finding that to be in the public interest. The factors causing the C.P.U.C. to reintroduce rate regulation was a deterioration in safety. Of course, the one explanatory variable was deregulation. To quote from this brief:

Since 1980, when California deregulated the intra-state trucking industry, the following has occurred:

1. Public Safety—By 1983, years of steady improvement in truck safety statistics has reversed. The truck accident rate per million miles has skyrocketed by 22 per cent between 1983 and 1985.

2. Employee Safety—The workers' compensation rate for trucking company employees increased by 44 per cent between 1978 and 1985. It is currently 51 per cent more than comparable industries.

3. Safety Expenses—Since deregulation, the California trucking industry is spending 10 per cent less on vehicle maintenance and repair even though truck fleets have aged.

4. Safety Practices—Since deregulation, support of the trucking industry for the Certified Practising Safety Administrator program and the annual Safety Congress has dropped by 83 per cent and 49 per cent, respectively.

Of course, it is evident that the California situation differs somewhat from Canada. No two jurisdictions are totally alike, obviously. However, we have to look at the empirical evidence from California, and that is undisputable. Ignoring these facts is a sign of irresponsibility of the worst kind.

We in the Liberal Party who have opposed this legislation cannot understand why the Minister of Transport (Mr. Crosbie), who now has the experience of the U.S., is proceeding so rapidly and so urgently without taking the appropriate precautions.

[*Translation*]

The Government's failure to recognize facts which are not consistent with its wishes will have characterized its approach from the very beginning. It demonstrates that the deregulation which the Conservative Government is proposing is a purely ideological exercise.

It is quite unfortunate that for ideological considerations and to please the powerful lobby of major shippers, this Conservative Government is prepared to jeopardize the safety on our highways. I do not hesitate to say that it is prepared to risk the lives not only of our truckers, but also of each and every person who travels on Canadian roads.

As far as safety is concerned, the American experience is quite convincing, as I mentioned quite briefly in the document which I have just submitted and which is quite clear. But in case it is not, I should like, if I may, to quote another source.

[*English*]

Allow me to quote from a booklet prepared by The Coalition for Sound General Freight Trucking which is made up of motor carriers, shippers and other persons concerned about the future of the general freight trucking industry in the U.S:

In the case of the independent owner-operator, it means hauling a load for whatever price can be had. Sometimes, this is bare, out-of-pocket money for operating expenses and perhaps some contribution towards the monthly equipment loan and something to send home to the family; sometimes it is nothing more than fuel money to get back to a more promising source of loads.

It also may mean speeding or making the cross-country trip with little or no rest because only by maximizing the number of hauls per month can the financial obligations be met. It also may mean choosing what to do with the limited cash in-pocket: fuel for the trip, meals, money sent home, or brake relining or adjusting. Not surprisingly, maintenance is the first to go.

This type of experience is frightening. We cannot understand why the Minister wants to ignore it.

• (1600)

Let me now cite another study which was prepared by Professor Glaskowsky. In a chapter on safety and equipment aging it says the following:

Opponents of deregulation predict trouble in regard to safety deterioration due to the aging of equipment and financial pressures to defer maintenance. Trends since 1980 clearly confirm this prediction.

The American Trucking Association, Inc., in its March 19, 1986 statement before the House Subcommittee on Surface Transportation, summarized an increasingly serious trucking safety situation as follows:

1. Truck accidents reports to the Bureau of Motor Carrier Safety increased 18 per cent in 1984. That is the largest increase since 1972.

2. Trucks placed out of service by federal and state inspectors for serious defects increased from 23 per cent in 1984 to 41 per cent in a national truck inspection in September, 1985.

3. The per centage of motor carriers with unsatisfactory safety ratings is highest among those that have recently received operating authority from the Interstate Commerce Commission, and the number of these new carriers is steadily increasing.

4. Unsatisfactory safety ratings are more prevalent among motor carriers with smaller profit margins.

[*Translation*]

I think that the impact which deregulation will have on highway safety is quite clear. And I do not think that we could honestly disregard everything that is done, said and written about the negative effects of deregulation in the United States.

Unfortunately, that is the path this Conservative Government has chosen. Because of this and because of the great many facts which the Conservative Government has overlooked, we are quite concerned about the welfare and safety of those men and women who drive the juggernauts of the highway; we want our highways to be as safe as possible, and we say that the Government's will to go ahead with deregulation before the implementation of a national highway safety code is altogether unthinkable, inconceivable and unacceptable. The Official Opposition has been essentially asking the Government, in view of the American experience, to realize that it cannot go ahead with deregulation in Canada as long as there is no national highway safety code in place, and as long as the Provincial and Federal Governments have not hired properly trained inspectors in sufficient number to ensure that our highways are safe; until then, it should not implement Bill C-19.

I should like to quote also from the excellent brief submitted by the Quebec Trucking Association which provided another testimony which the Government should have listened to.

> Recognizing the value of a single rule for all, you assured us that you understood the problem and that the introduction of the regulatory reform would coincide with the coming into force of a national safety code imposing the same standards to all. We were also given the assurance that the means to enforce that code would be provided. We were assured that a control mechanism regarding enforcement of and compliance with all social and fiscal obligations imposed on the trucking industry would be implemented. We were finally assured that we would be able to compete with foreign trucking companies on an equal basis.
>
> Where do we stand now? The Government wants to deregulate as of January 1st, 1988, but nothing indicates that we could have a uniform safety code throughout Canada before 1990-91. Each province looks at its role in this area in its own way and the only national leadership is the wish to agree on some uniform code at some indefinite time. You can imagine what the situation will be if anyone can start a trucking business without proficiency or fitness test, without rules or control mechanisms for things like vehicle safety to protect the general interest of the public.
>
> What we cannot understand in particular is the desire of the Government to move in a direction that the Americans are starting to abandon. When you look at what happened in the United States after deregulation you see an increase in traffic accidents, a rising rate of bankruptcies, and a greater concentration of the industry, where a few firms have been able to gain new markets through discriminatous, pricing and other means. The cost-benefit analysis takes an entirely new aspect when we compare the benefits of the shippers to the direct and indirect costs incurred in other areas such as accidents caused by vehicles in bad repair, the health of drivers who take drugs to work longer hours, etc. California was the first state to get into deregulation, it is also the first where steps have been taken to restore regulation.

Evidently, the Quebec Trucking Association is concerned by what the Tory Government is trying to do and in this paper it is trying to slow down this deregulation process. The Liberal Party believes that it is essential to proceed with caution before embarking in that dangerous course of deregulation of motor vehicle transport. This is the reason why we introduced an amendment in committee, both during consideration of the bill clause by clause and in the House at the report stage, amendment which tied the implementation of Bill C-19 to the setting up of a national security code. Unfortunately, in his eagerness to serve the interests of a few large Canadian shippers, the Government has overlooked the most elementary carefulness and common sense.

[*English*]

The Government is in fact telling Canadians that it does not care what is happening in the United States, it does not even seriously address their arguments and concerns but will deregulate immediately and worry about safety later. That kind of attitude is unacceptable. Also unacceptable is the staggered implementation schedule for the 17 components of the safety code to which the Minister of Transport (Mr. Crosbie) has agreed.

On some components compliance is not estimated before August, 1989. On the absolutely crucial question of hours of service enforcement, four provinces and two territories will not bring their regimes in until, at the earliest, May, 1989.

Of course, we are talking here of estimated compliance dates. The Minister has no guarantee as to the implementation of the safety code. Yet he proceeds with full deregulation. We think the Minister should have waited for an effective and enforceable national safety code to be in place before proceeding. To please his powerful shipper friends, he has put the cart before the horse and, in so doing, is jeopardizing safety on our roads.

[*Translation*]

Notwithstanding all the minister's fine words in committee and in this House to the effect that security is and will always be the main concern of his government, a mere cursory examination of the facts shows that there is reason for concern. On that basis alone, Mr. Speaker, we would have voted against this legislation. But there is more to it than that.

We will dwell a while upon another issue that concerns the trucking industry in Canada, that is the unfair price practices that result from a deregulated system. It is perfectly clear that in a free market where competition prevails, the shippers will tend to look for the lowest rate available. According to the most basic rules of deregulation, that would be one of the big assets.

• (1610)

[*English*]

Yet we must be careful. Testimony before the California Public Utilities Commission in February, 1987, provides significant insight into the dangers of unfettered price competition. Volume discounts and rate reduction had become the order of the day in California. Several carriers have not had any increase at all in their rate levels since 1980.

Moreover, a price floor has never been achieved in California. Some carriers have always been willing to cut their rates to get a shipment. Indeed, transportation is like a perishable product, a missed load could never be recaptured. That seems to be the prevalent philosophy in California. I suggest that that could be the prevalent philosophy in Canada if we proceed with Bill C-19.

[*Translation*]

In our opinion, accepting Bill C-19 as is would have catastrophic results for the Canadian motor vehicle transport industry. Most certainly, the American industry giants will be among the first to ask for licences that will have become easier to get. According to industry members in Canada, foreign takeovers of Canadian road carriers will multiply within five years. Since 1981, operating costs in Canada have increased by 28 per cent. That comes mainly from taxes on gas and outrageous costs of liability insurance.

In the same period, the loading rates have increased by only 5 per cent. The net result is that the profit margin has dropped 3 per cent to become one of the lowest since the Second World War. So the large American firms, whose sales often surpass those of the entire Canadian industry, will be in a position to easily penetrate Canadian markets, to lower their rates, to offer predatory prices, to absorb some losses for a year or two and then to take over any Canadian truck undertaking in

difficulty. This is why it is dangerous to introduce such an entrance requirement when profit margins are at 3 per cent; the Canadian trucking industry could be destroyed.

Here again, on the question of unfair practices, the American experience teaches us that caution should be the rule, given that, since the coming into force of the U.S. Motor Carrier Act of 1980, which marked the beginning of the deregulation process in the American trucking industry, the largest firms have been growing constantly. In fact, the four major firms, Roadway Express, Consolidated Freightways, Yellowfreight and United Parcel Services, have increased their share of the American market by 24 per cent. This figure demonstrates clearly that these companies intend to increase their market share and can do it rapidly.

[*English*]

These predatory practices by American carriers have been highlighted by the recent anti-trust suit filed by Lifschultz Fast Freight, a motor carrier based in New York, against the three largest American motor carriers in the United States, Consolidated Freightways Motor Freight, Yellow Freight System and Roadway Express.

Let me quote from the American Transport Association magazine *Transportation Topics*, from May 18:

> Three of the nation's largest trucking companies asked a Federal Court to dismiss an anti-trust law suit filed against them by another carrier.
>
> Lifschultz Fast Freight of New York filed the suit March 3, seeking over $1 billion in treble damages from Consolidated Freightways Motor Freight, Yellow Freight System, and Roadway Express. Lifschultz alleged that the fleets attempted to use predatory pricing to drive competitors out of markets and obtain control of those markets. The three carriers were accused of doubling their combined market share in the general freight LTL market over the last ten years at the expense of 104 other carriers Lifschultz said were driven out of business through a concerted campaign of predatory pricing.

[*Translation*]

Mr. Speaker, in a deregulated market where only the strong survive, the heavyweights can take advantage of their superior strength. By opening Canada's doors wide to these companies, the Government may see the same situation develop in this county, and I think the risk is even greater, because as we know, the American Anti-Trust Act has a lot more clout than the Canadian Competition Act. Despite recent amendments to our Competition Act, I have I am very much afraid that the big American companies will be able to come and do here what they are now doing in the United States and do it even more easily in Canada, because the Competition Act will not have the necessary clout to take on these companies and prevent them from abusing market forces and engaging in unfair competition with small Canadian truckers.

When the Conservative Government justifies its policy by saying that the legislation make the sector more competitive, I think we should remember that the bulk of that competition will come from the giant companies south of our borders, and that Canadian companies will be hard pressed to survive.

Our main concern is that the legislation on combines investigations will not have enough clout to prevent this kind of unfair competition.

[*English*]

In the whole history of the provision which dates back to the 1950s, only six cases have come to the courts, only one conviction has been obtained and that was for goods given away in large quantities for a period of one year.

The reasons for such ineffectiveness are clear. Predatory pricing is a criminal versus civil offence under the Competition Act. All elements of the offence must be satisfied by the criminal standard of proof which is proof beyond a reasonable doubt, and all criminal law defences are available, including the Charter. The predatory pricing inquiry into Canadian newspapers was launched in 1978 and is a good example of what I am talking about.

Marshalling sufficient evidence to meet the criminal standard of proof is very difficult and is the reason most often cited by the Director of Combines for discontinuing inquiries. The courts have said that the evidence must be strong to convince them to intervene and convict.

Indeed, as Mr. Moore, in his book *How Much Price Competition* said: "The battle is likely to be over before the case is completed". Such a situation is dangerous for our trucking industries.

We recognized this and at the report stage the Liberal Party moved an amendment which, in some small measure, dealt with these very real concerns. Of course, government Members voted it down, and that is regrettable. It is regrettable because I feel that the Bill deals inadequately with this very serious situation that could arise.

In conclusion, I want to deal with the third area of practical concern which is tied to the use of predatory practices from American mega-firms.

[*Translation*]

The U.S. companies tend to be bigger and more monolithic, for the very simple reason that a dynamic infrastructure connecting urban centres to terminal networks, set up many years ago by the trucking companies, makes for a very efficient system and, more important, a system that works strongly in favour of the U.S. industry with respect to its ability to compete with the Canadian trucking industry.

In the United States, a network of as many as 860 highways connects metropolitan markets of over one million people. In meagre contrast, Canada has only three. Furthermore, the widening gap between our two taxation systems as a result of the major reforms introduced in the United States in 1986 is working to the advantage of the U.S. companies. They pay less income tax, proportionally, because of the way tax reform has affected vehicle depreciation in the United States. American companies pay a lot less tax on gas, and there is far less government intervention in the U.S. in labour-management

relations. All these factors tend to make Canadian companies less competitive.

During the debate at the report stage, we expressed the hope that the Minister of Finance, when tabling his White Paper on tax reform, would take this opportunity to consider the serious problems facing the Canadian trucking industry.

• (1620)

[*English*]

Unfortunately, that was not to be the case. Indeed, there was, for example, no recognition that the Canadian trucking industry was particularly susceptible to U.S. competition and, therefore, ought to have been looked at outside of the larger corporate picture.

[*Translation*]

On the same subject, I would like to quote from a document sent by Mr. Ken MacLaren of the Canadian Trucking Association to all members of the Standing Committee on Transport:

[*English*]

If anything, the capital costs allowance comparison information on trucking understates that true advantage of U.S. truckers. Under recent U.S. corporate tax reform a U.S. trucker can now write off heavy duty tractors (Which are by far the most expensive item used in international highway transport) in only three years, not five years as shown in the example.

The attached information was released by Mr. Tom Younan of Price Waterhouse at the CTA conference on tax reform at which Mr. Younan shared the platform with Parliamentary Finance Committee Chairman Don Blenkarn. During the same conference, Lana Batts, Vice President, Policy of American Trucking Associations, in addressing the same audience, referred to the fact that by far the most important gain made by U.S. truckers since deregulation has been under tax reform.

The U.S. trucking industry's relative tax position has been dramatically improved. At one point the U.S. trucking industry was the most heavily taxed industry in America.

From the standpoint of the Canadian trucker, a ten to twenty per cent differential in after-tax return coupled with significantly higher capital cost allowance provisions in the U.S. could be enough to persuade at least some Canadian truckers that the time has come to relocate their international operations. Some are doing so already. Certainly that would be the case if Mr. Wilson follows through on previous indications that he intends to reduce CCA rates.

The Canadian Trucking Association had also asked that compensation for loss of value of operating authority be based on the fuel tax formula base developed for those truckers who could not claim under the existing tax write-offs for good will. There, too, the White Paper was silent.

[*Translation*]

Mr. Speaker, if the Government had any sense at all, it would rethink its strategy. It is letting an industry that employs 50,000 Canadians... Its 50,000 workers earn an honest living, and their lives are about to be disrupted by the deregulation of the transport industry in Canada. Their jobs are being threatened by the Canadian Government's desire to act quickly. The carelessness of the Canadian Government could mean a slow but certain death for the Canadian trucking industry.

I therefore believe that this Government is acting quite irresponsibly in trying to further the interests of the big Canadian shippers who have asked for these changes and in jeopardizing the existence, the safety and the very life of many truckers.

The Government might destroy by one stroke of the pen what several generations have given us by building a strong and competitive trucking industry.

Of course, the coalition of shippers wants deregulation. However, just as obviously, Canadian truckers are opposed to it.

In closing, I would like to point out that the Government and the Minister have no guarantee from the provinces that a road safety code will be implemented next year or the following year, or even early in the next decade.

We are therefore going to have to approve in 1987 a piece of legislation which has been imposed to Parliament by the Conservative majority and which will completely deregulate the trucking industry in Canada in the hope that, within the next three or four years, there will not be too many accidents or too many abuses in the system and that, in the early nineties, an adequate road safety code will have been implemented.

In my opinion, the Minister of Transport is acting irresponsibly. He has abandoned all sense of his public responsibilities in forcing us to give passage to this Bill in spite of all the warnings he has had and in spite of the disastrous experience of the United States trucking with deregulation.

The Minister of Transport is acting irresponsibly, and as I pointed out in the case of Bill C-18, within a few years, we in the Opposition will have to repair the damage done and amend this piece of legislation in the interests of truckers, workers in the industry and the Canadian public.

[*English*]

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, it has been for a number of years that I have had the opportunity to involve myself in the whole question of deregulation of the trucking industry. As a Member of the Ontario Legislature from 1975 to 1977, I participated in select committee study within the Province of Ontario on possible deregulation, and since being elected to the House of Commons in 1984, as a member of the Standing Committee on Transport, first dealing with *Freedom to Move* and then with Bill C-18 and Bill C-19, the twin deregulation Bills of this Government, I find that much of my political life has been caught up in the study of trucking and the rules which apply to it.

I want to say at the outset that I regret seeing once again a Conservative Government—I regret seeing a Conservative Government at any time, actually—moving federally in the same way as it did in Ontario to change the rules of the road.

Before I get into the specifics of the Bill, I would like to quote part of a speech given by the President of the Public Utilities Commission in Idaho earlier this year. An article reporting on the speech is entitled "Idaho PUC President Swisher Dubs Deregulation 'Free-market Feeding Frenzy'". I think the manner in which this gentleman approaches the whole concept of deregulation is interesting. Those who are watching and those who will be reading *Hansard* for this day's debate will find the speech most interesting. Mr. Swisher said in his speech:

"Utter deregulation is a leap of faith if it can actually be carried off," Idaho Public Utilities Commission President Perry Swisher told a national conference of utility executives and regulators recently.

Swisher was on a panel addressing the topic of total deregulation of the telecommunications industry. The panel was part of the Third Annual Current Issues Conference organized by the Center for Public Utilities at New Mexico State University's College of Business Administration and Economics.

"For about eight years I've been hearing testimony from gurus who proclaim, and interviewing biz ad and econ graduates who believe, they have found God in the market," Swisher said. "The marketplace, if unfettered, will cure warts."

Swisher characterized the drive toward deregulation of the nation's utilities as a proto-religious movement.

"An incredible foundation of this new creed—when you consider the prosaic halls where it is taught—is its Book of Genesis," he said. "In the beginning, there was a free market in which all transactions occurred, in innocence. Enter government, the snake, with regulation, the apple. I stand before you as an heir and beneficiary of a profound seduction. Do away with my function—I myself need only be reduced to a consultant, not a beheaded corpse—and paradise will be regained.

"No other society has this mythology. It is uniquely American—

• (1630)

And I might say North American—

—like jazz. Unlike jazz, but very like the hula hoop and aluminum siding and dental floss, it will last as long as it entertains, preoccupies, and fills a service as yet unprovided by a higher technology. That is, it is oboriginal.

"What we learn is that the entirety of regulation can't be dismantled, if only because some freedoms—as distinct from liberty—rely on regulation," Swisher said. "Freedom of the road would be even more dangerous than it is if your choice of a driving lane on a two-way street was entirely up to you and whether you prefer to stop at green or at red lights, the same. Ideological fervor for flat-out deregulation is of a part with anarchy. It is romantic in the extreme.

"Where deregulation has occurred, it has taken two primary forms," Swisher said. "One is the preemption of local or state authority by federal fiat. The other consists of displacing public, impliedly consensual regulation with private, strategic regulation. Nearly all deregulation has commingled these two strains."

Swisher cited transportation "deregulation" for examples. Idaho's two pages of in-state rail tariffs have been replaced by 150 pages of Interstate Commerce Commission rules. Even so, railroad management now has more freedom. One result has been the abandonment of hundreds of miles of Idaho branch lines.

"—ore concentrates, for example, now go by truck 110 miles to the railhead, paralleling for most of that way a rusting bed of deserted track," he said.

"Nationwide, that energy-efficient system for moving freight is on the decline. Non-metropolitan access is declining. In yet another generation, American rail deregulation could eventuate in the nationalization of the railbeds—a gift from the free-market ideologues to the 21st century, and all in the name of free enterprise.

"Trunk airlines served four, sometimes five airports in our state of scarcely a million people, before deregulation. Now they serve one—Boise. Dozens of Idaho communities lost scheduled common-carrier truck service with truck deregulation. Greyhound crosses Idaho only for the reason a chicken crosses the road—to get to the other side—

"How long the free-market feeding frenzy will last, of course I don't know. Not long, I hope, because it is oblivious to real-world consequences."

In a nutshell, this gentleman has given us the concept and how it is perceived by some people. I would now like to turn to the Bill.

As we worked through Bill C-19 in committee we tried to sow the seeds of doubt in the minds of government Members on the committee. More than that, we tried to sow the seeds of doubt in the minds of officials from the Ministry, from the Minister's office and from the regulatory agency. They are the ones who shape the legislation for the government of the day. We tried to sow doubt in their minds in order to bring about some changes to try to make what we consider a bad Bill a slightly better Bill.

As you yourself know, Mr. Speaker, given your role in the committee, there have been some changes. For the most part we welcome those changes. We wish that the amendments that we had put forward had been accepted in their entirety both in committee and in the House. But, unfortunately, the might of the Government was against us. One could suggest that the might of the bureaucrats was also against us.

It is interesting to note that during the run-up to third reading of Bill C-19 the argument was that this was a shippers' Bill, that it was out to redress some imbalance that existed in the system so that the shipper, the individual who produces a commodity and wants to get it from point *x* to point *y*, would get a break because of this Bill. The shippers were strong in their lobby. Their lobbied members of the Opposition, members of the Government, the Minister and officials. They used public platforms wherever they could find them to put forward their case.

On the other side was the trucking industry. Obviously, for vested reasons, and I do not say that in a negative way, it was concerned about the impact of this Bill on its ability to survive and to operate.

So we had two opposing camps. I know that the Shipping Council of Canada was quite upset with what it perceived to be backroom manoeuvering. While we were out on the road as a committee, the Transport Committee having been given the task of reviewing the Bill clause by clause, deals were being made in the Minister's office between truckers and the provinces, the truckers and the federal Government, or between the provinces and the federal Government.

When the shippers appeared before us again in Montreal, I said: "Welcome to the real world of politics". I said that because, unfortunately, that is how things go, deals are made. The shippers now find themselves very unhappy with the Bill. As opposed to their original suggestion to pass the Bill quickly they now feel that damage has been done to the Bill by changing the three years reverse onus provision to five years. It no longer meets their needs. They are now suggesting that it

should not go forward. They are appealing to us for a last minute change that would reverse the decision that was made in the backroom between the trucking associations and the Government.

Ironically, while we welcome this new-found opposition, we have said all along that reverse onus is just a form of deregulation and that for all intents and purposes, whether it is three years or five years, deregulation will happen overnight. It will happen as soon as this Bill is proclaimed, as soon as we go to the fit, willing and able test instead of the public convenience and necessity test.

I cite for Hon. Members the experience on the air side where we have had a modified form of deregulation since the spring of 1984. It was brought in by the Minister of Transport of the day through a policy statement. It put in place the reverse onus stipulation so that there is no real strong reason for carriers to object to a new entrant.

We had a situation back a year or so ago in which Air Ontario was coming in to run parallel to Air Canada on a run from Thunder Bay to Sault Ste. Marie or Sudbury, I am not sure which. I went to the local manager and asked: "Are you guys opposing this?" He said: "No, because opposition these days to that kind of thing just does not work, the regulatory agency is not listening to us any more".

• (1640)

If Bill C-19 passes in its current form—and we will do what we can to prevent it from passing—the moment it is proclaimed, which will probably be January of 1988, there will be deregulation in the trucking sector.

Let me go over some of the concerns that we on this side of the House have. We are concerned about safety, about employment, about service to the small communities and the small shippers. We are worried about the decisions that a lot of these new carriers are going to have to make.

If a small one-man operation or family-owned business is faced with the choice of making the bank payment on the rig or buying a needed set of tires, the bank manager will get his money. The small operator, faced with payments that are due and a family to feed, will take the chance on his tires lasting one more week, or his brakes lasting one more week. And because he has on his mind the next payment on his rig and the need to do something about his tires or his brakes, he will push himself as well. He will take an extra hour or two on the road; he will hustle for that extra load he can get by driving 300 miles out of his way.

Faced with a broker who tells him that he has a load if he can deliver it that night, he will take that load. He will stretch himself and his equipment in order to keep food on the table, in order to keep the rig on the road, and in order to keep the bank manager from his door.

That is the kind of scenario we are worried about. We know that the "Sears" of the world, the "Canadian Tires" of the world are not going to be cutting corners in that way. Such corporations have the ability to cross-subsidize within their operations. On the air side, we do not worry about Air Canada or Canadian Airlines International. It is the little guy that we are worried about. We are worried about the small operation, the one-man or family-owned company which does not have a stable economic operation such that it does not have to cut corners. Once corners are cut, safety is jeopardized.

In the United States, we have seen a massive disruption in jobs. We have seen a loss of jobs and job displacement. We have seen a real attack on unionization and a real attack on union wages.

We are concerned about the small communities. In a regulated environment, if a trucker applies to serve two large centres, the provincial regulatory boards are in a position to grant such a licence on the condition that a certain level of service be provided the smaller communities in between. For example, the communities along the north shore of Lake Superior cannot, in and of themselves, justify large volume transporters in or out; they are, however, accessible if a trucking firm, wishing a licence to serve the major centres on either end of the north shore, is instructed to provide service.

We are concerned that once Bill C-19 is passed, it will not be possible to exert the kind of regulatory pressure necessary to force transport companies to provide service to such communities. Everything will be reduced to economies of scale. It is the bottom line that will dictate the level of service.

During committee consideration of the Bill, the trucking companies and shippers indicated that it is the small communities which will be the losers; that it will be the small communities which will face reductions in service, or possibly elimination of service; that it will be the small communities that will face increased tariffs.

In the regulated environment, the carrier was assured a reasonable return in respect of services provided to the smaller communities. Under a free market system, with no control over prices or service, the fly-by-nighter could come in and undercut the existing carrier, driving that carrier out of the market, out of the community, leaving the community in the unregulated hands of that new carrier, a carrier which is quite prepared to squeeze that community for every penny it can because it knows there is no competition.

That is the ultimate irony of this Bill, as it is the ultimate irony of this Government. It professes a belief in competition. Yet, this legislation will eventually—and I emphasize "eventually"—mean less competition.

We have seen that take place in the United States, as we have seen it in other modes in Canada. On the air side, we are back to two major carriers. The little guys have either been gobbled up or have themselves gobbled up the big guys. Where is the competition?

We in Thunder Bay do not even get advantage of seat sales. Because there is no competition other than the two major carriers, we lose out.

I should like to go back to the safety aspect for a moment, Mr. Speaker, because it is that aspect that is really of concern to us. Recognizing the inevitability of the passage of this Bill, what we endeavoured to do in committee was to ensure that the necessary safety tools were in place and operational for at least one year before we moved from the "public convenience and necessity" test to the "fit, willing and able" test.

• (1650)

Fit, willing and able means that if one has the money to buy the truck and pay for the insurance, one gets the licence. One's banker becomes one's regulator. If the banker feels that he is a safe risk financially, he will get money. There is no guarantee of long-term stability. It is just that he has enough money to buy the rig, to pay for the licence, to put in some gas, and perhaps to hire an employee or two. That is all the banker looks at. As long as the owner keeps paying the loan payments on his truck and whatever else he has, the banker does not really care what happens.

We tried to convince the Government that there should be a delay, that at least a year should pass. We know the situation today under a regulated environment. The Hon. Member for Bow River (Mr. Taylor) sat through the committee hearings with us. With his personal political history in Alberta, he knows that things are not that great out there today. We have a lot of unsafe trucks on the road. We already have a lot of corner cutting. It is our feeling that we must bring that up to an acceptable level before we change the rules, so to speak.

We heard evidence from the Province of British Columbia which had conducted a number of safety checks, both local and province-wide. They basically shut down sections of the highway and either pulled everyone over or every fourth or fifth operator. I would like to give an indication of the kinds of things that were found. I refer to an April 5, 1987 article which appeared in the *Vancouver Province* entitled "Safety check is shocking". In part it reads:

> Only one truck passed a random roadside safety inspection specially staged for The Sunday Province.
>
> And three of the eight trucks given a 33-point check were pulled from the road by the Ministry of Highways area inspector Sam Nair.
>
> "It's always the same things—brakes, steering and tires," says Nair.
>
> "We require that 50 per cent of the brakes be working effectively—some of these trucks are not even meeting that."
>
> Nair confirmed that as many as 80 per cent of trucks stopped have either failing brakes or ones that are not adjusted properly.

We have had a situation in northwestern Ontario where because of the nature of our region we do a lot of logging. We have a lot of off-highway and on-highway haulage of both tree length and cord length wood. I discovered through communications with one of my constituents that under federal law there is no requirement to have brakes on an extra axle.

These trucks have an axle which under full load drops down so that they have an extra set of tires to carry the load. The trailers are built with brakes on that axle unit, but the regulation does not require the brakes.

Mr. Deputy Speaker: The Hon. Member has completed the 20 minutes allotted to him. However, it has been the custom at this state of third reading of the Bill to allow a Member more time. Is there unanimous consent to allow the Hon. Member to continue for a few minutes?

Mr. Epp (Provencher): Mr. Speaker, I am sure that would find favour on this side of the House, keeping in mind the caveats of earlier interventions that it not be unlimited use of time.

Mr. Angus: Mr. Speaker, I honestly did not realize that I had used up that much time. I will be very brief. I would like to conclude this one point and make a general comment about the Bill.

When people have a choice, when it is a question of economics, they will make the decision based upon economics, not upon what is safe. When the brakes on these units to which I was referring wear out, the companies do not replace them. They cut the lines to the brakes. It is totally legal, but it points out once again that when economics are involved, unfortunately people will choose the economic rationale as opposed to the extra margin of safety which would be there if the brakes were still working.

I thank my colleagues for giving me the extra time to complete my comments. I could probably continue for 40 minutes or 60 minutes dealing with the information and knowledge I have about trucking deregulation.

I want to say very clearly that the New Democratic Party will be voting against Bill C-19. We think it is the wrong thing to do at this time, particularly as we are ever more under the threat of economic domination by our neighbour to the south.

Quite frankly, the Bill is just one more nail in the Canadian coffin. We like to think we are Canadians. We like to think we are free. However, if we deregulate, we will be less free because of it.

[*Translation*]

Mr. Fernand Robichaud (Westmorland—Kent): Mr. Speaker, again I thank you for giving me the floor on this Bill dealing with deregulation, specifically in this case the deregulation of motor vehicle transport by extra-provincial undertakings.

Without referring to all the points already raised by my colleagues who have spoken to this Bill, I will lay emphasis on the question of safety because it happens to be my greatest concern, Mr. Speaker: the Minister is going ahead with motor vehicle transport deregulation without first implementing a national safety code. The provinces and the federal Government may very well have signed an agreement a few months

ago, but I firmly believe that the national safety code will not be ready by January 1, 1988 when deregulation takes effect.

As you would know, the Committee on Transport held public hearings throughout Canada, and a number of interest groups took this opportunity to urge us not to proceed with highway transport deregulation until such time as a national safety code has been put in place. These people also sought the assurance that the national safety code would be standard from coast to coast, not a checkerboard code but a code which would be similarly applied throughout the country. If I may, as an example I will quote the Atlantic Provinces Trucking Association which represents the interests of the 300-member trucking industry in the four Atlantic provinces. Here is what they had to say, and I quote:

[*English*]

While the original concerns and/or opportunities presented in the initial brief remain valid today for the most part, the APTA would like to point out that members are still uncertain as to the impact of the various proposed changes. Varying interpretations are being given by federal and provincial officials in such key areas as the timing and enforcement of the new National Safety Code as well as the uniformity of the regulations themselves.

Truckers in the Atlantic provinces are faced with a minimum of five different interpretations of other areas such as the meaning and intent of the "reverse onus" test in enabling a gradual reform phase and commitments to review the impact of the same on the structure of the trucking industry.

[*Translation*]

Mr. Speaker, Members of the House would be interested to know that the APTA's mandate is to promote the well-being of the trucking industry in the Atlantic region. Their views are extremely important, and I should think the Minister would indeed be well advised to take them into account. APTA spokesmen also cautioned the committee Members that the impact of deregulation might be quite different in the Atlantic region as compared with the rest of the country. Again I quote:

• (1700)

[*English*]

"The APTA would also like to point out that regulatory reform in the trucking industry may have a different impact on carriers in the Atlantic provinces compared to other parts of Canada. It is our understanding that many provinces across Canada may continue to regulate intra-provincial freight movements as they have in the past, while adopting freer regulations for interprovincial freight movements. Given the smaller size of the intra-provincial freight markets in the Atlantic region, concern has been expressed as to whether or not present provincial and regional carriers will be able to survive in such an environment".

The above comments apply particularly to the three Maritime provinces which are the three smallest provinces in Canada. Should the scenario be that the National Safety Code regulations and their enforcement not be uniform, and the "reverse onus" tests be interpreted differently in the three Maritime provinces, then considerable havoc could result in trucking operations.

[*Translation*]

It was also noted that APTA officials did insist on the fact that rail rates had to compensate. They felt strongly that Bill C-18 did not provide adequate guarantees, but that Bill has now passed the third reading stage.

Mr. Speaker, I must point out that the concerns of APTA have not been allayed.

With respect to the national safety code, I should like to read a letter written by Trucking Association President Raymond R. Cope and recently published in newspapers. This rather enlightening article is entitled "Deregulation Safety Threat to Truckers, and I quote:

[*English*]

Deregulation safety threat to truckers.

Transport Minister John C. Crosbie's letter (June 10) suggesting that the implementation timetable for the new National Safety Code is consistent with safe trucking in Canada is totally misleading. The facts are these:

With the passage of Bill C-19, the extra-provincial trucking industry within Canada will be effectively deregulated as of January 1, 1988. Economic regulation of the trucking industry in Canada has in the past provided barriers that have prevented many unsafe trucking operators from acquiring operating authority. Thus, economic regulation has had a safety regulation by-product.

With the elimination of economic regulation, the only barriers to irresponsible trucking operations will be those laws and regulations which are brought into being across Canada to implement the new National Safety Code.

The minister of transport has indicated that the National Safety Code is to be phased in between 1988 and 1990 and that the main elements of the code will likely be in place by January, 1989. This will mean that for the period January 1, 1988 to January 1, 1989, there will be inadequate safeguards to irresponsible and unsafe trucking operations.

As a result, the accident rate in Canada will be higher than it otherwise would be with correspondingly higher numbers of injuries and fatalities.

The deregulation experience in Australia and in the United States has clearly established the need to have a proper safety net in place before the onset of deregulation.

It is essential that the Government of Canada take immediate steps to synchronize the timing of the effective implementation of the National Safety Code and the phase-out of economic deregulation.

[*Translation*]

And it is signed by Raymond R. Cope, President, Ontario Trucking Association.

As you can see, Mr. Speaker, the Canadian trucking industry is far from being satisfied with Bill C-19. And what about the Canadian people who are quite concerned about the increase in trucking traffic on our highways. Already, we are well aware that the deregulation experience in the United States trucking industry has resulted in a considerable increase in the number of highway accidents.

We, on the Standing Committee on Transport, have been warned by several experts that a similar situation could develop in Canada if a national safety code is not put in place at the same time as deregulation. It is unfortunate for all Canadians, but the Government just will not listen, preferring to risk the lives of Canadians, which is altogether unacceptable.

We, of the Liberal Party, would prefer not to see this bill implemented before the national safety code is in place. We should listen to the officials of the trucking industry. We feel it would be wise to take into account the American experience and to set in place first a national safety code.

To conclude my remarks on highway security, Mr. Speaker, I should like to read a letter with a June date which was sent

to the Minister of Transport (Mr. Crosbie) by Mr. A.K. MacLaren, Vice-President of Governmental Affairs, Canadian Trucking Association. I will quote just a few paragraphs:

[*English*]

An objective overview of the attached material can lead to only one conclusion; namely, that there has been a marked deterioration in highway safety for particular segments of the U.S. trucking industry in recent years and the position continues to deteriorate despite serious attempts to introduce more effective highway safety enforcement.

We have a huge job to be done in Canada on safety and time is of the essence, as we tried to tell the committee. Due to the erosion of the regulatory process in recent years, the Canadian trucking industry has come under much the same pressure as its U.S. counterpart and the position is anything but satisfactory as things stand.

It can only get worse. In that regard, you may be aware that the Quebec Department of Transport recently introduced a comprehensive on-highway enforcement crackdown on highways leading into Montreal and Quebec City. The initial results from that exercise show that well over 50 per cent of vehicles inspected were in violation of either safety or licensing requirements. More and more Canadian carriers operating in the U.S. are now being picked up for serious safety violations there.

CTA and its provincial affiliates are coming under pressure from individual carriers who are not at all happy with the position we have taken on safety. The fact is that there are established fleets operating on a regular basis that push their drivers beyond 20 hours in a shift. If one carrier does it, everyone has to do it to remain competitive. It is just as simple as that.

[*Translation*]

I could go on and on, Mr. Speaker. And the other paragraphs deal with the need for a national safety code.

You will certainly realize that the deregulation of the transport industry will increase the number of trucks on our highways, which should result in time in a deterioration of our highways. In Atlantic Canada, and especially in my own province of New Brunswick, our highways are already in a very poor condition. As you know, in New Brunswick, our highways are used not only to transport goods to New Brunswick markets, but also to carry goods from the three other provinces towards Central Canada and the United States. We can therefore conclude that this significant increase in trucking traffic will result in a serious deterioration of our highway network.

So there will be a problem, Mr. Speaker. Who is going to pay to repair our highways? Who is going to pay to improve them? In other words, who will foot the bill? Will it be the Federal or Provincial Government? This bill provides no answer.

It will be necessary to increase significantly the amounts spent on highway repairs and development. Of course, it is a provincial responsibility. But we know, and you know, and all Hon. Members here know that a province such as New Brunswick will not be able to implement major programs, for lack of financial resources, because our highways were designed to carry the traffic of 20 years ago. Things have changed and these highways are already used to full capacity. It will be necessary to review the highway network. Where will we get the money?

Will the federal Government be involved? If not, our road system could deteriorate rapidly.

Indeed, I would like to quote the New Brunswick Opposition Leader, Mr. McKenna, our next Premier, it is now a matter of months, and I quote:

• (1710)

[*English*]

In its present state, the New Brunswick section of the Trans-Canada Highway simply cannot handle the demands placed on it. It could never meet future demands, as evidenced by the fact that the number of accidents involving trucks on it is far above the provincial or national average.

Clearly, Mr. Chairman, any new transportation policy must recognize the importance of this highway as the major surface connection between central and Atlantic Canada. This highway needs prompt attention and it must be upgraded to a four-lane divided highway.

I would urge this committee to recommend to the federal Government that it immediately negotiate with this province for the necessary upgrading—for the safety of passengers as well as for the more safe and efficient movement of goods. Deregulation will be much more palatable if we have the tools to compete.

[*Translation*]

So much for the Opposition Leader's comments, and I could go on to quote New Brunswick's Premier, who holds similar views. It is therefore imperative that we have a second look at the road system and ensure it is improved for the greater safety not only of truckers but of all Canadians.

Such, Mr. Speaker, is the extent of my comments, and I firmly believe that on Bill C-19 the Government is proceeding too hastily, because the timeframe set down by the Government for putting in place the National Safety Code will not allow for that Code to be implemented before deregulation is here. This is why it would be wise in my view to oppose Bill C-19, as I will be doing.

[*English*]

Mr. Baker: Mr. Speaker, the hon. gentleman has referred to the condition of the roads as that relates to the deregulation of the trucking industry. I was thinking of something while he was speaking, and I am sure others were as well. New Brunswick is a vital link to Nova Scotia, Prince Edward Island, Newfoundland and of course on to Quebec and Ontario going the other way. I wonder if the hon. gentleman could pass comment on the fact that New Brunswick is the only province in Canada that does not have a road that is a main link going straight through the province in a straight line.

Mr. Epp (Provencher): In a straight line?

Mr. Baker: The roads going through New Brunswick are—

Mr. Epp (Provencher): Curved. You said straight line.

Mr. Baker: The hon. gentleman does not know what he is talking about. He has never been on the roads in New Brunswick so he does not know what we are talking about, but the truckers do. The truckers of Canada know what we are talking about.

The roads throughout New Brunswick are simply two-lane highways, and I recall several truckers complaining about this. The roads weave and wind down the west side of New Brunswick and they weave and wind up around the northern part of New Brunswick. There are straight roads in Nova Scotia from Halifax right up to the border of New Brunswick and from Cape Breton Island up to the border as far as Truro. Then in New Brunswick there are these two-lane highways, winding and weaving. Ordinary drivers can find shortcuts on maps but the truckers cannot do this because they are not allowed to. You can take out your map and see where you can cut off 20 or 30 kilometres in driving through New Brunswick. There are signs that say that no truckers are allowed on those roads. I suppose it promotes tourism, but could the hon. gentleman explain why you do not just go straight all the way through the wilderness? In Quebec, for example, you see nothing but highway. New Brunswick only has these two-lane highways. Was there a conscious decision on the part of the New Brunswick Government to do that? Certainly the truckers do not like it.

[*Translation*]

Mr. Robichaud: Mr. Speaker, I know the Hon. Member for Gander—Twillingate (Mr. Baker) knows New Brunswick's roads well because he used them often enough. When the TransCanada highway—that straddles New Brunswick, from Nova Scotia's border to Quebec's border—was planned, I believe the traffic was not as heavy as it is now. It was then decided to link all the major communities in the province, which was done, the highway going through Moncton, Sussex, Fredericton, along the Saint-John River to Edmundston, and finally to Quebec. The province is now developing a second branch that would link Moncton, Cambellton and Quebec, but I agree with him that road conditions certainly do not favour truckers. If the Hon. Member listened to my comments, at the end of my speech I quoted the Leader of the Opposition (Mr. McKenna) who said that some sort of agreement must absolutely be negotiated in order to improve New Brunswick's road system, failing which many lives could be in danger.

• (1720)

[*English*]

Mr. Parry: Mr. Speaker, deregulation was not invented by the present Government. It was inherited from the previous Liberal Government. Would the Hon. Member tell us to what extent the Liberal Party, were it ever to form the Government again, would reverse the deregulation this Bill envisages?

[*Translation*]

Mr. Robichaud: Mr. Speaker, it is true that deregulation is not the invention of this Government, because one of my colleagues who was at the Department of Transport under the previous government had undertaken some kind of deregulation. Indeed, we agree on some kind of deregulation. The problem that we have with Bills C-18 and C-19 as they are, is that we believe the Government is proceeding with undue haste which could lead to a lack of security in road and air transport as well as in other means of transportation. However, I do not believe that when Liberals are back in power, we will simply back-pedal to destroy everything that has been done. We will see to it that security measures are in place to have a system that will benefit all Canadians in all regions of Canada.

[*English*]

Mr. Baker: Mr. Speaker, the hon. gentleman said there is talk about putting a road between Moncton and Campbellton. If you do that surely you will be going through the New Brunswick wilderness. Is that the intent, or would it be to go to the north shore or the Bay of Fundy? Is it a two-lane or a four-lane highway or what?

[*Translation*]

Mr. Robichaud: Mr. Speaker, that second section would serve somewhat the same purpose as does the TransCanada Highway in the other part of New Brunswick. It is an improvement on the present system. When my colleague suggests that such part of the road will go through the wilderness of New Brunswick, let me point out that it will go through my constituency and my village and there will be a lot of people and small communities located along this new road.

[*English*]

Mr. Deputy Speaker: Debate.

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, I am glad to speak on behalf of my Party on this legislation which envisages the almost total deregulation of the trucking industry. Under the government proposals there would be a radical change in the way in which the Canadian trucking industry is structured, organized and operated. The impending cut-throat competition this Bill envisages will permit, and in fact in the view of some of its supporters promote, the elimination of most small and medium-sized firms in Canada. There is also the likelihood of intense market battles with large American-owned companies such as Roadway Services of Ohio, Yellow Freight Systems of Kansas, and Consolidated Freightways of California. They could cut a swath through our industry and this would lead to another essential service being dominated by organizations outside of this country.

I believe there are a number of significant, serious and incontrovertible effects of deregulation. Initially, of course, it can bring more competition. I do not think that point is seriously in doubt because barriers to entry into the industry will come down. It will no longer be essential to go through the sort of application process to get routes, necessary permits and licences, as it once was. This will encourage anyone who has or can borrow sufficient capital to buy a truck or, let it also be said, simply to make a down payment and lease a truck, to get

into the industry on the basis of a mom and pop type of operation. A couple of brothers or someone hiring a couple of friends could get in the business. It would of course be non-unionized and vulnerable to all sorts of exploitation and difficulties which can arise in a very small firm that depends for its livelihood on the crumbs off the table of the larger companies.

I believe it to be incontrovertible that within a matter of few years there would be a greater concentration of industrial ownership. The big would get bigger and more American, the medium-sized would go bankrupt or be bought up, and the small would scrap fiercely for the crumbs of local markets. The economic pressures under such a deregulated regime are not going to contribute significantly either to economic prosperity or to social harmony in Canada.

We are fortunate never to have seen what one might almost call civil war which has prevailed from time to time in the American trucking industry largely as a result of moves to deregulation. Rate slashing on the major routes has already begun. Discounts are being offered. I, of course, have no objection to discounts being offered but this relates to the whole theory and practice and, indeed, the differences between the theory and practice, of a competition economy which I will go into in some detail later. Discounts as high as 50 per cent on general freight rates and as high as 20 per cent on commodity rates have been reported. We are seeing an over-capacity that will become even more acute as the large American-owned firms and their subsidiaries enter the market.

• (1730)

Trucking deregulation is, of course, closely tied to the Government's free trade initiative. There is little doubt that an unspoken priority on the Government's agenda is to harmonize, as far as possible, Canadian economic policy and Canadian economic regulation with the regulations of the United States. There may be some transitory benefits from this. There may be some small gain. There may be some savings realized in, of course, the larger markets, the larger centres, and the more powerful industries.

However, what a cost there is in terms of American domination of our industry, in this case our commercial trade trucks rating. What a cost in terms of the often painful adjustment which Canadians may have to go through. What a cost in terms of lost jobs and lost wages for people who find their companies taken over by companies which are not prepared to pay the wage rates that they have won through their unions.

Canadian shippers who, after all, are the industrial sector lobbying the hardest for deregulation, are motivated by that self-perceived need to lower their transport cost to match the deregulated American transport costs in preparation for a continent-wide scramble for markets. Thus we see the tie-in between the Government's free trade initiative and this Bill, which is essentially free trade in trucking initiative which is being foisted on the Canadian people.

Let us not forget that so many of those Canadian shippers are themselves branch plants of American firms. The interests they are serving are not necessarily interests of employment, Canadian production, and reinvestment in Canada but may very well be impelled by a desire to increase the economic return that they can send back to the United States in the form of management fees, royalties, licences, franchise fees, intercorporate dividends, and cross-investment.

The potential for the larger American trucking firms to overwhelm the Canadian industry is so palpably obvious that even the Government economic analysts could not ignore or misidentify it. Each of the six largest American companies holds more freight in a single year than the entire Canadian industry. Indeed, the general manager of the Manitoba Trucking Association has argued that the largest U.S. carrier with dozens of terminals can take over the Canadian market by the simple expedient of serving at cut-rate prices from the addition of perhaps four distribution points.

This gets into the fundamental fallacy of the "free market philosophy" as promoted by the Government and as incorporated and inherent in the ideological agenda which underlies the free trade initiative and whose thoughts, of course, underpin this entire Bill.

The fact is that if there is such a thing as a free and perfectly competitive market, it is yet to be identified, at least on this continent. The fact is that natural forces, not necessarily market forces, but the forces of psychology which are inherent in human behaviour, consistently and continuously militate against that so-called free market, that nirvana which sets Tory ideologists salivating and which yet ever remains beyond their grasp or beyond their practical realization. The fact is, of course, that American trucking, which is what is being implicitly held up as a model to us in this Bill, was for years dominated by forces which could be termed less commercial than collusive, less competitive than collaborative and, very frankly, not contributing to the healthier development of society in the United States of America.

I recall the idea that is set out by Adam Smith in the *Wealth of Nations* about the perfect competitive market. Yet, in recalling it I am unable to come up with any example from real life that truly offers a parallel which could be identifiable as enshrining and incorporating these free market characteristics. Everywhere the free market is trumpeted to exist there are oligopolies and monopolies and there is predatory competition.

It is very difficult for me to imagine an industry which would be more vulnerable to predatory competition and the use of pricing structures to run the smaller competitors out of business than the trucking industry. Surely this has to be one of the industries in which it would be hardest to regulate such a practice and in which it would be hardest for the small operators to survive the operation of such unfair competitive

practices. The ability of the larger companies to control the generation of any internal evidence that might point to collusion and to eliminate any visible semblance of collaboration must surely be the major vulnerability in this legislation.

Let us see how it works. Take the case of a small trucker newly entered into the business, lured in by the Government's glittering vision of cross-continent market possibilities, of north-south routes. He has gone to his bank manager with perhaps 25 per cent equity or has gone to the leasing company and entered the trucking industry with one or two major clients, one of which is taken away by the operations of a larger competitor.

This person must then start playing the rob-Peter-to-pay-Paul game. He must decide whether to put this month's customer cheque into the lease payment or into new tires or necessary work on the rig he is driving. It is not a pretty picture. It implies that safety will deteriorate. Even the Ontario division chairman of the Canadian Industrial Traffic League, who has supported deregulation, admits that highway safety is likely to get worse under deregulation when profits start to be squeezed.

I have a considerable amount of documentation from studies that have been done in this industry which can be used to back up such a conclusion. Rather than get into the simple reiteration of statistics which I know my colleagues, in their diligence and knowledge, have put on the record already, I would like to point out some of the likely consequences in terms which can perhaps be more vividly imagined and in terms which relate specifically to my riding.

In the United States the highway accident rate is rising, equipment is being kept on the road longer, is being less maintained, and is carrying heavier loads. I can envisage what is likely to happen in my riding with Highway 17, the Trans-Canada Highway as it is officially and somewhat hyperbolically named given the state of maintenance to which it has been allowed to deteriorate. I believe the highway is already in a condition that reflects no credit upon the federal Government or the Government of the Province of Ontario. Given the likely impacts of deregulation on loads and running times over the road, I cannot foresee that the highway will stand up any better.

• (1740)

One loser in deregulation will be the Canadian truck driver. The impact of deregulation upon the American trucker was devastating, since upwards of 300,000 union jobs were lost, major concessions were demanded and benefits were rolled back. If there is one lesson that the economics of this North American continent should have taught all of us by now, it is that the more remote, less prosperous and less economically influential areas of this country are where the severest impact of deregulation will take effect.

My riding contains many areas which might be classified as remote, small centres. In many of these parts, freight comes from 300 to 400 miles away, generally in truck load form and occasionally in less than a truck load form.

Quite often there is not a back haul for the trucker to return due to the nature of the local economy and the size of the community. Deregulation in these areas could lead to a reduction of service, an increase in prices and, after taking over the medium carrier, abandonment by the larger carriers who may not find the smaller market worth-while any longer.

There are a number of examples in my riding of opposition to this Bill and the Government's over-all deregulation plans. On April 13, 1987, the Town of Fort Frances passed a resolution that the request by the Fort Frances and District Labour Council for the Town of Fort Frances to register opposition to Bills C-18 and C-19 be approved and the request of the District Labour Council be fully supported.

The District Labour Council in Fort Frances compiled an excellent brief and analysis on the possible effect of transportation deregulation in an area such as Fort Frances which is over 200 miles from the nearest major centre.

They were concerned about less competition, about control of the market by fewer firms and, above all, the situation under deregulation where because of dips in profitability over an extended period of time it may not pay the airlines, buses, railways, or trucks in this instance, to routinely provide service to outlying areas. Nothing in the legislation will either compel them to do so or indeed give them any incentive to do so.

As the Labour Council said:

> How many of our local businesses will be able to afford the higher price of shipping or receiving their goods, and if the increased costs are passed on to the consumer, how many customers will they lose, if unemployment rises due to business failures, there will be even fewer markets than before. Shrinking markets and higher transportation costs are not factors likely to attract investors to our community.

When we consider deregulation of the trucking industry in my part of northwestern Ontario, we have a powerful example that we believe provides a close comparison and very persuasive paradigm of what may happen. I refer to the airline industry. We have had a spate of amalgamations in the airline industry in this country that have led to a loss of jobs. While there has been some improvement in other areas, it is my experience that there has been a deterioration of some services and our over-all impression is that deregulation is not good for the outlying areas of this country.

If we consider the situation in the United States now, a very persuasive report published in one of our national newspapers a couple of weeks ago indicated the degree of inconvenience and disservice suffered by airline passengers all the way from the downtown taxi terminal to the point of arrival because of the effects of deregulation. A copy of *Harper's Index* indicated that the average airline fare in the United States since deregulation had risen 42 per cent.

We should not be looking to chaos in Canada's trucking industry any more than the United States should have been

looking to chaos in its airline industry, which is the situation that appears very much to be developing. I and my Party stand in opposition to this Bill. It is not the prescription for the development of a healthy decentralized Canadian economy. It is a prescription for more centralization under the control of our neighbours to the south.

Mr. Baker: Mr. Speaker, will the hon. gentleman comment on the effects this Bill will have on trucking companies in the more rural areas of Canada—

Mr. Epp (Provencher): As opposed to less rural ones?

Mr. Baker: As opposed to the more urban populated areas of Canada. Will there be a drastic effect on the local trucker in northern Ontario?

Mr. Parry: Mr. Speaker, the Hon. Member represents a remote, mainly rural area of this country, as I do. In fact, when I read a recent newspaper account of the difficulties he faced in getting around his riding personally, they seem to reflect very much my own experience. We must have a bragging match on that point.

The obvious conclusion on the fate of the trucker in remote or rural areas is, first, that the prime routes into remote areas that involve steady hauls and reasonable bulk of commodities will be taken up by the larger companies. They will be taken up by companies that will eventually be swallowed by large multinational companies controlled by the United States.

There may be phases when local trucking in rural areas flourishes to a limited degree. That is a possibility we cannot overlook because in a developing market where there is a local trucker who has the intelligence and initiative to take advantage of that local market, presumably he or she will become the first to serve it. There may be a period of time in which that trucker will reap a reasonable return for that route.

However, we must remember that the logical corollary of that type of opportunity is that the larger firms, with their commercial intelligence operations, contacts, and ability to gather information through the analysis of statistical reports provided by the Government, will identify those opportunities when they grow beyond the level of a one or two-truck operation. At that point in a deregulated environment they will be able to enter the market and offer whatever price they want to get the business that has been developed and essentially take the market from the small local competitor. They will have the opportunity to either drive that competitor into bankruptcy or purchase the assets of that competitor, often at a very reduced price, and incorporate them into their own wider operation.

These are the risks and perils for the remote areas of this country. The consequences will be higher prices for such things as groceries, furniture, appliances, building materials and everything else that is trucked into the remote areas of Canada.

• (1750)

Mr. Angus: I wonder if I could put a question to my colleague? I listened with interest to his very excellent presentation to the House on Bill C-19, but there was one area the Hon. Member did not touch upon. Because of my knowledge of his riding, and I think the awareness of the whole country, I wanted to ask what happens when a transport truck gets into difficulty on the Trans-Canada Highway, as happened a couple of years ago, not in terms of a road accident *per se*, but in terms of the leakage of PCBs along that highway.

In a deregulated environment where safety has gone the way of decisions to pay the banker instead of putting a new set of tires on the truck, what would an accident of a fairly serious nature of a transport truck on the section of the Trans-Canada Highway between, say, the Manitoba border and the community of Kenora, do to the security of our system in terms of our ability to move goods from east to west?

Mr. Parry: Mr. Speaker, the situation of blockages of the Trans-Canada Highway is one which is relatively familiar to the residents of my riding of Kenora—Rainy River. The Trans-Canada Highway has been blocked over the years for many reasons. Sometimes a truck hits a moose, goes out of control and straddles the entire highway. At other times a forest fire or a blizzard can close the highway for days, even up to a week at a time. Of course, the example, given by my colleague, the Hon. Member for Thunder Bay—Atikokan (Mr. Angus), was potentially one of the most serious incidents by which the Trans-Canada Highway was blocked.

When we have small undercapitalized operators in the trucking business—and that is a situation which deregulation must surely encourage, and I believe the Government has intended to encourage—then we will have situations like the trucking company which trucked the still PCB-laden transformers from Quebec to the Nisku Industrial Park in Alberta which was the eventual intended destination. That company folded its tent. It did not pay its fine and did not appear in court to defend itself against the suits brought against it. We were left in a situation where the Province of Ontario had to pay the cost of the clean-up and had no opportunity to collect from the polluter, in effect, the cost of that clean-up.

If a properly regulated environment had determined that the carrier of those dangerous goods had not only complied with all the safety procedures for the shipment of those goods, but had also complied with all the bonding and insurance provisions, and had posted adequate security for the safe movement of those goods—and this would be the situation with responsible re-regulation of the trucking industry—society as a whole and the Exchequer of the Province of Ontario would have been properly protected.

It is my belief, and I think the experience of the United States would bear it out, that in the unregulated, deregulated environment the Government is proposing in this Bill, the

potential for this sort of environmental hazard and disaster will be indeed greatly magnified.

Mr. Baker: Mr. Speaker, I wonder if the hon. gentleman could suggest a solution to the problem, that is, of the transportation by a truck or other means of polychlorinated byphenyls? What is the solution to the problem? Does he believe that he might be able to offer some suggestions?

Mr. Parry: Mr. Speaker, I would be glad to respond to that question, although it is a little outside the main thrust of this Bill. It would appear to me that a manifest, concise system with a verified pick-up and delivery of any items such as a transformer which contains PCBs, would, first, ensure that the container or object was in safe condition when put on the truck and, second, would double-check that the object or container was in safe condition when it was taken off the truck. There would certainly be those environmentalists who would advocate that there should be some form of gateway or weigh-scale check at different points of the itinerary of any such possibly harmful and toxic waste. That would certainly be an alternative which I think a responsible government would have to look at if this sort of disaster with the polychlorinated biphenyls were repeated.

I believe it is also obvious under the provisions of Ontario legislation that it would be the height of folly for any carrier to take on a hazardous cargo or load for which it was not properly insured, bonded and licensed, to ensure the safe carriage of that cargo to the final destination.

Mr. Deputy Speaker: The period for questions and comments is over. Debate.

Mr. George Baker (Gander—Twillingate): Mr. Speaker, I was going to pose a further question concerning the transportation of dangerous goods, specifically, polychlorinated byphenyls, or any number of dangerous goods, with which we have a problem disposing of as a country. We have no means that I know of today, unless I am behind the times, of actually disposing of that particular chemical. In fact, the transportation of that particular waste takes place via truck whenever a provincial authority allows it. In other words, to carry PCBs over the highways of Ontario, to get them to Alberta from the Province of Quebec, requires the permission of the Provincial Department of Transportation in the Province of Ontario. The Province of Quebec does not usually give that type of permission to a carrier to move from eastern Canada to western Canada, so one has difficulty in moving the product. Certainly, the problem has to be addressed, not only in the movement of PCBs, but how do we get rid of the stuff once we move it?

The Bill before us today is simply a continuation of the policy of the Government of Canada to allow the transportation industry to run downhill. The Government intentionally over the past two years has forced Canadian National to increase its rates and to discontinue some of its services in various areas of the country, although the Government got elected on the promise it was going to revitalize the railway in Canada. It was going to provide the railway with enough money and competitive spirit to really carry the goods and services right across this country. In other words it was going to provide a cheap transportation network across the country for passengers and goods for the people of this country. All we have seen is a steady downhill passage as far as the transportation of goods is concerned. We have seen Canadian National have imposed upon it various budget restrictions. We have seen the carrier then via the water, that is, Canadian National Marine, CN Marine, or Marine Atlantic, or whatever one wants to call it, having restrictions imposed upon it so that it has to increase all of its rates, thereby driving up the costs of goods to people who live in Prince Edward Island or Newfoundland.

• (1800)

Do you wish the floor for a moment, Mr. Speaker?

The Acting Speaker (Mr. Paproski): Yes. It being six o'clock pursuant to Order made Friday, June 12, 1987, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

Before I recognize the Hon. Member for Nickel Belt (Mr. Rodriguez) on his Private Members' Business, I have received written notice from the Hon. Member for Montreal—Saint Marie (Mr. Malépart) and the Hon. Member for Etobicoke—Lakeshore (Mr. Boyer) that they are unable to move their motions for Private Members' Business M-21 and C-209 respectively on the dates required by the Order of Precedence. It has not been possible to arrange an exchange in positions in the Order of Precedence pursuant to Standing Order 39(3)(a). Accordingly, I am directing the Table to drop these items of business to the bottom of the Order of Precedence.

There will be no Private Members' Business on the days which would have been scheduled for these items, namely, Thursday, June 25, and Friday, June 26. The House will continue to consider Government Orders pursuant to Standing Order 39(3)(b).

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*English*]

UNEMPLOYMENT INSURANCE ACT, 1971

ADVISABILITY OF REPEALING USE OF SEVERANCE PAY AND PENSION INCOME IN CALCULATING UI BENEFITS

Mr. John R. Rodriguez (Nickel Belt) moved:

That, in the opinion of this House, the government should consider the advisability of amending the regulations made under the Unemployment Insurance Act, 1971, in order to repeal the dispositions which have the effect of taking into account severance pay and pension income when assessing unemployment insurance entitlements.

He said: Mr. Speaker, I think the chronology of events which has lead to the necessity of my presenting this motion

for debate is very essential for us to look at. This motion—and I know that Bill C-50 was passed some weeks ago—is one more attempt to persuade the Government to look into its heart and to see how the passage of the regulations following the announcement in November, 1984, by the Minister of Finance (Mr. Wilson) have impacted so unfairly on many, many Canadians. Furthermore, it is another attempt to try to persuade the Government that, in effect, what it passed in Bill C-50 some weeks ago goes only part way in retreating from the untenable position announced by the Minister of Finance in November, 1984.

We all recall November, 1984. The Conservative Government came to power with a massive majority. What did the Minister of Finance state in his first budgetary statement on November 8, 1984? Suddenly, it was not "jobs, jobs, jobs" anymore but it was "cut the deficit, cut the deficit, cut the deficit". There was not any consultation whatsoever with those who were affected. Their representatives were not consulted. Members of Parliament on the government side were not consulted, nor were Members on the opposition side. Members of the Standing Committee on Labour, Employment and Immigration were not consulted. The Unemployment Insurance Commission, which has the responsibility for administering the UI program, was not consulted. The Advisory Council of the Employment and Immigration Commission was not consulted either.

The Minister put on his new shoes, came with his blue rose in his lapel—if one can imagine a blue rose—and stood up in the House and announced changes to the Unemployment Insurance program by which pension income and severance pay would henceforth be considered earned income for unemployment insurance purposes.

From the moment the Minister sat down we on this side of the House condemned his announcement. At that time we said that this treatment of pension-severance pay as earned income was unfair, that it was discriminatory and illogical. We know that over 100,000 Canadians were affected by that announcement. They were negatively affected. The Government saw pension income as earned income.

I want Hon. Members to think about that for a moment. Pension funds are really savings. A worker agrees to take part of his wage and the employer agrees to match it. The money is put aside in a pension fund and can only be withdrawn when the employee reaches a magic age or fulfils the agreement of the pension program.

In small companies which do not have pension plans what does a worker do? Looking to his retirement years, a worker takes part of his income and places it into an RRSP. He may very well make some investments to look after his retirement years so that when he stops working or when he is of an age to leave his job he can withdraw the funds. Yet the RRSPs and the investment income are not affected by this ruling. It is only the pension plan wherein a worker saves for his retirement years that is affected by this regulatory change.

One of the things that struck us at that time was that the Unemployment Insurance Act, 1971, which states that pension income or severance pay was not earned income for unemployment insurance purposes, was an Act of Parliament passed by Members of the House. What the Minister of Finance announced was an amendment to the Unemployment Insurance Act, and it was done by regulation. It seems to me that that sort of fiat struck at the very heart of what we call parliamentary democracy. In fact, the Government did by stealth what it did not have the courage or the fortitude to put before the House in the proper form as a Bill.

Having taken that position, the proverbial you-know-what hit the fan. In fact, some would say that the Government held up the fan. Having done that, we saw more slipping and sliding than one has ever seen in a stable. The Government backed up and then slipped and slid and postponed until, in fact, it stirred the pot so much that it was impossible to see the bottom.

• (1810)

Nobody knew where they stood in respect of the regulations regarding UI and pension income and UI and severance pay. The former Minister, who is now the Minister of Communications (Miss MacDonald), kept issuing edicts which postponed the pension change, so what was announced in November 1984 did not become effective until January 5, 1986. When the whole thing was blowing up, to save face and their political necks, they used a good tried and true method—they asked a commission to study the matter.

The matter was turned over to Claude Forget, and the Forget Commission studied the change in respect of pension income and UI. The commission was to make a recommendation to the Government on both the pension question and the severance pay question.

Not only were the changes unfair and discriminatory, but they set up classes. There were those workers who were able to work deals with their employers such as in the case of Inco and Falconbridge in my community where workers could have their pensions deferred for a year while they collected UI. Not all workers, certainly not Armed Forces personnel, are able to make that kind of deal. Therefore, we have one set of workers treated one way and another set of workers treated in an entirely different way.

The Government and the Minister of Employment and Immigration (Mr. Bouchard) held up Bill C-50 as their solution to the problem. It even says that a worker can collect full UI benefits provided that he gets a second job. If a worker takes an early retirement, he must show good faith by going out and getting a second job. If he gets a second job and is laid off from it, he can collect his full UI plus his pension from his first job. How discriminatory, how class conscious.

It might be easy in some parts of the country for workers to get second jobs. In places like southern Ontario it is quite possible. However, it is not so easy for older workers to get second jobs in northern Ontario, the Atlantic provinces, British

Columbia, or parts of the northern Prairies. In fact the Government has reinforced the discriminatory aspects of the original change in 1984.

We know how difficult it is to get a second job. As a matter of fact, the 1985 report of the Canada Employment and Immigration Advisory Council pointed out that the change in unemployment insurance regulations was seen as a most unfortunate development which came at a time when every means of assisting unemployed older workers should be explored. Even that advisory council pointed out how difficult it was for older workers to get second jobs.

Since the recession of the early 1980s, the whole question of early retirement was used by employers to ease older workers out of the active workforce to protect the jobs of younger workers. That is a fair goal. Many workers accepted it. It is not that they were finished with the work world, but they could go out to seek a second job, knowing full well that they had the backing of unemployment insurance to tide them over. Once they made that decision, they were hit between the eyes by an unconscionable change in the rules. The Government is changing the rules in the middle of the game.

No active player of hockey or any other sport would expect a referee to blow the whistle in the middle of a game and say, "I have just been handed a change of rules by the governors of the league, and you shall not shoot unless you are 60 yards from the goal". No referee would start introducing all sorts of changes in the middle of a game, but that is exactly what the Government did. It did it without any representation from the players in the game or their representatives. It was certainly done without any consultation with Parliament or its standing committees.

What did Claude Forget say when he finally reported? He said to the Government that the idea that pension income was earned income and the changes were fine, but that he disagreed with the way in which they were implemented. He said that the Government had not given enough notice to the players in the game and therefore advised it to go back and pay all the UI and then make an announcement that as of January 5, 1989 the new rules would come into effect.

Of course that is a little fairer than what the Government did, but it is totally unacceptable. Let me make crystal clear that we would not accept that, because using pension income and severance pay as earned income was unfair in the first place. They are savings.

The Minister had that proposal from the Forget Commission. Then the Standing Committee on Labour, Employment and Immigration looked at the question. I see the Hon. Member for La Prairie (Mr. Jourdenais) in the Chamber; he is the new chairman of the standing committee. It looked at the Forget report and at the pension income and severance pay questions.

What did the standing committee say to the Minister and the Government? It was an all-Party committee and there was a majority decision, with only one member voting against it. It said that pension income was not to be considered earned income for UI purposes.

Mr. Boudria: Who voted against it?

Mr. Rodriguez: The one who voted against it was the Hon. Member for Jonquière (Mr. Blackburn). He said, "The Minister is a friend of mine; I cannot go against the Minister". The Hon. Member for La Prairie, God bless his soul, was unbiased. One would think that he would spout the government line, but he brought fair judgment to the committee.

Mr. Boudria: Let's hear it for the Hon. Member for La Prairie.

Some Hon. Members: Hear, hear!

Mr. Rodriguez: He deserves that applause.

The committee submitted the report to the Government, but what did the Government do? It said "No, no, no", and it came out with Bill C-50, a Caspar Milquetoast Bill, which clearly put the Minister on the fence where he could sit and get a lot of splinters.

I say to the Government,"Shame, shame, shame". It is not too late. It is never too late to repent. Just as we passed Bill C-50 by regulation, the Government can change the rule and give pensioners their full UI benefits. It can say to those people who were laid off and got severance pay, "By golly, you take that severance pay and use it, and with the UI benefit get retrained or move to a place where there is a job; use it to tide yourself over until you get another job".

Instead, what did the Government do? It punished them. I see you signalling, Mr. Speaker, that I must wind up. I am just getting going. Can you imagine anything more cruel than a person who has worked 15 years for a company and one Friday he gets a blue slip—it is not pink any more, it is blue—saying "You are through". He gets severance pay of $7,000. This fellow has 15 years with that company. He is not going to walk out of the door of that company and pick up another job because he may be 35 or 40 years old. What do we do? First, we penalize him by making him pay tax on that $7,000 even though he has lost his job. The Government turns around and says to him "You don't get UI benefits because you have $7,000". Is there anything more heartless, cruel, unfeeling and insensitive? I say it is a shame. Shame, shame on the Tories. Shame on them.

• (1820)

I see you have indicated that my time is up, Mr. Speaker.

The Acting Speaker (Mr. Paproski): I would love to give the Hon. Member more time but he is over his time by one minute now.

Mr. Riis: Mr. Speaker, I rise on a point of order. As the Hon. Member for Nickel Belt (Mr. Rodriguez) has indicated,

he had other points he wanted to make. Would there be a disposition in the House to provide unanimous consent to allow him to finish his remarks?

The Acting Speaker (Mr. Paproski): Is there unanimous consent to give the Hon. Member for Nickel Belt (Mr. Rodriguez) time to finish his remarks?

Some Hon. Members: Agreed.

Some Hon. Members: No.

[*Translation*]

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, I welcome this opportunity to speak this motion. In fact, in seventeen months this must be the twenty-fifth motion tabled on the subject in the House of Commons. I think Canadians and parliamentarians, especially Conservative Members whose memories tend to be rather short, should recall it all started on January 5, 1986. Before January 5, 1986, if a worker, old or young, lost his job by reason of termination of employment or because he agreed to take early retirement and let a younger person take over his job, as an alternative to laying off people, and if he was then in a position to look for another job, he had the right to draw full unemployment insurance benefits, notwithstanding any income from an employer-employee pension plan or severance pay following the closing of a plant.

Unfortunately, on January 5, 1986, not by a decision adopted in the House of Commons but by regulatory order, supported by Cabinet, including the Prime Minister (Mr. Mulroney), this Government decided—

Mr. Boudria: It was Brian's doing!

Mr. Malépart: —without any notice whatsoever, without informing parliamentarians, without informing the workers, the Government decided that as of January 5, 1986, income from pension plans to which these people had contributed would be considered as earnings and their unemployment insurance benefits cut accordingly.

This immediately affected 35,000 workers in Canada. The decision, made without prior notice, was arbitrary and it was unfair. From then on, after protest movements were organized in Quebec, the Liberal Party, at the request of its Leader (Mr. Turner), got together with these coalitions to force the Government to change its course. And we know what happened. The pressure was on. We even had a change of Ministers, when the former Minister became Minister of Communications, and the Hon. Member for Roberval became Minister of Employment and Immigration (Mr. Bouchard). At that point, all this Government could say was: Well, we are going to ask the Forget Commission to tell us whether we are right or wrong. And that was because not a single Conservative Member in this House had the guts to tell the Minister: You are wrong. The money belongs to those workers. It's their money. It's the employers' money. It came out of their pockets. The money doesn't belong to the former Minister of Employment and Immigration, the Minister of Communications (Miss MacDonald), and it doesn't belong to the Prime Minister. It belongs to the workers. The Conservatives said: Forget Forget. If you got your benefits, you will have to pay them back.

Mr. Speaker, not a single Conservative Member rose in the House at that time. Elderly workers had to come here to Parliament Hill to challenge the Government. They were unemployed and they had to spend money to come here. They were losing money every two weeks because the Government didn't give them their full benefits. These people had to pay $20 or $25 to charter a bus and come and challenge the Government because they could not have meetings with their Members in their ridings. There were pressures from the representatives of ARSAC, from Mr. Cloutier, Mrs. Lalande, Mr. Fortin of Montreal, and from representatives of our military. After three manifestations on Parliament Hill and after publication of the Forget Commission Report, the Government was told: "You were wrong; Mr. Prime Minister, you are wrong; you have to reimburse these people; you cannot change the rules in the middle of the game." Did you ever hear of someone who has automobile insurance being told after an accident: "I am sorry, but the rules have changed and you can get compensation only after your second accident. Go and have another accident, and when you lose your other leg, come back and see us; we shall pay you for both." This is silly, but it is what the Conservative Government wanted to do.

We have won half the battle, thanks to the Leader of the Liberal Party, who asked the members of his party to fight as long as something could be done to obtain fair treatment for older workers. Unfortunately, in spite of the pressures exerted by the Official Opposition, by the labour organizations, by the Forget Commission, which cost $6 million of taxpayers' money and whose recommendations were rejected out of hand by the Government, and by the Committee on Employment and Immigration, including its Conservative members, with the exception of the Hon. Member for Jonquière (Mr. Blackburn)— In passing, I would like to congratulate the Hon. Member for Laprairie (Mr. Jourdenais), even though I cannot congratulate his other colleagues who have been content to do nothing publicly while leading us to believe in private that they were doing something, because he at least was not afraid to defend these workers and to tell the Minister of Employment and Immigration (Mr. Bouchard) and the Prime Minister that they were wrong.

Unfortunately, what the Government has given us is even more shocking than the amounts spent on shoes by the Prime Minister. It is shocking to think that all the workers over 55 who are laid off following the closing of a plant, whether on the South Shore, in the Quebec riding, in the Richelieu riding or anywhere else in Canada, are being told: "My dear sir or madam, you are not entitled to your full unemployment insurance benefits as are other workers because the Conservatives have decided that the pension contributions you paid while you were working is not an investment, but earned

income. However, if you know someone who has invested in an RRSP, whatever his income, even if it is $500 a month, you can tell him that he is entitled to the full unemployment insurance benefits."

And that is the kind of injustice which this Government and Conservative Members, including the Member for Richelieu (Mr. Plamondon), the Member for Quebec East (Mr. Tremblay) and the Member for Châteauguay (Mr. Lopez), are willing to condone to make sure that all workers who lose their job as a result of a plant closure as well as all military personnel, men and women in our armed forces, who are now needlessly paying unemployment insurance premiums, will have to find alternate employment, and if they should lose that second job then the benefits are no longer deemed to be an income as they were the first time.

This gives you an idea of the way this Government operates and manipulates people. Had it not been for the determination of the Liberal Party, for the doggedness of various groups such as ARSAC, the Quebec coalition and representatives of the military, had it not been for them the 35,000 early retirees in Canada, including 13,000 in Quebec, would not be getting their cheques. Indeed the Government and the Tories were satisfied with the situation, and the only reason why they decided to reimburse these claimants was that we turned the screws on them, we had them with their backs up against the wall and they were ashamed. They are sending refund cheques to these 35,000 people because they have been forced to do so, not because they think these people had a good case.

But we have to be on our toes . . . Mr. Speaker, I have only two minutes left. People have to be on their toes. At the request of my leader, I can assure these people—because the cheques have not been delivered yet—that we will keep an eye on the situation until the last minute, until these 35,000 people get their money.

It does not matter where they live—Quebec, Alberta, the Atlantic Provinces, Western Canada—we Liberal Members have been asked by our leader to be vigilant and make sure that these people are not penalized as a result of this decision.

Mr. Speaker, I conclude on this note and I hope the Conservative Members will rise to speak. I think the New Democratic Party Members have clearly and unequivocally expressed their opposition, no one has to wonder where they stand. To us Liberals the issue is crystal-clear: we want things to be as they were before, we do not want two classes of workers, we do not want any injustice.

Now it will be the Conservative Members' turn to speak, and I hope we are not going to see a lot of twisting and turning and posturing and beating around the bush as we did when the early retirees went to their offices. It seems they said: Well, personally, I think you are right, but you know how things are . . . And once they are back in the House, they switch sides.

Mr. Speaker, I am about to conclude my remarks, and I hope there are some Conservative Members who will fight, because there is still a chance, there is still a glimmer of hope, a very slight glimmer, if Conservative Members are prepared to take a stand in their caucus and demand that the Government introduce amendments to give all workers a fair deal, instead of just half the early retirees.

Mr. Marcel R. Tremblay (Quebec East): Mr. Speaker, I welcome this opportunity to rise in the House during the hour set aside for Private Members' Business, and especially to speak to Motion 26 which deals with Bill C-50, an Act to amend the Unemployment Insurance Act, 1971, which contains, as you probably know, and I think it does no harm to repeat it, three important amendments for Canadian workers. These deal with the provisions to include income from pensions and severance pay in calculating unemployment insurance benefits.

As Hon. Members well know, on April 5 of this year new regulatory provisions dealing with pension income and severance pay came into effect.

One of the amendments contained in Bill C-50 makes amendments dealing with pensions retroactive to January 5, 1986.

Since January 5, 1986, income from pensions arising out of employment is considered as earnings for the purposes of unemployment insurance.

Bill C-50 provides that a worker whose benefit period is based on subsequent employment, whether it started before or after January 5, 1986, will no longer have his income from a pension arising from his previous employment considered as earnings for the purposes of unemployment insurance.

This Government has always held the firm conviction that individuals who retire should not consider unemployment insurance as an additional source of income.

Furthermore, we must make a distinction between people who retire permanently and those who retire in order to start a new career. The amendments allow for this distinction. They make sure that that group of people who retire and start on new careers are treated fairly and equitably, since they are still part of the labour force.

It is our belief that those people should be entitled to full unemployment insurance benefits, whatever their pension income.

Those amendments will benefit workers who have started on a new career in which they pay unemployment insurance contributions. If they later become unemployed, they will be entitled to full unemployment insurance benefits, based on their employment income following retirement, whatever their previous pension income.

In order to illustrate the situation, I will give a real life example taken from the experience of some retirees and the impact on them of the new proposals in the Bill.

Let us take a member of the Canadian Forces who retired in February, 1986 and applied for unemployment insurance. Under the January 5, 1986 regulations, the amount of his pension income will be deducted from his unemployment insurance benefits. No change so far. Let us now assume the same person found a new job in June, 1986 for instance, and was laid off a few months later. Under the previous regulations, they would have kept on deducting his pension income from his U.I. benefits.

Under the provisions of Bill C-50, the worker whose unemployment insurance benefits were reduced because of pension income will be reimbursed all the deductions to that time if his benefit period is based on previous employment.

On the other hand, another major amendment will allow people who filed a claim for unemployment insurance benefits before January 5, 1986, to have their eligibility determined under the old rules. As the saying goes, old claims, old rules.

As already mentioned in this House, some people have allegated that they were given vague information about the pension income provisions which came into effect on January 5, 1986. The fact is that, when the regulations on pension income came into effect, retirees with pension income either lost their entitlement to unemployment insurance benefits or had their benefits reduced.

Bill C-50 therefore provides that any claim filed before January 5, 1986, is not covered by the regulations on pension income.

The eligibility of these claimants will be determined under the old rules. To make this even clearer, let me say that a retiree whose unemployment insurance benefits have been interrupted or reduced because of his pension income and who filed a claim before January 5, 1986, will be reimbursed an amount equal to the deductions from his benefits.

Mr. Speaker, the provisions of Bill C-50 will affect many Canadians. These changes show the determination of this Government to ensure that all workers are treated fairly. As I pointed out in this House on June 11, Mr. Speaker, I shall continue to monitor the progress of this Bill to ensure that it is approved by the Senate as quickly as possible so that the workers concerned can have their cheques shortly.

In closing, Mr. Speaker, I would like to say that we are firmly convinced that our unemployment insurance legislation now meets the expectations and needs of all Canadians.

• (1830)

[*English*]

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, it is a great pleasure for me to rise in support of the motion before the House put forward by my colleague, the Hon. Member for Nickel Belt (Mr. Rodriguez). He has fought an incredible battle for fairness and equitable access to unemployment insurance for many Canadians. Wherever I go across Canada, I find that the Hon. Member for Nickel Belt is certainly held in very high esteem because of the job he has done on this particular piece of legislation.

I wish to discuss a matter that affects retiring members of the Canadian Armed Forces. Many individuals have retired in the area of Comox and generally when individuals retire from the Canadian Armed Forces, they are not in a position to choose the time they retire. They are asked at a certain age to leave the Armed Forces in order to make room for younger people or for new people. It is as a result of that that throughout the years, when individuals have left the Armed Forces, they have been able to take with them unemployment insurance benefits in order to make adjustments into the community.

Adjusting into a community is very important because many of these retirees are in their forties and fifties and have to make profound adjustments. Many leave the area in which they had been living. Many must sell homes in which they had lived for some time and must purchase other homes in other areas. This adjustment is hard to make on the rather meagre superannuation they receive immediately upon leaving the Armed Forces. Therefore, it is important that they have unemployment insurance benefits as a cushion to carry them through that adjustment period. Most Canadians would agree that after 20 to 25 years of service to their country, retiring members of the Canadian Armed Forces are entitled to that cushion.

• (1840)

Many of those members have children graduating from high school and going on to post-secondary education. This is a time of enormous financial burden for the families concerned. Not only are they retiring from their lifetime career, they are faced with the additional financial burden involved in their children attending university. If you live in the Comox Valley, your children must travel hundreds of miles to attend university. They have to pay for room and board, tuition, books, and otherwise support themselves. Members of the Canadian Armed Forces who retire to the Comox Valley and wish to support their children who are attending university need the additional cushion in the form of unemployment insurance to make the adjustment. As I said, most fair-minded Canadians would agree that it is not unreasonable that those people receive the benefit of that income.

What has the Government done? In January of 1986 it decided it would no longer permit this to happen. Right in the middle of the game the Government changed the rules. Retiring members of the Armed Forces did their homework. They made preparations. They were in a position to take responsibility for the transition to civilian life. Then, all of a sudden, the Government changes the rules of the game. This has caused great suffering. Many of these people were unable, on such short notice, to make the adjustment to meet their responsibilities. Many of them were unable to obtain employment or, in any case, reasonable employment to fill the gap.

That will not be quickly forgotten. Many people who supported the Conservatives in the last election thought that they would make right the years of neglect by the Liberals. What happened? They found they were even more badly handled by the Conservative Government.

In addition to being unable to collect unemployment insurance, the Government, adding insult to injury, insists that when they go to work they pay unemployment insurance premiums. Here you have a retired member of the Armed Forces collecting a modest pension, forced to immediately obtain employment because he or she is unable to collect unemployment insurance—and it is often only part-time employment at low wages—and then forced to pay unemployment insurance premiums on top of it all. Given the seasonal nature of work in many areas of British Columbia, particularly in the Comox Valley, lay-offs occur frequently and the individual finds he or she cannot collect unemployment insurance. The Government has turned around and imposed an additional burden on those retired members of the Armed Forces.

I would like to make my comments this afternoon very brief.

Mr. Malone: Good.

Mr. Skelly: I hear one of my friends saying "good". If the point is made, then it is good. Hopefully we will see members of the Conservative Party who have some respect and consideration for retired members of the Armed Forces support this very worth-while motion put forward by my colleague from Nickel Belt.

[*Translation*]

Mr. Louis Plamondon (Richelieu): Mr. Speaker, I also welcome this opportunity to take part in this hour of debate, a debate that is definitely a Johnny-come-lately, since the Bill has already reached the Senate, and the cheques will soon be delivered to our early retirees who are very anxious to get them. As usual, however, the NDP keeps arguing. That happens to be its specialty, and today it is again using up time that could otherwise be used for constructive debate and the well-being of Canadians. Of course the Liberal Party is in it as well—we hardly know which one is the Official Opposition—and it too is claiming that the Government is wrong and that it should do this and that. They would like to revert to the old system when money was spent without any concern for deficits. I suppose they would like to go back to a $38-billion dollar deficit, with acumulative deficit of $225 billion. Who cares! For them it was a matter of voting for what they wanted when they wanted to and hang the consequences. That is the kind of government we had then. That is the kind of government the voters threw out three years ago. And that is the kind of government they don't want back.

The early retirees realized that because of an erroneous interpretation by certain officials at the Employment Centres, they were misinformed. Some people took early retirement on the basis of the erroneous information, and that is why, we corrected the situation. We did not do what the previous Government did. We're not stubborn. We listened to our fellow citizens. We understood their concerns in our ridings. We defended them in caucus. And we managed to find a solution that gave them full satisfaction, as they said last month in the media across this country.

Today, of course, the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart), for instance, rose in the House a little while ago to give vent to his indignation and to say that the Government had to go on spending whether it was $1 billion, $2 billion or $250 million, it had to go on spending money on early retirees, claiming this would make room for younger workers. However, we know that 90 per cent of early retirees are not replaced by the youngest workers because in 90 per cent of the cases the jobs are automated. The Hon. Member may not remember that in 1976 or 1977, the Government, that was during his time, cut family allowances by $5 and by putting a five per cent ceiling on indexation, prevented senior citizens from getting a 6 per cent increase in benefits, which at the time was about $25 per month. Back then our senior citizens needed that money, but the Government did not say a word. That was normal, the correct thing to do, take $25 off the benefits of people over 65. That was normal. But now, all of a sudden, they tell people who are already on pension: Be warned, if you opt for early retirement you will have to declare your income like any other citizens. That is not normal. When family allowances were reduced by $5 it was normal because it was done by a Liberal Government. But here we are today trying to help low income families by supplementing family allowances with tax credits, and all they say is: Still not enough. Rather strange, the Government used to be so silent. That reminds me of the oil crisis, it was very active when Shell was fighting, but very silent when the three closed down before.

Well, Mr. Speaker—

Mr. Malépart: A point of order, Mr. Speaker.

The Acting Speaker (Mr. Paproski): Order. The Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) on a point of order.

Mr. Malépart: Since the Hon. Member has referred to me, just to show him he does not know what he is talking about, the fight had nothing to do with Shell. He is mistaken, it was not Shell, it was the case of Gulf and Ultramar. He is all mixed up, and in the case of family allowances—

[*English*]

The Acting Speaker (Mr. Paproski): That is not a point of order and neither is that of the other Hon. Member. Debate. The Hon. Member for Richelieu (Mr. Plamondon) has the floor.

[*Translation*]

Mr. Plamondon: Mr. Speaker, I was telling a few truths to my Honourable colleague who seemed to be shocked and

wanted to take advantage of a point of order to give his own views; yet, he gets many occasions to express his views. In fact, being so few in the Opposition, they get a chance to speak much more often. Sometimes, the truth may be shocking.

I am also surprised that my colleague from the NDP moves such a thing after the whole matter has been dealt with. We know that it has always been fairly customary with the NDP. Some time ago, early retirees as a whole said they were quite pleased with the Government's proposal. In fact, every newspaper in Canada reported so. They said they were quite pleased with that proposal to provide a full payment for those who had been treated unfairly before January 5 on the basis of misinformation on the part of senior officials.

Today, the NPD wants to keep up a certain fight. There is indeed a lot of contradictions in that Party. I remember a few years ago when they talked about the right to independence for Quebec, at some convention held in the Montreal area, and then a year later, they voted in favour of patriating the Constitution with the Trudeau team. A year later, it was no serious matter. They were still discussing the Constitution at the Montreal convention, and then we had the Meech Lake Agreement. On the one hand, they have told the members of the Parti Québécois in Québec: It is not good enough. But when they turn to English Canadians, they say: It is quite reasonable, after all, we might put up with it.

By dint of trying to flatter everybody, we will end up deceiving everybody. In this sense, not taking into account the billions of dollars which would be spent, the financial difficulties Canadians would be faced with, after investing billions of dollars in various projects, as suggested by the NDP and the Liberal Party, we would end up again with a deficit and the impossibility to improve the welfare of Canadians by concrete and precise legislation.

This bill is the end result of a battle carried out by the Conservative Members within their caucus, among Canadians, following consultations with their constituents, and clearly demonstrates the Government's will to listen to Canadians and respond to their needs within the normal limits of Government resources.

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I am pleased to take part in this debate and rectify the errors which the Hon. Member for Richelieu has just made. When referring to the early retirees and pension issue, Mr. Speaker, the first thing which any Member of this House should do would be to praise the Hon. Member for Montreal—Sainte-Marie for his tremendous contribution. All Hon. Members know that it is thanks to the efforts made by the Hon. Member for Montreal—Sainte-Marie and the Leader of the Official Opposition (Mr. Turner) that 35,000 early retirees who had been so unfairly treated by this Conservative Government, were finally able to collect their benefits.

• (1850)

[*English*]

It is unfortunate that the Member for Richelieu (Mr. Plamandon) did not take the time to listen to the Member for Montreal—Sainte-Marie (Mr. Malepart), who could have briefed him very well on the subject. If he had listened, his intervention would have been far more valuable than that which we heard. I say that with respect for my hon. friend from Richelieu, for whom I have a lot of respect. However, in this particular case he appears to be very poorly informed, as I am sure you have noticed, Mr. Speaker.

We all know that these retirees were unilaterally cut off after paying into the unemployment insurance fund for years and years. That is equivalent to telling someone who had a car accident that their policy was changed last night and they will not be paid for the car accident. If you were told that, you would obviously ask what you had been paying premiums for if you are not covered, and if you are not covered, why you were not told that you would not be covered before you were asked to pay premiums. Would that not be reasonable? Surely it would.

I know that all Members of this House, and particularly you, Sir, who is nonpartisan in this debate, understand that perfectly well. I am sure that if the Tory Members across stopped and thought a little bit they would understand too.

[*Translation*]

Mr. Speaker, on December 5, 1986, the Conservative Government finally admitted it was wrong. The Government said through its Minister: I am guilty. That is what the Government said. It was guilty of having caused early retirees so much grief.

However, having admitted its guilt, the Government said: Sure, I am guilty, but I going to help you just a little bit. So, they reimbursed 35,000 early retirees who had contributed all their lives like so many others, and who had already retired when the Minister changed the legislation and took away their benefits.

Mr. Speaker, some had even resigned just two or three weeks before. Some of my constituents came to see me and who said: I resigned. I was entitled to receive benefits during the couple of weeks of my waiting period, but I lost that entitlement. What is going on? It's unfair! I told them: Yes, it's unfair, I agree. Mr. Speaker, it is unfair. That is Conservative justice, Mr. Speaker. Justice for the rich but no justice for the poor.

Through Bill C-50, the Government has reimbursed 35,000 early retirees. That is wonderful. But it doesn't solve the problem. We have dealt with just a fraction of the problem. As far as the other group is concerned, people now have to be fired twice before they are able to draw benefits. The Hon. Member from Montreal—Sainte-Marie, with his thorough knowledge of the issues, pointed this out here in the House. I am sure that all Members of this House, all early retirees and

especially the people from the Montreal area appreciate the tremendous work done by the Hon. Member for Montreal—Sainte-Marie on this question.

[*English*]

As a matter of fact, my honourable and very distinguished colleague, the Member for Montreal—Sainte-Marie, was explaining this to me a little earlier. Let us take the hypothetical cases of three persons. If the first person, Mr. White, had retired after having contributed the maximum allowable to the unemployment insurance fund, $235 per week, and had a pension of $300 coming in, he would be getting no unemployment insurance. However, if his neighbour, Mr. Brown, was contributing the same amount but had a registered retirement savings plan and was receiving $300, he would get $231. You see the injustice. You see why we all have to vote now in favour of the motion presented to the House by the Member for Nickel Belt (Mr. Rodriguez).

• (1900)

Mr. Rodriguez: Sit down.

Mr. Boudria: I want to agree with the Member for Nickel Belt and encourage all Members to vote in favour of this motion now.

The Acting Speaker (Mr. Paproski): There is still a minute to go in this debate. The Hon. Member for Pembina (Mr. Van De Walle) has the floor.

Mr. Walter Van De Walle (Pembina): Mr. Speaker, I am pleased to speak about what this Government is doing to address the situation of the pensioners and unemployment insurance. Bill C-50 contains—

Mr. Rodriguez: Mr. Speaker, I rise on a point of order. Once again, the Conservatives are talking out a very logical proposal. They do not want the pensioners to get their unemployment insurance. They are talking the motion out.

The Acting Speaker (Mr. Paproski): The hour provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 42(1), the order is dropped from the Order Paper.

GOVERNMENT ORDERS

[*English*]

MOTOR VEHICLE TRANSPORT ACT, 1987

MEASURE TO ENACT

The House resumed consideration of the motion of Mr. Crosbie that Bill C-19, an Act respecting motor vehicle transport by extra-provincial undertakings, be read the third time and passed.

The Acting Speaker (Mr. Paproski): The Hon. Member for Gander—Twillingate (Mr. Baker) has the floor.

Mr. George Baker (Gander—Twillingate): Mr. Speaker, I was saying that the Government has moved toward deregulation of all transportation in Canada, and certainly toward a system of user pay like we have never seen before. The Government has demanded that Canadian National make numerous cuts and lay-offs. It has demanded that CN Marine cut $20 million from its budget for this year and make numerous lay-offs.

It has even gone so far as to approve, through the Canadian Transport Commission, increases in rates which violate the terms of union between some provinces of Canada and the federal Government. The terms of union state quite explicitly that the cost of transporting goods across the water to the islands of this nation shall not be more than the cost of transporting goods on land via the railway. Yet, when there was an objection to the Canadian Transport Commission by a private water carrier owned by big business friends of the Conservative Government, the Commission ruled that the rates will increase. Therefore, for the first time since Newfoundland joined Canada in 1949, we have seen the first violation of the terms of union on the cost of transporting goods across to the island of Newfoundland via the Crown corporation that carries the trucks. Therefore, the rates are sky-rocketing.

Furthermore, the Government of Canada recently decided that boxcars will no longer be allowed on the railway in Newfoundland. Let us examine how such a decision is made. Cabinet can make any decision it wishes, and because Terra-Transport is a part of the rail system, it is a Crown corporation and Cabinet can decide that TerraTransport will no longer be allowed to carry boxcars on the railway. That decision will take effect next week. There will be no more boxcars allowed on the railway in Newfoundland.

Mr. Benjamin: It is not a railroad.

Mr. Baker: The hon. gentleman says it is not a railroad. However, flatcars and container cars are still allowed. While a 20-foot or 40-foot container is acceptable, boxcars are not allowed.

I ask my hon. friend; how does one get the grain from the hon. gentleman's riding in western Canada to Newfoundland? It must be put into containers because grain cars no longer exist. The Government has ruled that if it is not carried by truck it must be put in a container if it is to be taken on the railway.

Depending on what is carried, the cost of bringing grain in a grain car compared to a container on a truck sometimes runs double. Yet at the end of the month no boxcars will be allowed on the railway and everything will have to be carried by container.

The Government further decided that the railway would no longer be permitted to carry automobiles. It is my understanding that a trucking company from St. John's, Newfoundland, purchased trucks from Toronto and is being paid by Terra-Transport—Canadian National—to truck the cars from St. John's harbour and Port aux Basques across Newfoundland. Again, the Government is removing goods being transported by trains.

The Government of Canada has made a conscious effort not only to deregulate and cut back on Crown corporations, and to reduce the number of employees working with Crown corporations, it has also made a conscious effort to replace the trains with trucks.

Of course, an increased number of trucks on the highway requires maintenance of the roads. Furthermore, it is not acceptable to have roads like those in New Brunswick or Newfoundland, with two-lane highways as the main mode of transportation.

If everything is to be carried by truck in those provinces, there must be an adequate highway system. Yet this consideration has been absent from government policy. Nowhere in this policy is there an indication that there will be a proper highway network in those particular provinces. New Brunswick and Newfoundland have highways that wind in and around the bays and communities. It is very dangerous for people who do not know the roads to travel in those provinces.

• (1910)

What will happen under this Bill is that we might have a carrier transporting goods right across the nation, ending up in Newfoundland, then picking up goods in Newfoundland and going to Massachusetts or some other state in the United States or province in Canada. What is wrong with this Bill is that under the section which deals with the issuing of licences, it outlines exactly what the authority of the local provincial boards will be. It defines it in such a way as to make it completely different from the responsibility of the local board to a local trucker applying for a licence and the responsibility of the local transportation board to an out of the province trucker who is applying for a licence. That is certainly not acceptable.

It is not acceptable for the Government of Canada to say in Clause 7(1), under the Issue of Licence, that the provincial transport board in each province "may" issue a licence. It does not have to. It does not say "shall". Then we go to Clause 7(2) which states the provincial transport board in the province "shall". It shall do what? It shall issue a licence to operate an extra provincial truck undertaking in that province to an applicant therefor, an applicant who meets the prescribed criteria relating to the fitness of the applicant to hold such a licence. What criteria? The criteria passed by regulation by the Government of Canada. That is the criteria which shall be used. It even points out in Clause 7 that public hearings will not be held. Public hearings cannot be held? I quote from Clause 7(3):

> —the board shall not hold a public hearing with respect to an application for a licence referred to in subsection (2) . . . the operation of the extra provincial truck undertaking in respect of which the licences sought would be detrimental—

To the public interest. That bears no resemblance whatsoever to the description under the provincial authority which determines whether or not a public hearing will be held. It is very definitive wording on the part of the Government of Canada, I suppose agreed to by the provinces, as far as these extra provincial licences are concerned.

It then says there shall not be a hearing or the provincial board shall not interfere with the issuing of a licence unless an individual objects and displays to the board such reasoning that would be "detrimental" to the public interest. It continues in Clause 7(5)(b), and I quote:

> (b) have regard to any relevant written expressions of public transportation policy issued by the Government of Canada after consultation with the Government of each province affected thereby.

It then goes on to state in Clause 5(6)(a):

> (a) a provincial transport board may not attach any restrictions or conditions to a licence issued under the authority of this Part;—

In other words, after the passage of this Bill, the provincial authority is totally under the restrictions as outlined in Clause 7. In other words, the Government of Canada, through regulation, through a Cabinet Minister, through a Deputy Minister, will decide the terms and conditions of trucking licences issued in provinces in this country. That would not be so bad if perhaps the trucking companies were located in areas of great competition and lots of work.

I am particularly concerned about the smaller provinces of Canada such as Newfoundland where truckers have spent a great deal of their money and time in developing a business which can now be removed by a multinational company or an American company simply because there is no longer a guarantee that that area will be restricted to a local trucker or to the needs of that particular local area.

Following passage of this Bill we will have two sets of rules, one for the local trucker who is receiving a licence, what is commonly referred to as his "plate" to operate within a provincial jurisdiction, to pick up and drop off, and the distinctions are there. There is always a public hearing held whenever an objection is laid when it comes totally under provincial jurisdiction. But here it sets out very clearly that some of the big multinationals, the big American firms, the big firms perhaps even from central Canada can take over. Certainly it is quite obvious to me there will be two sets of rules. What will happen is that the local truckers in the local communities on the extremities of our nation will go out of business. They will certainly not have the controls they had prior to the passage of this Bill.

We cannot say that because we are protecting the right of a multinational to go into Newfoundland or any small province

of Canada that the increased competition will result in lower prices for the goods which are transported. That is utter nonsense. We cannot find today many truckers anywhere in eastern Canada, independent, individual truckers, who are making a lot of money. We just cannot find them because the costs of operating are just too great. They have the cost of their insurance and maintenance which are just too great to make a lot of money in the trucking business.

I think this is basically a bad Bill. The provinces all said they cannot agree with the Bill until a safety code is developed with it. That has not been done by the Minister of Transport (Mr. Crosbie). He has not satisfied the Canadian Truckers Association, the very people who would be affected by the Bill.

It is interesting to note that the only consideration to be given in this entire set-up under Clause 8 and Clause 9 of the Bill is to the actual users and not the operators of the trucking business.

Mr. Gray (Bonaventure—Îles-de-la-Madeleine): Mr. Speaker, I listened with great interest to my hon. colleague from Newfoundland. After having worked on the Standing Committee on Transport, it was a surprise for him to say to this House and to the people of Canada tonight that he is happy and content with what has happened in the past. I am sure he did not mean to say that to his constituents, to the people of Newfoundland or to the people of the Maritimes and to Canadians in general.

What we have attempted to say with Bill C-19 is that the free market system can offer perhaps better competition. My hon. friend, the Hon. Member for Gander—Twillingate (Mr. Baker), God love him, has given me advice in the past, even though we are not on the same side of the fence. But coming from the Maritimes, I feel almost personally insulted that he would say this to his people of Newfoundland. I cannot show the white cuffs because I do not have the gift of the gab that they have in Newfoundland. I would say to the Hon. Member that he has let his people down in saying: "You cannot transport your goods at a cheaper price because we give you an option". That is the option we have. I realize that my time is short and I will proceed to my question.

• (1920)

We have had consultation with truckers from across the country. We talked about fit, willing and able. We talked about people who are able to go into the market, who can compete. I come from the Gaspé region and I have truckers in my region. There ain't nobody coming from Montreal or Toronto who can compete with my people because they have the people around them and behind us with our products and they are going to bring them out. They will do the same thing in Newfoundland. They will do the same thing in Nova Scotia and the same thing in P.E.I. They will do it. There is no problem there.

What we have to talk about is a national safety code. The Minister of Transport (Mr. Crosbie) has always said that there is no question about national safety as far as Bill C-19 is concerned in deregulation for trucking, no question at all. An agreement between the provinces was struck. How can we talk here tonight as Members of Parliament from different provinces and say that representatives from our provinces are against that? It was an agreement that was struck with the federal Minister of Transport.

Mr. Angus: It is falling apart, too.

Mr. Gray (Bonaventure—Îles-de-la-Madeleine): We have talked about a takeover from central Canada and there is no question about it happening. I guarantee my colleague from Newfoundland that in the Maritimes there will be no question of it happening because our truckers will have a chance, and our truckers are the best truckers in the world—the best in North America. We do not have to worry about that.

I would ask one question of my colleague from Newfoundland. Up until this evening has the Hon. Member been happy with the way the system has worked in Newfoundland?

Mr. Baker: Mr. Speaker, one can never be satisfied with the system.

Mr. Gray (Bonaventure—Îles-de-la-Madeleine): Mr. Speaker, I have the answer!

Mr. Baker: I know what the gentleman is getting at. He is acquainted with Îles-de-la-Madeleine. I believe he lives there, although I am not sure. At any rate, he goes there quite often. So he is familiar with the problem of transportation to and from the islands.

I would remind the Hon. Member of this. The costs of competing can only be balanced out so far. We have in place in Canada a rather unusual system of trying to balance out the costs. However, it can only go so far.

In some provinces the cost of maintenance, insurance, trucks and sales tax on equipment is quite different from other parts of the nation. Provinces have tried—every province does try—to balance it out by saying to every trucker: "Look, if you don't spend money in our province on fuel, oil and this kind of thing, then you will remit to the Department of Finance after you have passed over our roads the amount of tax that you would normally have spent if you had purchased those items on our highways". So what we have is a trucker who comes across the nation and when he goes over the roads in Nova Scotia, his amount of fuel is tested at every weigh station as he enters and leaves the border—

Mr. Boyer: Why is that?

Mr. Baker: The reason for it is that—

Mr. Gray (Bonaventure—Îles-de-la-Madeleine): We know!

Mr. Baker: The hon. gentleman asked for the reason. It is that the local trucker in that province has to pay a great deal more for his gasoline in Nova Scotia than he would in the

State of Maine, or in Ontario, although I sometimes doubt that. In Newfoundland one would pay 59 cents per litre whereas in some parts of the State of Maine the price is down to 25 to 30 cents. So what the Ministers of Finance say in those provinces is: "Look, you cannot put two 100-gallon tanks on your trucks". Most of the big trucking companies did that, and I can name them. They are from the State of Maine and their trucks used to come across the provinces equipped with two 100-gallon tanks. They would purchase all of their gasoline in the State of Maine, or in any state in the United States. They would come right through and go all the way back again—

Mr. Gray (Bonaventure—Îles-de-la-Madeleine): Mr. Speaker, I rise on a point of order. We are debating tonight Bill C-19 and not the United States. I think the point trying to be made is that with respect to a national safety code and the trucking system in Canada we have an interprovincial system—

The Acting Speaker (Mr. Paproski): That is not a point of order. It is probably a supplementary question, but that is about it. The Hon. Member for Gander—Twillingate (Mr. Baker).

Mr. Baker: Anyway, Mr. Speaker, what happens is that when one passes through the province and goes home one will receive in the mail, perhaps, a bill from the Department of Finance from, for example, the Province of Nova Scotia or New Brunswick, or whichever province one passes through, stating: "You owe us *x* number of dollars because you did not purchase gasoline in this province. That is the sales tax that you owe to us for using our highways". That is the way it is right across Canada.

As far as compensation, the local trucking companies, the provincial Government and keeping things on an even keel of equal competition within a province, one can only regulate it so much. If truckers were allowed to put three 100-gallon tanks onto an 18-wheeler, then of course that trucker could outcompete the people in all the provinces and go back home.

As I have said, it can only be balanced out so much in the transportation industry. Hon. Members would have to agree that if a trucker is based in some provinces in Canada he has an extreme advantage over truckers in other provinces. Certainly, if he is based in the United States I believe, although sometimes I am not sure from talking to truckers, he has an extreme advantage over someone who is located in Canada.

Mr. Angus: Mr. Speaker, does the Hon. Member agree with me when I say that there are some regulations in transportation that need revision? The one I am thinking of specifically is one which places an onerous burden upon the Hon. Member's constituents. I refer to the regulation which requires cost recovery for ferry services. User fees have to be paid to use the water-borne part of the Trans-Canada Highway to get from one part of Canada to the other. Would the Hon. Member agree with that?

Mr. Baker: Mr. Speaker, I would certainly agree with that. In fact, that applies to all the islands, including Îles-de-la-Madeleine, Prince Edward Island, Newfoundland and the Queen Charlotte Islands. I have five islands in my riding. The people living on those islands are discriminated against as far as transportation, goods and services are concerned. It is absolutely incredible. Every trucker and everyone being transported to and from the province has to pay all that money now. Since this Government has come into office user-pay is in force. All the rates have sky-rocketed since this Government has come to power. However, I would suggest that everyone come to Newfoundland this summer, the rates are not that high.

Mr. Jim Fulton (Skeena): Mr. Speaker, I know that you will be interested in listening to me talk about trucking. Members of the Government are trying to sell Bill C-19, or at least the philosophy behind it, as one of keeping every truck on the road full in each direction that they are going in order to get the lowest cost per unit of commodity moved. That is the summary I hear coming from government Members. They also claim that this will cut regulation and that it will increase regulation. But at what cost?

I think we have an opportunity to look at what has happened to the great republic to the south of us where there is a similar type of legislation in the State of California, which was introduced seven years ago, and in other areas of the U.S. since that time.

The trucking industry will be drastically changed as a result of Tory plans for deregulation. Not only will the impending cutthroat competition eliminate most of the medium-size and smaller firms, but the likelihood of aggressive market battles with the American big three, being Roadway Services of Ohio, Yellow Freight System of Kansas and Consolidated Freightways of California, threatens to decimate the Canadian trucking industry.

• (1930)

One of the points the Hon. Member for Gander—Twillingate (Mr. Baker) was making—and I am sure the Hon. Member for Bonaventure—Îles-de-la-Madeleine (Mr. Gray) would agree—is that over time, particularly in the outer reaches of the country such as northern British Columbia, Yukon, Northwest Territories, northern parts of the provinces, and the Maritimes, small localized trucking firms have managed to patch together routes for themselves. They move groceries in the morning and move furniture in the afternoon. They do a little of this and a little of that and manage to keep a localized business going. However, over past months we have seen the penetration of a lot of trucking firms which have already taken Bill C-19 to heart. They are looking at what kinds of routes they can get with a back-haul, where they can take in a half truckload of something to Stewart and take two-

thirds of a truckload of something back out. They will take away the bits of localized trucking we have had out of Terrace, Prince Rupert, Smithers, Kitimat, on the Queen Charlotte Islands, and throughout the northwest of the province.

We will see the long trucking routes penetrating deeply into an area, dropping off bits and pieces of commodities all the way through, picking up back-hauls, and going all the way back out. They will not only take away small trucking jobs and bust small trucking firms. At the same time they will take away the capital which would turn over a couple of times in small local economies and will pipeline the money back into Toronto, Montreal, Vancouver, or Edmonton, the main trucking centres.

There is a number of important and undeniable effects of deregulation since the United States launched a similar experiment half a decade ago.

First, trucking deregulation will initially bring more competition. The Government says that will happen. Anyone who takes a look at Bill C-19 can see that that will happen. Rates will drop temporarily. However, why is that? It is because small non-unionized firms, as they try to enter the market, will be bumped back out. Existing small unionized firms will be bumped out, because as we get into a situation where there is that kind of competition and not the safety requirements we have seen in small, carefully managed firms, competition will become a blip on a screen. However, within several years there will be greater concentration of industrial ownership. As they get bigger, the medium go bankrupt or are swallowed and the small fight ferociously for the crumbs of the local market.

Rather than having a long-term view in this piece of legislation, one of the biggest single faults I find in it is that it designs a period of high competition to begin with. Then we see the concentration growing, the monopoly structures being reintegrated, the cost of moving freight going back up, and the small localized firms which have survived having to struggle with the almost impossibility of staying alive.

Second, rate slashing on major routes is already beginning. Discounts as high as 50 per cent on general freight rates and as much as 20 per cent on commodity rates are already being reported. Over-capacity is already at 25 per cent to 40 per cent and is growing. This will become even more acute once the American "Big Three" penetrate further into our markets.

Third, trucking deregulation is closely tied with free trade. Canadian shippers, who are the industrial sector lobbying the hardest for deregulation, are motivated by the self-perceived need to lower their transport costs to match the deregulated American transportation costs in preparation for a continental scramble for markets.

Fourth, the large American trucking firms will overwhelm the Canadian industry. Each of the six largest American trucking giants hauls more freight by itself in a year than Canada's entire industry, and we are not small; we move $8 billion worth per year.

The general manager of the Manitoba Trucking Association argued:

> The largest U.S. carrier with dozens of terminals can take over the Canadian market by the simple expedient of serving at cut-point prices from the addition of maybe four distribution points.

Fifth, safety will deteriorate. Even the Ontario Division Chairman of the Canadian Industrial Tariff League, strong proponents of deregulation, admits that highway safety is likely to get worse under deregulation "when profits are being squeezed". In the U.S. the highway accident rate is rising—and it has been since deregulation was implemented—as equipment is kept around longer, is on the road longer, is maintained less, and carries heavier loads.

Sixth, the Canadian truck driver will be the biggest loser. The impact of deregulation upon the American trucker was devastating. Upwards of 300,000 union jobs were lost, major concessionary agreements were forced upon unions, and pensions and benefits were rolled back. Present indications suggest that an even greater impact will be felt by Canadian truckers.

The Standing Committee on Transport was not allowed to do—and it should have done it—proper evaluations of the impacts. Some states in the United States have conducted impact evaluations of increased trucking on some of their main arteries versus heavy commodities being previously moved principally on rail. The most cost effective way for the taxpayer to have heavy commodities moved—and I am not talking about paper and that kind of thing—is on rail. Whether there are three inches, six inches, or a foot of asphalt, when 18-wheelers are moving at high speed up and down main arteries, there is a rippling effect, particularly when there is any kind of frost heave. Some very good studies have been done in the United States which point out that a very substantial amount of actual net cost is transferred to individual taxpayers and consumers in those states.

I suspect, as we see the impact on some of the arteries in Canada dramatically increasing in terms of truck movement and truck speed, we will see a deterioration of the highways and additional costs having to be borne by consumers. Many speakers have pointed out that this is just a continuation of freedom to manoeuvre, not freedom to move.

I am surprised that government Members have not been more vocal about Clause 8. When they were in Opposition they always made a point of raising such Trojan Horse, regulatory clauses which allow the Governor in Council to make any kind of recommendation. Subclause 8(c) allows the Minister, only with consultation, not with agreement, with the province affected to exempt certain corridor operations from the application of most of the Act.

What happens to the prescribing of the type, the amount, and the conditions of insurance and bonding coverage where a

corridor is exempted? What happens to prescribed safety standards for the operation of extra provincial truck undertakings?

As we know, the majority of the regulations under Clause 8 will be made over the next four years, five years, or ten years behind closed doors by the Minister and a few of his officials who will be typing them up madly on various machines.

The point which has been made from coast to coast by small truckers, big truckers, and people interested in safety, deals with the whole question of the safety code. I would first like to quote from the evidence of David W. Gruchy from the Canadian Transport Lawyers Association who appeared before the Standing Committee on Transport on March 31. He said the following:

> I think the implementation and the ability to enforce a clear and precise National Safety Code is essential before deregulation takes place. The absence of it will lead to the loss of lives. It is just as simple as that. I go a bit further: the hiatus which will be created between deregulation and the implementation of a National Safety Code can be filled by the retaining of the threat of the loss of authority. That has been a major factor in safety in trucking in Canada.

The Minister of Transport (Mr. Crosbie) has not addressed that in any way, shape or form. As a matter of fact, while we were dealing with amendments to this piece of legislation last week—and the Hon. Member for Thunder Bay—Atikokan (Mr. Angus) and the Hon. Member for Regina West (Mr. Benjamin) moved many to try to improve the Bill—the Minister of Transport admitted that it would be years, perhaps on into the 1990s, before the national safety code was in place.

I should like to quote from a June 2, 1987 editorial entitled "Why risk truck safety?", which reads in part:

> Trucking is an $8 billion-a-year business in Canada that spells jobs for 50,000 people. About 40 per cent of our freight—and half of all goods shipped to the United States—moves by truck. So a seemingly obscure proposal by the federal Government to deregulate interprovincial trucking is, in fact, a major policy change that warrants closer scrutiny than it has been getting.
>
> Bill C-19, introduced last November but not yet passed by an overloaded Parliament, is designed to stimulate competition in the industry, mainly by making it easier for truckers to win licences for the interprovincial transport of goods.
>
> That could lead to lower freight costs and potential savings to Canadian consumers. In theory, it sounds like a good idea. But as is so often the case, there's more than one side to the trucking deregulation story.
>
> For example, there is the critical question of safety. If everyone with a truck is allowed to enter the interprovincial trucking business, how can the public be certain that he won't cut corners on vehicle maintenance? Will drivers, especially those employed by small companies, be forced to work longer hours? And will the average age of trucks on our highways increase as small companies keep equipment in service longer?

• (1940)

Before the Government makes a wrong turn on truck deregulation, it needs to ask itself whether the risks it is creating outweigh the potential rewards. Again, that is one of the rallying cries. I remember a few days ago listening to the Hon. Member for Bow River (Mr. Taylor) who said that one of the reasons he likes Bill C-19 and wants to support it is that beef cannot presently travel from Alberta to Ontario without trucks going through the United States. It is a preposterous argument. I have checked into it. It is not entirely true. Trucks can go from Calgary to Toronto without going through the United States with existing licensing. There is no doubt the argument that there is too much regulation is true.

Mr. Malone: Right.

Mr. Fulton: But Bill C-19 does not do what the Member for Bow River argues that it will. The underlying principles as enunciated by the Minister of Transport are three things. You can get into the business if you are ready, able and willing. RAW. That means if you can get a truck and if you can get a loan for a truck, if you can get insurance, if you can get a loan for insurance and if you can get in there and pick some market then you are up and away. That sounds ground for the small truckers. We know that something quite different happened.

A good comparison to make is the state of California, roughly the same population as Canada, which has a much tighter market, and, therefore, much greater competition, much shorter hauls. What happened there, Mr. Speaker? Most of the smaller medium-sized firms have gone. The big six took over that market and for a period of a few months there was more competition. They were all scrambling to stay in the business. New people were scrambling to get in. But who is left? The big six. Not the little firms, not the little guy. Government Members say oh, oh, oh. This will get lots of jobs for lots of small guys. It is not true, Mr. Speaker.

Look at comparable markets, comparable populations, comparable movements of goods, and here the added component of the enormous distance. A lot of our commodities are moved on rubber on our highways which means one more added burden for a small trucker. He will not have a computer terminal or all kinds of back-haul arrangements made by brokers and by other parts of his firm. He will be doing it by phone or his wife, his son or neighbour down the road will. Is he likely to maintain and expand into the other more competitive market where computers play such a vital role? I do not think so. This legislation is being sold like a Trojan Horse. The regulations are not here. The National Safety Code is not here. The myth that this will be good for the small guy is nothing more than a myth.

I met recently with a few dozen truckers in my constituency and talked to them about it. They were particularly alarmed at a situation that has arisen in northwestern B.C. It is in the logging sector, but I think it bears understanding in relation to what Bill C-19 could bring to that part of the industry. Almost none of the local truckers in Stewart are hauling logs out of Bell Irving or out of the top end of Tree Farm Licence No. 1 or out of the Dee's timber supply area. We have Tam Logging, Orenda and Buffalohead working out of there. They are principally using truckers out of Alberta who can operate on a less expensive plate and many of them have been there for months. The Department of Highways have not taken them off, the RCMP have done nothing. They, of course, are able to operate at lower rates because their insurance costs are less,

their licensing is less and one of the things that these truckers expressed concern about in relation to Bill C-19, because they are already finding trouble with it, is that in years gone by in B.C., Alberta, Saskatchewan, Manitoba, Ontario, Quebec and the Maritimes and north of 60 there used to be a system in place where you could get localized plates so that within a local market if you operate a little gravel business, you would have a special plate. If you were not working, somebody else could not come in and do gravel operations in that area. That tended to keep at least some of the contracts localized so that some of the money spent by governments, in particular, but also in large projects was kept in the local area. With Bill C-19, that is long gone. That kind of a concept of being able to develop localized industries on rubber is long gone.

Let us take another look at what has happened in the United States, Mr. Speaker, because it is worth having some understanding of what has happened there after the Americans have had half a decade of experience with this kind of deregulation. Another testimony to the identification of this source of the problem comes from the New York State Automobile Association, an affiliate of the American Automobile Association. Their analysis of motor carrier safety problems is put this way:

> The federal Government's deregulation of the trucking industry, intended to decrease red tape on governmental interference, has also created a free-wheeling market-place where safety takes a back seat.
>
> Before deregulation began in 1980, major trucking firms exercised substantial control over interstate rates and routes. Since that time, savage price wars have forced many major firms out of business. In their place, some 12,000 new firms have sprung up, many of them independent, single vehicle, owner-operators. These firms are in fierce competition for a volume of freight that has dropped by almost 45 per cent, a decrease that adds to the underbidding and discounting and declining profit margins for truckers.
>
> These financial pressures are forcing many truckers, especially independents, to try to reduce their expenses by deferring maintenance, replacing their vehicles less frequently and disregarding regulations concerning driving hours and speed limits.
>
> From 1979 to 1984, the average age of trucks in service increased from 6.9 to 8.2 years. The 1984 figure represents the highest average since just after World War II. Close to 15 per cent of the 40 million trucks in service in 1984 were 15 years old or older.

In those areas where independents have managed to maintain a bit of participation in the market the way they have done, it is at the cost of safety. They keep their trucks longer, they spend less on maintenance, more hours on the road and it leads to a much more dangerous highway for everyone, including truckers.

A press release from Keith Bissell, Commissioner, Tennessee Public Service Commission states:

> Truck problems go beyond the vehicles. Truck companies which shave maintenance costs also pay relatively less to drivers. These companies get what they pay for. Our findings show drivers have far less experience. More drivers use drugs and alcohol.
>
> How general is the problem? That is, can any distinction be made between the truckers who are creating the problems and those who are not? A report from R. J. Hicks, Deputy Chief, Port of Entry Division, State of Colorado, shared some light on this:
>
> "It has become very apparent that after the start of our POE's inspection program in July of 1984, that a high level of unsafe trucks were on Colorado's highways. Better than one out of every four were placed out-of-service for major violations of safety and HM regulations in FY 1984-85. That posture deteriorated in FY 85-86 with four out of every ten trucks being placed out-of-service. Well-known, established companies have done an admirable job in safety of their trucks, but others are failing miserably to address even basic maintenance."

We know what is happening for example in British Columbia where the Government has taken away safety inspection on cars and trucks. In a crackdown on the Hope-Princeton highway just last fall, two-thirds of the trucks stopped had to be pulled from the highway. Most of them did not have their brakes hooked up.

Mr. Malone: That is a system you want.

Mr. Fulton: The Member from Alberta says that is what Members of the Opposition would like. His own Party is bringing this measure in without the National Safety Code in place. As we have learned from the experience of the Americans, even with a partial safety code in place, the levels of safety in the U.S. have plummeted. Someone driving a small vehicle on the highway is 40 times more likely to die in an accident with a truck than the trucker.

Safety is a major question that should have been addressed and has not been. It is the small truckers, the independents and the small and medium-sized firms that will take it in the neck from this legislation, and consumers in the long term will not benefit.

The Acting Speaker (Mr. Paproski): There are two questions for the Hon. Member for Skeena (Mr. Fulton).

Mr. Belsher: Mr. Speaker, I have listened to the Hon. Member for Skeena (Mr. Fulton) with interest. I must find that what he described no way resembles what is in Bill C-19.

Mr. Gormley: That is not surprising.

Mr. Belsher: The Hon. Member does the House a disservice and the Canadian public to say that there has been no co-operation with the provinces and that the safety aspects have been forgotten. He knows full well that there has been an agreement signed by all 10 provinces along with the Minister of Transport (Mr. Crosbie) saying that at least 50 per cent of the safety code will be in place by January 1, 1988, and the remainder by 1990. The federal Government is contributing some $20 million toward helping each of the provinces to be able to put it in place by that time. It has been agreed that the reverse onus will take place five years after the Bill has been proclaimed. The Hon. Member does a disservice to the Canadian public when he paints a picture that is not accurate.

• (1950)

The Hon. Member spoke of fatalities and used California as his reference point. It is a matter of fact that there are fewer fatalities per mile driven by trucks in California now than there were in 1978. These are some of the things that the Hon.

Member should be careful about when he starts to quote statistics.

When representatives of the railways appeared before us to make their presentations, we asked them about volume and they said that there would not be any loss of volume on the tracks due to Bill C-18 and Bill C-19. Yet the Hon. Member is telling us that trucks will suddenly carry so much more volume that they will be taking it away from the railways. That is a distortion of the facts. Would the Hon. Member care to comment on why representatives of the railways would tell us that there will be no loss of volume because of deregulation rather than saying that Bill C-19 will put a tremendously higher volume on the highways?

Mr. Fulton: Mr. Speaker, I think the Hon. Member does a great disservice to himself, to his constituents and to Canadians generally by asking the question that way. He has not told us the sources from which he is quoting. I have statistics before me from a state in the United States, New York. I do not have California statistics, but since deregulation was introduced in New York, the number of fatalities on the highway among commercial motor vehicles has increased by 50 per cent. Those are the statistics that I was quoting. I have them here and I am perfectly prepared to table them. I would like to see the statistics of the Hon. Member saying that in California, fatalities have declined since 1978, and I would like to see them tabled tonight.

Mr. Gormley: That was you who quoted from California.

Mr. Fulton: I did not. I quoted from New York and I have the statistics right here.

Mr. Gormley: You said California. Read the "blues".

The Acting Speaker (Mr. Paproski): Order, please. I believe the Hon. Member has rebutted the question.

Mr. Binns: Mr. Speaker, I did not intend to speak, but I could not help but hear some of the remarks made by the Hon. Member for Skeena (Mr. Fulton). He spent considerable time talking about how the big three companies in the United States could take over the trucking industry in Canada if they so desired because of this Bill.

I recently travelled all the way down the eastern coast of the United States and back up through the middle of the United States. I could not get over the number of independent trucks I saw on the road. In fact, I could drive all day and watch tractor trailer after tractor trailer going by and I would see very few trucks with the same company names.

I had my CB radio on and I was listening to these truckers talk. I talked to them myself. On Interstate 95, Interstate 84, Interstate 81 and a whole host of other highways, I did not see this conglomeration of trucking companies that was taking over the American industry. In fact, it looked very much to me as though the private truckers were doing very well.

I guess what is surprising about the Hon. Member's remarks is that his argument went all the way around the circle. He ended up by concluding through his testimony about what was happening in New York that his earlier argument was not correct. In fact, he indicated that a few big trucking companies had lost the war to some 12,000 new firms. I expect that that means individual, independent truckers.

Just because the individual truckers have trucks that are a year or so older than the other trucks does not mean to me that they are unsafe. In fact, when I pulled into truck stops on these Interstates to get fuel, to check my tires and so on, I saw that these rigs were in immaculate shape. They have chrome wheels, chrome stacks and murals on their sleeper cabs. These guys take pride in their outfits. These are not the kind of trucks that would be unsafe.

While the Hon. Member's remarks were interesting, I think he went all the way around the circle and lost the gist of his argument.

Mr. Fulton: Mr. Speaker, the Hon. Member for Fraser Valley East (Mr. Belsher) said that it was all right with him that the safety code will come in in 1990. I think that is the kind of inappropriate—

Mr. Belsher: The main parts will be in in 1988 and you know it.

Mr. Fulton: No, 1990, the Minister of Transport said it here in the House last week, that the main parts will be in by 1990.

Perhaps the Hon. Member for Cardigan (Mr. Binns) would like to reflect on the fact that 300,000 truckers lost their jobs in the last four years under deregulation in the United States. If he thinks that is creating new jobs, I am very surprised at the kind of mind the Hon. Member has operating inside his skull.

The point I was making about small truckers in the State of New York is that the big six have taken over the overwhelming majority of the market and 12,000 other truckers are left. I quoted that figure from U.S. documents.

It is pretty clear that the arguments government Members are using are the ones that are faulty. They are trying to sell this Bill as being a great creator of new jobs, something which will cut prices for the movement of commodities, something which will make the highways better, in fact something which will make the sun rise earlier. It is just not true. We have learned from what has happened in the United States and particularly in California and New York what the truth is. There have been more fatalities, more casualties, and less safety. In fact, over time costs have increased again after the prices for the movement of commodities went down initially during the initial surge of competition.

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I am pleased to have the opportunity to speak, albeit very briefly, on Bill C-19. We know that one of the main

reasons this Bill is before us is the fact that we have passed the accompanying legislation, Bill C-18. What will we have with these two Bills? On the one hand we will have a severely dismantled rail system and on the other a deregulated trucking system.

I would like to inform you, Mr. Speaker, that the largest single employer located in the constituency I represent is a company known as Glengarry Transport Limited or GTL for short.

Mr. Angus: It's appropriately named.

Mr. Boudria: GTL has 2,000 employees—someone has just said that it is appropriately named. I thank the Hon. Member for that remark. I kind of like the name myself and I am sure most of my constituents do too.

In any case, GTL, with its 2,000 employees, has at the present time some 5,000 different vehicle units including trucks, trailers and the like. It is a family-owned business based in the constituency that I represent and it is the seventh largest trucking company in Canada.

GTL provides good and meaningful employment to a large number of the constituents I represent. As I understand it, it belongs to the Lefebvre family of Alexandria and we are very proud of the Lefebvre family for their achievements in the community of Alexandria and in the great County of Glengarry.

Some time in the past, I was speaking to Messrs. Pierre Vaillancourt and Paul Poirier of Glengarry Transport. They told me that some 20 per cent to 30 per cent of all their employees would lose their jobs as a result of Bill C-19. That would be a very serious consequence for the constituency that I represent. Needless to say, there would be many more jobs in other industries in the area lost as well. When a community such as Alexandria loses jobs in its trucking industry, needless to say there are other job losses as well. When we talk about 30 per cent of the workforce possibly being laid off, we are talking about 600 people. The Town of Alexandria has a population of only 2,000 to begin with. Do you see how serious this legislation could be for my constituents?

• (2000)

I drew a parallel in this House before when we were discussing the Gulf refinery in Montreal, the de Havilland plant in Toronto and other similar issues involving job losses of 500 or 600 in some of those large urban centres. Many people in the media and in this House raised the issue extensively. Of course, we were talking about large urban centres. I do not want to diminish the impact of job losses in those communities, but if that was severe, and I recognize that it is, it is far more severe to lose those jobs in the riding I represent.

Mr. Friesen: Point of order, Mr. Speaker. The Hon. Member has just said there was a loss of jobs with the sale of de Havilland in Toronto. I would like him to explain that.

The Acting Speaker (Mr. Paproski): That is not a point of order. The Hon. Member will have his opportunity during questions and comments.

Mr. Boudria: Mr. Speaker, I know the Hon. Member is very busy doing constituency work at his desk and perhaps was not listening too closely. Perhaps I was talking too fast for a Tory to understand. Maybe I should repeat it slowly so that even he can understand what I am talking about.

Mr. Gormley: This time think when you speak and surprise us.

Mr. Boudria: When I was speaking at a much faster pace, a pace too fast for Tories to understand, I said the loss of jobs in large communities was serious. The loss of a similar number of jobs, or the potential loss of a similar number of jobs, in a smaller community was even more serious. It is fine for him to make fun of it because it is not happening in his constituency, it is happening in mine. It is only too symptomatic of the Tory attitude towards the loss of employment. They do not care. They make fun of it. However, there will be a day of reckoning for the Tories.

We were talking about the potential effects of Bill C-19. We know of course of the deliberate action by the Government through this Bill to cause shut-downs of large sections of the railway and then adding intermodal and truck traffic. The Hon. Member for Gander—Twillingate (Mr. Baker) was saying a little while ago, and very eloquently as he usually does, that there would be an increase in truck traffic because of some government policies. He was quite right, as he usually is.

I want to read to you from a letter of Mr. A. Blackwell, Assistant Vice-President of Strategic Projects of CN Rail. I think I have informed you in the past that CN is planning to shut down parts of its main rail line linking Ottawa to Montreal. It is also planning to shut down the rail line between Ottawa and Capreol, near Sudbury, which would remove all rail links between the capital of this country and the City of Montreal, as preposterous as that may sound. It is all in the internal document I have here in my hands.

Mr. Boyer: Internal document?

Mr. Boudria: I would be glad to share it with Tory Members. I gave a number of them to Conservative Members who attended a meeting I had on CN Rail a few weeks ago. The proposal to shut down this line would cause some traffic to be diverted to trucks. Let me read to you from this letter and you will understand the issue very clearly:

> This will confirm discussions on Thursday, September 4, 1986 concerning the Alderdale-Beachburg Subdivisions.

That is the rail line between Ottawa and Sudbury. It continues:

> These changes in routing should achieve economies of scale in the Montreal-Toronto corridor and, at the same time, will focus attention on actively seeking alternatives—

Note the word "alternatives".

—for handling the 2,000 annual carloads of woodpulp traffic from Portage du Fort, which is currently served by way-freight from Ottawa.

In other words, they are simply saying they are going to put 2,000 more truckloads on the road, 2,000 more truckloads out of one place, Portage du Fort, not far from here on the Quebec side near the national capital. This traffic is going to end up on already overcrowded highways in western Quebec and eastern Ontario.

Clearly the Government is taking its responsibilities and shoving them off on the Provinces of Ontario and Quebec. The Tories do not care. They do not maintain the provincial highways; the Governments of Ontario and Quebec do. If we increase traffic, tough, says the Government. If we have highway traffic which is deregulated and less safe than it is now, tough, say the Tories. The potential closing of the Ottawa-Montreal rail line has already stopped an expansion at a plant in my riding.

[*Translation*]

An industry called Moulures Alexandria shelved its $25 million investment projects. The company put its projects on the back burner while waiting for the Government to make up its mind concerning the CN track.

So we have the Glengarry Transport Company which stands to lose a number of jobs. We have jobs which are threatened by the possible closure of CN Rail, and more jobs still will be lost if ever CN Rail closes shop, as proposed in the internal documents I have here.

Mr. Speaker, you can see that the Conservative Government's laisser faire policy is having a negative impact in the riding I have the honour and privilege to represent in the House.

[*English*]

I want to read to you from other documents I have here. This letter is signed by Ron Lawless, at the time President and Chief Operating Officer of CN Rail. It is dated September 10, 1986. Mr. Lawless should stop leaving his mail lying around all over the place. It comes into opposition Members' hands sometimes. In any case the letter says:

You are aware that in June a proposed five-year program of line abandonments totalling 5,400 miles was developed in accordance with the "Blueprint Initiative" to divest 1,000 miles of track per year. A copy of this list is attached. Due to the serious financial situation, this list was used in a conference call on August 7, as a basis for reviewing with the Regions, possible reductions in Engineering and Transportation expense for 1987.

The premise used was that the train operation, if required, would be provided where possible on 48 hour notice. During the conference call and in subsequent consultations, some 100 engineering positions were identified for reduction out of a total of 616.

Therefore, we are talking about letting go one of every six people in the engineering section of CN, further cut-backs which will further affect my area and many regions of this country.

• (2010)

I see the Member for Etobicoke—Lake Shore (Mr. Boyer) across the way. He will know that if the CN Rail between Capreol and Montreal does shut down the chemicals produced in northern Ontario going to Montreal will be moved on the rail line to Toronto and then from Toronto to Montreal.

Mr. Boyer: You're a fantastic alarmist.

Mr. Boudria: If the gentleman across thinks that my statements are touched with a tint of partisanship—

Mr. Gormley: No, alarmism.

Mr. Boudria: —he should contact the unions of the railways which will tell him, as I am telling him now, that thousands more railcars per year of toxic products will pass by right near his city. When has a Tory Member spoken on this issue? Never. His colleagues from the Ottawa area have studied some of the documentation I have. They have been lobbied by the unions of CN and they have copies of internal documentation. The Member should speak to the Members for Stormont—Dundas (Mr. Warner), Ottawa—Carleton (Mr. Turner) and Ottawa West (Mr. Daubney), all of whom are aware of those facts. When the Member for Etobicoke—Lake Shore says that he doubts the accuracy of what I am saying—

Mr. Boyer: Mr. Speaker, I rise on a point of order. The Member opposite is saying that I said in this Chamber that I doubt the accuracy of statements made. That is nowhere near what I said. I ask him to retract that and to proceed with his comments.

The Acting Speaker (Mr. Paproski): That is debate. If the Hon. Member wishes to pursue it during the period for questions and comments, he may do so then. The Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria) has the floor.

[*Translation*]

Mr. Boudria: Thank you, Mr. Speaker, I am pleased to continue my remarks, and I would urge the Hon. Member for Etobicoke—Lakeshore (Mr. Boyer)—and the other Conservative Members—to find out more about these facts, and he will realize that what I am talking about today are facts. So we have this Bill C-18 and its harmful consequences, as described by my colleague from Papineau (Mr. Ouellet) and my colleague from Westmorland—Kent (Mr. Robichaud). Both of them have done an outstanding job with respect to these two Bills, and I take this opportunity to congratulate them, Mr. Speaker, as I am sure you would want me to commend them for their work in connection with Bill C-18.

And this evening we are dealing with Bill C-19, and again our position has been ably explained by my colleagues the Members for Papineau and Westmorland—Kent who are working relentlessly in an attempt to make the Government opposite understand that it must change its policy before it is faced with disastrous consequences.

Well, Mr. Speaker, I would be prepared to answer the questions of Members opposite concerning these very important issues. I would urge them to reflect very seriously upon the job losses which I mentioned a moment ago.

[*English*]

Mr. Fulton: Mr. Speaker, I have a question for the Hon. Member with regard to regulation *per se*. An awful lot of the debate that we have heard from the government side makes the point that it is very necessary to deregulate and that this will somehow bring about a better rubber service in particular. I will not deal with the issues with relation to air which were raised through Bill C-18.

I would like to hear the Member's comments on one of the premises on which regulation is brought into society, that is that it is to protect society from those who would take advantage of a situation in a safety sense, which is the context in which I want to put it.

Any of us who drive from here to our homes in Ottawa encounter stop lights, stop signs, and certain other things which we have to obey. Does the Hon. Member think that disposing of certain regulatory regimes, particularly in the area of safety, is likely to be in the interest of the trucking industry or of the consumers who are presently using our highway systems?

Mr. Boudria: Mr. Speaker, I thank my colleague for that excellent question. It is my opinion that before moving any further with deregulation we should wait for the national safety code to be fully in place which, as I understand it, is not yet the case.

It could very well be that some of the present trucking regulations are too onerous and need to be toned down a notch. However, that does not mean that we should scrap practically all form of regulation.

The question of the Member for Skeena (Mr. Fulton) reminds me of another very important topic. A few minutes ago a Conservative Member was saying how well things seemed to be going for independent truckers in the United States.

I remind the House that witnesses appeared before our CN save-the-train committee which was held in the Railway Committee Room a little over a week ago. Members of all political Parties were there. Witnesses told us that in certain instances 50 per cent of the trucks stopped for safety checks were found to be unfit for the road. That is the type of thing that is taking place right now in some of the states south of the border, particularly in the southeastern part of the United States where some of the studies were done.

There is indeed a second side to the deregulation story. I know that everyone wants to be less controlled and less regulated by government. Of course, we all want to be protected more by government too. That is the sometimes hard-to-reconcile view that we all have. However, we must remember that no one wants unsafe vehicles on the road. No one wants to sacrifice safety. Therefore, we should be very careful with this process, particularly as we know what happened in the United States.

The Acting Speaker (Mr. Paproski): Is the House ready for the question? Debate. The Hon. Member for Regina West (Mr. Benjamin).

Mr. Les Benjamin (Regina West): Mr. Speaker, I am anxious, and, I hope, fit, willing and able, to take part in this debate. Not only are members of the Official Opposition and members of the New Democratic Party opposed to this legislation being brought in its present form, the Canadian Truckers Association and the Concerned Shippers Association, both of which appeared before our committee more than once, are opposed as well. Who is asking for greater enforcement, more inspectors and a higher level of safety and maintenance? It is not your average shipper, receiver, Canadian citizen or MP. It is the truckers themselves who are asking for that.

• (2020)

A number of truckers who appeared before our committee told us that they were anxious to have a high standard of safety, maintenance, inspections and accounting of those operations and procedures that were not only set down in a standard but were inspected and enforced. The limited level of those standards in Canada today is woefully inadequate, and even more so in the United States.

Once we rely on the bottom line syndrome of market forces and free enterprise principles as the primary consideration for transportation policy, otherwise reliable and conscientious servers of the public in transportation are forced to cheat.

The free market atmosphere permits the entry of competitors who do not have the kinds of standards and financial viability that the long established, large, medium or small firms do. The market is simply divided among a large number of operators who will cut corners, take chances and take turns going broke. The ease with which operators will exit and enter the market means that the provision of the service will be unreliable in terms of quality, frequency and reliability.

The Hon. Member for Fraser Valley East (Mr. Belsher) entered the debate tonight and discussed having these provisions in force by January 1, 1988. The trucking industry itself said that this was impossible.

There is general agreement in principle between the federal Government and the provinces about a national highway transportation Act. However, I am certain that they have not reached agreement on the details of such legislation. They are very unlikely to establish before the end of the year a national trucking board that would provide a multiprovincial licensing authority. Such an authority is necessary in view of the present illogical regime in which one must go before ten different highway traffic boards, with different regulations and standards, in order to obtain a national licensing authority. For

example, in order to operate from Toronto to Prince Rupert one must deal with five provincial highway traffic boards.

There is agreement in principle between the provinces and the federal authority to return interprovincial and international trucking under the federal jurisdiction as it is under the Constitution. That authority was turned over to the provinces in the early 1950s, which they administered with the consent of the federal Government authority.

We agree with the principle that there should be national legislation under which an 11-member or preferably a 13-member board, including both Territories, would set national standards and regulations on safety, maintenance, schedules and working hours for truck drivers. They would operate under one licence, the price of which will vary according to the number of provinces in which the operators want to function. I believe there is likely unanimous agreement in achieving that goal, but it will take at least a year when we consider the difficulty in achieving unanimous agreement with the provinces.

The recently retired head of the Interstate Commerce Commission in the United States, an appointee of Ronald Reagan, appeared before our committee in Ottawa. He urged us not to make the same mistakes that were made in the United States, whether it was with the airline industry, the trucking industry, or the railroads.

The Government is on an ideological binge of deregulation. It has the majority to carry out its policy and there is not much we can do about it. However, this Ronald Reagan appointee who was head of the Interstate Commerce Commission in the United States told us not to deregulate until these other provisions were established. Those who want the freedom to enter and exit a market will then know the rules and minimum standards by which they must operate. Once they are required to abide by those standards, I suspect that those jerk-water, fly-by-night outfits that want to begin an airline or trucking company under deregulation will think twice before doing so because they will not be able to meet those standards.

Once this legislation is passed, anyone who can get a bank loan, some insurance, can lease a few tractors or second-hand aircraft and hire some laid off truckers or pilots at one-third the pay will be in business. How will that achieve quality and reliability in transportation service?

Should we allow someone to take the cream off the top during a peak season of the market from a successful and long-established operator who has built up the market? That is a predatory practice rather than free enterprise and they should not be allowed to do so if they cannot meet a number of safety and maintenance standards and regulations on the number of hours a person can fly or drive.

• (2030)

How long does a diesel engine or jet engine have to run before it is overhauled? Surely that has to be in place. If we allow the bottom-line syndrome to govern, then what we will have are cost accountants, chartered accountants and lawyers, all deciding what kind of transportation service will be provided, where it will be provided, how often and under what conditions, and all of them would not know one end of an 18-wheeler from another and one end of a boxcar from another. What we will end up with is that people who do not know much, if anything, about transportation will be making decisions about how well our transportation system serves the public, how reliable and viable it is and, most important, how safe it is.

That is why we have to keep a degree of regulation. We are not arguing against streamlining the CTC so it responds faster and is more responsive. There is an all-Party agreement on that. We are not arguing that a lot of regulations have outlived their usefulness and are no longer relevant to today's circumstances. We say throw them out. We need new regulations to take into account the new technology. They need to be continually updated and upgraded.

I sometimes think that with all the thousands of regulations there are in the Government of Canada, we could have a special standing committee of the House of Commons which does nothing else but review regulations. It would take the full time of a standing committee.

There is another area the Government and the committee refused to consider. It was in the minority report on *Freedom to Move* submitted by my colleague, the Hon. Member for Thunder Bay—Atikokan (Mr. Angus), and myself. When a truck operator in Canada receives a franchise from a highway traffic board on a given route, given a number of places to serve, he has to pay so much for that licence. That licence becomes part of his assets. It serves as security in the minds of his customers and his employees and it also serves as security when he needs to make a loan at the bank for operational costs. That licence serves as part of the assets of his company. The committee and the Government refused to address that.

I want to read what we said in our minority report. We said then, and we say now, that we are concerned about those who hold licences and the effect of deregulation on the value of those licences. For most businesses, their licence is an asset, and many have borrowed against it for operating or capital expenses. After deregulation, however, these assets will have no value and the trucking company or airline will have to come up with other means of securing demand loans with financial institutions. Goodness knows, all of them have to take out demand loans, sometimes several times a year.

In addition, operators will not realize any profit from the sale of their business as was the case in the past under a regulated regime. The Government must pay close attention to this issue to avoid bankruptcy, especially of smaller firms. We support some method of writing off this loss against their income tax. We note that companies must be in the position of reporting a profit which would cover the book value of their licences. We do not believe that the operators who may be

most threatened by the devaluation of their licences would be in that situation.

We understand that the actual value of a licence versus what the operator carries in accounting may be difficult to determine. Some method of direct compensation should be established. We have run into the matter of the value of licences in the fishing industry as well. But the Government refuses to face up to what is an economic reality. People in transportation, fishing, or a number of other enterprises, have to acquire a licence, and to acquire a licence they have to make a massive investment in relative terms, which automatically means that that licence is an asset which can be used in a variety of ways. Bill C-18 and Bill C-19 run away from that completely, in spite of the pleadings of witness after witness before the committee.

I want to say something about transportation on highways. My Party believes that we must devise transportation law and regulations which minimize as much as possible discrimination against people and the goods and services they produce just because of where they happen to be located. Newfoundland and Prince Edward Island, the Queen Charlotte Islands and Vancouver Island, I have always assumed, are part of Canada. Our rail and highway systems, when it comes to transporting goods and people between those places, should be considered part and parcel of our national highway and railway system. There should be no tolls, or a minimal charge, on those ferry services. They are part and parcel of people in Canada sharing together in the cost of dealing with one another and of moving about this country or shipping their goods.

Surely that is part of co-operative federalism. Surely that should be a given. If someone wants to ride the ferry to Vancouver Island and take his wife, three kids and the dog, it will cost $30 or $40. What would happen, Mr. Speaker, if Highway 401 somewhere around Kingston, for example, were shut down for four hours, everyone was lined up and then learned it was going to cost them $50 or $100 to go the next 20 miles? Can you imagine the uproar, Mr. Speaker, in downtown Toronto or Montreal if someone were to suggest that? They would probably be locked up, especially if it were said in Ontario or Quebec.

Why would the Government even contemplate that kind of operation on our East Coast or West Coast or anywhere else in Canada where there has to be a viable transportation service serving our islands, not just the mainland? We have proposed for many decades that those be made a public utility, a public liability, and the nation as a whole, through our various provincial and federal taxes, should share in the cost. Someone buying a tank of gas in Toronto would be paying his share of getting from Nova Scotia to Newfoundland because we are all part of the same country.

Under deregulation, and under this legislation, however, all we do is to compound the felony. We continue to discriminate in transportation because of where people happen to live and where they happen to produce their goods.

Finally, I want to suggest that the Government, if it does not want to listen to me or my colleagues, or even to the Official Opposition, listen to both the opponents and the proponents of Bill C-19. Under *Freedom to Move*, the Canadian Truckers Association thought it was not a bad idea. By the time we got the legislation, it had changed its mind. When we started discussing Bill C-19 in committee and in this House, shippers and receivers, the Concerned Shippers Association, thought Bill C-19 was a good idea, but just yesterday a piece of correspondence landed on all our desks which said: "Do not do it yet".

• (2040)

Most important, and if nothing else, the Government should agree to announce in the House tonight an amendment that states that this legislation will not be proclaimed unless and until all the matters regarding licensing, federal-provincial agreements, regulations, inspectors and the boards which have the authority to enforce the legislation are in place. Then and only then, as bad as this legislation is, should the Government put it into place. The Government could wait at least that long. I predict that it would take at least until January, 1989, if not 1990. That is how much time we need.

The Acting Speaker (Mr. Paproski): Are there questions or comments?

Mr. Fulton: Mr. Speaker, will the Hon. Member for Regina West (Mr. Benjamin) comment briefly on a point he brought up with respect to the confusion in the minds of government Members and those who drafted Bill C-19 between free enterprise and predation? Government Members do not seem to understand that in the United States in the five years following the introduction of very similar legislation one-third of the truckers lost their jobs or their trucking businesses.

I would like to ask the Hon. Member, who has been a member of the Transport Committee for the last 15 or 20 years, whether or not at any time any witness or any correspondence has ever come to the attention of the Transport Committee from trucking companies, independent truckers, municipalities, provinces or anybody else suggesting that legislation anything like Bill C-19 was needed in Canada.

Mr. Benjamin: Mr. Speaker, to my knowledge legislation of this type has never been requested by the trucking industry, the airlines or the railroads. It has never been put forward by any provincial government or any municipality. That is why I said that the Government is on an ideological binge. Even if it is not going to work, the Government is on a binge. The problem is that the whole country will get the hangover.

Many of us, not only Members of the House and of the committee, but the hundreds of witnesses who appeared before the committee, have made a sincere effort. We have pleaded, asked, begged, suggested amendments and everything else to improve this legislation. The one drawback with getting

stubborn is that one gets stupid. Boy, has this Government been stubborn!

The former Minister and the present Minister said that this Bill was not engraved in stone. They said: "We will be flexible". They do not understand the definition of the word. However, I guess for Tories they have been flexible. But as much as we strove and tried to make a bad Bill less bad, they refused to listen. Nobody outside the Conservative Party that I am aware of has asked for this type of legislation.

I have yet to have it shown to me why this legislation is needed. Our transportation system is not perfect. Goodness knows that it needs a lot of improvement and modernization. But it was functioning pretty well. So if it is working, then the Government should not try to fix it. This is where the Tories got so stubborn that they then proceeded to get stupid, which is exactly what this legislation is. If anybody needed to go back to the drawing-board on two Bills in this Parliament it is with respect to Bill C-18 and Bill C-19.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I want to premise my remarks by saying that it was not my intention to participate in this debate.

Mr. Andre: Then don't bother!

Mr. Riis: I only wish to say a few short words about the Bill. I realize that there is business to transact in the next number of days.

Because there were some interesting points made during the last number of hours I simply want to raise them with members of the Government who are here. As we all know, and as has been made clear by all the speakers who have spoken on the Bill, Bill C-19 is a Bill to deregulate the trucking industry. One must then say, presumably, that this is something that the trucking and busing companies of Canada would support. This is something they should endorse. This is a Bill which they would be encouraging us to pass rapidly. I do not have to remind you, Mr. Speaker, since you would be well aware of it because of your interest in transportation, along with every Member in this House, that Canada is the second largest country in the world and transportation, from the very beginning, has played an integral role in the development of our national economy and our regional economies. I have found out that the Canadian Trucking Association is against this Bill. If it is not in favour of it, then what on earth are we doing passing this legislation?

The trucking associations of the Provinces of Ontario, Manitoba and B.C., and probably all the other provinces, which represent thousands and thousands of trucking companies, as well as thousands of drivers and mechanics, oppose this legislation. The Canadian Truckers Association opposes Bill C-19.

One must then say that if the truckers are against this legislation, and if the bus drivers are against this legislation, then the shippers must be in favour of it. Somebody has to be in favour of it. We have received a letter from the Coalition of Concerned Shippers. It states in the letter: "Our coalition represents thousands of companies large and small across Canada who depend on an efficient, competitive trucking sector for service and for growth". The association is asking the House of Commons and the Chairman of the Standing Committee on Transport to reconsider the negative effects contained in recent amendments to Bill C-19 for extending the reverse onus test for truck entry from three to five years. In other words, this coalition, which represents in its own words thousands of companies large and small, is opposed to Bill C-19 in its present form.

The shippers of Canada oppose it. The truckers of Canada oppose it. The provinces have indicated their concern with it. Of course, they are asking us not to proceed with this legislation as well. So one must look around to see who it is who wants this legislation. The only person we can determine who wants it is the Minister of Transport (Mr. Crosbie) and the Conservative Members of the House.

I consider this to be undemocratic. It is clear from the presentations that the committee members heard during their examination of Bill C-19 that an overwhelming number of groups in the country that understand and live transportation every day of their lives oppose Bill C-19.

What the Government is saying is: "We know better than the shipping companies of Canada. We know better than the trucking companies of Canada. We are going to jam this legislation down their throats. We are going to use our majority to impose this deregulation on the transportation sector of the economy". That is what the Government is doing.

Let us be clear with respect to what is going on. When we talk about deregulation in trucking what it means is that for a short period of time we will throw the trucking industry onto the open market-place in anticipation of increased competition. Indeed, there will be increased competition. There will be hundreds and thousands, perhaps, of small trucking firms, perhaps even single truck firms, that will take advantage of this new deregulated environment. But we have already seen what that has done in the United States. We have seen what it has done in other jurisdictions. After a flurry of competition, when one is in an incredible cut-throat, shark-like environment, predation is the more appropriate term that describes it, free enterprise goes down the tubes.

• (2050)

These small and medium-size trucking companies are now being asked to compete against the giants in North America, and one of these giants does the same amount of business as all trucking in Canada. We are asking our Canadian trucking firms to take on, head to head and in open, free competition, these incredible transportation giants in the United States which, as a result of the free trade talks, will have complete access to our highway systems and will take on the small,

independent Canadian transportation companies. That is the reality.

Are we to stand here as responsible Members and allow the legislation to pass? Are we to give it our enthusiastic endorsement, knowing full well that we would be sounding the death-knell for small, independent Canadian trucking companies?

Mr. Fulton: And a lot of medium-size ones as well.

Mr. Riis: To say nothing of the medium-size ones. We cannot compete with the larger American giants and the advantages which they have in terms of their economies of scale.

The Hon. Member for Regina West (Mr. Benjamin) went on at some length to indicate what this will mean in terms of safety on our highways. I suspect that most of us as Members of Parliament have already been approached with the kinds of tales the trucking companies foresee in terms of an unbelievably competitive environment with drivers driving for 14 hours and 16 hours straight on the highways. Those trucks will have to be kept on the highways at all times and will not receive appropriate maintenance. This means that our highways will be significantly less safe than they are today.

The situation in the United States has demonstrated that conclusively. We have long lists of various U.S. organizations in the United States which have clearly and definitively pointed out that highways in the United States have been made significantly less safe as a result of deregulation.

Mr. Fulton: There has been a 50 per cent increase in tragedies on some highways.

Mr. Riis: Good grief, it is difficult to imagine. The data keeps coming in. The Hon. Member for Skeena (Mr. Fulton) indicates that 50 per cent more casualties are directly related to the deregulated environment in the United States.

It is not as though we are going into this blind. We know full well the experience down south, and now we are to apply it to the Canadian scene! Let us recognize clearly what the Government is doing. It is saying that it prefers to have large American trucking companies working in Canada. It prefers to have a less safe highway system. No one is asking for this. It is just that the Government is driven on the ideological bent that fewer rules is good business. Fewer rules might be good business for a handful of mega-trucking companies in North America, but it is bad news for small and medium-size Canadian independent trucking companies. This is the message which the Canadian Trucking Association has made so clear.

In closing, I simply want to say that we plan to oppose the legislation. We look forward to the day, not too long from now, when we are across the aisle, form the Government of Canada, and have an opportunity to undo the disaster which the present Conservative Government is imposing upon the people of Canada.

The Acting Speaker (Mr. Paproski): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mr. Paproski): The House has heard the terms of the motion. Is it the pleasure of the House to adopt the said motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mr. Paproski): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mr. Paproski): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mr. Paproski): In my opinion the yeas have it.

And more than five Members having risen:

Mr. Lewis: Mr. Speaker, I rise on a point of order. There have been discussions among the Parties, and I think Your Honour would find unanimous agreement that the recorded division be deferred until 3.15 p.m. or immediately after Question Period on Thursday of this week.

The Acting Speaker (Mr. Paproski): Is that so agreed?

Some Hon. Members: Agreed.

* * *

HAZARDOUS MATERIALS INFORMATION REVIEW ACT

MEASURE TO ENACT

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs) moved that Bill C-70, an Act to amend the Hazardous Products Act and the Canada Labour Code, to enact the Hazardous Materials Information Review Act and to amend other Acts in relation thereto, be read the second time and referred to the Standing Committee on Consumer and Corporate Affairs.

He said: Mr. Speaker, I am pleased to make a few comments on the House concerning the workplace hazardous materials information system or WHMIS.

The primary purpose of WHMIS is to protect Canadian workers by disclosing information about hazardous substances. This kind of information is not available to workers and employers at the moment. We feel that it is something all Canadians working with hazardous materials have a right to know.

Before I describe WHMIS to the House, let me talk briefly about the process of consultation and consensus which produced this legislation.

WHMIS is a real product of consensus. It is the result of over four years of extensive consultation among industry, organized labour, and federal, provincial and territorial Governments. The Canadian Labour Congress, the Canadian Chemical Producers' Association and the Canadian Manufacturers' Association have all been key non-government parties to the WHMIS consensus. The provinces, the territories, and the federal Government also agree on WHMIS. They feel the program is needed, and they will co-operate in implementing it.

The co-operation which went into designing WHMIS and the strong and enthusiastic support for WHMIS among all consulting parties are unprecedented. The program is unique because all participants, each representing a different interest, support the proposal.

It is unique. It is the first time in Canadian history that this type of consensus or this type of tripartite agreement has been reached. We think it is yet another example of the Government's commitment to the consultative process and demonstrates that this commitment can work; we can bring about a consensus in the country if we work at it.

[*Translation*]

As for WHMIS, Mr. Speaker, the program provides a national, standard source of information designed to protect Canadian workers by providing both employees and employers with the necessary information on hazardous chemical products used in the workplace.

WHMIS will ensure that manufacturers, suppliers and importers provide information on hazardous materials. It will also make it possible to transmit that information to employers, who in turn will pass it on to the employees who use the materials in the workplace.

[*English*]

To be effective, a workplace hazardous materials information system must be comprehensive. It must be applied consistently in workplaces across Canada.

It would make little sense to require hazardous products information in one jurisdiction and not in another. The purpose is to make a uniform, national system by consensus. Of course this requires the co-operation of all federal, provincial, and territorial Governments. All these jurisdictions have existing occupational safety and health programs. WHMIS would work through these safety instruments to implement uniformly a national program in all 13 Canadian jurisdictions.

Even though WHMIS is essentially an occupational safety and health initiative, Governments, business, and labour agree that the present federal Hazardous Products Act is the best existing statute in which to establish the core requirements for WHMIS. This is because WHMIS will deal with standards and disclosure requirements for hazardous products at the point of sale or importation.

The Bill before the House would deliver the federal portion of WHMIS and would enable the program to be implemented efficiently through the existing occupational safety and health programs of the jurisdictions concerned. This will avoid needless duplication, make for smoother administration, and enable WHMIS to be a leaner, more efficient program.

Altogether, the proposed Bill contains modifications to the Hazardous Products Act and to Part IV of the Canada Labour Code. It would also establish new provisions to protect legitimate confidential information.

The Hazardous Products Act amendments will serve as a national regulatory foundation for WHMIS. WHMIS will identify hazardous materials and require information about them in the workplace. It will set up a cautionary labelling system for containers of hazardous materials and require the disclosure of even more information through material safety data sheets including the identify of hazardous ingredients. Manufacturers and importers of such material would have to provide this information as a condition of sale and importation.

WHMIS will establish a supplementary ingredient disclosure list, containing the names of additional substances which must be declared on material safety data sheets. It will establish a maximum fine for an indictable offence of $1 million for violation of the Hazardous Products Act and increase the fine on summary conviction from $1,000 to a maximum of $100,000. It will set up a mechanism to protect sensitive confidential business information. It will require suppliers to provide information, in confidence, to treating medical professionals during emergencies. The Bill also provides for consultation with the provinces, Territories, industry and labour prior to changes in the WHMIS regulations or schedules in the revised Hazardous Products Act.

• (2100)

Amendments to the Canada Labour Code Part IV are an important part of the WHMIS legislation. These will extend the protection of the WHMIS proprietary information mechanism to federally regulated employers. All other authorities to implement WHMIS, including requirements for worker education programs, are currently contained in the Canada Labour Code Part IV.

[*Translation*]

The revised occupational health and safety regulations will include WHMIS requirements for federally regulated employers. These requirements will be enforced in accordance with similar provincial and territorial legislation. The purpose of WHMIS, Mr. Speaker, is to protect workers, and this means that education programs for workers are an important part of the system.

[*English*]

Under occupational safety and health legislation, the program will require employers to establish education and training programs for employees exposed to workplace hazardous materials. These programs will ensure that employees have the information they need to handle hazardous material safety, and will include instruction about the information required on supply and workplace labels and on material safety data sheets, and the purpose and significance of this information; procedures for the safe handling, use, storage and disposal of hazardous materials in a specific workplace and procedures to be followed in case of accidents.

In arriving at a workable WHMIS program, we had to be very sensitive to the need to balance Canadian workers' legitimate right to know about the hazards of products they handle with industry's need to protect confidential business information. Attaining this delicate balance is a fundamental consideration of WHMIS. Without a proprietary information mechanism, Mr. Speaker, the program could not be implemented.

The proposed Bill, therefore, includes a mechanism to determine if a supplier should be allowed an exemption to the WHMIS ingredient disclosure requirements on the grounds that such disclosure would cause economic harm. During consultation, all parties agreed on the best mechanism to deal with claims. The mechanism would screen initial claims, adjudicate appeals against screening decisions and provide a method of judicial review limited to points of law.

The Bill before the House would create the workplace hazardous materials information review commission. It would be a single national independent agency able to screen trade secrets and hear appeals. Trade secret claims would be ruled on initially by a screening officer of the commission. Affected parties, manufacturers, importers and employees would have the right to appeal screening decisions to a tripartite appeal panel, comprising members nominated by industry, labour and provincial governments. The commission would be governed by a multipartite council of governors and would report to Parliament through the Minister of Consumer and Corporate Affairs. The commission would be self-financed by fees charged to claimants and appellants.

There are several advantages to the proprietary information mechanism as it has been set up. For example, the consolidation of screening and appeal functions under one roof will result in significant savings to industry, labour and government. To guarantee that proprietary information provisions will not conflict with the requirements for worker safety in case of medical emergencies, provision has been made for the release, in confidence, of necessary information to medical professionals.

The WHMIS initiative is part and parcel of the Government's regulatory reform policy. It is also smart regulation.

Before I sit down, may I publicly acknowledge the co-operation of the opposition Parties in regard to this legislation. There has been pre-study in the Consumer and Corporate Affairs committee. It is an example that consensus and co-operation can sometimes extend to the floor of the House of Commons. I appreciate it and want to publicly acknowledge it and I hope that this spirit will last into the next session in the fall.

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I am pleased to participate in the debate today on the Workplace Hazardous Materials Information System or WHMIS as the Hon. Minister has just described it. Bill C-70 before us, as the Minister has indicated, has the support of all Parties. I do not just mean all political Parties, but all parties involved in the preparation of the document meaning labour, industry, provincial Governments, the standing committees of this House of Commons and I believe all political Parties in the House as well. I would like to recognize the contributions of my two colleagues, the Hon. Member for Cape Breton—East Richmond (Mr. Dingwall) and the very distinguished Member for Saint-Jacques (Mr. Guilbault), our Labour critic for the Liberal Party who has been working on this Bill and who is very well informed on the topic, as we know.

The Minister a few moments ago said in one breath that this legislation had been in the making for four years, which means that it was started under the previous Government, and then he took credit for the legislation being there.

He then went on to describe that it was part of his Government's regulatory reform which was started about a year and a half ago. Those are rather interesting contradictory statements coming from the Minister of Consumer and Corporate Affairs (Mr. Andre) which should not go unchallenged. As we all know, this process was initiated by the previous Liberal Government, and an excellent Government it was, Mr. Speaker as you know. Needless to say the Workplace Hazardous Materials Information System will offer workers and the industry very useful information about hazardous chemical products used in the workplace. The system will be available to help reduce on-the-job accidents which, too often, could have been avoided had the appropriate information been available.

I have here the different symbols that will appear on the hazardous products and I understand as well that there will be a central registry where more information on specific chemicals will be available for people who are injured on the job and there will be easier access than we have now to obtain assistance.

The labour movement worked very hard in helping draft this legislation and for very good reason. Until the Bill came along, Canadian workers and the industries in some cases lacked very basic information in handling hazardous substances on a day-to-day basis. Unfortunately, as I said previously, when there were accidents, sometimes groups were almost totally helpless to assist a fellow worker. I would like to point out the contribution and the involvement of the Canadian Manufacturers'

Association and suppliers who prepared and assisted in the preparation of this Bill. They too offered their useful input along with organized labour and have all agreed to comply with these requirements.

Another important feature of this legislation is the fact that it will be applicable in all provinces, as I understand it, and territorial jurisdictions as well. With this legislation, we now have international standards to protect workers at the workplace.

[*Translation*]

Mr. Speaker, my sole concern is to ensure or to have the Government give this House the assurance that the various juridictions, namely the federal, provincial and territorial governments, will have the necessary resources to deal with this question and enforce the new legislation being introduced today.

[*English*]

In order to make sure that this legislation is properly enforced, the standard must be at adequate levels and a commitment is necessary on the part of governments, be it the federal Government or the territorial governments and as well commitment is necessary on the part of employers that the resources will be there.

[*Translation*]

Mr. Speaker, that federal Act would provide for the establishment of a single, independent, trilateral, national Commission responsible to Parliament, through the Minister of Consumer and Corporate Affairs (Mr. Andre), with responsibility to rule on confidentiality claims in respect of industrial products.

It would also be charged with ruling on initial examination of claims validity and providing trilateral arbitration on any appeal of those rulings. Because we know that often toxic chemical manufacturers, all kinds of chemicals, claim the confidentiality of their documents could be violated if the chemical composition of some of their products was published. But with the appeal mechanism provided for in this legislation, there will still be a method under which, as I am told, appeals could be made, where a manufacturer claims that others have violated his secrets, if they can be so termed, for the manufacturing of chemicals.

Mr. Speaker, I am proud to be part of the Liberal party which initiated that measure some four years ago. It is my hope the legislation will pass within a very short time frame in this House, and I repeat my wish and that of our party that the necessary resources, both nationally, provincially and industry-wide be made available to those who will need them to ensure that the legislation not only is well drafted but effectively implemented in the future.

• (2110)

[*English*]

Mr. Rod Murphy (Churchill): Mr. Speaker, in his remarks on Bill C-70, the hazardous materials legislation that is before us at the present time, the Minister congratulated the opposition Parties for their co-operation. In my case, I think there has been more than co-operation because I have been pushing for this legislation almost from the day I became a Member of Parliament many years ago. It is something that I believe is very necessary and I do congratulate the various participants from the provinces, the labour movement and the business sector for working together to achieve this common goal.

The Departments of Consumer and Corporate Affairs, Labour and Health and Welfare of the federal Government deserve a great deal of credit for having facilitated this process. The participants, especially the Canadian Labour Congress, the *Fédération des Travailleurs du Québec*, the Canadian Chemical Producers' Association, the Canadian Manufacturers' Association and Dupont Canada deserve a great deal of credit for having worked toward an agreement which will achieve not all that each of them wanted but which will allow the legislation to be passed in order to improve health and safety conditions for Canadian workers.

Frankly, I look forward to seeing this consultative process continue in other areas of health and safety, in other areas of labour legislation and as a general practice. Personally, I believe it is too bad that the Government does not use this real consultative approach in economic matters, in job creation and with regard to social programs.

I reiterate that I am pleased that this Bill is finally coming before the House. I realize it is an all-Party agreement and that it is very difficult for us in the House to amend an all-Party agreement. By all-Party, I mean the participants from the business sector, the labour movement and the chemical industry that have worked with the provinces and the federal Government to bring this legislation before the House. They worked together on this consensus document and it is understandable that the parties that were part of that consensus would not want to see changes made in the legislation. However, as I have indicated to the Minister earlier tonight and during the prestudy in committee, I have a small number of amendments which I believe can live up to the principles of the consensus and at the same time improve the legislation.

One of the most important changes to be made is that there should be an actual implementation date in the legislation. In testimony before the committee, it was indicated that there was a tripartite agreement that the law and the regulations should be in operation by October 1 of 1988. I believe that it is important that the legislation actually have a deadline stating when it will be the law of the land. I believe that because of past experience with changes to occupational health and safety regulations in this land.

Hazardous Materials Information Review Act

In June of 1984, Parliament passed changes to the Canada Labour Code. The Code and most of its regulations did not come into effect until March of 1986. In fact, some regulations affecting health and safety in the aviation and rail industries did not come into effect until March of 1987, almost three full years later.

Clearly, with this track record, the House must act quickly. The House has agreed to act quickly on this legislation but we must have a guarantee that the Government itself and its Departments will also act quickly. We do not want to pass this legislation today with the partners to the consensus believing that it will come into effect one year from now but find out that it will not come into effect for two or three years.

There are two other changes to the legislation that I believe are necessary. One, this legislation allows for a large list of exemptions. According to the Bill, Part I does not apply in respect of the advertising, sale or importation of any explosive within the meaning of the Explosives Act; cosmetic, device, drug or food within the meaning of the Food and Drugs Act; control product within the meaning of the Pest Control Products Act; or prescribed substance within the meaning of the Atomic Energy Control Act. That is one clause which contains a long list of goods and products which will be exempt. To further complicate that, Clause 12 of the same Bill lists these same exemptions and adds a number of others including hazardous waste; product, material or substance included in Part II of Schedule I and packaged as a consumer product; wood or product made of wood; tobacco or product made of tobacco; or manufactured article.

The reason we were given for having these exemptions in the Bill was that the Government had good intentions. It believed that the Departments concerned would get around to having legislation in place affecting this and hoped that the legislation would be similar or equivalent to the legislation we are passing in the House at this time. Again, going on past experience, I do not believe that we as legislators should take that chance.

The federal Government is saying that it will not force federal government Departments or Crown corporations to live up to the same legislative requirements the private sector will be required to live up to for most goods that fall under provincial legislation. I question a federal Government that does not force its own Crown corporations to live up to the same legislation it expects the private sector to live up to.

Again, referring to—I know that workplace safety may not be interesting to some Tory Members but I wish they would keep quiet.

Mr. Lewis: I object to the guy behind you reading the newspaper.

Mr. Parry: I'm very quiet.

Some Hon. Members: Hear, hear!

The Acting Speaker (Mr. Paproski): We still have another Bill or so to deal with before the House adjourns at 10 o'clock. I would hope that we would complete this day in a nice, friendly manner. The Hon. Member for Churchill (Mr. Murphy) has the floor.

Mr. Murphy: Mr. Speaker, I have been very co-operative on this Bill and I said that there would be only one speaker from our Party. If there is only one speaker, that speaker had better be heard or that speaker had better be someone other than myself.

Mr. Forrestall: Stop threatening and grow up. You make an arrangement and a commitment, stick with it.

• (2120)

Mr. Murphy: Mr. Speaker, I said this legislation is important. I find it absolutely repugnant that when this House is dealing with occupational health and safety legislation for the first time in three years, given the record of death, injury and occupational disease, that the House is not paying attention. On both occasions when legislation on this subject has been brought forward, we made arrangements not to prolong debate. I suggest that those Members who want to stay in the Chamber should either listen or keep quiet. Their other option is to leave. This is important legislation. We have done all we can to make sure it is passed. We gave it pre-study despite the fact the Government could not get it into the House until June 23. We have expressed concern about the fact the legislation has flaws but we have the commitment to do we all we can to make sure it is passed in all its stages. I said I wanted a chance to explain the amendments I thought were necessary and I expect to have that right and I hope to get the co-operation of Members of all Parties in this House.

When I was interrupted I was discussing past difficulties we have had with Crown corporations and others being exempt from the legislation. I explained that we expect that those Crown corporations should be covered in the same way the private sector has agreed to be covered. I have pointed out that the history of some Crown corporations does not increase my belief that they will live up to the spirit of the legislation so I believe it is important that, if not today then some time in the future, those Crown corporations should be covered by the legislation. Let me give an example.

When Atomic Energy of Canada was faced with workers protesting sex discrimination because women workers were allowed lower radiation exposure levels than men, AECL did not lower the limits for men, it raised the limits for women. Not only that, despite the fact that they set the limit in the first place, they insisted on doing it behind closed doors. It took a number of questions in this House to the then Minister responsible, Jean Chrétien, to allow the Canadian Labour Congress to make its presentation to the AECB to be made in a public session. With that kind of record I do not believe they should be exempt from the legislation.

This is a consensus document and it is going to be very difficult to change the legislation in detail so it is going to be very difficult to change the legislation in detail. Therefore this large list of exemptions should be subject to a sunset clause. It should not go on for two, three, four, five, six, ten or twenty years, or even indefinitely, without the workers being protected by legislative action. I gave the Minister amendments today which say that in two years' time these clauses would lapse and those workers would be protected in the same way other workers across Canada are protected. I consider that a constructive amendment. I have also suggested that if that is not acceptable to the Minister, we should have an automatic legislative review of these clauses by the appropriate committee in two years' time. That is the least the House can do for the workers in these industries. I believe it is necessary that we guarantee the workers concerned that this House will be able to take some action in the future or that the relevant clauses are subject to a two-year time limit.

In addition, although the legislation calls for data sheets on hazardous materials and their chemical components, there is no requirement for any kind of central repository for those data sheets. There is no provision whatsoever to guarantee that the public has access to those sheets. The employers and employees of a particular plant may have access, but people passing through those work sites for whatever reason have no guarantee of access. In addition, the lack of a central repository restricts the ability of those who are concerned with occupational health and safety in obtaining adequate information.

I suggested that the Department of Consumer and Corporate Affairs should be responsible for the central repository. That department would be responsible for monitoring complaints under the Act as well as checking to make sure these data sheets are in the appropriate form and meet the requirements of the Act. That is what we expect of government departments when we pass legislation like this, and I do believe it is important. I hope the Government will accept my amendment in that respect.

I have one more subject that I am going to deal with and it relates to the Government's approach to occupational health and safety. I find it ironic that at the very time we are passing this legislation, which requires more work in this field so that the employee is able to better exercise his or her right to know, the Government has cut funding for the Canadian Centre for Occupational Health and Safety.

It was clear from the presentations we received that most people expected that the centre in Hamilton would have a responsibility for assisting small businesses and helping employees obtain further information on chemicals, training sessions and materials, and other related material. Yet, as a result of funding cut-backs, that centre does not meet those requirements and is not going to be in a position to make sure that the protection this legislation calls for is provided. In light of the passage of this legislation, I call upon the Government to make a commitment to provide increased and adequate funding for that centre so it can do its job to protect the health of Canadian workers.

Motion agreed to, Bill read the second time and referred to a committee of Consumer and Corporate Affairs.

* * *

• (2130)

FINANCIAL INSTITUTIONS AND DEPOSIT INSURANCE SYSTEM AMENDMENT ACT

MEASURE TO AMEND

The House proceeded to the consideration of Bill C-42, an Act respecting financial institutions and the deposit insurance system, as reported (with amendments) from the Standing Committee on Finance and Economic Affairs.

Hon. Flora MacDonald (for the Minister of State for Finance) moved:

That Bill C-42, be amended in Clause 17 by striking out lines 32 to 36 on page 5 and substituting the following therefor:

"17.(1) The Minister may make expenditures out of the Consolidated Revenue Fund to defray the expenses arising out of the operations of the Office."

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Mr. Speaker, I just want to assure Members of the House that this is a technical amendment to correct a drafting oversight.

The Acting Speaker (Mr. Paproski): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mr. Paproski): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I rise on a point of order. As we have passed the amendment to Bill C-42, I believe we could move on to the concurrence stage. I must admit that we have not had full discussions with the other Parties, but I think you would find unanimous consent to move to third reading stage of Bill C-42 at this time.

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, there have been consultations and I agree to that.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I want to confirm that there have been excellent negotiations during the evening and, in an effort to expedite the business of the House and facilitate the rapid passage of this Bill, we will certainly agree to proceed to third reading now.

Miss MacDonald (for the Minister of State for Finance) moved that the Bill be concurred in.

The Acting Speaker (Mr. Paproski): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

Miss MacDonald (for the Minister of State for Finance) moved that the Bill be read the third time and passed.

Miss Aideen Nicholson (Trinity): Mr. Speaker, when I spoke on behalf of the Official Opposition during the debate at second reading of Bill C-42, I said that the Bill is a useful first step in the Government's agenda for financial re-regulation in Canada. I stressed that it is a very preliminary first step containing the least contentious of the measures proposed in last December's paper *New Directions for the Financial Sector.*

It is worth repeating that one of the reasons we have been able to make relatively quick work of this particular Bill is the strong support of all Parties for the process of reform and the accompanying need for enhanced regulatory authority. This House was greatly shocked by the events, some 18 months ago, of the Canadian Commercial Bank and the Northlands Bank and the weaknesses they showed in the regulatory system and ministerial accountability. We in the Opposition have felt considerable urgency in moving to correct the problems revealed then.

This is essentially what is involved in Bill C-42. It is the enabling legislation for a new regulatory body, the Office of the Superintendent of Financial Institutions. It also contains some provisions respecting the Canada Deposit Insurance Corporation.

The Bill implements only a small portion of the scenario outlined in broad strokes in the December Blue Paper. The provisions of Bill C-56, which the Finance Committee examined concurrently with Bill C-42—apart from one aspect to which I will refer later—do not add much to the government record in terms of legislation brought before the House. As I have said, these two Bills can be characterized as curtain raisers. The main event, the 1,000-page blockbuster Bill which will give us all the main pieces of the puzzle, has not yet appeared.

I was critical of this in my speech at second reading, and I remain so. I asked then why our examination of the Government's proposals could not be facilitated by having all the Bills before us. We have been dealing with bits and pieces, which is most unsatisfactory. It proved to be something of a handicap to us in committee.

Time and again Members would question a provision of the Bill and we would be told that the matter would be clarified in the final piece of legislation. This put members of the committee in the position of having to decide whether they were prepared to approve legislation about which we have unanswered questions on the strength of assurances that the questions will be answered to our satisfaction when we see the final Bill.

When will we see this Bill or, rather, this draft Bill? First we were told that it would be tabled before the House rose for the summer. More recently the Minister of State for Finance (Mr. Hockin) said he expects to release it "this summer" which I suppose could mean anytime before the House reconvenes in the fall. Therefore, although some progress is being made with regard to the less contentious of the Government's proposals, it appears that we may be in for further delay when it comes to introducing and implementing the bulk of the measures proposed in the Blue Paper, particularly matters concerning ownership and commercial links which are important matters of public policy which require detailed debate.

For now I would like to return to some of the issues I raised in my earlier speech on Bill C-42 and make further comment based on the hearings held by the Finance Committee.

In speaking of the new regulatory body, the Office of the Superintendent of Financial Institutions, I mentioned that although I support this initiative and the expanded powers conferred on the regulator, I had some questions about the size and funding of the new office, as well as the exercise of its new powers.

The new office is to be formed by amalgamating the Department of Insurance and the Office of the Inspector General of Banks. Both these offices have had needed increases in their person-year allocations. However, unfortunately, the Minister, in his appearance before the committee, could not give a commitment that in terms of person-years at least the new office would be larger than the sum of its parts. I say that this is unfortunate because we were all very much aware at the time of the bank failures that staff shortage in the regulator's offices was a factor. We are now moving toward a much more integrated financial system which, by its nature, will require closer and more vigilant supervision. It is important to ensure that the chief regulator has not only the quality of staff but the numbers necessary to do the job.

• (2140)

With respect to funding of the new regulatory agency, 15 per cent is to come from the Government through the Consolidated Revenue Fund and the remainder is to come from the financial institutions and is to be levied on the same basis as the premiums paid now by institutions to the Canada Deposit Insurance Corporation for their deposit insurance. Should an institution disagree with the assessment levied on it, there is no means of appeal except through the courts. None of this information is in the Bill. We are told that it will be in the regulations.

With respect to the new powers made available to the Superintendent of Financial Institutions through Bill C-42, I remain concerned about the vagueness of the provisions by

which the Minister is to be kept informed of action taken by the regulator. The Bill allows the regulator to take control of an institution for seven days or longer and to make business decisions for that institution if "there exists any practice or state of affairs which may be materially prejudicial to the interests of policyholders or creditors". Obviously this is a serious action which would not be taken lightly.

I was surprised, however, to hear the Minister say in committee that he is not contemplating any specific guidelines or criteria under which the regulator would assume control of an institution. Although the Bill requires the Minister to be informed within seven days of the regulator taking over an institution, there is no requirement to do so at the outset. The Minister stated that he is comfortable with that and with reliance on convention and practice rather than a built-in legislative requirement that he be kept informed.

Members will recall that in the aftermath of the bank failures, we spent a great deal of time trying to determine the extent to which Ministers had requested and received information from their officials, and attempting to find out exactly what information the Ministers used as the basis of their decision. In light of all that, I am surprised that the Minister is not taking every opportunity to formalize the principle that he should be kept fully informed of his Department's operations. It seems logical, since it is the Minister who is accountable for those operations.

Turning now to Bill C-42's proposals with respect to the Canada Deposit Insurance Corporation, I would like to refer briefly to a matter I raised in my speech at second reading. That is the CDIC Board of Directors and the practice that has been followed there of sending substitutes to board meetings. This is unheard of in the private sector. Indeed, in committee we were told that no substitution will be accepted with respect to the private sector representatives of the CDIC board. That is nice to know, even though there are no private sector people on the CDIC board. The enabling legislation was passed last year but the Government has not yet made any appointments.

My concern is directed at the public sector members and with keeping some continuity. There can be no continuity if these Members can designate a different substitute every time the board is scheduled to meet. We have some reason to think that this was a factor in the lack of knowledge of the precise state of the Canadian Commercial Bank a couple of years ago.

Of course, the optimal situation would be to have no substitution. However, the proposal put forward in committee seems an acceptable compromise. It is to designate for the public sector members permanent substitutes through order-in-council or ministerial letter.

Bill C-42 gives CDIC powers to terminate deposit insurance coverage and to levy penalties or fines on institutions deemed not to be carrying out sound business and financial practices. The phrase "sound business and financial practices" appears in the Bill but is not defined. I am advised that a definition is to appear in the CDIC by-laws which are to be made public before being enforced.

My concern, which was expressed by other members of the Finance Committee, was for the consequences if the fact that an institution had paid a premium penalty, or even been threatened with a premium penalty, became public knowledge. It would be a signal that the institution had engaged in questionable practices and would probably spell the death of that particular institution. Then we were told the assessment of premium penalties is not intended to be public knowledge. As pointed out in committee, records are kept so the likelihood is there.

Perhaps it should be made public. Payment of a premium penalty might be something that an institution's auditors would have a duty to report to the shareholders.

It is a real dilemma. If it became known that an institution had had its knuckles rapped, so to speak, obviously that would lead to a loss of public confidence and a run on that institution which might very well force it into failure. On the other hand, keeping it secret is probably not justifiable on ethical grounds because if an institution is engaging in unsound business practices, its customers and shareholders have been put at risk and information should not be withheld from them.

In committee I asked the Minister how he would resolve this dilemma. He said that the matter of premium surcharges was not intended to be made public and he was reluctant to have a situation where one "transgression", as he put it, would result in permanent damage or collapse of an institution. He used an analogy of headmaster and school child which, in my view, falls far short of the complexity of the situation we are actually dealing with.

Granted, the power to assess penalties is one that may not be exercised often. The fact of its being there may be all the disincentive that is needed for institutions that might be tempted to questionable practices. However, there really is a certain amount of pious hope in this.

An alternative which was not accepted by the Minister was that of not using inflammatory words like "unsound business practices", but perhaps having different premiums for institutions that were doing high risk business. This was not accepted by the Minister. I must say that I do not find his solution very satisfactory.

With respect to the Canada Deposit Insurance Corporation deficit, I raised the question in committee why the Government had not chosen in Bill C-42 to deal separately with CDIC's ongoing function of providing deposit insurance coverage, and with retiring an accumulated deficit which is not closely related to CDIC's core function. By that I mean that significant portions of the CDIC's deficit are due to policy decisions of the Government. Since the Bill does not provide for a separation, we are left with a situation where the retirement of the CDIC deficit, which is still hovering at about a billion dollars, is very much tied to the future health of

Canadian institutions. So any further payouts to depositors, any further use of CDIC resources to finance Government policies, will further postpone the eventual retirement of this debt.

• (2150)

At committee, the Minister appeared satisfied to take the chance that there would be no more failures of financial institutions, federal or provincial, to delay repayment of CDIC's deficit. He also said he could not see a need for separate measures. However, I have to say again I cannot follow his reasoning.

He told the committee on June 8 "The whole question of addressing Government planned decisions that affect the CDIC is a separate problem, and a separate event than can be addressed separately". As I pointed out, the Government's practice of using CDIC funds to pay for its own policy decisions is a convenient way for the Government to implement costly decisions without having to show it as an increase in the deficit of the Government of Canada. This is because the CDIC deficit, like the deficits of other Crown corporations, is not included as part of the over-all Government deficit. There are no provisions made for it because it is not recognized as an obligation of the Crown. The Minister's theory with respect to CDIC is that the money is not at risk because it can be recovered through the member institutions.

However, the point is that if the Government had not dipped into CDIC funds to help pay for such things as the bail-out of the Canadian Commercial Bank and the takeover by the Hongkong Bank of the Bank of British Columbia, it would have had to make direct use of Government funds, and its deficit would have been $1 billion higher. I would have preferred to see the Government adopt a regime to deal with the CDIC deficit in a timely manner without being dependent on there being no further payouts of deposit insurance.

Before concluding my remarks, I would like to refer briefly to another matter involving the Canada Deposit Insurance Corporation which I raised earlier in the House and in committee. In March in this House, in Question Period, I asked the Minister of State for Finance about a proposition made to the Canada Deposit Insurance Corporation by Peter Pocklington whose company, Fidelity Trust, had failed and who had thereafter offered to pay to CDIC $10 million to buy $150 million worth of Fidelity Trust tax losses which he would then use to shelter his other profitable enterprises. The Minister of State for Finance referred to this as an extraordinary story and behaved as though I had invented it. Yet in committee we find that in fact this offer was made. The President of CDIC confirmed that they examined the offer and considered it for quite some time before rejecting it, and further, I learned that recently the Minister of Finance (Mr. Wilson) issued a directive to Crown corporations regarding the sale of tax losses.

When I asked the Minister about this matter, and he behaved as though I had invented it, it was under active consideration by the Canada Deposit Insurance Company which, to its credit, rejected it, and the Minister of Finance presumably was concerned since he has subsequently issued a directive to Crown corporations advising them not to get involved in this kind of exercise. I am very glad he has done this. However, I am concerned that the Minister of State for Finance either did not know about the issue, or knew but chose not to answer my question.

It is this kind of lack of frankness which makes it very difficult for us to have confidence in the Government and to have confidence when we are told to pass the Bill and all our concerns will be satisfied later on. Nevertheless, because this Bill does reinforce the powers of the regulators to some extent, I will be voting for it and further questions will remain until we get the more solid Bill, whenever we get it.

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, it is my pleasure to rise and comment on this Bill. I must admit that given the exhaustive and comprehensive analysis my colleague, the Hon. Member for Trinity (Miss Nicholson) has provided, it almost verges on the superfluous for me to try to expand on the points she has raised. Nevertheless, I think it is very useful that we reinforce that the over-all strategy of the Government in dealing with the shock waves which went through the financial industry as a result of the failure of two western banks was definitely lacking. The shortcoming lies in the slowness of action and in essentially realigning the regulatory system without, as my hon. colleague said, providing any firm assurance that there will be a strengthening of the personnel involved. That does not reflect favourable on the Government's level of commitment to ensure this sort of failure and, indeed, the losses which would have arisen but for the Government stepping in and subsidizing the Canada Deposit Insurance Corporation, does not happen again.

I think the situation, obviously, which ideally all Parties in this House would want to see, is one in which the Canada Deposit Insurance Corporation always has access to the funds necessary to pay any claims against it arising from the failure of any size of financial institution. We know that this was not the case with respect to the two western banks, and the Government felt it was incumbent upon itself to step in. That which was essentially an *ad hoc* investment, if we put it politely, and expenditure, if we put it bluntly, of taxpayers' funds was in fact little more than the parallel to the sort of shoring up of industrial companies, particularly Crown corporations which has happened under previous Liberal Governments. So it is not for any partisan purpose that I would instance this as an indication of failure of the Government's over-all agency financial institutions regulatory policy.

We saw the turnover of personnel at the highest levels, the supervisors, the watchdogs of the financial industry and, indeed, one thing which at least we can say is that we know the management which previously had allowed some of the things

to happen was not there to let it happen again, which we could not say in the case of some industrial companies which were subsidized under the previous administration.

This element of *ad hoc* policy of all governments both at the federal and provincial level as it relates to financial institutions is something we as Canadians surely cannot countenance for much longer. I think, of course, of the several cases in my own Province of Ontario. The names Seaway Trust and Greymac will ring a bell. I think the related flipping of residential apartment units within Metropolitan Toronto, the enormous paper profits generated and the subsequent and possibly resultant stripping of the assets of the companies involved, shows there has been a general weakness in the regulations of financial institutions in Canada which, even with the Government proposing and expounding a climate of deregulation, surely must give us indication that in the future we will need far stronger regulations than we have had in the past.

The Acting Speaker (Mr. Paproski): Before I call it ten o'clock, I believe the Hon. Member for Ottawa Vanier (Mr. Gauthier) has the usual question.

[*Translation*]

BUSINESS OF THE HOUSE

Mr. Gauthier: Mr. Speaker, I would like to know whether the Parliamentary Secretary to the Deputy Prime Minister could tell us what the business of the House will be for Thursday, that is the day after tomorrow, June 25, and even for Friday—tomorrow being the national holiday of Quebecers and other French-speaking Canadians, the House will not be sitting—so we may prepare ourselves.

Mr. Lewis: Mr. Speaker, Thursday the House will resume the capital punishment debate, I think it should be a normal day. As to Friday, the matter is under discussion with the other House leaders and our caucus.

• (2200)

[*English*]

The Acting Speaker (Mr. Paproski): It being 10 o'clock, pursuant to order made Friday, June 12, 1987, the House stands adjourned until Thursday, June 25, at eleven o'clock pursuant to Standing Order 3(2).

At 10 p.m. the House adjourned.

HOUSE OF COMMONS

Thursday, June 25, 1987

The House met at 11 a.m.

Prayers

[*English*]

PRIVILEGE

AVAILABILITY OF BILL BEFORE INTRODUCTION IN HOUSE

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, I wish to raise a question of privilege of which I gave you notice earlier this morning.

I was surprised this morning when listening to the CBC Radio-News to learn that three Members of Parliament, the Member for Mégantic—Compton—Stanstead (Mr. Gérin), the Member for Richelieu (Mr. Plamondon), and the Member for Charlevoix (Mr. Hamelin) had received and made comment on a Bill not yet tabled in the House and therefore not available to all Members of Parliament for similar comment. I refer to a Bill to amend the Official Languages Act.

I would like from you clarification on this practice. It is my recollection that it is against the rules and customs of the House for the Government to make available to one group of Members a Bill for comment that is not made available to others. I think that requires some clarification and direction on your part.

I can understand the Government discussing the principles of a Bill that it will table with some Members of Parliament, including its own caucus, but not giving those Members the final Bill for comment publicly. I can also understand the Government providing Bills and documents to the official critics in the Opposition, but again under the obligation that they shall not make those Bills or proposals public, and not comment on them until the Bill has been tabled in the House.

In this case, the Member for Charlevoix said that according to the Bill Anglo-Quebecers would have no reason to worry. Perhaps he is right, but I, as a Member representing a Quebec riding with a majority of Anglophones, have no way of responding or commenting on his comments.

I would appreciate your clarification on this rule and custom of the House. If you feel that I have a *prima facie* case of privilege I will move that the matter be referred to the Standing Committee on Elections, Privileges and Procedures.

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, perhaps I could be permitted to comment on the question of privilege raised by my hon. friend, the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand). I simply want to assure the Hon. Member, the Speaker, and the House, that no Member, with the exception that I will explain, received a copy of the Bill.

Indeed, the printing of the Bill was only completed last night, and I only now received the Bill which is to be tabled in the House of Commons. It is true that I have given copies of the legislation to the Hon. Member's colleague, the Member for Ottawa—Vanier (Mr. Gauthier), the critic for the Official Opposition, and to the critic of the New Democratic Party, the Member for Thunder Bay—Nipigon (Mr. Epp). I also had breakfast with them to discuss the provisions of the Bill.

I have discussed with members of my caucus the general principles of the legislation which, as indicated by the Hon. Member, is the usual case with caucus members in order to obtain their guidance and direction concerning the ultimate provisions.

There has been no breach of the long established tradition of having copies of any legislation that is to be tabled delivered to any Member, except for the exception that there has been a lock-up in this case. There have been interest groups, as well as the Commissioner of Official Languages, who have been briefed this morning and provided with a copy of the Bill, with the usual embargo.

There was one final courtesy that I thought I would extend and which would not breach the traditions of the House. Due to their particular interest in this area, this morning at ten o'clock I delivered copies of the Bill with a covering letter of an embargo to the chairpersons of the Standing Joint Committee Official Languages. I hope that will explain the matter satisfactorily to the Hon. Member.

Mr. Speaker: The Chair wants to ensure there are no other Members wishing to rise on the question of privilege. The Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand) wishes to comment.

Mr. Allmand: Mr. Speaker, if the situation is as described by the Hon. Minister of Justice (Mr. Hnatyshyn), I accept that. However, I think the rules should be clarified because it appeared from the very specific comments made by the three Members to whom I referred that they had very explicit knowledge of what was in the Bill. As I say, one can understand discussing the principles of a Bill with one's caucus, and

giving advance copies under embargo to critics, the Language Commissioner and so on.

I hope the Speaker and the House would agree that it is not fair to all Members if only some Members of the House have complete access to a Bill and make comments publicly before all Members can make those same comments. It leaves many of us in a position where we cannot properly defend the interests of our constituents.

• (1110)

Mr. Speaker: Are there any Members rising on this Question of privilege?

I think the Chair can dispose of it appropriately by reminding Hon. Members that this matter has come up before and I have ruled there is not a prima facie case. I would so rule in this particular matter, especially having listened to the Minister of Justice (Mr. Hnatyshyn) and hearing the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand) who, of course, accepts the explanation of the Minister of Justice.

Having said this, Hon. Members can understand the difficulty in which the Hon. Member for Notre-Dame-de-Grâce—Lachine East finds himself, along with other Members, no doubt, if statements are made in advance of a Bill being introduced into the House, and if those statements are made, giving the impression—even though it may not be the fact—that someone else has a copy of the document itself.

However, in this case the Hon. Minister of Justice made it quite clear that that was not the situation. He has also made it quite clear that a copy of the Bill was given in the usual and traditional ways to the interested members of the Opposition.

While I understand the complaint and concern of the Hon. Member, this is not a question of privilege. I thank the Hon. Member for bringing the matter to the attention of the Chair and to this Chamber, and I thank the Hon. Minister of Justice for his very frank presentation which has been helpful to the Chair.

ROUTINE PROCEEDINGS

[*Translation*]

EXTERNAL AFFAIRS

TABLING OF CODE OF ETHICS CONCERNING EMPLOYMENT CONDITIONS IN CANADIAN COMPANIES OPERATING IN SOUTH AFRICA

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, pursuant to Standing Order 67(2) of the House of Commons, I am tabling in both official languages the code of conduct of employees of Canadian corporations operating in South Africa.

[*English*]

WAYS AND MEANS

TABLING OF NOTICE OF MOTION

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, pursuant to Standing Order 84(1), I have the honour to lay upon the Table copies of a Ways and Means motion to amend the Income Tax Act.

Pursuant to Standing Order 84(2), I ask that an order of the day be designated for the consideration of the said motion.

* * *

COMMITTEES OF THE HOUSE

OFFICIAL LANGUAGES—FOURTH REPORT OF STANDING JOINT COMMITTEE

Mr. Charles Hamelin (Charlevoix): Mr. Speaker, I have the honour to present, in both official languages, the fourth report the Standing Joint Committee on Official Languages.

[*Translation*]

Pursuant to Standing Order 99(2) of the House of Commons, the committee asks the Government to table a response to this report within 150 days.

[*English*]

The report makes recommendation for necessary changes to official languages policy and programs within the federal jurisdiction as a result of testimony received from 16 government departments and agencies.

[*Translation*]

The committee firmly believes the Treasury Board must play to a greater degree its key role in the co-ordination of official languages programs for the whole Public Service, and it recommends that the President of the Treasury Board (Mr. Mazankowski) present Parliament with a report on the status of official languages at the time the Main Estimates are tabled.

The committee further recommends that a plan regarding official languages be submitted each year by all federal departments and agencies to the Treasury Board.

[*English*]

Also included are recommendations that the minimum language knowledge level of positions offering a service to the public be eliminated in favour of an intermediate knowledge level and that managers and supervisors be required to possess a superior knowledge of the second official language.

[*Translation*]

Finally, the report recommends an efficient control system be established for the payment of the bilingualism bonus.

PRESENTATION OF THE REPORT OF THE LEGISLATIVE COMMITTEE ON BILL C-21

Mr. Marcel Tremblay (Québec East): Mr. Speaker, as Chairman of the Legislative Committee on Bill C-21, to exempt certain shipping conference practices from the provisions of the Competition Act, to repeal the Shipping Conferences Exemption Act, 1979 and to amend other Acts in consequence thereof, I have the honour to report the Bill with an amendment.

I take this opportunity, Mr. Speaker, to thank all members of the committee for their participation and their interest in that matter, specially the technical staff, and the clerk of the committee whose work is so valuable yet often away from the limelight.

[*English*]

FINANCE AND ECONOMIC AFFAIRS—NINTH REPORT OF STANDING COMMITTEE

Mr. Don Blenkarn (Mississauga South): Mr. Speaker, I have the honour to present, in both official languages, the ninth report of the Standing Committee on Finance and Economic Affairs in relation to Bill C-56, an Act to amend certain Acts relating to financial institutions.

[*Editor's Note: See today's Votes and Proceedings.*]

* * *

OFFICIAL LANGUAGES ACT

MEASURE TO ENACT

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada) moved for leave to introduce Bill C-72, an Act respecting the status and use of the Official Languages of Canada.

Mr. Speaker: Is it the pleasure of the House that the Hon. Minister shall have leave to introduce the said Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

[*Translation*]

INDIAN LANDS AGREEMENT (1986) ACT

MEASURE TO ENACT

Mr. Hees (for the Minister of Indian Affairs and Northern Development) moved for leave to introduce Bill C-73, an Act to provide for the implementation of an agreement respecting Indian lands in Ontario.

Mr. Speaker: Shall the Minister have leave to introduce the Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

Mr. Speaker: When shall the bill be read the second time? At the next sitting of the House?

Some Hon. Members: Agreed.

• (1120)

[*English*]

Mr. Benjamin: Mr. Speaker, I rise on a point of order. I have suggested this before to four of Your Honour's predecessors, and I will now suggest it to you. Is there not some way to avoid the Chair having to read off a lengthy list every day and just say something to the effect, "Shall all the motions as shown on today's Order Paper stand?" and let it go at that?

Mr. Lewis: Mr. Speaker, I agree whole-heartedly with my friend. It would seem to me that, perhaps over the summer, some consideration could be given to this matter to incorporate exactly what the Hon. Member has said into our procedures. In this way business would flow more smoothly. It would not look as if Hon. Members were being dilatory by not being here to present their motions.

Mr. Speaker: I very much appreciate the comments of the Hon. Member for Regina West (Mr. Benjamin) and the comments of the Hon. Parliamentary Secretary. I take it that there is a general disposition in the House at this time that the Speaker should proceed to find a more expeditious way of carrying out this item of Routine Proceedings. I am very grateful to Hon. Members, and I will do that.

* * *

PETITIONS

TRANSPORTATION—ECONOMIC REGULATORY REFORM

Mr. Les Benjamin (Regina West): Mr. Speaker, I have the duty and honour to present two petitions. The first is from citizens of Thunder Bay who hope that it is not too late.

They state in their petition that Bill C-18 will create unnecessary chaos in the transportation industry leading to unacceptable reductions in safety standards as well as a deterioration in the quality, type and frequency of service. They request that the Parliament of Canada withdraw Bill C-18 and retain public convenience and necessity as a fundamental factor in the development of public transportation policy.

Petitions

REQUEST FOR APPOINTMENT OF ARBITRATOR—SETTLEMENT WITH FRED TURNER

Mr. Les Benjamin (Regina West): Mr. Speaker, I have another petition for which I know the Hon. Member from the Northwest Territories will renew his support. It has to do with the bankruptcy of Fred Turner, Turnair and the decision of the CTC to cancel his licence to operate an airline in 1983.

The petitioners call upon the House to assign an independent arbitrator to this matter in order to investigate the details of the case and to review and negotiate the offer from the federal Government with Fred Turner in order to reach an equitable settlement which better reflects the true nature of his loss.

[*Translation*]

OPPOSITION TO REINSTATEMENT OF CAPITAL PUNISHMENT

Mr. Alan Redway (York East): Mr. Speaker, I have the honour to introduce a petition from the parishioners of Saint-Louis-de-France in my constituency who object to the reinstatement of capital punishment. They believe that the right to life is a sacred principle and that God alone is entitled to take it away, that a civilized people cannot approve revenge and that a judicial mistake can definitely seal the fate of an innocent individual.

Mr. Speaker: I thank the Hon. Member.

[*English*]

REQUEST FOR INQUIRY INTO USE OF CHEMICAL PESTICIDES

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is my honour to present a petition on behalf of a number of petitioners from Kaslo, Silverton, and Nelson, British Columbia, as well as a number of petitioners from the Province of Ontario who are drawing to the attention of the House of Commons the fact that increasing numbers of chemicals used as herbicides and insecticides have been proved to have harmful effects on human health. They list a whole number of concerns which I will not go into since we will have an opportunity to look at this matter later.

They ask the House of Commons to initiate a full public inquiry into the safety, testing, registration and regulation of the use of pesticides, suggesting that we examine alternative ways of controlling pests by such methods as biological control and plant-derived pesticides.

SUPPORT FOR REINSTATEMENT OF CAPITAL PUNISHMENT

Mr. Fred McCain (Carleton—Charlotte): Mr. Speaker, I have the honour to present some 65 petitions from citizens from a wide range of locations in Canada all of whom petition and pray that it should be in the best interest of good order in society that the capital punishment motion should go forward and that the return of capital punishment should be given consideration by this Parliament.

OPPOSITION TO CHANGES TO PATENT ACT

Mr. Rod Murphy (Churchill): Mr. Speaker, I also have a number of petitions to present. In order to save the time of the House of Commons I will present all 16 petitions now and list off the communities from which they come. They are: Elliot Lake, Ontario; Blind River, Ontario; Moncton, New Brunswick; Riverview, New Brunswick; Hillsborough, New Brunswick; Thunder Bay, Ontario; Fort St. John, B.C.; Dawson Creek, B.C.; Vancouver, B.C.; Toronto, Ontario; Scarborough, Ontario; New Glasgow, Pictou, Trenton and Stellarton, Nova Scotia; Mississauga, Niagara Falls, St. Catharines, Sudbury and London, Ontario; St. Thomas, Kitchener, Huron Park, Aylmer, Keewatin, Windsor, Tecumseh, Elgin, and Nipigon, Ontario; and Fredericton, New Brunswick.

In these petitions hundreds of Canadians express their concern with respect to the Government's intention to pass Bill C-22 into legislation. They believe that it will unfairly hurt those Canadians whose health needs require the purchase of prescription drugs on an ongoing basis. They believe that the federal Government's proposal will result in higher costs to provincial government drug plans. They also believe that this is another example of the Canadian Government making concessions to the United States at the expense of average Canadians in the free trade negotiations.

OPPOSITION TO CANADIAN PARTICIPATION OR SUPPORT—SDI

Mr. Dan Heap (Spadina): Mr. Speaker, it is my honour and duty to present a petition from all parts of Canada containing some 8,978 signatures. The petition, following the new rules, is commendably brief.

To the honourable the House of Commons of Canada in Parliament assembled; whereas the United States Strategic Defense Initiative, or star wars, is a dangerous escalation of the nuclear arms race and over 50 Nobel Prize winning scientists have condemned it as economically disastrous and strategically destabilizing, the undersigned petitioners humbly pray and call upon Parliament to firmly guarantee that there will be no testing, development, manufacture or deployment of SDI systems or components in Canada; end all Canadian political support for SDI and actively support positive alternatives to SDI, including; strengthening the 1972 Anti-Ballistic Missile Treaty, the establishment of an international satellite-monitoring agency and a ban on all nuclear weapon testing.

SUPPORT FOR REINSTATEMENT OF CAPITAL PUNISHMENT

Mr. Jim Caldwell (Essex—Kent): Mr. Speaker, I am pleased to present on behalf of citizens of the Province of Ontario and other Canadians from all across the country 2,000 signatures calling upon this Parliament to pass a motion favouring the return of capital punishment. These signatures, which now total over 24,000, represent the strong will of the Canadian people on this important issue.

Mrs. Pauline Browes (Parliamentary Secretary to Minister of the Environment): Mr. Speaker, I am very pleased to present to the House of Commons today on behalf of the citizens of Scarborough and other locations across Ontario and, indeed, from citizens in towns and villages right across Canada, 2,081 signatures of people who are calling upon Parliament to pass a motion for the return of capital punishment for certain acts of planned and deliberate murder and the killing of police officers and prison guards.

The signatures now total nearly 25,000 and represent the strong will of the Canadian people on this very important issue.

Mr. Bob Horner (Mississauga North): Mr. Speaker, I am pleased to present on behalf of the citizens of the City of Mississauga and, indeed, Canadians from all across the country, over 1,000 signatures of people who are calling upon this Parliament to pass a motion favouring the return of capital punishment.

The signatures now total almost 30,000 and represent the strong will of the Canadian people on this important issue.

Mr. Peter Peterson (Hamilton West): Mr. Speaker, I am pleased to present on behalf of the citizens of the City of Hamilton in the Province of Ontario and Canadians from all across our country 2,015 signatures of petitioners, who are calling upon this Parliament to pass a motion favouring the return of capital punishment in Canada.

The signatures, which now total well over 30,000, represent the strong will of the Canadian people on this important issue.

CANADA POST—OPPOSITION TO CORPORATE PLAN

Mr. Maurice Foster (Algoma): Mr. Speaker, I am pleased to present on behalf of literally hundreds of my constituents petitions calling on the Government to maintain Canada's postal service, especially in rural areas, where it is under attack and where there is great uncertainty.

• (1130)

OPPOSITION TO CHANGES TO PATENT ACT

Mr. Maurice Foster (Algoma): Next, I have a petition signed by several hundred of my constituents concerning the Patent Act as it relates to drugs. This petition calls on the Government to maintain the place of generic drugs in the market-place, given the adverse effect the loss of these generic pharmaceuticals would have on the price of drugs generally.

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I ask that all questions be allowed to stand.

Mr. Speaker: Is it agreed?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

CAPITAL PUNISHMENT

ESTABLISHMENT OF SPECIAL COMMITTEE ON REINSTATEMENT

The House resumed from Monday, June 22, consideration of the motion of Mr. Mazankowski:

That this House supports, in principle, the reinstatement of capital punishment and directs that a special committee on reinstatement, composed of 15 members, be established, hold hearings and make its final report to the House no later than three (3) months following the adoption of this motion, such report to provide recommendations on:

(a) which offence or offences should carry the death penalty, and in what circumstances;

(b) which method or methods should be used to carry out the penalty of death, and in what circumstances;

That, pursuant to Standing Order 107(1), this special committee be hereby appointed as a committee to prepare and bring in a bill no later than three months following the adoption of this motion, founded on the committee's recommendations on (a) and (b) above; such a bill shall be the object of a separate and distinct report of the special committee, and such a report shall be its final report;

That such bill, when reported from such special committee to the House, be deemed pursuant to Standing Order 107(1) to have been introduced and stand on the Order Paper, in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business"; and that, when the said bill has been read a second time, it shall stand referred to a Legislative Committee;

That the Striking Committee be empowered to name the Members of the special committee, provided that once the Striking Committee report is laid upon the Table, it shall be deemed concurred in;

That the special committee have the power to sit while the House is sitting and during periods when the House stands adjourned;

That the special committee be empowered to report from time to time and send for persons and papers, and to print such papers and evidence from time to time as may be ordered by the committee and to retain the services of expert, technical, professional and clerical staff;

That the special committee be empowered to adjourn from place to place inside Canada and that, when deemed necessary, the appropriate staff accompany the committee;

That a quorum of the special committee be eight (8) members for any vote, resolution or other decision; and that the chairman be authorized to hold meetings to receive evidence and authorize the printing thereof whenever six (6) members are present;

That any substitution of membership on the special committee be made pursuant to Standing Order 94(4); and

Capital Punishment

That, notwithstanding the usual practices of this House, if the House is not sitting when the special committee is ready to issue its final report and the said bill, the special committee shall present its report and the bill to the House by filing them with the Clerk of the House provided that the report shall then be deemed to have been laid upon the Table, and the bill shall then be deemed, pursuant to Standing Order 107(1), to have been introduced at the first sitting of the House thereafter and to stand on the Order Paper in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business".

And on the amendment of Mr. Nystrom (p. 7307).

Mr. Riis: A point of order, Mr. Speaker.

Mr. Kaplan: A point of order.

Mr. Lewis: A point of order, Mr. Speaker.

Mr. Speaker: I shall hear first from the Hon. Parliamentary Secretary, followed by the Hon. Member for Kamloops-Shuswap (Mr. Riis) and then the Hon. Member for York Centre (Mr. Kaplan).

Mr. Lewis: Mr. Speaker, I have reconsidered. I shall proceed in a different fashion.

Mr. Speaker: The Hon. Member for Kamloops-Shuswap (Mr. Riis).

Mr. Riis: Mr. Speaker, before we resume the ongoing debate on capital punishment, taking into consideration that we are holding discussions in an effort to expedite the business of the House and make the House of Commons as productive as possible, I wonder if I might ask the Parliamentary Secretary to the Government House Leader whether there would be a disposition on the part of those on the government benches not to call for extended hours later today.

If he were to so indicate, we would reciprocate by saying that it would not be our intention through the day to be calling for a quorum.

Mr. Lewis: Mr. Speaker, I was intending to refer to that in my remarks. I can assure all Members of the House that the Government feels that the debate on capital punishment is progressing in an orderly manner. There has been a great deal of participation by Members from all sides of the House, representing both sides of the issue. Under that circumstance, the Government has no intention of extending the hours for debate either through the lunch hour or at ten o'clock this evening.

I should point out that Private Members' Hour has disappeared today, with the result that the debate will continue right through. As well, there will not be a dinner break at 6.00 p.m.

I appreciate the Hon. Member's suggestion that, in return for my assurance that extended hours will not be called for, a quorum will not be called at any time during the day.

I am sure that all Members realize that we are all in the position of trying to complete whatever we can with regard to constituency work and committee work and that it is not possible for all who are on duty to be in the House at all times. I appreciate the assurance given by my colleague in that respect.

Mr. Speaker: Is the Hon. Member for Windsor West (Mr. Gray) rising?

Mr. Gray (Windsor West): I was not, Mr. Speaker; however, I dare not rise when you invite me to do so.

I think it reasonable, Mr. Speaker, that we undertake not to call for a quorum in light of the Government's undertaking not to move a motion calling for extended hours. However, I should point out that under the rules recently adopted by the House, it does take 15 Members to block a motion for extended hours. So, we will attempt to be vigilant about that possibility, in any event.

Mr. Lewis: On a point of order, Mr. Speaker—and it is just a technicality. In calling the business of the day, I appreciate that it is often done in an abbreviated fashion. I would ask that the next time business of the day is called, it be done in a more complete form.

Given the manner in which this order was called today, there is in fact no motion on the floor. The next time it is called, I would appreciate it being done in a very complete manner, enabling a full disclosure as to the precise terms of the motion before the House. In that way, there will be no confusion.

Mr. Speaker: That seems to be a reasonable request. I shall ensure that something is done to satisfy it.

The Hon. Member for York-Scarborough (Mr. McCrossan) on debate.

Mr. W. Paul McCrossan (York-Scarborough): Mr. Speaker, I very much welcome this opportunity to participate in the capital punishment debate. I support the re-establishment of capital punishment in Canada. However, I think it would be worthwhile to narrow the issues we are discussing today to those contained in the motion.

In order to bring about focus on the real issues, let me start by disposing of some of the arguments which have received some attention thus far in the debate.

It is often asserted that before capital punishment was officially eliminated in 1976 the law had ceased to be effective and, therefore, restoring the *status quo* ante-1976 will accomplish nothing. Let me state that I agree with this argument.

The second emotive argument which is raised is that somehow those of us who wish to reinstate capital punishment want to bring back the noose. This is not what I want, nor what the vast majority of Canadians want.

The third argument which is raised is that society has progressed beyond the "eye for an eye" mentality; that is, that

vengeance should not be the principal thrust of a modern judicial system. I also agree with this concept, as do the vast majority of MPs and the public.

The fourth argument which is raised is that if capital punishment is reinstated it will become more difficult to convict murderers. I personally consider this a strong argument in favour of the reinstatement of capital punishment. The implicit assumption underlying it is that somehow jurors are convicting people of murder now notwithstanding that they have genuine doubt as to guilt. With capital punishment in place, jurors would be more reluctant to convict in the absence of resolving all doubt.

I personally feel that juries should not be handing down guilty verdicts in circumstances where they have some doubt as to guilt. If the availability of capital punishment will cause jurors to take the extra time for consideration before bringing in a guilty verdict, I would consider that to be an argument in favour of the reinstatement of capital punishment.

The question then which is relevant to the capital punishment debate is this. Does one favour taking a human life under any circumstances and, if so, on what basis? If so, the matter of which crimes should be potentially subject to capital punishment and who should impose the sentence, as well as the method of execution to be used, must also be considered.

When I first entered politics nine years ago I decided it would be prudent to ask myself, in the privacy of my own home, what my beliefs and convictions were, so that when I appeared in a public forum or gave interviews to the press, I would not be left to wing it; that rather, I would have a comprehensive philosophical and political basis on which to respond.

I must admit that until I sat down and wrote a list of the questions that I could be asked, I had not given the issue of capital punishment much time or thought. What thought I had given it led me to believe that capital punishment should not be imposed in the majority of first degree murder cases, since most first degree murders were committed by close family members, and murderers falling into this category show a remarkable degree of rehabilitation. Nor did I believe that an accomplice who was waiting in the get-away vehicle should be equally liable for the death penalty as the person who went into a bank and shot a teller.

However, as I considered that decision, my mind turned to individuals such as those who killed the Portuguese shoe-shine boy, Emanuel Jaques. After holding the boy for several days and assaulting him, they then drowned him.

I also began to think of cases involving young children, particularly girls, who were murdered following violent rape or sexual molestation, as well as, of course, serial killers, of whom there are all too many, who principally abduct, assault and kill young women.

In these situations, it seems to me that there is a valid case for capital punishment. The rationale, of course, is primarily one of public safety, although there is a substantial element of deterrence. For example, questions asked of the killers of Emanuel Jaques elicited the response that had there been capital punishment, they would not likely have proceeded to kill the boy. Similarly, there are examples of lifers, particularly those guilty of multiple murders, who have nothing to lose in trying to escape and as a consequence inflict serious or deadly assaults upon prison guards.

• (1140)

In these situations of serial murders and murders which involve rape or child assault, in the case of murders involving any violent crime, or in the case of murders done for ideological reasons, particularly the so-called executions of innocent hostages, I found, in closely examining myself, that I believed the public safety was best served by reinstating capital punishment. Having reached this conclusion, the questions were these. What sort of system should be brought into being, how would this differ from the old system, and how could a structure best be set up to achieve the desired results?

Over the last nine years I have had many discussions with constituents and participated in well over 100 all-candidate debates in which the issue of capital punishment has often arisen. By and large I found that most of the population had not thought out the issue thoroughly. They tended initially to engage in a knee-jerk reaction to the issue. However, after prolonged discussions, I found that the vast majority of Canadians seem to have similar views to my own.

With this in mind, I ran a referendum in my riding early this year. In my referendum I did not simply ask a black and white question such as, "Are you in favour of capital punishment?" I took steps to explain the issues to my constituents and to use open-ended questions to seek their views.

I indicated that I would treat the referendum seriously, that I genuinely desired to know the views of my constituents, and that I would reflect their thinking in my speech in the House of Commons.

The response was overwhelming. Over 16,300 ballots were returned; by far the largest response ever received by any Member of Parliament on any issue up to that time. About 10 per cent of these ballots either included lengthy comments in the section provided on the ballot or contained letters. The ballot of course was conducted completely anonymously, but many individuals took the opportunity to sign their names to the letters.

I was interested to find out that my constituents' views closely coincided with my own. First, there was no support whatsoever for an automatic death sentence for any crime. However, the vast majority of my constituents believe that capital punishment can be justified under one or more circumstances.

Almost two-thirds of the respondents felt that capital punishment should potentially be available to any person who

commits first degree murder. Almost one-quarter of respondents feel that this is too widespread and that capital punishment should only be potentially available for some first degree murders. Of this minority, more than three-quarters cited murders of police and jail guards, and just over one-half cited murder in the act of committing another violent crime as potential capital offences.

However, the psyche of my constituents was much more interestingly revealed in respect of a question about serious terrorist acts which did not involve taking a human life. The hypothetical example I cited was drawn from real life and dealt with a terrorist who intended to blow up an airliner by planting a bomb in the hand luggage of his fiancé. The fact that he did not succeed in committing murder was not due to his efforts but due to the diligence of the airline inspection system. Astoundingly, more people favour capital punishment for terrorism of this type even though no life was taken than favour capital punishment for first degree murder.

These results and many notes and letters which I received indicated quite clearly that the public's desire to see capital punishment reinstated was first and foremost based on a concern for public safety. Some people who have committed the vilest and most violent type of murder were judged simply too dangerous to have around. In addition, there was and is a steely determination to take whatever steps are necessary to ensure that the type of terrorism against innocent people now prevalent in Europe or in the Middle East does not spread to Canada. It was for these reasons that people overwhelmingly supported the resurrection of the death penalty.

The second question I asked was, "Who should impose the sentence"? Once again the public's view coincided closely with my own and represented a complete rejection of the previous system. The public simply does not want the very serious decision to take a life to rest in the hands of any one individual such as the judge. Over 85 per cent of the respondents felt that the jury should first vote whether the individual was guilty or innocent of a potentially capital offence and then, immediately after returning this decision, the jury should be asked for its recommendation on whether the sentence should be a capital one. Some 27 per cent of respondents felt that the jury alone should be society's surrogates and should determine whether capital punishment is imposed, while over 58 per cent felt the jury should express its opinion to the judge directly and that the judge should bear its views in mind before imposing the sentence.

It is quite clear that the public does not wish to delegate this authority to any one individual who may be a so-called "hanging judge" that automatically imposes the sentence or who may have, on the other hand, a philosophical opposition to imposing capital punishment. The public wants any decision to take a life to be based on an extremely wide forum—those jurors who have heard all the evidence.

I was very interested to learn that such a double jury vote system exists in other parts of the world and that in practice results very similar to those I intuitively felt should be obtained were obtained. Only rarely is capital punishment imposed in cases of murder involving close family members, the area with the greatest likelihood of rehabilitation. However, for serial killers, killers of hostages, and killers caught in the act of committing another crime such as rape or child molestation, the death penalty is frequently imposed.

Finally, I asked what method of execution should be selected. The restitution of the noose received only 9 per cent support. Overwhelmingly, by their votes and in their comments, people indicated that if they found the taking of a human life necessary, it should only be done in the most humane method possible.

Older people of both sexes, particularly those likely to have encountered serious operations, strongly supported lethal injection. They, as I, have experience with general anaesthesia and know that within 20 seconds a person can be rendered unconscious and that a lethal injection can then be administered.

Younger voters were more apt to favour allowing the condemned to have the choice. However, once again they clearly indicated that they desired the most humane method possible. Consistently, almost three-quarters of the respondents chose these two options for both sexes and at all ages. The public does not believe in an "eye for an eye" or in revenge, and neither do I. If the deed is to be done, we want it to be done using the most humane method possible.

Some people might believe that capital punishment is in some way playing God and no one has the right to decide when a life should be taken, that this is a decision that should be left to God. Certainly I respect this view, and the more consistently it is espoused, the more respect I have for it. The people who are most consistent in terms of this view are those who in wartime are conscientious objectors even when the fabric of society itself is threatened.

For example, even with Hitler threatening in the Second World War, these people were consistent and refused to accept that taking a life could be justified by bearing arms. I have the highest respect for those who hold this view. However, I do not share it. I believe society can justify taking a life when public safety is involved.

When society has identified individuals who pose such a threat to public safety, who have committed crimes such as serial killing or murders after torture or brutalization, society, in the form of the jury, has the right to judge that they represent a threat to society's safety and that society has the right to protect itself by taking a human life.

In my mind there is no consistent philosophical basis for accepting the right to take a life in defence of one's country because public safety is threatened or self-defence is threatened, and yet hold out the philosophical argument that taking a life can never be justified.

The vast majority of Canadians feel that when individual or public safety is threatened, killing of individuals in self-defence or through declaration of war is justified. It is my contention that the views of society in respect of capital punishment have exactly the same philosophical basis of the right to public safety, and it is for this reason that they and I support the reinstatement of capital punishment.

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, I rise in the House of Commons to speak to my fellow Members of Parliament and to my constituents, many of whom have written to me here in Ottawa, have called me, have spoken with me on the streets in Vancouver—Kingsway, or have met me on the doorsteps of their houses.

I want to begin by saying that on this extremely complex moral issue I owe my constituents my own judgment. This is in accordance with a long parliamentary tradition going back to the British Member of Parliament, Edmund Burke, who, speaking to the electors of Bristol on November 13, 1774, said:

> Your representative owes you, not his industry alone, but his judgment, and he betrays instead of serving you if he sacrifices it to your opinion.

While my own Party has a policy on capital punishment, I am here exercising my own judgment on this issue. That is not to say that I do not respect or consider the views of my constituents, or indeed the views of other Members like the one who has just spoken, who take a view different from the one I take. I have read their letters carefully and I have listened to their views carefully and sincerely, and I respect them all.

This debate is really a life and death debate. If we restore capital punishment, people will be executed by the state. It would be foolish to assume otherwise. That is why I take this debate very seriously.

• (1150)

I am concerned that many Canadians may think there is an easy way for the state to kill, in a sanitized way, if you like. The Hon. Member who just spoke talked about lethal injections. Maybe we will not have the noose, the electric chair or the kind of circus atmosphere that accompanies American state executions, but I remind Canadians and fellow Members that the state will be taking the life of a fellow human being whether it be in a sanitized way through the lethal injection or through a more public and circus like way of the noose or the electric chair.

Members of Parliament all have different ways of coming at this question. In the period before I entered the House of Commons, I practised criminal law. I think I have the unique situation among Members of this House that as a former Crown attorney and former defence counsel I prosecuted someone charged with murder and I defended someone charged with murder. I will never forget—it is one of these incidents that stands out in one's memory—the murder case that I handled in Prince Rupert when I was a young lawyer. It was my first murder case and I defended a young native woman who was charged with murdering her husband.

I practised law in a period in which the death penalty was abolished but I recall the older lawyers telling me how often juries would refuse to convict even in fairly strong cases because they could see the accused before them. They knew that they were personally sentencing a human being to death. In many cases they simply could not do this. Often people who normally would have been convicted were acquitted, and studies bear this out. To me, this is a more accurate reflection of the real views of the ordinary Canadian than the mere answering of a phone call from a polling organization.

During my practice as a criminal lawyer I came to have a deep respect for our criminal justice system. I think it is one of the best and the fairest in the world. I also saw first hand, because it is a system that functions through human beings, that mistakes can happen. When the state hangs an innocent person, and that has happened in the United States, in Britain and perhaps in Canada, there is no correcting that mistake. You cannot bring the person back. Indeed, along with other kinds of sentences, I feel the application of the death penalty will be, and has been, discriminatory and will fall on those least able to get a good lawyer, the poor, the under-educated, the inarticulate, the mentally retarded, the emotionally disturbed and minorities, and studies in the United States bear this out.

As a criminal lawyer, I also got the opportunity to see criminals as human beings, often pathetic, desperate, sometimes sick human beings, usually inadequate in some way, people who did not fit into society and people who belonged to a minority. More often than not they were poor. That is why I am not surprised to find that studies clearly show that capital punishment is no deterrent to murder.

Why then, I ask myself, this demand to restore capital punishment, given that there has been no real change in murder rates since we abolished the death penalty. Is it a religious demand? The Christian Bible says in the Old Testament, "Thou shalt not kill. An eye for an eye, a tooth for a tooth, a hand for a hand, a foot for a foot". But Jesus of Nazareth in the Bible says:

> Ye have heard that it hath been said, 'An eye for an eye and a tooth for a tooth' but I say unto you, that ye resist no evil: But whoever shall smite thee on thy cheek, turn to him the other also.

Most churches have written to me against the death penalty. In 1983 the Pope himself spoke out against capital punishment. Therefore, I do not think the argument for the return of the death penalty is based on religious grounds.

I have a letter from a woman whose daughter was murdered. She tells us that capital punishment will not bring back her daughter; nor indeed, even if restored, will it deter murders of other daughters. Unfortunately, that will be a fact of life.

Why then the demand for restoration of capital punishment, Mr. Speaker? I think it is based on revenge, which is still a natural part of the human make-up, a part that we still have not yet conquered, together with the frustrations of modern life which come from the feeling that in the modern world we

cannot control what goes on in our lives. The Hon. Member who spoke last spoke of terrorism. Capital punishment is still, and really is, state vengeance and I think it comes down to being part of our penal philosophy. To restore capital punishment abandons hope in our ability to cope with violence, whether it be criminal or otherwise, except with more violence.

John Donne, the great English poet, many years ago said:

> Any man's death diminishes me because I am involved in mankind.

I conclude that to restore the death penalty no matter how it is done would be a step backward for Canada. It would place us among the more barbaric and violent states of the world. The death penalty is out of place in a modern, peaceful, humane society, which is my vision of Canada. Therefore, I will vote against the motion.

[*Translation*]

Hon. André Ouellet (Papineau): Mr. Speaker, I would like to take this opportunity to speak, not only to those who, like myself, are against a return to capital punishment but especially to those who today still believe that reinstatement of this ultimate penalty is truly justified.

During the few minutes I am allowed, I would like to explain my reasons for opposing capital punishment today, as I did in 1976.

Before I go any further, I would like to express very briefly my profound dismay, which I am sure is shared by many of my colleagues, at the way the Government put this question before the House and the way it intends to conduct the debate.

During the last election campaign, the Prime Minister promised Canadians that once elected, his Government would hold a free vote on capital punishment. We thought this would involve a clear and straight forward process and that the House would decide the issue with all the moral and political consequences that would entail, both for the individual Member and for the Government.

Instead, the Prime Minister (Mr. Mulroney) and the Government have decided to play hide and seek. They have decided to hide their true colours behind a quite perilous procedure, considering the nature of the debate and what is at stake.

On tabling his motion in the House on February 13 this year, the Deputy Prime Minister (Mr. Mazankowski) said the tabling of the motion did not mean the Government approved or disapproved of reinstating capital punishment.

However, the motion he tabled on behalf of the Government and on which we will be asked to vote is crystal-clear in this respect, and I quote:

> That this House supports, in principle, the reinstatement of capital punishment—

And the Government would have us believe it is not taking sides!

This manoeuvre would let the Government take its distance from a debate that will not enhance any reputations or produce any winners.

I suggest we take a closer look at the content of the motion. Briefly, the motion tabled by the Deputy Prime Minister asks the House to support reinstatement of capital punishment and orders the appointment of a special committee consisting of 15 members, a committee that is to hold hearings for three months across the country and make recommendations, on the basis of the testimony received, regarding:

(1) the offences that should carry the death penalty;

(2) the methods by which the sentence should be carried out; and finally,

(3) the same committee will be responsible for preparing and bringing in a Bill.

We have here the three basic elements of what normally should have been the Government's responsibility: the crimes that should be punishable by capital punishment, the methods used and the requisite drafting of legislation.

Mr. Speaker, when the previous Liberal Government tabled Bill C-84 in 1976, it did so frankly and forthrightly. It did not seek every kind of excuse to shirk its reponsibilities. It fully recognized its responsibilities, and it did so after a free vote in which the Prime Minister at the time and his Cabinet voted in favour of Bill C-84, to adopt the motion taking capital punishment out of the Criminal Code.

This Government is trying to to eat its cake and have it too. Government Members are divided on the issue, that we know. The Cabinet seems to be as well. And so they do not want to have the responsibility for this motion. Once the debate is concluded, they want to be able to tell proponents of capital punishment that they kept their word. They want to be able to tell the others, the people who are against capital punishment: Well, what can we do? The decision was made by a committee of the House with Members from all three Parties.

The motion is a highly regrettable one. I am also concerned that some Members, instead of acting as responsible Members, prefer to bow to the majority views of some Canadians. Members who want to shirk their responsibilities tell us: in the final instance, it doesn't really matter whether I'm for or against capital punishment since the majority of my constituents are in favour, and that is why I intend to vote for the motion.

Personally, I think that in the final instance, a Member should be accountable for his actions to his constituents. I believe a Member must answer for his actions to the people who elected him, but this does not imply that he can shirk that same political responsibility by giving up his freedom to speak, and especially his freedom to think and his freedom to vote in this House. Were he to act this way, I do not think he would be doing a service to his constituents, nor would he be enhancing

the quality of our system of Government, and indeed the quality of our democratic life.

This debate borders on the realm of unreality for those who, like myself, had the privilege of being here when Parliament voted to abolish capital punishment in 1976, convinced as we were at the time that, after a long and difficult debate, our country had finished a very significant and historic journey.

• (1200)

[*English*]

We thought at the time that as parliamentarians and, more fundamentally, as Canadians, we had turned a page of our collective history. We thought that we had clearly signified to the world our deep commitment to human values. We thought that we had signified our commitment to justice and to life in voting for the abolition of the death penalty. We thought that we had expressed in 1976, collectively and individually, our fundamental belief in the primacy of human life, and that in doing so we had joined the family of enlightened peoples.

[*Translation*]

So we are wondering today how we ever got to the point where again we would want to change everything and move backwards.

Admittedly our country has been witness to sordid crimes in recent years, often involving children. Our television screens at home have often shown scenes of horror and suffering.

The same television has enabled us to see—and feel, to a certain extent—the sufferings of parents who had just lost a child, or the sufferings of a wife who had just lost her policeman husband coldly shot dead while on duty. Undoubtedly such incidents have stirred emotions and raised fear and indignation among many Canadians.

[*English*]

But that same television has also magnified tenfold the tales of human suffering. It has magnified our horror and indignation by feeding us a steady diet of violent programming. Indeed, every night on prime time, we see murder, robbery, assault, rape and kidnapping. Unfortunately, very often these are American programs.

All of this makes us believe that somehow we have in the last 10 years changed fundamentally as a society and become more violent, more brutal than we were when we had the death penalty. I think this is not the real fact. Rather than numbing us to the real violence, it makes us feel weak and defenceless and leads us to believe that our penal system is faulty, that we need to protect ourselves because the state no longer can protect us from a violence which is nevertheless more often perceived than real. We began to advocate capital punishment, and as things went on some Conservative Members of Parliament decided to press on, and here now we have the Government presenting a motion to reinstate capital punishment. I think this is a very sad situation.

[*Translation*]

I am very sincere when I suggest that the quality of our judicial system will not be enhanced if we vote to restore capital punishment. Nor will it be an accomplishment for those who advocate the repeal of the existing statute in favour of the reinstatement of the death penalty. A man like Clifford Olson will be the real winner because he will thus bring us down to his own lowly common denominator. As I see it, such a move would make our society less humane from the outset, and we will certainly be less tolerant, less avid of freedom.

In conclusion, I should like to quote from a statement released by the Canadian Conference of Catholic Bishops entitled "The Escalation of Violence", which I recommend to all my colleagues:

> A society which so respects the right to life that it cannot resort to capital punishment to protect itself creates an atmosphere which commands respect for other human rights. The death penalty is acceptable only in a society which is not well organized enough to find another way to defend itself against elements which would threaten the lifes of its citizens, and such is not the case in Canada. Violence begets violence, and capital punishment is a violent measure. Today still, ten years after capital punishment was abolished, we harbour the same conviction: a society which respects the sacred and intangible character of human life and which gives top priority to human rights definitely promotes its own social progress, even though this may seem to be a slow and not immediately apparent process, besides contributing to the development of mankind. This conviction, confirmed in the message of Jean-Paul II when he visited our country, is based on the evangelical project where guilty mankind is reconciled with God thanks to the pardon of Jesus. Innocent, but convicted and sentenced to death, Jesus himself advocates total forgiveness: "Forgive them, Father, for they do not know what they are doing."

I think we can admit that a society such as ours has the right to punish a criminal, the right to inflict a sanction which is proportional to the crime, but I maintain that killing a man to punish him is tantamount to vengeange, and nothing else.

In this respect, Mr. Speaker, I should like to quote former Prime Minister Pierre Elliott Trudeau:

> As members of society, do we have so little respect for ourselves, so little hope of bettering human condition, are we so near social bankruptcy that we accept the principle of State vengeance as the cornerstone of our penal philosophy?

Finally, I would ask all Members in this House, whether you support or oppose reinstating capital punishment, to vote according to your conscience. Discuss this with your constituents, of course, discuss it also with your families, but by all means do not vote because a majority of voters in your constituency want capital punishment back, and want society to be brought back to a state of barbary. On the contrary, vote according to your conscience, and above all vote in a manner where liberty will prevail, rather than vengeance.

• (1210)

[*English*]

Mr. Deputy Speaker: Questions and comments.

Mr. Domm: Mr. Speaker, I have two short observations to make and a question to ask of the Hon. Member.

He referred to the 1976 vote and how he thought that would resolve the issue for all time. I beg to differ. If that vote had reflected the wish of the majority of the Canadian people, I suggest it might have helped resolve the problem. However, we had a so-called free vote in 1976, and he knows as well as anyone in this country that there was a solid cabinet vote opposing the retention of capital punishment. Yet many of the cabinet Ministers in that Liberal Government spoke out in support of capital punishment prior to the vote.

We have today a parallel with 1976. According to a recent *Maclean's* magazine poll, 68 per cent of members of the PC Party support capital punishment in one form or other; in the Liberal Party it is 61 per cent, and in the NDP it is 55 per cent. If the Government and elected representatives in Parliament ignore the vast majority who support capital punishment, the same thing will happen as happened in 1976.

How does the Hon. Member propose to deal with this desire of the Canadian people; by ignoring them time after time after time? How does he expect the issue to ever go away if Parliament does not pay at least some attention to the majority?

[*Translation*]

Mr. Ouellet: I am pleased to respond to the Hon. Member by reminding him that capital punishment was abolished in Canada in 1976 by the Canadian Parliament, with the knowledge that such was basically the case in most western— industrialized nations— France, Belgium, Britain and so forth, and at the time Canadian parliamentarians wanted thereby to ensure that we express our deep respect for human rights, and what we did in fact was put an end to an experience that dated back to barbaric, archaic customs.

The fact was that both the then Liberal Government and the previous Conservative Government had refused to hang those who had been sentenced to death. It will be remembered that in a systematic way, both the Diefenbaker Government and the Pearson Government, as well as the Trudeau Government, when a death sentence was sent to Cabinet for commuting to life imprisonment, those successive Cabinets in a systematic way commuted all death sentences to life imprisonment.

The reality therefore in Canada was that already the Government, inspired by that modern spirit of treating prisoners, criminals in a modern rather than archaic way, had decided no longer to hang criminals.

The legislation passed by Parliament in 1976 was therefore confirming a tradition that had been well anchored into Canadian usage by various Cabinets, both Liberal and Conservative.

Capital punishment proved a punitive act rather than a reforming move. Clearly, those who claim that capital punishment will prevent a criminal from killing are mistaken. It never was and never will be a rehabilitating action, a sentence that will bring someone, with the thought that if he goes ahead and kills someone he will be hanged, along the road, to decide not to commit his crime, knowing he will be hanged. Reality is quite different.

Therefore, we are assuming it would be much more important to have a correctional and judicial system based on administrative reform and a more modern way of operating our judicial system, than going backwards with that punitive form that in my view should have no place in modern society.

[*English*]

Mr. Greenaway: Mr. Speaker, the question I would like to ask deals with this rubbish of a free vote the last time this measure came before the House. I say rubbish because it was not a free vote and everyone knows it. I was told by a Liberal Member of Parliament, one who still sits in this House today, that the Prime Minister of the day put pressure on his caucus to vote in favour of abolition. If they did not he would call an election and the Liberals were down about 20 per cent in the polls at that time. I would like the Hon. Member to please comment on that.

[*Translation*]

Mr. Ouellet: Mr. Speaker, I do not know whether the Hon. Member listened to my speech a while ago, but I clearly indicated that there is a fundamental difference in approach between the steps taken in 1976 and those of the current Government.

Walking both sides of the fence at once, this Conservative Government is trying to keep everybody happy. While some are for abolishing capital punishment, others insist on reinstating it. So, instead of moving a clear and definite motion, it uses this shaw of creating a parliamentary committee.

In 1976, with the support of his full Cabinet, the Prime Minister of the time had opted for abolishing capital punishment, and the motion moved by the Government of the time had made it possible for all Hon. Members from both sides of the House to vote freely on this issue.

But the Government, I mean the Prime Minister and his Ministers were all of the same view, namely, that the time had come to end this barbarous practice and abolish capital punishment. All back-benchers had an opportunity to vote according to their conscience.

I must say that some of my hon. colleagues did not try to justify their position with Gallup or other polls. They voted clearly for or against abolishing capital punishment. It was a free vote. Quite evidently, the Liberal Cabinet of the day was fully behind abolishing capital punishment and so was the Prime Minister. It is a clear situation which does not exist now, something I deplore enormously.

• (1220)

[*English*]

Mr. William G. Lesick (Edmonton East): Mr. Speaker, it is certainly a privilege for me to rise in this House on this most important debate, perhaps one of the most important, talked

about, controversial, and possibly agonizing debates that we have had in this Parliament. This debate deserves the full attention of this House. No matter what side a Member may take on this issue, this is indeed an ultimate test for each Member in decision-making. We might even ask for the wisdom of Solomon to help us make a decision.

In making a decision none is 100 per cent right. We may be 80 per cent or 90 per cent right, and that is how decisions are made. We have to make our decisions reflecting generally the views of our constituents. We are talking about whether we oppose or support capital punishment.

The views of each Member will, of course, be at odds with those of some constituents, because in every constituency there will be a certain number of people in favour and a certain number against. How can a Member of Parliament reflect everyone's view? This is the decision that we as parliamentarians have to take in order to reflect what we, in our wisdom, after consultation not only with our constituents but with other Members of Parliament and groups of people, believe is in the best interests of the people of Canada.

This issue appeals to emotion as well as logic. Hopefully we will not rely on emotions only. We must use our hearts and our minds and they must always be open to the arguments, thoughts and beliefs of others. We must make our decision with care, thought and responsibility.

I will be voting in favour of the reinstatement of capital punishment. I would like to explain to you why I believe that capital punishment should be reinstated in Canada. I believe that the state not only has the right but the responsibility to protect itself and its citizens from harm. We are waging a war of sorts against crime in its most barbarous form, that is, murder in first degree, the taking of innocent lives. We as a state must protect our citizens from those who would seek to destroy life within our country.

If a foreign country were to invade our borders we; individuals, soldiers, sailors, men and women, would not hesitate to fight back, to punish the invaders, especially those who may have killed our citizens in the process of the invasion. By fighting back we would most likely take the lives of the invaders. This is the role of the state to protect its inhabitants. It must provide a safe haven for its citizens. In a way, to kill the invaders is capital punishment and is part of the protection which the state must provide. It must punish the enemy for having taken a life within our country.

Within Canada the enemy is the individual who deliberately plans and kills innocent members of our society. The state must have the power to exercise its strength as protector and must have within its jurisdiction the power to choose the ultimate punishment for the ultimate crime, for example, that of murder in the first degree or high treason.

Canadian citizens are starting to live in fear in their own homes. Seniors are frightened to walk alone at night. Many people expect us to accept that as part of the changing times, part of the 80s and 90s—the reality of life. Well, this is not right and we must not stand for it. Canadians should feel safe, not only in their own homes but throughout the country. It is up to us as legislators to ensure that safety, with our police forces and other protectionist forces.

We must become more sensitive to the rights of victims. They did not choose to become victims but were chosen by the perpetrators of violent crimes. Many people have forfeited their lives in senseless, brutal murders. It is becoming obvious that the state is not responding to their basic need and want, that being to live a safe and secure life.

I share the same view as the majority of my constituents. Last year I conducted a survey of my constituents to learn their views on the issue of capital punishment. At that time 81 per cent supported the return of capital punishment for first degree murder and the murder of police and prison guards. The majority of comments which I read in the questionnaires expressed fear and outrage at the tragedy which befell the victims. They also expressed the perception that our judicial system was possibly somewhat impotent.

In my town hall meetings I have heard many views on the issue of capital punishment. I have never hesitated to ask those who have gathered for their thoughts. The general view that I hear again and again is that the judicial system is not working in favour of law-abiding citizens but rather against them and that we should have capital punishment. The ratio is usually three or four to one in favour of capital punishment.

I have had conversations with members of the clergy who have supported the reinstatement of the death penalty. When I visit community groups and schools and knock on the doors of my constituents I invariably ask them what they think of capital punishment. The views I hear reinforce my belief. Not everyone is in favour of capital punishment, but the vast majority is.

In one high school which I visited this spring we talked of many things including capital punishment. When I asked for a straw vote the result was two to one in favour of capital punishment, this from 16 and 17-year old students.

People do not want to live their lives in fear. It is not a prevailing fear but rather a sense of disquiet that all is not quite right. Part of this disquiet comes from the fact that men and women who have not been rehabilitated are roaming the streets. At a time when the quality of our lives should be at its highest it is actually at one of its lowest points. Some people are starting to develop a bunker mentality due to their weakened sense of security.

I spoke earlier of the sense of the general public that our judicial system is impotent. I highly respect lawyers, judges, and our judiciary. One of the main points that I hear again and again is that our laws and punishments for crimes are not only lax but seem, in the eyes of the public to be inconsistent. I am told that the parole system procedures need to be tightened. Prison sentences should be made longer and violent

criminals should be kept off the streets. Yet rehabilitation is necessary. A life sentence should be just that, a life sentence. Currently within our parole system, a 10-year sentence could actually mean six years or seven years, and even less in certain extenuating circumstances.

• (1230)

Furthermore, the public is often threatened by criminals once they are sentenced. I have been in a court where the criminal who was convicted has pointed a finger at the victim saying, "I will get you when I get out". These families who have been threatened are quaking in their boots in a few years, keeping their doors locked and staying inside. Repeat offenders are often released earlier than their sentence required and go back on the street to commit crimes. This is entirely unacceptable.

Our criminal justice system is in serious need of reform. The average Canadian citizen is not provided with the necessary protection to live a safe and healthy life, while criminals and murderers are allowed to remain on the streets often after serving a minimal sentence. We are often told that they are rehabilitated, but one should ask the family of a murder victim or a victim who has been badly molested, raped or grievously harmed. There are hundreds of such victims.

We as citizens and legislators must reassess what is happening in society and become sensitive to the needs and wants of our citizens. For years, many Canadians have been asking for the reinstatement of the death penalty. Legislators have not always responded to those demands.

Let us examine why the public is expressing such strong views on capital punishment. Perhaps it is the exasperation they feel with the justice system. Maybe they believe that the state should do something to protect them and give them a sense of fairness and that they have a right to live in peace and quiet.

Many representations on all sides of the issue have been made to each Member. For example, I have an open letter from a father of a first degree murder victim. He is Mr. Donald Sullivan of Ajax, Ontario. He wrote concerning the brutal and senseless murder of his daughter Pamela on October 22, 1980.

Pam was sexually assaulted and murdered on her way home from work one evening, right in front of her family home. She was murdered by a complete stranger who had been released by the Collins Bay Penitentiary just a week earlier, on mandatory supervision release. The theory is correct; the practice is not. This man was found guilty of first degree murder in 1981 and sentenced to imprisonment in Kingston Penitentiary. It is ironic that he became a homicide victim himself when he was killed in prison in July, 1986. He was another murder victim, but this time within the walls of our prisons. We often hear other Members say that we may be executing an innocent person, but no one seems to pay attention to the fact that this woman was an innocent victim. She is a statistic, he had been made an anti-hero.

Mr. Sullivan writes:

> I am asking you to try and wade through the rhetoric, the confusing jumble of statistics, all the graphs, numbers and try to remember that each number, each statistic, represents one who was a loved family member, a son, daughter, a wife, a mom, a husband, a dad. Numbers do not bleed; rates per thousand do not die; justice centre statistics do not have to be buried.

Mr. Sullivan, and his family, is as much a victim as his murdered daughter, Pamela.

In Edmonton we have the organization "Victims of Violence" which was founded by Gary and Sharon Rosenfeldt. The Rosenfeldts became victims of violence when their son was one of the children brutally murdered by Clifford Olson. Mr. Rosenfeldt has been to my office several times in the last two years asking for help and for us to do something to prevent crimes like this, preventing the potential of someone like Mr. Olson being released again. There are many others like Clifford Olson.

The Rosenfeldts have been lobbying legislators to become more aware and more sensitive to the plight of victims of violence. I cannot help but feel that it is wrong for Canadians to believe they must lobby for the basic right to feel secure. I am not calling for revenge or retribution, but just the right to feel safe. We as legislators must keep this in mind at all times and work to ensure that the state has the strength and the power to protect its citizens. Otherwise, we as a nation fail in our duty to protect Canadians.

Capital punishment should be an option made available in the sentencing process. There is nothing wrong with it being an option. It is the ultimate and often times the greatest and only protection that potential victims may have.

It is believed that there is a deterrence factor in having the death penalty. We have heard debate about this issue, but the Royal Commission on Capital Punishment in Great Britain heard evidence concerning criminal cases which indicated in some instances that the threat of the death penalty had acted as a deterrent to murder. In 1976, the Supreme Court of the United States considered capital punishment a significant deterrent in a number of cases.

Law enforcement authorities have contended that abolition of the death penalty increases the risk for police and prison staff. It would be reasonable to assume that in seeking to avoid arrest, a criminal would be less likely to shoot a police officer if there were a death penalty.

Growing numbers of inmates serving life sentences for first degree murder seem to increase prison violence and murder. They have nothing to lose and perhaps something small to gain. Murder rates within the penitentiary population almost doubled between 1976 and 1981, with most occurrences taking place in maximum security institutions. That is a plain fact for all to see. In 1983, participation in major security incidents was higher among first degree murderers than among the rest

of the penitentiary population. Again, it is because they have nothing to lose.

Who is in the greatest danger? First, it is prison inmates. I referred earlier to the inmate who was killed, as have many others. Prison guards and police officers are also in danger. First degree murderers have nothing to lose and can go on to participate again, raise a bit of hell to see what they can do. The logical conclusion is capital punishment.

Deterrence does not show up in statistics. By preventing a killing, the potential victim is alive and well. We never consider that this is a person who might have been killed under certain circumstances by a convicted murderer who was released. However, since we know nothing about it, it cannot be a statistic. That is something we should all consider.

• (1240)

Very few convicted killers will kill again after being allowed to go free. Most of them do not. Most of them are rehabilitated. But we must protect every citizen to the best of our ability. An innocent Canadian, neighbour, member of family, once killed is gone forever. It is very important that we as a country have the ability to protect our citizens.

More than 20 such innocent Canadian victims have lost their lives. I would like to read to the House a letter to the editor which appeared in yesterday's *Ottawa Citizen*. It is entitled "Vile Murder", and states:

> I believe in capital punishment. I always have and always will. Our Sheryl, age 20, was a successful fashion model in Toronto. She was violently murdered, her face destroyed by a hammer. Ralph Powers, a stranger to Sheryl, was on mandatory supervision, having served seven of 10 years of his sentence. Powers had stalked 15 beautiful young women before he saw Sheryl. He posed as a Bell Telephone repairman to gain entry to her apartment.
>
> Powers gave my daughter a life sentence with no chance of parole. Perhaps Powers will be released in 15 or 25 years. Is that really a life sentence for first-degree murder? I believe that Powers will kill again, as he confessed after his second attack (she escaped) that he had chosen his third and fourth victims in August 1981.
>
> I would not want another family to go through what our family has. The pain of the violent murder of my daughter will never leave me. It is a life sentence for me and for my family and friends—with no chance of parole.

It is signed "Sally Gardner, Ottawa".

The death penalty must be returned. I thank the House for the privilege of speaking on this most important debate and look forward to a favourable response to the reinstatement of capital punishment.

Mr. Domm: Mr. Speaker, I have a comment in support of my colleague's position and his concern about the justice system as it pertains to persons in prison and on parole. I would like to read into the record the most recent information from StatsCan, the Solicitor General's office, and from the Correctional Institutional report.

Since the abolition of capital punishment in 1976, there has been a 400 per cent increase in murders within our prisons. Prior to 1976, on average, there were two victims of murder in our prisons per year, that is, from 1962 through until 1976. When we officially abolished capital punishment in 1976, the rate jumped to 28 murders in 1977, eight murders in 1978, 10 murders in 1979 and as high as 15 murders in 1984. When we average it out we find there were 100 persons murdered in our prison societies of less than 1000 in population, making an average of 11 murders per year.

That is not to mention the recent report in support of my colleague, dealing with persons on parole. The Solicitor General of the former Liberal Government has stated, "There have been a total of seven cases of repeat murderers committing the second offence while on parole".

If that is not bad enough, since that statement the Parole Board has advised me that since February of 1987, the cut-off date for the last report, there have been two more murders in Canada by murderers on parole. One of those murderers has been convicted very recently and the other has been charged with murder. His conviction is pending.

Therefore, I think not only has the parole system been an abysmal failure but it needs, as reiterated by the Chairman of our current Standing Committee on Justice and Solicitor General, a pretty close look at. For that reason the committee initiated a study into the parole system for the need of change. While doing so, I suggest that the justice committee take a pretty good look at our plea bargaining system within the justice system.

A lot of these people who are charged with first degree murder, plead a lesser offence of second-degree murder, receive a quick conviction and are out in 10 years after serving two-thirds of their 15-year sentence rather than going the route on the first degree charge as laid by the authorities on the basis of their investigation.

I think this liberal attitude of the justice system, the plea bargaining system, the parole system and all of these various factors, need to be closely looked at. That is not to say that by addressing those systems only we will deal effectively with the psychopathic repeat murderer who shows no remorse or regret and would willingly do it again without hesitation.

What we are looking for is capital punishment, as is my colleague, for only certain acts, the most heinous acts of planned, deliberate, premeditated murder. That is what the Canadian people want. That is what this House of Commons must respond to.

As Members of Parliament, in the interests of the protection of society, we must listen to our constituents on what they consider to be a reasonable form of justice befitting the most heinous crimes. We are not looking to execute 400 or 500 persons a year, but only those who commit murders of the most heinous nature. Robert Shantz of Vancouver who defended Clifford Olson said, "There is only one answer for Clifford Olson and that is execution". That was said by the criminal lawyer who defended Clifford Olson.

A prematurely retired criminal lawyer in British Columbia by name of Les Bewley resigned because he said one of the

most contributing factors to his displeasure with the judicial system today is the plea bargaining system between Crown prosecutors and defending lawyers. They gleefully sit behind closed doors and bargain down the most serious offences in order for a quick conviction and early release. Adjusting that system is long overdue. Mr. Les Bewley, a former criminal court judge, handed in his resignation to the Attorney General because, he said, "Plea bargaining is the venereal disease of our justice system here in Canada today".

Mr. Caldwell: Mr. Speaker, I would like to pose a question to the Hon. Member with whose position I also agree. I also want to share some information with him. The Hon. Member for Peterborough (Mr. Domm) was talking about our justice system. I would like to point out to the House that I had an opportunity, which perhaps other Members of the House have not, that is, the honour of serving on a jury in a trial on a murder case. There are always those people who will worry about convicting an innocent person. I would like to tell the Hon. Member that when one is serving on a jury in a trial for murder, one wants to be 150 per cent sure. If the Hon. Member sat on a jury in similar circumstances I think he would agree that if there was any doubt in his mind, he would find that person innocent. Many people will use as that reason for doubt that chance of convicting an innocent person. Having been on a jury, I can tell the House that it is the most excruciating experience one could possibly go through, and if there is any doubt in one's mind, the person certainly would not be convicted.

I am sure the Hon. Member's constituents will say to him that they are opposed to capital punishment in general, but in specific cases, yes, they would agree to capital punishment. How does the Hon. Member answer that? Can we have a partial bringing back of capital punishment only for those specific cases? How do we bring it back on the books so it would apply to those heinous crimes talked about by the Hon. Member himself and the Hon. Member for Peterborough? We are in a bit of a dilemma in that situation in which many people oppose the death penalty. However, there are those who are in favour, in particular cases. How would the Hon. Member answer constituents concerns in this particular area?

• (1250)

Mr. Lesick: Mr. Speaker, I am certainly pleased to respond to my colleague, the Hon. Member for Essex—Kent (Mr. Caldwell). This is indeed a dilemma. I appreciate that the Hon. Member has asked me about it. I appreciate the dilemma of our constituents, the people outside this House. Nothing is perfect. We cannot guarantee anything. For that matter, we might walk out of the House and be run over by a vehicle and become an accident victim. So life is gone.

However, my contention is, and I believe it is the contention of most citizens with whom I have spoken, that the state should have the prerogative, in the wisdom of the judge and jury, to mete out the ultimate penalty. If that terrible crime is committed then the state must have capital punishment on its books. The person will receive the death penalty and that will be the end of the case.

There is nothing wrong with the state having this prerogative, or to carry it out for the protection of its citizens. As my colleague from Peterborough has mentioned, there are many areas which we should consider, including the judiciary, the parole system, and capital punishment in the over-all context of what is the best and most fair for our citizens.

Of course, citizens will always ask, "What about this particular case", or "What about that particular case?" It is up to the judiciary in its wisdom, with or without a jury, to make a decision. A decision is made and we will have to live with it. We must be strong and firm. We must also be compassionate.

This is why I believe that the state has to have this prerogative, so that we can proceed with it rather than appear as impotent legislators, or impotent judges or impotent police. This is why the people are out there screaming, "Do something". This is one step, and it is a positive one. It is what I believe to be the right step.

Mr. Deputy Speaker: The Chair recognizes the Hon. Member for York Centre (Mr. Kaplan) on debate.

[*Translation*]

Mr. Kaplan: Since it is already quite late and because this is a very important issue, I wonder if I could start my remarks following the Oral Question Period and call it one o'clock.

[*English*]

Mr. Deputy Speaker: There is a request from the Hon. Member for York Centre to call it one o'clock. Is there unanimous consent?

Mr. Caldwell: Mr. Speaker, I rise on a point of order. I certainly do not want to deprive the Hon. Member of having an opportunity to speak. However, there are seven minutes remaining until the luncheon adjournment. I know that there are many members on the government side who would like to express their opinions. I would ask that the hon. gentleman begin his speech and finish it after Question Period. I know it is not the best way to give a speech, but there is limited time in this debate and there are many Members who would like to speak.

Mr. Deputy Speaker: The other alternative the Hon. Member has would be for me to recognize the Hon. Member for Témiscamingue (Mr. Desjardins) and then the next speaker would be the Hon. Member for York Centre.

Mr. Kaplan: I would prefer that, Mr. Speaker.

[*Translation*]

Mr. Deputy Speaker: Debate. The Hon. Member for Témiscamingue (Mr. Desjardins) has the floor.

Mr. Gabriel Desjardins (Témiscamingue): Mr. Speaker, I hope that I shall be able to continue my speech and use the rest of my 20 minutes after the Oral Question Period.

It is with a great deal of interest that I take part in the debate on capital punishment. I would like to touch on several points. First, I wish to speak about the reasons for which this Government decided to hold this debate. Second, if I may, I would like to review some of the speeches we have heard in this House on the death penalty, and finally, to express my own views on reinstatement of the death penalty.

First of all, Mr. Speaker, I must tell you that the Member for Témiscamingue is against the death penalty, and I know that most of my colleagues already know where I stand on this issue.

We have been strongly criticized by the opposition Parties for holding a debate on the death penalty during this Parliament. However, it should be pointed out that the Progressive Conservative Party had made a commitment to hold such a debate during the 1984 campaign. In passing, Mr. Speaker, while I am speaking about the commitments made by the Progressive Conservative Party during the 1984 election campaign, I would like to say that we have a quite enviable record as far as respecting those commitments is concerned. On which themes did the Progressive Conservative Party base its campaign during the summer of 1984? There were three major themes in our campaign. The first was national reconciliation, and with the constitutional agreement signed recently by the 11 first ministers of Canada, I believe that we can say that national reconciliation is now a fact. Another major theme of our campaign was reduction of our enormous national deficit, which severely restricts the freedom of movement of the federal Government. In this regard, the Minister of Finance (Mr. Wilson) and the Government have done a remarkable job. A third major theme of our campaign was economic recovery, and I believe that, objectively, everyone will have to admit that our economy is now definitely in better shape, with nearly 800,000 jobs created, a very active economic sector and prosperous businesses. I have the feeling that, within a few months, we shall be able to say that one million jobs have been created.

What was said about the death penalty issue during the 1984 electoral campaign? The Prime Minister (Mr. Mulroney) had promised that there would be a free debate in the House during our mandate. Saying that such a debate was unwarranted would be completely inaccurate since the death penalty issue has aroused the interest of Canadians for decades and has already been discussed in this House. Parliament has had to examine the death penalty issue on many occasions, as have many other Parliaments, for instance in Great Britain, where this issue has also been discussed many times, including few months ago when Parliament voted against reinstatement of the death penalty in Great Britain.

Therefore, Mr. Speaker, the Government was justified in reopening this debate as many Canadians wanted to discuss the issue of the death penalty and as such a debate can bring new light on this issue. Whatever the solution chosen by this Government, it will have been worthwhile having an open and enlightened debate in this House. Naturally, I must say that I sincerely hope that this Government and this Parliament will vote against reinstatement of the death penalty in Canada. If they do, Mr. Speaker, the debate will still have been useful as it will have been carried out in an enlightened manner and the Canadian public will perhaps be better informed about the issues involved.

In my opinion, it is extremely important in such a debate to respect the opinion of others. The debate should remain objective, and it is essential to respect the views of others even though they might not be our own. Mr. Speaker, how is Canadian public opinion represented in the House in the debate on the death penalty?

From the views I have heard expressed in this House, I believe that the Progressive Conservative Party is truly representative of public opinion on the death penalty. You would have to be blind to say that public opinion is not very divided on whether to reinstate the death penalty or not, and it is our own party which best represents this plurality of opinions.

As you are about to interrupt me, Mr. Speaker, I wish to say that I shall perhaps be back after the Oral Question Period to conclude my speech and explain to the House the basic reasons why I am personally vigourously opposed to reinstatement of the death penalty.

[*English*]

Mr. Deputy Speaker: It being 1 p.m., I do now leave the chair until 2 p.m. this day.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

EXTERNAL AFFAIRS

NICARAGUA—CONTRA ATTACK ON CANADIAN-AID PROJECT

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, I have previously asked the Secretary of State for External Affairs (Mr. Clark) to condemn the American-backed Contras as terrorists. Their destruction of a Canadian-aid project in the small village of Macotol, Nicaragua, was a crime ending in the slaughter of innocent men, women and children. The Secretary of State for External Affairs assured me that he would raise the matter with U.S. Secretary of State

George Shultz when he met with him, in either Venice or Reykajavik.

The Minister's response is of great concern to Canadian non-governmental organizations in light of the fact that the U.S.-backed rebels, on June 19, attacked a state supervised farming community in Los Millones, Nicaragua, killing eight and robbing the community of food and medical supplies.

Indeed, this was not a Canadian-aid project but the Contras' track record of attacking innocent villagers is bound to happen again and again.

Canadians are aware that they are working in a hostile environment in Nicaragua, but they do not need the extra burden that comes with our American neighbours backing rebels to attack, kill and destroy the lives and property of non-combatant people who already face a daily struggle to survive.

I am calling upon the Secretary of State for External Affairs to inform the House publicly and the Canadian people of his meeting with Secretary of State George Shultz regarding the action, if any, the U.S. proposes to undertake to prevent this slaughter of innocent peasants.

Also, will the Minister tell the House whether he informed the Reagan administration that Canada will pursue its own course of action through the United Nations if the U.S. does not improve the situation?

* * *

ENVIRONMENTAL AFFAIRS

ACID RAIN—COMMITTEE MEMBERS' VISIT TO UNITED STATES CONGRESS

Mr. Stan Darling (Parry Sound—Muskoka): Mr. Speaker, the Special Committee on Acid Rain returned home from Washington last night after discussions with members of the U.S. Congress and environmental officials.

Time and again committee members were assured that Canada's persistence toward achieving acid rain controls is playing a crucial role in the United States.

Senator George Mitchell of Maine, who has an acid rain control Bill before Congress, said that our Prime Minister (Mr. Mulroney) is directly responsible for changing President Reagan's attitude on this important issue.

The Senator pointed out, as did other Congressmen, that the only times the President has spoken in favour of acid rain abatement were in the presence of the Prime Minister.

For this reason, acid rain control proponents in the U.S. are urging Canada to keep the pressure on.

Our fears were confirmed in meetings with the State Department, the Environmental Protection Agency, and the National Coal Association, whose representatives are less than enthusiastic about controls.

On the other hand, Canadians can rest assured that the efforts put forth by the Prime Minister are echoing through the halls of Capitol Hill.

The appearance of the special committee, showing political solidarity among all federal Parties, is yet another indication that Canada expects real action in the form of U.S. acid rain controls.

* * *

[*Translation*]

EMPLOYMENT PLANNING

REQUEST GOVERNMENT PROVIDE FUNDS TO SATISFY ORGANIZATIONS' REQUIREMENTS

Mr. Gilles Grondin (Saint-Maurice): Mr. Speaker, I rise concerning job planning projects for seriously underprivileged people in respect to employment.

Many agencies are rightly wondering why the Department of Employment and Immigration continues publicizing such a program when in fact, as confirmed by the Minister's office, no monies are now available to support new initiatives for job integration of seriously underprivileged persons.

What right has the Minister of Employment and Immigration (Mr. Bouchard) to so mislead the people and agencies involved by making available to them literature pubicizing on programs they will never be able to access because the funds needed are not there, unless an already committed agency withdraws?

We are faced with an unacceptable situation, Mr. Speaker, and I am asking the Minister to correct that gap as soon as possible and inject extra money to meet the needs of agencies that had applications turned down for that reason, after having their appetite whetted by enticing literature.

* * *

[*English*]

CANADIAN NATIONAL RAILWAYS

OPPOSITION TO EMPLOYEE REDUCTIONS IN SASKATCHEWAN

Mr. Don Ravis (Saskatoon East): Mr. Speaker, two weeks ago I made a statement in the House regarding the reduction of 102 employee positions in Saskatoon and Melville by the Canadian National Railways.

In response to my statement a meeting was held last week, in Saskatoon, with a Vice-President of CN. However, we unfortunately could not reach a decision that satisfied all parties involved in the discussions.

I clearly understand CN's need to down-size its operations and encourage early retirement to make its rail service more

cost efficient, but I must let the facts speak for themselves. Over 14 per cent of CN's revenues come from Saskatchewan. That contribution is more than the combined revenues of all of the maritime provinces, the Northwest Territories, and the Province of Manitoba.

Wheat will continue to be a major export out of the province, and an increase in the production of potash and coal, as shown in economic forecasts, promises a wider use of CN facilities in the future.

It may carry out the down-sizing of its labour force. However, I insist that CN not transfer those employees to Winnipeg and close up repair shops that will be increasingly important to CN and Saskatchewan's future.

* * *

FISHERIES

ALCAN CORPORATION—REDUCTION OF WATER FLOW INTO SALMON-RICH B.C. RIVERS

Mr. Jim Fulton (Skeena): Mr. Speaker, in 1980 residents in northwest British Columbia were shocked to hear that Alcan allowed little more than a trickle of water to be released over its Skins Lake Spillway into the salmon-rich Nechako and Fraser rivers.

Under public pressure from farmers, communities, recreationalists, Indian bands, and commercial and sports fishermen, a Supreme Court injunction forced Alcan to provide minimal water flows.

The injunction was renewed annually until 1985, when Alcan sought exclusive jurisdiction over a publicly-owned river. With private profits to be made from the export of raw power, Alcan wants to hoard the water for its own hidden agenda.

The Minister of Fisheries and Oceans (Mr. Siddon) has now sold out to Alcan with a private deal on water flows at only one-half of what his own scientists filed in court as the minimum required.

• (1405)

One cannot adequately convey the level of betrayal ordinary British Columbians feel upon hearing that the Minister of Fisheries has sold out the public trust.

The salmon industry is worth over $500 million a year. The Minister has failed to exercise the responsibility granted to him under Section 29(10) of the Fisheries Act and to ensure that proper water flows are maintained. The Minister must immediately hold public hearings into the required flow regime and ensure that no green light be given to Kemano 2 without a public approval process.

No such initiative has been forthcoming from the Minister who must now resign. He is allowing our salmon resource to be ruined.

It is totally unacceptable and irresponsible for the Minister to stand in the House under the charade of representing the fisheries ministry while he ignores his legal mandate, neglects his responsibilities to the fisheries resource, and guts the Canadian public trust.

* * *

[*Translation*]

RAILWAYS

IMPORTANCE OF RAILWAY NETWORK IN ABITIBI

Mr. Guy St. Julien (Abitibi): Mr. Speaker, after considering the CN's application to abandon the line in the Chapais-Franquet subdivision in Abitibi, the CTC's Committee, further to a decision dated January 22, 1979, concluded:

"Railways may file grant applications in respect of branch lines, provided that a line not covered by an application would not in effect be isolated from the remaining system, were the line covered by the application to be abandoned".

That Chapais subdivision would be rerouted to a longer haul through via the CN's Cran subdivision in Lac Saint-Jean. It appears this would be a case of unacceptable line division as specified by the CTC. The CN was to file with the CTC on June 22, 1987, further argument concerning their application.

The long distances between Canadian regions are for us Abitibians an enormous challenge to knowing and understanding one another, and we cannot legislate geography. The railway system has helped Abitibi overcome that difficulty.

Mr. Speaker, this is a first victory for the CN's workers, people in Senneterre, all economic partners in the Abitibi—Témiscamingue economy and for myself. We are proud to be Abitibians.

* * *

[*English*]

TRADE

DAY TRIPPERS' PURCHASES OF MILK FROM UNITED STATES—EFFECT ON DAIRY INDUSTRY

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, "Welcome to the Land of Milk and Honey and Cheap Gas", that is the 20-foot billboard which greets British Columbians as they near the Douglas border crossing into the United States.

The price of American milk is attractive to budget-minded shoppers, but B.C. dairymen cannot compete with the current

heavy subsidies within the U.S. industry. Canadians pay 90 per cent of the true cost of milk at the dairy case, while American shoppers only contribute two-thirds.

Using the Customs count of 12,000 border crossings every day, the B.C. dairy industry estimates that it loses about $70 million every year in lost sales. The New Brunswick dairy industry has similar problems because of its geography.

Dairy producers in British Columbia and New Brunswick want Customs and Excise to enforce the 17.5 per cent duty on goods purchased in the United States when travellers have been out of the country for less than 24 hours, in order to keep our farm producers on an equal footing with American dairy farmers.

* * *

SPACE DEVELOPMENT

CANADIAN RADARSAT SUPPORT PROGRAM

Hon. Bob Layton (Lachine): Mr. Speaker, Canada's lead in space will be maintained. The Minister of State for Science and Technology (Mr. Oberle) is in Toronto today announcing a 10-year support program for the Canadian Radarsat.

Based on the immense and diverse geography in Canada, our scientists have continuously developed remote sensing technologies to the point where Radarsat is recognized as the leading edge in this field for the monitoring of ice floes, the assessment of environmental developments, the forecasting of our weather, and the evaluation of our natural resources.

This is a collective and collaborative achievement on the part of many federal government Departments, the provinces, the United Kingdom, and the United States.

Let us salute the Minister and the Government as Canada continues its lead in space with Radarsat.

* * *

[*Translation*]

FRANCO-ONTARIANS

REGULATION 17—HISTORIC CONSEQUENCES

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, today, as the House of Commons is making itself acquainted with a new legislation on official languages, it is important to remember that June 25, 1987 marks another important anniversary in the history of Franco-Ontarians.

Regulation 17, announced to the Ontario legislature on April 13, 1912, we implemented on June 25 of that same year. Unfortunately, that regulation prohibited for all practical purposes French education in Ontario.

Many Franco-Ontarians no doubt remember the period that followed the implementation of that legislation. Indeed, more than 200,000 French-speaking citizens of Ontario were deprived during almost 15 years of French instruction.

I am sure that all Members of this House will want to join me in paying tribute to all those who fought against the implementation of that rule and especially one of my predecessors, the late Aurélien Bélanger, provincial Member for the riding of Prescott.

I would like to mention the historian, Mr. Paul-François Sylvestre who underlined recently the 75th anniversary of that infamous regulation 17.

* * *

NEW DEMOCRATIC PARTY

DISCIPLINARY STANDARDS

Mr. Gabriel Fontaine (Lévis): Almost three weeks ago, Mr. Speaker, Mr. Bob White, a Vice-President of the Socialist Party, had accepted to appear on *The Journal* to speak out against the Meech Lake Accord. He was summoned by his Leader and ordered immediately to keep his mouth shut. This means that the Leader of the Socialist Party has two standards of discipline, one for English Canada, and the other for French Canada. Otherwise, he would have also muzzled the Vice-President of the Socialist Party in Quebec, Mr. Jean-Paul Harney. His attitude is all the more curious, since the Socialist Leader is gagging his own source of funds and unaccounted free service, while failing to impose his discipline on the Socialist Vice-President in Quebec who, for his part, brings in a lot less money to the Socialist Party of Canada. Against the Meech Lake Accord in Quebec and for the Meech Lake Accord in Ottawa. For Socialists, political expediency ranks above clearness and frankness.

* * *

CANADA POST CORPORATION

REQUEST THAT MEDIATOR BE APPOINTED

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Since the letter carriers' strike began two weeks ago, Mr. Speaker, the general public has been able to watch on television and read in the papers about the great many acts of provocation, confrontation and violence.

Last week, Mr. Speaker, the Canada Post Corporation asked the Government to help end the conflict by appointing a mediator who would be mandated to try to bring the parties back to the negotiating table and end this violence.

Unfortunately, because of a stupid and irresponsible decision of the Minister of Labour (Mr. Cadieux) and the Prime Minister (Mr. Mulroney), the postal conflict continues and violence will continue to exist on the picket lines.

To conclude, Mr. Speaker, I urge all Hon. Members to ask the Prime Minister to review the Minister of Labour's decision and to appoint a mediator to end this conflict.

* * *

OFFICIAL LANGUAGES ACT

IMPROVEMENTS

Mr. Gilles Bernier (Beauce): As Member for Beauce, Mr. Speaker, I am proud today to see that my Government has delivered the goods to the Canadian people concerning the Bill on the official languages. Here are some of the highlights:

—measures to ensure better access to justice in the two official languages;

—ready availability and visibility of bilingual federal services and communications;

—recognition of the right of Canadians to work in their own official language in federal institutions, in accordance with the linguistic responsibilities of those institutions;

—recognition of the principle of full participation of English-speaking and French-speaking Canadians in federal institutions;

—a commitment to enhance the vitality of official language minority communities and to promote the official languages in Canadian society; also

—federal cooperation with the provinces, and the private and voluntary sectors, to provide and extend bilingual services;

—a legislative framework setting out the powers and co-ordinating role of the Secretary of State in promoting official languages and providing support to official language minority communities; and also

—enhancement of the role of the Commissioner of Official Languages;

Mr. Speaker, this is the kind of legislation Canadians could expect from a responsible Mulroney Government.

* * *

• (1410)

[*English*]

INDIAN AFFAIRS

TREATY MONEYS RETURNED TO GOVERNMENT

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, on May 15, 1985, the then Minister of Indian Affairs and Northern Development signed an order finally recognizing as Indian bands six communities of the Nisnawbe-Aski nation; namely, Aroland, Kee-Way-Win, Wawakapewin, New Slate Falls, McDowell Lake and Saugeen.

Today the chiefs of these bands have come to Ottawa to demonstrate publicly their extreme disappointment at the recent cabinet committee decision to deny their communities lands for reserves and to reject their funding requests. To symbolize their total rejection of the Government's breach of Treaties 9 and 5, the chiefs have asked me to return their annual treaty monies to the Government, together with a statement of their deep grievance and hurt.

In fulfilment of and support of that gesture, and with a deep sadness that it is necessary, I will now duly return these treaty monies.

* * *

ENVIRONMENTAL AFFAIRS

ACID RAIN—BENEFICIAL EFFECT OF NATIONAL ENERGY BOARD'S RULING ON ELECTRICITY EXPORTS

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, the decision of the National Energy Board to reject Hydro Quebec's application to sell electricity was well timed for the acid rain committee's visit to Washington, D.C. this week. Some American legislators have charged in the past that Canada wants tough acid rain controls in the United States to shut down U.S. dirty coal plants and open up a larger market for Canadian electricity exports. The ruling of the National Energy Board has helped to put that ludicrous conspiracy theory to rest.

• (1415)

The NEB ruling has implications in Canada too. Increased sales of Hydro Quebec power to Canadian provinces would reduce reliance on coal-fired power plants in Ontario and in the Maritimes thus helping to reduce acid rain pollution. Larger sales of hydro electricity in Canada would reduce pressure for more nuclear power plants now being considered in New Brunswick and Ontario.

Quebec's Energy Minister is to be congratulated for announcing that Quebec hydro-power will be offered to Canadian provinces first. He would best protect the environment and the national interest if Quebec Hydro offers electricity to the provinces at the same price as it offers it to American clients.

[*Translation*]

ACID RAIN

OPPORTUNITY TO INVITE AMERICANS TO PRESSURE THEIR REPRESENTATIVES

Mr. Gabriel Desjardins (Témiscamingue): Mr. Speaker, the Special Committee on Acid Rain has just returned from Washington, where, during two days of intensive sessions, the Committee met with major U.S., environmental groups and with senators and members of the House of Representatives who are involved in the fight against acid rain.

The message brought by our delegation was very clear: Stop polluting us, act on your promises and reduce pollution-causing emissions.

Mr. Speaker, everyone the Committee met insisted that the pressure put by the Prime Minister of Canada (Mr. Mulroney) on the President of the United States was to have encouraging results. In fact, a number of Bills are now on the table, and if any of these were to be passed, it would be a great victory for Canada.

However, much remains to be done, and the Americans gave us a very clear message that our Government and Canadians should continue to put strong pressure on the U.S. Administration.

Mr. Speaker, why do we not take advantage of the summer holidays to urge all the Americans we meet to put pressure on their elected representatives? That is the only way we are going to win.

* * *

[*English*]

ENVIRONMENTAL AFFAIRS

ACID RAIN—CRITICS OF CLEAN COAL TECHNOLOGY AGREEMENT

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, one of the things that the Special Committee on Acid Rain learned while in Washington was that those who were least in favour of the Canadian view that acid rain control legislation should be put in place by the United States Congress are the ones who are most in favour of the agreement signed between the Prime Minister (Mr. Mulroney) and President Reagan with respect to the funding of clean coal technologies. I think this irony should be pointed out to the House and particularly to the Prime Minister.

It is the enemies of acid rain control legislation who are the greatest fans of what the Prime Minister and the President agreed to in April. It is those who are in favour of acid rain control legislation in the United States Congress who are the greatest critics of the clean coal technology program and that which the Prime Minister and the Government are in the habit of lauding.

I would ask the Prime Minister and Members on the government side to rethink the enthusiasm with which they often portray what has been achieved between the Prime Minister and the President and to be willing to go beyond that and be critical of their own agreement so that they can be the real allies of our real allies in the Congress.

ORAL QUESTION PERIOD

[*English*]

CANADA POST CORPORATION

LETTER CARRIERS' STRIKE—REQUEST THAT MEDIATOR BE APPOINTED

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, my question is for the Prime Minister. Canadians want their mail delivered. Instead, the Prime Minister has provoked a strike of the letter carriers and has done nothing to resolve it.

Some Hon. Members: Oh, oh!

Mr. Turner (Vancouver Quadra): Hon. Members might not like the truth, but by limiting the manoeuvrability of Canada Post to negotiate in terms of what it can settle for, he has provoked this strike.

Since the two sides are now talking and since both sides have called for a mediator, will the Prime Minister reverse the decision of the Minister of Labour and appoint a mediator immediately before the crisis and the violence get out of hand?

[*Translation*]

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, as I pointed out last Tuesday, it was decided not to appoint a mediator because the parties had not shown enough flexibility at that time. I am delighted to see that, today, the parties are back to the negotiating table, and I strongly urge them to reach a settlement.

[*English*]

HIRING OF UNEMPLOYED AS STRIKE-BREAKERS

Right Hon. John N. Turner (Leader of the Opposition): That is not sufficient, Mr. Speaker. I would say to the Prime Minister once again that he is playing politics with the Post Office.

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): I warn him he is playing with fire because the Post Office is using the unemployed in an attempt to break the strike. If this matter worsens the Prime Minister will be responsible for what happens.

• (1420)

Will the Government stop taking advantage of and manipulating unemployed workers by using them as strike-breakers, thereby fueling confrontation and the possibility of violence?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the process which has been unfolding over the last 10 days in these labour negotiations is perfectly normal. It is foreseen in the structure. As the conciliation commissioner pointed out in his report, which I commend to the Right Hon. Leader of the Opposition, the Post Office has no alternative but to try to fulfil its social responsibility for delivering the mail. I have asked the Post Office and it has indicated it is trying to avoid situations which lead to violence. It is supervisors and managers who in fact are driving vehicles across picket lines.

I ask the Hon. Member to use the moral suasion he has with other parties to encourage everyone to avoid violence because it serves no one's purpose.

Mr. Turner (Vancouver Quadra): Mr. Speaker, by limiting the mandate of the Post Office the Minister has provoked the strike. By using, manoeuvring and manipulating the unemployed to act as strike-breakers he is increasing the possibility of violence, and it is happening today right in the national capital.

[*Translation*]

REQUEST THAT PRIME MINISTER INTERVENE

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, Canadians are blaming the Prime Minister for this crisis. His Government provoked the crisis. His Government watched it get worse. Could the Minister use his talents as a negotiator so as to guarantee Canadians a summer without violence, without confrontation, without conflict and without interruption of their postal service?

[*English*]

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, the best thing we can do right now, particularly in this House, is to let the parties negotiate at the table because they are the ones who know exactly what is good for them.

HIRING OF STRIKE-BREAKERS

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, my question is directed to the Prime Minister. Voices from ministerial benches may well try to blame violence on the people who are doing the fighting in the streets but they will not fool Canadians who know who is causing the strike-breakers to be hired. Everyone knows that is at the root of the problem.

I am going to try to smoke out the Prime Minister. Maybe he will stand up and answer what I consider basic policy questions. Is it the official policy of his Government to hire strike-breakers to break a legal strike? Is that now the policy in this country?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the Hon. Member talks about a legal strike and it is a legal strike. It is also legal for the Post Office to try to deliver the mail with replacement workers. Both sides have the responsibility to act legally. If the Hon. Member has any evidence that the Post Office is acting illegally, please bring it to my attention and appropriate action will be taken.

In the meantime I remind him, as I reminded his Leader, that the Post Office is fulfilling its social responsibility of trying to deliver the mail. The conciliation commissioner pointed out it has no alternative.

[*Translation*]

EMPLOYMENT OF STRIKE-BREAKERS—GOVERNMENT POSITION

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, all Canadians want the mail to be delivered, but at what price? Are we, as a society, prepared to watch the violence that is taking place and to accept that violence? That is the question Canadians are asking today.

I want to ask the Prime Minister, who refuses to rise, I want to ask him again to do so. After all, there is such a thing as tacit agreement! I want to ask him whether it is his Government's official policy to hire strike-breakers to break a strike that is perfectly legal. Is that this Government's policy?

• (1425)

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I repeat, the Post Office is acting legally and in accordance with the mandate given it by this House and is fulfilling its responsibility.

Mr. Guilbault (Saint-Jacques): So it's the policy.

Mr. Andre: If it is the position of the Liberal Party that the Post Office should cease operations and not try to deliver the mail, let it take that position publicly and defend it.

[*Translation*]

STRIKE—APPOINTMENT OF MEDIATOR—GOVERNMENT POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Prime Minister.

The letter carriers want a mediator. Management wants a mediator. The Canadian public wants service. Why can the Government and the Prime Minister not appoint a mediator right away, to smooth the way towards a settlement?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I do not know how often I will have to repeat this answer. The parties are sitting around the table today and they are negotiating. Let them negotiate.

Oral Questions

[*English*]

PICKET LINE VIOLENCE

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the Prime Minister spoke on this yesterday outside the House. I wish he would show his concern for the issue by answering questions in the House today.

Some Hon. Members: Hear, hear!

Mr. Broadbent: Mr. Speaker, my question is for the Prime Minister. Everyone knows that we have violence on the line because those who are on strike are, understandably, deeply concerned about the potential loss of their jobs to strike-breakers. Since the Post Office has made it clear that it will stop hiring strike-breakers as soon as a mediator is appointed, why does the Prime Minister not get on the phone, appoint a mediator, and end the violence now?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, as I have also indicated before, violence is not part of the collective bargaining process. No party should resort to violence. The parties are at the table right now. Let them negotiate.

Some Hon. Members: Hear, hear!

Mr. Broadbent: Mr. Speaker, while the parties are negotiating violence continues and the Government of Canada does nothing. The people of Canada will notice that.

Some Hon. Members: Hear, hear!

GOVERNMENT POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I will repeat the question to the Prime Minister. The Post Office has said that it will stop hiring strike-breakers as soon as a mediator is appointed. Since the postal workers want a mediator and the public wants service, why is the Government not acting to give us a mediator to get the two sides together?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, the two sides are together. They are at the table negotiating now.

[*Translation*]

REQUEST THAT GOVERNMENT ORDER CORPORATION NOT TO EMPLOY STRIKE-BREAKERS DURING NEGOTIATIONS

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, the Canada Post Corporation is a Crown corporation. If today, the Government and the Prime Minister refuse to answer a question about hiring strike-breakers, it is a signal to Canada Post that from now on, strike-breakers may be hired in a labour dispute.

Is that the Government's policy? The union and the Canada Post Corporation have been meeting since this morning. They have started talking to each other. Is the Prime Minister now prepared to order Canada Post not to hire strike-breakers while discussions are taking place?

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I have already answered that question with regard to the Post Office acting legally. I repeat that I think all Members in the House should fulfil their responsibilities and ask all parties to act legally in this circumstance. The union is putting considerable pressure on Canada Post by these rotating strikes. Management is trying to fulfil its social mandate by delivering the mail. It is an escalation of the economic warfare that is part of the collective bargaining.

• (1430)

In the meantime they are at the table trying to negotiate a settlement. It does no good for the Member to stand up in the House and make wild accusations when he knows everyone on the Post Office side is acting legally.

MINISTER'S POSITION

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, on Monday the Minister responsible for the Post Office said that he was in favour of having a mediator. Why does he not take his responsibility as Minister, if he is in favour of appointing a mediator, and convince his colleagues, the Minister of Labour and the Prime Minister, who said yesterday that a mediator is not needed, to appoint a mediator and maybe avoid some deaths on the picket line?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, the responsibility for appointing or not appointing a mediator is mine. I made my decision last week. I am following the events right now and I am pleased to see the parties at the table, assuming their responsibilities and negotiating. They do not need any disruption from that side of the House right now.

Some Hon. Members: Hear, hear!

REQUEST THAT MINISTER APPOINT MEDIATOR

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, my question is directed to the Minister of Labour. He just said that the parties do not need disruption from this side of the House.

Some Hon. Members: That is right.

Mr. Keeper: Will he acknowledge that the Post Office said it would find a mediator helpful? Why does he choose to substitute his own judgment for those who are at the table? Both the union and the Post Office are saying that a mediator would be helpful. Why substitute your own judgment? Appoint a mediator.

Hon. Pierre H. Cadieux (Minister of Labour): Because it is my responsibility, Mr. Speaker.

Some Hon. Members: Oh, oh!

REQUEST THAT GOVERNMENT APPOINT MEDIATOR

Mr. Cyril Keeper (Winnipeg North Centre): My supplementary question is directed to the same Minister. That is the whole point. The Government is a responsible party in these negotiations.

An Hon. Member: Right on.

Some Hon. Members: Hear, hear!

Mr. Keeper: Will the Government respond responsibly in this situation and appoint a mediator as was called for by both parties? Will it improve the climate for negotiations and appoint a mediator? What possible reason can there be in the present situation for not appointing a mediator?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, the Government, through this Minister, has already acted responsibly because we appointed a conciliator and we have appointed a commissioner. I have taken the decision not to appoint a mediator and the parties are back at the table negotiating.

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[*Translation*]

PUBLIC WORKS

INQUIRY WHETHER PROGRAM TO REDEVELOP LAND AT MIRABEL WILL BE CONFIRMED

Mrs. Lise Bourgault (Argenteuil—Papineau): Mr. Speaker, my question is for the Minister of Public Works or, in his absence, the Parliamentary Secretary.

Pursuant to the draft agreement pertaining to the resale of expropriated land at Mirabel, the federal Government was going to spend $5 million to redevelop this land, and a reassessment of eligibility criteria was to take place one year after the beginning of this program.

I would remind the Parliamentary Secretary that agricultural producers and farmers do not redevelop their land during winter.

Can the Parliamentary Secretary tell us the exact date of the land redevelopment program at Mirabel, Phase III will be confirmed? When?

Mr. Claude Lanthier (Parliamentary Secretary to Minister of Public Works): Mr. Speaker, city dweller at heart though I may be, I do suspect that now is a better time than winter to prepare for cultivation.

However, Mr. Speaker, a technical problem did crop up, but we can tell the House now that this measure will be adopted at the earliest opportunity. In other words, given the dispatch with which the business of the House of Commons is proceeding now, one might say it will take place in the next few days.

[*English*]

TRADE

CANADA-UNITED STATES NEGOTIATIONS—INVESTMENT ISSUE—NEGOTIATOR'S MANDATE

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, my question is addressed to the Prime Minister. I must say that I am first tempted to ask him, in light of the way in which Winnipegers are being good sports in replacing the football team from his home town, whether it means we will get the CF-18 contract back in return.

Some Hon. Members: Oh, oh!

An Hon. Member: You are an easterner now.

Mr. Axworthy: We have to go through these identity crises sometimes.

I will go on to another topic with which I think the Government is badly fumbling at the best of times. It was only the end of May when Ambassador Reisman indicated that in his negotiations with the United States he lacked a mandate to deal with the broad area of investment and therefore could not proceed to negotiate in that area.

Yesterday Mr. Reisman was reported as saying that he is now totally comfortable with his mandate and feels that he is in a position to proceed with those negotiations. Is it the case that the Government has given Ambassador Reisman a broader mandate for negotiating the issue of investment? Does it go beyond the very narrow question of trade related investment to include a much broader range of the kinds of investment priorities we have in this country?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend mentions problems with football in my home town. I want him to know that Baie Comeau is still very much a member of the CFL. We will see you in the Grey Cup.

Some Hon. Members: Oh, oh!

Mr. Mulroney: The mandate given to Ambassador Reisman in this and all other areas is appropriate. I think he exercises it prudently and effectively, with a reporting mechanism to the Minister and Cabinet Committee. We monitor it carefully. Matters progress as I know my hon. friend would want them to do.

Mr. Axworthy: Mr. Speaker, does that mean that Baie Comeau will get a football team in addition to the prison and everything else the Government has to give away?

Some Hon. Members: Oh, oh!

Mr. Axworthy: When is enough, enough, Mr. Prime Minister? When does the stadium come?

Some Hon. Members: Oh, oh!

Oral Questions

SCOPE OF MANDATE

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): The Prime Minister said that Ambassador Reisman has the appropriate mandate. Will he be a little more forthcoming and indicate if that mandate goes beyond what the Minister for International Trade defined as narrowly circumscribed to only trade related investment?

Does Ambassador Reisman now have the right to negotiate investment matters relating to the monitoring function of Investment Canada, investment practices in culture and the financial securities industries? Does Ambassador Reisman now have the right to negotiate what the Americans want him to negotiate?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend was asking about the possibility of a stadium for Baie Comeau. I am going down there next week. I would be happy to say something on behalf of my hon. friend.

Some Hon. Members: Oh, oh!

Mr. Mulroney: With respect to Ambassador Reisman's mandate, the negotiations are progressing. As my hon. friend who has some experience in negotiation realizes, matters of this complexity require appropriate mandates. These are given to Ambassador Reisman, having been fully considered and refined by the Cabinet, so that he can give appropriate responses. That is what is taking place.

My hon. friend would not want me to go beyond that in these circumstances, except to give him the assurance that the Canadian national interest is being fully maintained and defended by Ambassador Reisman's mandate having been given to him by Cabinet.

INQUIRY CONCERNING POSSIBLE CHANGE IN MANDATE

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, when this question last came before the House, the Minister for International Trade said that no change in mandate had taken place. Since the Prime Minister has not provided an answer to this question, will he say whether there has, in fact, been a change in the mandate with respect to investment, which Mr. Reisman is carrying into these free trade negotiations?

• (1440)

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the Right Hon. Prime Minister has answered that question. The Hon. Member would know that a negotiation, and the authority a negotiator receives, are fluid things. The negotiator has, as he has had for some time, the authority to receive recommendations or proposals the Americans might make respecting investment at the table, but any decision as to the response to those proposals the Americans might make rests at this time with the Cabinet.

Mr. Langdon: It may be a question of fluidity. It may be a question of stupidity as well.

MINISTER'S POSITION

Mr. Steven W. Langdon (Essex—Windsor): I want to put to the Minister that there is a pointed and important question here which he should answer. I ask him to give us a clear straight forward answer to the question. Is there a change, which, for instance, would permit a company like Gulf and Western to have a different relationship in terms of takeover than has been the case in the past? Is there a change in the mandate? Answer the question, please, yes or no?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the Minister for International Trade answered that question. As to the preamble of the Hon. Member, I will speak for fluidity, he can speak for stupidity.

Some Hon. Members: Oh, oh!

* * *

TAX REFORM

WHITE PAPER—COMMITTEE CHAIRMAN'S STATEMENTS

Mr. Raymond Garneau (Laval-des-Rapides): My question is directed to the Minister of Finance. It concerns his decision, as reported by the press today, to discipline his colleague, the chairman of the finance committee of this House, who has severely criticized the Government's tax reform package as being "unfair and inequitable" by saying, for example, and I quote the Hon. Member for Mississauga South: "It just seems to me you're really socking it to the middle class". Why should the Minister "shoot the messenger" for telling the truth, rather than making major changes which will bring more fairness to tax reform for the middle class?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I do know whether the chairman of the finance committee looks disciplined. He looks like he has a big smile on his face down there. I think he and I have always been on very good terms and I hope we will always continue to be on very good terms because I admire very much the fine work which is done by the Hon. Member and his committee.

Some Hon. Members: Hear, hear!

Mr. Broadbent: It is not reciprocated.

Some Hon. Members: Oh, oh!

Mr. Wilson (Etobicoke Centre): To get to the point the Hon. Member raises, I have made it very clear that those people who are earning between $30,000 and $50,000 will receive an income tax reduction as a result of tax reform of anywhere between $400, $500 or $600. I think that is a good reduction in tax for these people.

In the second stage of tax reform, when we bring in the federal sales tax, I have indicated there will be further reductions in the income taxes for middle-income people.

[*Translation*]

EQUITY—MINISTER'S POSITION

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, the Minister suggests that his tax reform is fair to the middle classes. In saying so, he is contradicting his colleague from Mississauga South. If, as he suggests, his tax reform is fair to the middle classes, how can he explain that, according to the figures of his own department, in the case of someone over 65 whose entire income is made up of dividends from Canadian companies, such a person will pay $1,000 more in taxes if his income amounts to $40,000, while his taxes will be $40,874 less if he has an income of $1 million? Is it fair for middle-income Canadians that someone with an income of $40,000 in dividends from Canadian companies will pay $1,000 more in taxes while he would be paying $40,000 less if he had an income of $1 million? Where is the equity in this?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the Hon. Member can play around with figures all he wants—

Mr. Garneau: Look at the figures.

Mr. Wilson (Etobicoke Centre): —but the facts of the matter are that eight out of 10 Canadians are going to be better off after tax reform. They will be paying less income tax. Nine out of 10 senior citizens will be paying less income tax after tax reform. After tax reform 850,000 Canadians will not be paying any tax whereas they are now.

These are the fundamental differences that we have proposed in tax reform that deal with many of the problems that are there in the tax system. Corporations will be paying $5 billion more income tax after tax reform. The people in upper-income brackets, corporations which have been taking full advantage of tax preferences, will pay more.

SALES TAX PROPOSALS—QUERY CONCERNING APPLICATION TO FOOD

Mr. Simon de Jong (Regina East): Mr. Speaker, my question is also directed to the Minister of Finance. On May 28 my colleague, the Hon. Member for Ottawa Centre, asked the Government a very simple question. He asked if the Finance Minister intended to impose a national sales tax on food. The Minister of State for Finance assured my colleague that he and the country would get an unequivocal answer on June 18. That day has come and gone and Canadians are still waiting for an honest and frank answer to that important question.

When will the Minister of Finance finally assure Canadians that there will never be a national sales tax on food?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I answered that question in the House, I believe to the Hon. Member who is just making a—no, I had better not say it. I did respond to that question to the Hon. Member. I said there is nothing in the tax reform White Paper that calls for a tax on food.

MINISTER'S POSITION

Mr. Simon de Jong (Regina East): Mr. Speaker, the Minister has told the House and Canadians that the White Paper does not include a tax on food. What it does do, and he cannot deny this, is make a clear case for a tax on food.

Some Hon. Members: Oh, oh!

Mr. de Jong: This Minister, Mr. Speaker, had an option. He could have simply said that food was exempt from a national sales tax, whatever its form. Why did he not have the courage and guts to tell Canadians that there never will be a tax on food?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I do not think I have to answer to the Hon. Member about whether or not I have guts or courage.

Some Hon. Members: Hear, hear!

FILM INDUSTRY—CAPITAL COST ALLOWANCE

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, Canadians would like to have a chance to watch, listen to and see their own authors, their stories and themselves reflected on their TV screens and in the movie theatres. After a slow start we now have a young and dynamic budding Canadian film industry which is producing exciting options at the corner movie theatre and in the video stores.

At this critical time and juncture in the Canadian movie and TV series development, at a time when we are on the verge of developing an internationally famous and recognized film industry, why has the Minister nipped it in the bud by imposing dramatic cuts from 100 per cent to 30 per cent on the capital cost allowance for this industry? How does the Minister expect film producers to go out and find the risk capital they need to produce the kind of films which are making us very important persons in this whole industry?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think I should make it clear to the Hon. Member that there are two elements of tax reform as it relates to films. There is a tax benefit being given to the film industry by the increase from 50 per cent to 100 per cent of the capital cost allowance against film income.

• (1450)

There is another element of tax reform. We have restricted the application of losses from the capital cost allowance against other forms of income. It is consistent with the over-all policy of tax reform to reduce or restrict the number of tax shelters.

My colleague, the Minister of Communications and I, and my officials met with representatives of the industry in recent days. We are explaining to them what we are trying to achieve through tax reform. They are telling us their point of view as well. Those conversations are continuing.

CONSULTATIONS WITH INDUSTRY

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, that is not how the film industry hears the Minister. What it hears is a drastic, dramatic epic disaster.

I would like to understand something—

Some Hon. Members: Oh, oh!

Mrs. Finestone: When will the Government stop sending out contradictory signals to the film industry? Only last winter the Minister of Communications wrapped herself in a Canadian cultural flag and developed a film distribution policy. The Minister of Finance is now sending out an entirely different story. He will cut potential risk capital which is needed to develop the industry.

Mr. Speaker: Perhaps the Hon. Member could conclude her question.

Mrs. Finestone: Thank you, Mr. Speaker. Does the Minister realize the devastating effect his capital cost allowance policy will have? Will he delay the implication or the application until he has had a chance to consult with the industry?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, we are consulting with the industry now, as I indicated to the Hon. Member. In addition to that, there are grandfathering provisions that provide for the continuation of activity. That is in the mill right now.

As I have indicated, the intention of the White Paper is not to do the things that the Hon. Member's rhetoric would suggest we are doing to the film industry. If she thinks further about what we are saying in the paper, by allowing a 100 per cent deduction of the capital cost allowance—

Mrs. Finestone: There is no incentive.

Mr. Wilson (Etobicoke Centre): —without the half-year rule, there is an incentive to investors to build a portfolio of film investments and thus provide a continuity of investment capital to the film industry so that it can plan to a greater extent into the future.

NORTH ATLANTIC TREATY ORGANIZATION

WITHDRAWAL OF CANADIAN COMMITMENT TO DEFENCE OF NORTHERN NORWAY

Mr. Bob Hicks (Scarborough East): Mr. Speaker, my question is for the Minister of National Defence. It involves the withdrawal of our CAST commitment to northern Norway.

I met recently with our NATO colleagues, in particular our Norwegian friends, who are naturally still apprehensive. Will the Minister clarify for the House the timing of the actual beginning of the withdrawal of the commitment? More important, can he assure the House that adequate defence alternate provisions will be put into place for northern Norway before the beginning of our withdrawal takes place?

Hon. Perrin Beatty (Minister of National Defence): Mr. Speaker, NATO has given to Canada its consent for the shifting of our commitments in north Norway to the central theatre in Germany. It is our intention to shift the commitment to send two rapid reinforcement fighter squadrons to north Norway, to shift that to the central theatre next year when the CF-18s become available. It does not make sense for us to build new facilities in Norway for them and then shift them within a few months.

In the case of the CAST commitment, that would not happen before 1989. NATO has appointed a committee to make recommendations on who would replace us by the end of this year. That should give plenty of time for a smooth transition.

* * *

THE CONSTITUTION

EQUALITY RIGHTS

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, my question is for the Prime Minister. The Meech Lake Accord has accomplished much in that it has brought Quebec into the constitutional agreement. I hope that the Prime Minister will agree with me that there is much yet to be done, particularly with respect to those Canadians whose forbears were neither British nor French.

Does the Prime Minister think that a Constitution in which the equality rights in Section 15, the section which accords equality rights to all Canadians regardless of race or national origin, and is subject to the override as it presently is in Section 33 of the Charter, is adequate for all Canadians?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I do not accept the premise of the Hon. Member's question. I think that the Constitution of our country is quite clear, as reiterated most eloquently last week by the Prime Minister. In the Meech Lake Accord there is a reaffirmation with respect to that very important part of

our community that consists of people who are neither of English nor French background.

I cannot think of any Government which is more committed to equality than this Government, which has demonstrated that with a new spirit of co-operation between the provinces, between all peoples in the country, as manifested by the Meech Lake Accord.

REQUEST FOR AMENDMENT

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, my supplementary question is for the Prime Minister. It is simply this. Will the Prime Minister take the initiative in future constitutional negotiations to see that the equality rights in Section 15 are removed from the notwithstanding clause, Section 33, as was done with women's equality rights during the constitutional discussions in 1982?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, any representations for improvement that my friend would like to make in regard to the Constitution are very helpful.

The First Ministers indicated that after the agreement on Meech Lake there would be a second constitutional round. Indeed, I suppose constitutional rounds will go on for some time. The First Ministers and parliamentarians can meet to consider the suggestion of my hon. friend and others designed to improve the Constitution.

The fact that the First Ministers specifically met pursuant to an agreement in Edmonton to deal with the issue of trying to get Quebec back into the Constitution, which I think is a pretty noble objective in itself, does not preclude consideration of other matters in the future.

As other constitutions are amended, for example south of the border, from time to time, I suppose that there will be improvements brought in the future to our Constitution designed and based on the premise of equality, tolerance, and fairness for all citizens. But I think my hon. friend will agree that the objective of bringing Quebec back into the Constitution was one that warranted the attention of all First Ministers. This was done without in any way doing anything other than enhance the multicultural contribution to Canada.

* * *

[*Translation*]

QUEBEC GAMES

REQUEST FOR SLEEPING ACCOMMODATION FOR ATHLETES

Mr. Guy St. Julien (Abitibi): Mr. Speaker, my question is for the Minister of National Health and Welfare. For several years, the government of Canada has been lending beds to the Quebec Games Corporation for Quebec athletes during the provincial games. This summer, the Quebec Games will be held in Val-d'Or from August 7th to 16th. My question is this: Can the Minister tell us today whether or not young Quebecers will have beds for these events? The Quebec Games Corporation and the Val-d'Or organizing committees are anxiously awaiting the Minister's decision.

[*English*]

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, I want to thank the Hon. Member for his question. I want to say to the Hon. Member, who has worked very hard at hosting the Junior Games in Quebec and in his home community of Val d'Or, that the Government of Canada has put together a package whereby the requests that he has put forward on behalf of the games for Quebec and for his home community can be met. I am pleased to be able to confirm that in the House today.

Some Hon. Members: Hear, hear!

* * *

THE CONSTITUTION

1987 CONSTITUTIONAL ACCORD

Hon. Bob Kaplan (York Centre): Mr. Speaker, I wish to return to the Prime Minister on a line of questioning raised by the Hon. Member for Windsor—Walkerville. Granted the primordial importance of bringing Quebec into the constitutional process and granted also the desirability that there be future rounds of constitutional evolution, the question which was asked and which I want to repeat is about this round of evolution, the Meech Lake Accord which is now being presented to Parliament and to the legislatures.

• (1500)

I would ask the Prime Minister precisely what his attitude is toward amendments that are brought forward.

This Party will be bringing forward amendments. The Canadian people will be appearing before a joint parliamentary committee and a committee of the Senate. Ideas will be brought forward.

I think it is important, Mr. Speaker, for the Prime Minister to indicate that this is a welcomed process and that the door is not shut now on this round for additional improvements to the Accord.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I think my hon. friend from the NDP was asking questions in regard to future constitutional rounds, subsequent rounds, as opposed to the consideration that will be given, shortly, to the Meech Lake Accord.

An Hon. Member: No.

Mr. Mulroney: I understood that to be the question.

With respect to the Meech Lake Accord, I have responded in regard to my undertaking as Prime Minister of Canada to bring forward that document for consideration by Parliament.

The Premiers of all of the provinces undertook to do exactly the same thing.

The Premier of Quebec brought it forward in the National Assembly and it has been ratified by the National Assembly of Quebec. I suppose it will be by other provinces as well.

In my judgment the document is capable, I believe—because it is a good document, one that is good for Canada—of being ratified by Parliament, and I so recommend. But there will be a committee of the House that will consider this matter and make its own judgment. I give you my judgment in regard to a fundamental document that I believe is good for Canada.

Some Hon. Members: Hear, hear!

[*Translation*]

AMENDMENTS TO IMPROVE MEECH LAKE ACCORD—GOVERNMENT POSITION

Hon. Bob Kaplan (York-Centre): Mr. Speaker, this is only about the terms of the existing Accord. We shall have a large majority in the Senate while the Conservatives have a majority in the Commons. Will the Government accept amendments which could improve the Accord or keep strictly to the existing terms of the Accord, without any possibility of amendment? This party would prefer the Government to keep an open mind as concerns amendments which could improve the Accord.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, is it the position of the Liberal Party of Canada that the Meech Lake Accord is flawed right from the start and requires amendments? If such is the case, you should have warned the Quebec Premier, who has agreed to the existing document. As for me, I have already expressed my opinion. If any Member of Parliament has questions to ask, whether he be a Conservative, a Liberal or a New Democrat, I imagine that he will ask these questions at the proper moment. I cannot answer for the committee. I am answering only for myself. I have given my views and made the same commitment as all the Premiers as concerns their own legislatures. My own commitment is to the House of Commons and I shall try to keep it.

[*English*]

Mr. Speaker: I regret to advise Hon. Members that it is after three o'clock. I should bring to the attention of the House that there will, shortly, be a vote on the deferred division. Before that, I would ask the Hon. Member for Windsor West (Mr. Gray) whether he wishes to rise now to put the usual "Thursday afternoon" question.

Mr. Gray (Windsor West): Mr. Speaker, again I have to obey your summons to rise, as I did this morning when the House was discussing a point of order.

I know that we are going to have our weekly House Leaders' meeting today, yesterday having been the *Fête de la Saint-Jean Baptiste*, and it will not be until 4.30 this afternoon.

I am delighted to ask the Government House Leader the usual question on House business, but it may be that I will have to have the indulgence of the occupant of the Chair to ask the question again later in the day.

Mr. Speaker: I thank the Hon. Member for Windsor West (Mr. Gray). It would seem that some further discussions must take place.

Mr. Benjamin: A point of order, Mr. Speaker.

Mr. Speaker: The Hon. Member for Regina West (Mr. Benjamin) on a point of order.

* * *

MEMBERS OF PARLIAMENT

NINETEENTH ANNIVERSARY OF ELECTION OF CLASS OF '68

Mr. Les Benjamin (Regina West): Mr. Speaker, before we proceed to the deferred division, I have a point of order to raise that will be of interest to the Prime Minister (Mr. Mulroney) as it concerns, among others, his desk mate. It concerns, as well, the following Hon. Members; for Oshawa (Mr. Broadbent), Yorkton—Melville (Mr. Nystrom), Vegreville (Mr. Mazankowski), Joliette (Mr. La Salle), Papineau (Mr. Ouellet), Saint-Jacques (Mr. Guilbault), Davenport (Mr. Caccia), Cochrane—Superior (Mr. Penner), Algoma (Mr. Foster), Edmonton North (Mr. Paproski), and myself, the Hon. Member for Regina West. It has to do with the nineteenth birthday of the survivors of the Class of '68, plus one recidivist, the Hon. Member for York Centre (Mr. Kaplan), who is a repeater.

I thought I would draw that to the attention of the House. We are all only 19 years old today.

Some Hon. Members: Hear, hear!

GOVERNMENT ORDERS

[*English*]

MOTOR VEHICLE TRANSPORT ACT, 1987

MEASURE TO ENACT

The House resumed from Tuesday, June 23, consideration of the motion of Mr. Crosbie that Bill C-19, an Act respecting motor vehicle transport by extra-provincial undertakings, be read the third time and passed.

Mr. Speaker: It being 3 p.m. pursuant to order made Tuesday, June 23, 1987, the House will now proceed to the

taking of the deferred division on the motion of the Minister of Transport (Mr. Crosbie):

Call in the Members.

The House divided on the motion (Mr. Crosbie), which was agreed to on the following division:

● (1510)

(*Division No. 219*)

YEAS

Members

Andre
Attewell
Beatty
Belsher
Bernier
Binns
Bissonnette
Blackburn (Jonquière)
Blais
Blais-Grenier
Blenkarn
Blouin
Bouchard
Boyer
Bradley
Brightwell
Brisco
Browes
Cadieux
Caldwell
Clark (Yellowhead)
Clifford
Clinch
Collins
Cooper
Corbett
Cossitt
Côté (Lac-Saint-Jean)
Crofton
Crouse
Darling
Desjardins
Desrosiers
Duguay
Ellis
Epp (Provencher)
Fennell
Ferland
Fontaine
Fraleigh
Friesen
Gagnon
Gérin
Gervais
Girard
Gormley
Gottselig
Graham
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Hamelin
Hamilton
Hawkes
Hees
Hicks
Holtmann
Horner
Howie
Jacques
James
Jepson
Joncas
Jourdenais
Kelleher
Kempling
Kindy
Lanthier
Layton
Leblanc
Lesick
Lewis
MacDonald (Kingston and the Islands)
MacDougall (Timiskaming)
Malone
Mantha
Marin
Martin
Mayer
Mazankowski
McCain
McCrossan
McCuish
McDermid
McDougall (St. Paul's)
McKinnon
McKnight
Minaker
Mitges
Nicholson (Niagara Falls)
Nickerson
Nowlan
Oostrom
Pennock
Peterson
Pietz
Plamondon
Plourde
Porter
Price
Ravis
Redway
Reid
Reimer
Roman
St. Germain
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scowen
Sparrow
Speyer
Stackhouse
Stevens
Tardif (Charlesbourg)
Taylor
Thacker
Tremblay (Québec-Est)
Turner (Ottawa—Carleton)
Van De Walle
Vézina
Vincent
Warner
Weiner
Wenman
Wilson (Swift Current—Maple Creek)
Winegard
Wise—127

NAYS

Members

Allmand
Althouse
Angus
Baker
Benjamin
Blackburn (Brant)
Blaikie
Boudria
Broadbent
Caccia
Cassidy
de Corneille
de Jong
Dingwall
Epp (Thunder Bay—Nipigon)
Finestone
Foster
Frith
Fulton
Gagliano
Gauthier
Gray (Windsor West)
Grondin
Guilbault (Saint-Jacques)
Heap
Hopkins
Hovdebo
Jewett
Kaplan
Langdon
MacLellan
Malépart
Manly
Marchi
McCurdy
McDonald (Broadview—Greenwood)
Mitchell
Nicholson (Trinity)
Nunziata
Nystrom
Ouellet
Parry
Penner
Pépin
Prud'homme
Riis
Rodriguez
Rossi
Turner (Vancouver Quadra)
Waddell
Young—51

● (1530)

Mr. Deputy Speaker: I declare the motion carried.

Bill read the third time and passed.

* * *

[*Translation*]

CAPITAL PUNISHMENT

ESTABLISHMENT OF SPECIAL COMMITTEE ON REINSTATEMENT

The House resumed consideration of the motion of Mr. Mazankowski:

That this House supports, in principle, the reinstatement of capital punishment and directs that a special committee on reinstatement, composed of 15 members, be established, hold hearings and make its final report to the House no later than three (3) months following the adoption of this motion, such report to provide recommendations on:

(a) which offence or offences should carry the death penalty, and in what circumstances;

(b) which method or methods should be used to carry out the penalty of death, and in what circumstances;

That, pursuant to Standing Order 107(1), this special committee be hereby appointed as a committee to prepare and bring in a bill no later than three months following the adoption of this motion, founded on the committee's recommendation on (a) and (b) above; such a bill shall be the object of a separate and distinct report of the special committee, and such a report shall be its final report;

That such bill, when reported from such special committee to the House, be deemed pursuant to Standing Order 107(1) to have been introduced and stand on the Order Paper, in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business", and that, when the said bill has been read a second time, it shall stand referred to a Legislative Committee;

That the Striking Committee be empowered to name the Members of the special committee, provided that once the Striking Committee report is laid upon the Table, it shall be deemed concurred in;

That the special committee have the power to sit while the House is sitting and during periods when the House stands adjourned;

That the special committee be empowered to report from time to time and send for persons and papers, and to print such papers and evidence from time to time as may be ordered by the committee and to retain the services of expert, technical, professional and clerical staff;

That the special committee be empowered to adjourn from place to place inside Canada and that, when deemed necessary, the appropriate staff accompany the committee;

That a quorum of the special committee be eight (8) members from any vote, resolution or other decision; and that the chairman be authorized to hold meeting to receive evidence and authorize the printing thereof whenever six (6) members are present;

That any substitution of membership on the special committee be made pursuant to Standing Order 94(4); and

That, notwithstanding the usual practices of this House, if the House is not sitting when the special committee is ready to issue its final report and the said bill, the special committee shall present its report and the bill to the House by filing them with the Clerk of the House provided that the report shall then be deemed to have been laid upon the Table, and the bill shall then be deemed, pursuant to Standing Order 107(1), to have been introduced at the first sitting of the House thereafter and to stand on the Order Paper in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business".

And on the amendment of Mr. Nystrom (p. 7307).

Mr. Gabriel Desjardins (Témiscamingue): Mr. Speaker, thank you for giving me this opportunity to finish the speech on capital punishment I started this morning. Since taking up where I left off a little before 1 p.m. requires some introduction, I would like to recall some points I made this morning in connection with the debate on the death penalty.

Mr. Speaker, we on this side of the House were criticized by the opposition Parties for actually bringing this debate before Parliament. This morning I pointed out that we did so because we, as a Party, want to keep our promises. I said this morning that during the 1984 election campaign, the Progressive Conservative Party made certain commitments regarding national reconciliation, reducing the deficit and bringing about economic renewal in this country, all of which have now been met. The Progressive Conservative Party also made a commitment to hold a free vote on the important issue of reinstating capital punishment in this country, and that is what we are doing today.

An Hon. Member: It takes guts.

Mr. Desjardins: Yes, Mr. Speaker, it takes a lot of guts to have this kind of debate. But we are doing it because Canadian public opinion has shown an interest and wants Parliament to review the question of capital punishment in this House from time to time.

I also said, Mr. Speaker, that if we listened to the kind of speeches being made in this House, it was only among members of the Progressive Conservative Party that we heard the true expression of democracy in this country, a true expression of Canadian public opinion. As the House is aware, Canadian public opinion is extremely divided on the issue of capital punishment. Proponents are to be found on both sides of the House. The point I am trying to make is that the Progressive Conservative Party in Canada was able to express this plurality of views in this country, while it seems opposition Parties have practically adopted a party line approach. The majority there is against capital punishment. Not so within our own Party, where those who are in favour and those who are against are more or less evenly divided.

Nevertheless, Mr. Speaker, I think it is important to say in the House that the Member for Témiscamingue is firmly opposed to the reinstatement of capital punishment in this country.

During the few minutes I have left, I would like to explain why the Member speaking to you now is against the death penalty.

Mr. Speaker, even before I became a Member of this House, the issue of capital punishment was already a subject of some concern to me as a citizen. Upon reflection, I realized that my moral principles were such that I could not let the State have power over life and death in this country.

When I was elected a Member of Parliament and the issue was again brought to my attention, there was also the issue of who I was representing. As a Member, I had to decide whether, in voting on a matter of this importance which had such moral repercussions, I should vote according to my conscience, my principles and my judgment or whether I should merely reflect the views of my constituents and reproduce these like a robot in this House.

Mr. Speaker, the Hon. Member for Témiscamingue did not take this approach. As a Member I thought it was a major responsibility to meet with my constituents and discuss this very important issue with them.

Mr. Speaker, the fact is that, like many of my House colleagues who have expressed their views, I consulted widely with various groups in my own riding. Such exchanges proved to be fruitful of course, not always easy but always in a spirit of friendship and respect for the opinions of others.

Mr. Speaker, I can tell you that when I first began to talk it over with my constituents it became quite clear that those groups including a majority of people over 50 were definitely and instinctively in favour of capital punishment.

As their Member of Parliament having ready access to certain information and perhaps certain data as well, I had to sit down with them and exchange views in a clear and enlightened manner, without twisting arms, simply a free and open discussion.

Mr. Speaker, you know that as Members we have access to a tool called householders. I sent a householder last February to survey my constituents. Their replies were sent to my office and I can give you the percentages of people for, against and undecided.

In February 1987, in the riding of Témiscamingue, there were 417 people in favour of the death penalty, 616 against, and there were 64 undecided.

Mr. Speaker, in February 1987 the majority in my riding voted against capital punishment.

But what pleased me most, Mr. Speaker, is that older people who at first were reluctant and instictively in favour of restoring the death penalty let me know a few weeks ago,

through a resolution adopted by most golden age clubs in my riding, that they had changed their position and were now against capital punishment in this country. Their resolution really pleased me.

Three weeks ago in Rouyn-Noranda, I met with 500 of these people from senior citizens' clubs of my own constituency, and when I told them that I would reflect their own stand against reinstatement of the death penalty in Canada, they gave me a standing ovation.

Mr. Speaker, this means that the more people talk about the death penalty, the more they are against its reinstatement, and the more people think about it, the more convinced they are that the death penalty is not an answer to the crime rate in this country.

When I was consulting various people, I certainly heard all the classic arguments in favour of reinstating the death penalty in this country. The one we hear most often concerns the deterrent effect. This is the argument which the supporters of reinstatement use most often: the deterrent effect.

The second argument we hear, Mr. Speaker, is that the state should react to certain crimes in a spirit of retribution. A third argument which we often hear is the economic argument.

• (1540)

I would like to examine each of these arguments and explain why it is difficult to find them convincing in 1987, in such a civilized and modern country as Canada.

It seems immoral to me to demand retribution for any crime committed in Canada. This is only applying the old law of an eye for an eye, and I find it unacceptable in principle, in a country which has the greatest Charter of Rights and Freedoms and which recognizes the basic right to life, that we should go back to the past and consider reinstating the death penalty.

As for the deterrence factor, I would like to refer to the comments made by the Chief of Police of the Urban Community of Montreal on April 5, 1987. I think that the views of such a man should be taken into account. Mr. Bourget, the Chief of Police of the UCM said on April 5, 1987: "I find it inhuman to keep people in prison for five or six years waiting to be executed." A bit farther in the same article, we find this: "After some 30 years of police work, the UCM Chief of Police, Mr. Roland Bourget, remains opposed to reinstatement of the death penalty."

Mr. Rossi: He is not alone.

Mr. Desjardins: Mr. Speaker, this is an opinion which should be taken into account in this debate. Still in the same article, we find this: "Contrary to the majority opinion shown by polls carried out in the general public and especially in police forces, Mr. Bourget does not believe that this extreme measure can reduce the number of murders, and even less the general crime rate. His readings, observations and especially his many years with the police lead him to believe that the death penalty will not have any deterrent effect as 70 per cent of murders are committed on impulse by ordinary citizens."

In my opinion, Mr. Speaker, this is an important argument against the deterrence factor.

As far as the economics of the question is concerned, we have often been told that keeping a prisoner or a criminal in prison costs the State between $60,000 and $65,000. That may be. But what price should we put on the entire process, on the various avenues that would be open to someone who has been convicted of a capital offence? According to some figures, the total would be nearly one million dollars, and this includes the endless process of appeals and recourse to which a criminal sentenced to be hanged or to any other death penalty is entitled. When we talk about the economics of the issue, I think this is a red herring. And I would like to expand on this, Mr. Speaker, because in my own riding as in the rest of the province, we have institutions for the chronically-ill and institutions for psychiatric patients. How much do these people cost the province and the country in terms of social costs? Enormous amounts are involved. Should we get rid of these people because they cost too much? I think the economic argument does not hold water and that it is an argument we must reject outright.

Mr. Speaker, although this particular Member is against capital punishment, I still think the Canadian people should be better protected against crime and real criminals. And in this connection, I would like to recall that we had a royal commission of inquiry that, a few months ago, produced a very thick report on sentence reform.

Are you telling me I have about one minute left, Mr. Speaker?

So what I wanted to say is, we should review the Criminal Code and have far stricter sentences for the truly unscrupulous criminal.

In concluding, I would like to say a few words to the undecided. I would advise the undecided to vote against restoring capital punishment because there is always a possibility that an innocent man might be executed. The dead cannot be resurrected, Mr. Speaker. And I would not want to live with that on my conscience for the rest of my days. It constitutes an irrepairable injustice and this is why I urge the undecided, if they are really undecided, to vote against reinstating capital punishment.

Mr. Rossi: Mr. Speaker, I want to congratulate the Hon. Member for Témiscamingue (Mr. Desjardins) for his eloquent speech. During his remarks I noticed that he wanted—and I would certainly have given more time—to refer to sentence reform, so I commend him for that, perhaps he had in mind more severe sentences! Well, I might tell the Hon. Member for Témiscamingue that by more severe sentences we should mean sentences served in full. Do you mean to say . . . with respect to

more severe sentences I would refer to the word "rehabilitation" which is, in my humble opinion, a joke in some cases. When you say more severe sentences, do you mean sentences which should be maintained, like when a judge tells the accused: For a hold-up you must stay in 10 years. Instead of 10 years, the guy is out on the street after three years. Is that what you mean?

Mr. Desjardins: Mr. Speaker, let me thank the Hon. Member for Bourassa (Mr. Rossi) for his questions. I take this opportunity to tell him how much I appreciated his contribution. He admits he voted for capital punishment in 1976, but that in this debate he is against the death penalty, an opinion which I think he has expressed many times here.

In answer to his question, the royal inquiry commission recommended that a criminal convicted of first degree murder and sentenced to 25 years in prison cannot apply for parole before serving at least two-thirds of his time, that is at least 15 years before filing an application with the National Parole Board. I believe that this would be a major improvement since it is now very easy for criminals to be put on parole. After serving one third of his sentence, a criminal is eligible for parole. What the royal commission recommended was that a criminal sentenced to life imprisonment, that is to 25 years in prison, would have to spend at least 15 years in prison before becoming eligible for parole. As for rehabilitation in the penal system, I would like to tell the Hon. Member for Bourassa that I am convinced that a criminal remains a human being and is entitled to receive training in prison, to learn a trade, to prepare him for the day when he will be asked to rejoin society. However, I also believe that keeping certain types of criminals in prison for at least 15 years is a form of protection which Canadian society wants and to which it is entitled.

Mr. Ferland: Mr. Speaker, I also want to congratulate my colleague from Temiscamingue (Mr. Desjardins) for his very courageous stand in this debate. I would like to know whether he has read carefully the motion under consideration on which we shall be voting. This motion says:

> That this House supports, in principle, the reinstatement of capital punishment and directs that a special committee on reinstatement, composed of 15 members, be established, hold hearings and make its final report to the House no later than three (3) months following the adoption of this motion, such report to provide recommendations on:
>
> (*a*) which offence or offences should carry the death penalty, and in what circumstances;
>
> (*b*) which method or methods should be used to carry out the penalty of death, and in what circumstances;

As an abolitionist like myself, I would like to know what his feelings would be sitting on a 15 member committee responsible for choosing the type of sentence or the type of execution which should be used and under which circumstances it would apply. Does he not feel that this fifteen member committee will represent only one side of the issue, namely those who favour reinstatement of the death penalty?

Mr. Desjardins: Mr. Speaker, as I did earlier for the Hon. Member for Bourassa (Mr. Rossi), I would like to take this opportunity to congratulate the Hon. Member for Portneuf (Mr. Ferland) because I know he took part in this debate, that he is on the abolitionists' side and that he made a remarkable speech in this House.

Mr. Speaker, as far as the plumbing, mechanics and setting up of this committee are concerned, all I can say is, I find this extremely repugnant and I will have no part of it. I would never agree to sit on a committee that had the task of listing the various actions that can lead to the death penalty and the actual machine that will kill someone.

Mr. Speaker, the Member for Témiscamingue would of course refuse to sit on such a committee, and as far as I am concerned, I do not think we will need the plumbing.

• (1550)

[*English*]

Mr. Nunziata: Mr. Speaker, I too would like to take this opportunity to commend the Hon. Member for his speech and for the position he has taken on this very important issue facing the House. As he knows, the Government intends to invoke closure on this debate. As he probably knows as well, I share his views but I may not have the opportunity to present my views to the House of Commons because of his Government's decision to invoke closure, thereby precluding some Members who wish to speak on this very important issue from having the opportunity to do so.

What are the Hon. Member's thoughts on the Government's intention to invoke closure? Does he consider it appropriate that in the circumstances of dealing with probably the most important issue facing this Parliament there are those of us duly elected Members of Parliament who will not have the opportunity to express our point of view?

[*Translation*]

Mr. Desjardins: Mr. Speaker, I want to thank the Hon. Member for his question. I may remind him that a few months ago, the British Parliament dealt with a debate on the same issue in five hours, and they had a very intelligent vote on this issue, a vote in which the majority rejected reinstatement of the death penalty.

As far as this Parliament is concerned, we have been debating the subject for more than 50 hours, if I am not mistaken. I think that in 50 hours, every Member of this House has been able to make up his or her own mind about reinstating or not reinstating the death penalty in this country. Personally, I have nothing against having a vote at 6 p.m. this evening or at some time in the next few days, because I believe that most of the Members of this House have now made up their minds and that Members will be able to express their positions when they rise to vote.

It would not bother me in the slightest if we had a motion of closure, because I feel that since we have been debating this

issue in the House for more than 50 hours, the minds of Hon. Members must be made up by this time.

Mr. Rossi: Mr. Speaker, again I should like to ask the Hon. Member for Témiscamingue (Mr. Desjardins), after the question of my colleague . . . it is because we are debating an issue relating to human life. As I see it, human life is just about the most important consideration on our mind and conscience. But we are debating capital punishment, and I listened very attentively to the remarks of the Hon. Member for Portneuf (Mr. Ferland). Let me tell you that I congratulated him publicly, again I do so, and I urge you to read his remarks again because he has touched on all points which probably lead a young man to become a killer. And this is where we must act, not when a man gets to the point where society has made him a killer.

In his remarks the Hon. Member for Portneuf mentioned the young man who goes before the courts and who should be given a chance. Nobody cares about this young man, so finally the judge tells him: I sentence you to two years in jail. And so he goes to the university of crime.

This is the point I stress because during my career as a policeman—I was a lieutenant detective in charge of armed robberies, in charge of murders, I saw gunfire, I had to live with criminals—I always say that is where the young man must be seen. You will tell me that we are debating capital punishment. But when we are debating tax reform, when we are talking about rehabilitation I would like to have your views. You will tell me it has nothing to do with the death penalty. But as the Hon. Member for Portneuf so ably put it—I greatly appreciated his speech, he spoke like an expert—should we not, as members of society, act right then instead of waiting until he becomes a killer? I too believe that perhaps most Canadians would change their mind. If a man sentenced to ten years is not on the street after two or three years, because we must not forget the word "rehabilitation", when the prisoner is released they tell him: You had been given 10 years. You are out after three years but if you are caught committing another crime you will have to serve the rest of those 10 years, plus whatever time you get for the second crime. So is that not what we certainly want to correct, is that not what we as Members of this House want to show the people of Canada, that we want the sentences to be served in full, that when we talk about rehabilitation we mean investing money to rehabilitate juvenile delinquents?

Mr. Desjardins: Mr. Speaker, I want to thank the Hon. Member for Bourassa (Mr. Rossi) once again for his comments. I think that this debate is particularly useful, in that it gives Canadians a chance to know the views of every Member of this House and this Government.

Of course, what we want, as I said earlier, is to ensure that unscrupulous criminals remain incarcerated as long as possible and that people who shouldn't be in prison at all are released. In fact I think the Hon. Member for Portneuf (Mr. Ferland) said as much in his speech. Prison should not be used for minor offences. It costs money. Prisons should exist only to punish serious offences.

The Hon. Member made some reference to the time that would be allowed for this debate. I think that speeches like the one made by the Hon. Member for Portneuf, and of course we must not forget that the speeches made by the party leaders were learned discourses, and I include the speech made by the Right Hon. Prime Minister (Mr. Mulroney). The speeches by the opposition Leaders were excellent. I think that we have now touched all bases and that Hon. Members should now be able to say they are for or against this issue. I think we have had a healthy debate and that it was good for this country. But personally, I would be ready to vote. And I think most of my colleagues will be ready as well, because the debate was an open one, addressing most of the issues.

[*English*]

Hon. Bob Kaplan (York Centre): Mr. Speaker, we are not often called upon to debate a fundamental question of life and death. The question of the restoration of capital punishment is exactly that question. This House will be deciding whether there are circumstances in which the state is justified, in the criminal justice system, in taking a human life.

I want to disagree strongly with the Hon. Member for Témiscamingue (Mr. Desjardins) who has just indicated that he believes 50 hours of debate is enough and that all Members who would want to speak should have done so within 50 hours. We on our side know that that is not the case. We have a very long list. Ministers have made three attempts now to prevent all Members who want to speak from doing so. We seem to be in a hiatus now between their plots of one kind and another to bring this debate to a close.

If the Hon. Member favours abolition, I urge him to support the continuation of this debate as long as possible because the effect of it seems to be to encourage a number of Members who thought otherwise to have second thoughts and begin to see that capital punishment is not the solution which many believe it is.

Having said that, Mr. Speaker, you may find it ironic that the Member for York Centre, that is myself, am what I like to call an abolitionist, but an abolitionist with one exception in which I feel that capital punishment is justified. I hope in my remarks today to be able to indicate the circumstances in which I support capital punishment. They are exactly the same circumstances in which I supported it in 1976. In the intervening time I had the opportunity to be the Solicitor General of Canada responsible for Canada's penitentiaries. That which I learned in that job, about which I want to speak soon, has confirmed my feelings that capital punishment, in one narrow area of the law, would actually save lives. I believe that with due respect to human life the use of capital punishment is not justified except where it can be shown that it will actually save lives.

Before I turn to my own views on capital punishment, I want to make some comments about this debate in general. I do not favour this debate. I am voting against the resolution because I believe the debate has been used to distract attention from very important areas of public policy, not only the performance of the Government but even ways of improving our criminal justice system.

• (1600)

I think the effect that capital punishment will have in the criminal justice system is small compared to all the other things we can do to make our criminal justice system better. I condemn the Government for focusing on this one issue, particularly under the administration of a Prime Minister who is an admitted abolitionist and is taking a position before the country which may well see capital punishment restored.

I will deal with my concern about the debate of the issue by dealing with the two sides of the issue. First, among those who support capital punishment—and I refer to many millions of Canadians—I find that in their position is a sense of desperation, that while they are not confident that capital punishment will work in reducing the murder rate, it will have a beneficial effect on law and order in society. I sympathize very much with that view, but I think it is wrong.

I do not believe that restoring capital punishment will do very much outside the area of murder, yet I have heard Members say in the House that having capital punishment is the corner-stone of an effective criminal justice system. It is as if to say there would be less other crimes if capital punishment were on the books, and there would be more law and order in society. Because people have that view about capital punishment, I think it gets the support of people who, when they look at it as a remedy, fundamentally do not really believe that it will do a significant job in the criminal justice system.

I have heard others say that the reason they support capital punishment is a fear that people who are sentenced to life imprisonment for murder will get out on parole and be back on the streets in a few years, ready to murder again. I want to tell those people something that I do not think they will believe but is absolutely true. We have on the statute books of Canada today a penalty for murder which is as effective as capital punishment. It is the life sentence.

I know that people say they have read about criminals who get out, but I want to state categorically to those who support capital punishment on this ground that no one in Canada who has ever been sentenced to the stiffest penalty that was added to our law in 1976 has been released from penitentiary. All of them, except those who have died since 1976, are still in prison. We read about people who committed murders getting out of jail, but if one checks into it, one will see that these are people who are not sentenced to the maximum penalty.

The Member for Témiscamingue was wrong about that as well. He said that the 25-year sentence means that people may apply for parole after seven years, and argued that it should be increased to 16 or 17 years. That is not a 25-year sentence. It is a full life sentence, except that after 25 years one has the right to go before a judge and ask for permission to apply for parole. It does not mean that parole will be granted by the judge or a parole board. None of those people will even be eligible to apply until the year 2001. None of them have done so. The idea that people who get the maximum sentence known to the law now are getting out and committing other murders is absolutely wrong.

I say to those who support capital punishment on that ground that they should look again. There is a very good, equal deterrent in the law in the form of the full life sentence that was introduced by my colleague, the Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand), when he was Solicitor General in 1976.

I want to say something to the abolitionists because I find something peculiar in their position as well. Abolitionist after abolitionist will stand up and say that while they are an abolitionist, they believe our criminal justice system is lousy and needs to be fundamentally changed. They seem to want to defend their support for abolition in the face of the retentionist by agreeing somehow or other that we have a lousy system of criminal justice that is not working. I think they are also wrong.

I speak as one who knows something about the criminal justice system. I am not saying that it cannot be improved, but it is not correct to say that it is fundamentally wrong, that sentences are too low and making changes to the criminal justice system will produce much less crime in society.

I have ideas for improving the criminal justice system. I introduced some, in the area of crime prevention for example, while I was Solicitor General. I believe crime can be reduced much more easily by preventing it from happening than by the way we handle criminals, whether it is putting them in prison or diverting them. I tried to encourage the movement of the criminal justice system into crime prevention. There is not much room to make our criminal justice system do a very much better job for us. While we read about those things that go wrong, let me suggest that they are as much a function of the human condition as they are of the criminal justice system. Unlike some other countries, such as the United States, we have control of our criminal justice system.

I suggest to those abolitionists who are telling people that there is a magic solution to making the criminal justice system prevent all crime that they are wrong and misleading people in trying to convince them that capital punishment is not the answer and that there is some magic key when the fact is that crime is related to the human condition. We are making our best efforts to try to fight crime.

If there was a key to tremendous reductions and great improvements in running our prisons, dealing with criminals or altering sentences, I think we would have found it years ago.

There is a very strong will in Canadian society to improve the criminal justice system.

While I do not mean to sound like a Conservative by saying we have to defend what exists, I believe steps can be taken to improve it but not enough to deliver on the commitments of some abolitionists who are saying that we must scrap this system and start again. It is a good system that serves the Canadian people rather well, even though I think it can be improved a lot.

One of the reasons I condemn the Government for bringing this resolution forward is that I feel so strongly that we should be looking at the criminal justice system. We should be studying the report of the Sentencing Commission. The Prime Minister (Mr. Mulroney) says that he is against capital punishment, but instead of dealing with the report of the Sentencing Commission, which makes some sensible recommendations for improving the system, he is giving the House a capital punishment debate that is detached from any inspection of alternatives to capital punishment which might help people make up their minds as to whether or not they are in favour of capital punishment.

I have indicated that I am voting against the resolution and have given my reasons. Now I want to explain the reason I support capital punishment in the area in which I believe it will be effective.

I stated my belief that a full life sentence as already established in our law is as effective as capital punishment. However, there is a growing number of murders committed by people who are not deterred by a full life sentence. The reason they are not deterred is that they are already serving a full life sentence. These are people who have been sentenced since 1976 to spending their natural life in prison. The statistics which were released in a summary form a few weeks ago by the Ministry of Solicitor General show that the murder rate in our penitentiaries is astronomical. It is the duty of the Solicitor General (Mr. Kelleher) to protect inmates from being killed by other inmates during their sentence, and to protect guards and officials from being killed by inmates during the time they are in prison. That protection is not being afforded now.

While I may be criticized for saying this, the officials do not even try to solve most of the murders that take place in prisons because everyone knows who is responsible for a murder when it is committed. The prison is too small that the knowledge of the identity of the killer is not known. Yet, the philosophy must be: "Why bother trying to solve this murder?"

• (1610)

Why bother singling out an inmate, charging him again, having an expensive police investigation, a trial, putting the inmate up in a hotel, eating in restaurants, getting his picture in the papers, and all this, including his lawyer, paid for by the taxpayers, and then at the end, after the conviction—and I could actually name a few inmates who have gone through this process—back he goes to prison to continue the sentence he was serving before he committed the murder. I think we have a responsibility within the criminal justice system to deal with that problem.

I know there are those who feel they are not convinced that capital punishment is a deterrent but who say that if they could be convinced, they would support it. I want to urge those people to reflect on this situation and on the problem of dealing with the offender already sentenced to serving life.

We hear people say from time to time that capital punishment in their view is not a deterrent. I think that is a very foolish thing to say. Certainly, it is true to a point. Capital punishment is not a deterrent to the 99.9 per cent of Canadians who would never think of killing anyone, even if it was not a crime. Those people are not deterred by the idea of capital punishment. They are deterred by the respect they have for life and by the feeling of horror they have against killing anyone.

Among those people who have a potential under some circumstances to commit a murder, I think capital punishment is a deterrent. The knowledge they have that they could be caught and, if caught, their life would be taken, must surely figure into their calculations. Common sense tells us it does. Therefore, it is a deterrent.

The point I make, though, is that I do not see how one could consider it to be a more effective deterrent than life imprisonment. I think they are equal, especially when "life" is, as I said, full life. Capital punishment is a deterrent, one which involves taking a human life, but comparing it to the equally effective deterrent which does not involve taking a human life, I think one has to choose the latter. That is why I support full life imprisonment for the kinds of murders which are defined in the Criminal Code, with one exception.

I want to close by suggesting to you, Mr. Speaker, that I think I can characterize myself as an abolitionist, as one who would oppose capital punishment except that I am convinced, from my knowledge of prisons and from my experience with the violent murders which take place there on an increasing basis, that capital punishment is justified in those circumstances.

I want to say another word on a subject which perhaps many have not thought about. I think if we introduce capital punishment, it would be unacceptable to the Canadian people if it resulted in a great number of executions. If there are 700 murders a year and if there were 500 or so people convicted of murder, anyone who wants to suggest there should be 500 executions a year in Canada would be putting an appalling proposition forward. I wonder if the Hon. Member for Peterborough (Mr. Domm) has ever taken a pencil to his theory to see how many executions there would be if capital punishment was reinstated? I think there would be something abhorrent to me of several executions taking place a year. I would find that appalling in a civilized country such as ours.

On the other hand, if the Members who favour capital punishment were content to see it applied only in the area

where I have suggested it is logical, because there is no other alternative, then the number of executions which would occur would be very small. I think if there were one in five years, or seven years, it would be as much as one could possibly expect. I think that is a factor. I know that those who favour capital punishment, if the statistics are right as this debate has proceeded, are having some second thoughts about it.

I think one of the calculations must surely be what is happening in the United States where recent hurdles have been cleared with respect to cases before the Supreme Court and where 1,400 convicted murderers may be executed in the next several months. The prospect of that appalling number of executions taking place in a democratic country is in itself a great deterrent to the restoration of capital punishment. If this resolution carries, I would urge all of those who are going to sit on the committee to bear in mind that Canadians, even those who have supported capital punishment, would be tremendously disturbed to see anymore than a very, very small number of executions take place.

With those thoughts, I am pleased to be able to participate in the debate and look forward to the Government changing its mind about its agenda. If this resolution is not to be withdrawn, and frankly I would prefer to see it withdrawn, I hope all of those who wish to speak to it would be given the opportunity to do so.

Mr. Stevens: Mr. Speaker, if I may, I would like to put a question to the Hon Member. Much of what he has said in the House today one can find in similar terms in the speech he gave to this House on May 19, 1976, the last time there was such a debate on the question of capital punishment. My question will be along two lines. I find there is a bit of a contrast in what the Hon. Member has said this afternoon. In 1976 the Hon. Member said:

> I suggest that public opinion is an extremely important factor in the determination of an issue like capital punishment.

He went on to say:

> I do not see how any Member of this House can escape the undeniable fact that the majority of the people of Canada are of the opinion—however you want to measure or count it—that there is a place for capital punishment in our system of justice. I insist that this House must respond to that concern.

The Hon. Member has just said he would prefer to see this resolution withdrawn. Is he today feeling differently from the way he felt on May 19, 1976 when he stated: "I insist that this House must respond to the public concern that there should be capital punishment in our system"?

Mr. Kaplan: Mr. Speaker, I do not know if the Hon. Member listened to the whole of my speech, but at the beginning I made some points about what I thought might be done to improve our war against crime in Canadian society. I suggested that capital punishment was not a large part of the solution, it was a very small part, and that time would be better spent on other things. I visualized a capital punishment debate being a very lengthy one. That is the reason I would prefer to see the resolution withdrawn than continue in order that we could deal with crime in other ways.

I also think that public opinion is volatile and I invite the Hon. Member to notice that just in the last few months public opinion in support of capital punishment is beginning to decline. As I suggested, I think it will continue to decline as a great number of executions begin to take place in the United States and Canadians get to see who gets executed when a society introduces capital punishment and when it is applied on a very large scale.

Fundamentally, I agree with what I said in 1976. I am glad to have it read. I have not looked at it myself for awhile. What I would have to say is that in a final analysis in a democracy, the population is entitled to the kind of criminal justice system they want.

Miss MacDonald: Mr. Speaker, I have a question for the Hon. Member on this subject. I preface my question by saying that I have taken part in a debate on capital punishment in this House on two previous occasions. I expressed my reservations about what we were doing on both those occasions. The first time in 1973 was with regard to the fact that we were entering into another five-year-trial period and I did not feel that we should have an additional trial period, that we should move to abolition right away. The second time in 1976 was with regard to the fact that in compensation for the removal of the death penalty, the Government was introducing a maximum penalty of 25 years before parole, or life.

• (1620)

I would like to focus on what the Hon. Member said in his comments since the reservation I expressed in 1976 was that that 25-year period as a minimum was the wrong move to take. In fact, at that time I said:

> —two specific findings of criminal research—shows first, that convicted murderers have low recidivism rates, and second, the longer the imprisonment, the slimmer the chances of rehabilitation.

If the Hon. Member is saying that in the ensuing years since capital punishment was abolished he has seen a larger number of murders within the prison system, I want to ask him whether or not he figures that this lengthy penalty which was imposed at that time was wrong. Should it have been imposed and should we be moving today to re-examine the sentencing procedure so that that act which was taken at that time is reduced? Should we go back to the previous situation so that we do not escalate the difficulties within the prison system, about which I appreciate he knows, and which I know, by continuing this minimum sentence of 25 years for first-degree murder?

Mr. Kaplan: Mr. Speaker, I do not agree with the proposition that the minimum of 25 years should be reduced. I know it works terrible hardship for some of the people who are sentenced to it, but they have committed a very grievous offence. I think that life imprisonment is a reasonable penalty

for someone who commits a murder as defined by that section of the Act and where that penalty is invoked.

The Hon. Member wants to draw some conclusions from the fact with which I concede that the longer a person stays in prison the more likely they are to become recidivists. But what does that mean? Who gets long sentences? It is people who have committed more serious crimes. I would say that people who have committed more serious crimes are more likely to become recidivists. Murder is an exception, and I would like to say a word about that.

However, when we take the run of criminals going through the courts receiving their sentences, the longer the sentence they receive is a reflection of their character and the kind of crime they have committed. I think the resulting fact that there is a higher rate of recidivism among those people is not necessarily as a result of the time that they spend in prison but the kind of person they were and the kind of crimes they committed for which they were sentenced.

Murderers include two very different categories of person. Most of the murders that are committed in Canada are committed by people who have not committed other kinds of crimes, people who are not in the criminal culture. They are people who commit crimes of passion, although deliberately, or they would not be convicted. They are people who are responsible for what they did but who are of a sort who have not been involved in criminal activity before. Those individuals have a low rate of recidivism. They are very easy offenders to look after in prison. They are sentenced to low-level security institutions. They lead useful lives behind bars. I would not reduce the length of time they have to spend in prison because of what they did and because of the deterrent that I think ought to apply to them.

There is another category of murderer, the remorseless contract killer who is driven to it. In our maximum security prisons these are the individuals who create the problems. These are the ones who are frequently responsible for other murders. If they can be charged and properly convicted of committing a second murder in prison, then their removal from the maximum security institution will have a beneficial effect on that institution. It will reduce the jeopardy of guards, many of whom are constituents of the Hon. Member. It will remove the jeopardy of other inmates being killed. I think we owe it to them to reflect on the effect that capital punishment will have if imposed on those in prison who kill again.

Perhaps the Hon. Member for Kingston and the Islands (Miss MacDonald) has been in prisons more times than I have been in prisons, although I was in a great number of them during the time I was Solicitor General. I had a lot of time to talk to offenders, guards and officials. She will know, while perhaps most Canadians do not, that in a maximum security institution these are the toughest offenders in Canada. Most of them are trying to stay out of trouble. Some of them go through the day tense, trying to avoid getting into situations in which they will do anything but easy time with the possibility of being paroled and getting out on good behaviour and so on. The trouble with them is that in the maximum security institutions they do not have the ability to stay out of trouble. They have been raised or directed in a way in which they respond with violence to any kind of provocation or harassment or aggression, the kind of things that a Member of Parliament, when they happen to him or her, can turn into a positive direction. Inmates in maximum security prisons cannot. They blow up. That is why, after having been convicted, they are in maximum security instead of being at lower levels. But they are provoked by this smaller group of trouble-makers in each of the maximum security institutions.

I would urge the Hon. Member, for all the respect that I have for her commitment to abolition, to recognize that where capital punishment is a deterrent, where it will have the effect of saving lives, that however distasteful she may find it, and I find it distasteful as well, I think one has to recognize that there is a place for it. If it were here, as distasteful as it is, other people would be alive who are innocent in that circumstance and who deserve the protection of the law.

Mr. Deputy Speaker: I regret to inform Hon. Members that the time for questions and comments is over.

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, when the last person was hung in Canada, and I believe there were two of them at the same time, in 1962, I was 11 years old. In the intervening quarter of a century I feel that I have had the privilege of growing up in, becoming an adult in and becoming a Member of Parliament in one of the most non-violent societies in the world.

Mr. Stevens: The murder rate has doubled!

Mr. Blaikie: The murder rate has not doubled, despite what the Hon. Member for York—Peel (Mr. Stevens) says. I hope he will give me the courtesy of hearing me out. The fact remains that Canada is one of the most non-violent societies in the world. I am proud of that. I think all Members of the House should keep it in mind when we are talking about what kind of Canada we might be embarking upon if this resolution were to pass. I am of the view that the passage of this resolution would be a step toward not a less violent society but a more violent society.

I think it is ironic that as we move toward the end of this debate, whether it be tomorrow, Monday or Tuesday, or whatever the case may be, that what is shaping up is that this resolution which people once thought would carry by a significant majority may either be defeated or may pass by an insignificant margin, by a very small margin, and even then unenthusiastically.

• (1630)

I sense that there are Members of Parliament who feel cornered by their past statements on capital punishment and who feel cornered by various arguments as to how they ought to respond to the wishes of their constituents. Having listened

to the debate and having been a party to the public debate which has been ongoing since this resolution came before the House, they are no longer as sure of their position as they once were. Those are the Members to whom I am addressing my remarks.

I appeal to those Members to think very carefully about their responsibility as Members of Parliament.

I know there are some who have said to themselves: "Well, I will vote for this motion now, because it is not a motion that actually reinstates capital punishment. I will vote for this motion now and, in doing so, will be consistent with what I have said before, and privately hope that the time for actually reinstating capital punishment will not come to pass; that somehow in the course of things a Bill proposing the reinstatement of capital punishment will not come before the House."

In that way, they will not actually have to vote on the reinstatement of capital punishment but will still be able to live up to some of the political commitments they have made—and some people in this House have made political commitments in that respect going back more than a decade, to the time of the last vote on capital punishment.

I ask those Members who feel that way to vote against this motion now, thus preventing what I would consider to be the possibility of a very grim road show, where a committee of this Parliament would be travelling around the country debating the relative merits of hanging people as opposed to electrocuting them, as opposed to lethal injection, or whatever other methods may be considered—something which I think would be degrading in terms of the public discourse and the general level of political and public debate in this country.

The argument for capital punishment, for the return of the death penalty, is a classic example of false expectations. There will be no decrease in violence in our society as a result of the return of the death penalty. The roots of violence and disrespect for human life are deep and complicated, and hanging a few people every year will not help. While it may make some of us feel better when a particularly vicious and obviously guilty murderer is executed, it will not stop violence in our society. It will in fact increase it, as people lose the example of a state that is not prepared to condone killing as a solution to the problem of violence in society.

The Canadian Coalition Opposed to the Death Penalty puts the question starkly and powerfully: Why kill people who kill people to show that killing people is wrong?

In 1975, the year prior to the total abolition of capital punishment in Canada, there were 701 homicides in Canada, for a rate of 3.09 per 100,000; in 1985, there were 686 homicides in Canada, for a rate of 2.78. Between those dates, Canada reported a low of 593 homicides in 1980, for a rate of 2.47.

I have read some of the speeches that have been made during the course of this debate and I am aware of the distinction that needs to be made between first degree murder and second degree murder and the fact that there may have been a slight increase in the number of first degree murders. But, it is the second degree murders which tend to be reported in such a way that people are left with the sense that violence is on the increase, thus bringing about an increased sense of insecurity. Therefore, these figures are relevant, despite that distinction, as it is in response to the sense that there is an over-all increase in violence that many people take a position in favour of capital punishment.

The argument that the death penalty deters murder is certainly true, in the strict sense that those who are executed will certainly never murder again. I am not going to argue against that one, Mr. Speaker. Yet, this fact has to be weighed against the fact that repeat murderers constitute a very small minority of those convicted. Most murders are still committed by those who are too angry, too insane, or otherwise caught up in the moment to care whether or not they get caught and are subject to execution, or by people who do not intend to get caught, in any event.

There is also the fact that bringing back capital punishment may actually cause some murderers to go free, as judges and juries become more reluctant to convict if there is any doubt at all, or sometimes even if there is not any doubt at all, when they know that their decision will lead to the taking of a human life.

Our criminal justice system, as the Prime Minister (Mr. Mulroney) said the other day, is an imperfect and fallible process, like everything else run by human beings. Yet, the decision to punish an individual with death is one of an absolute nature. Not only is there the possibility of punishing the wrong person in this absolute and irretrievable way, but there is also the fact that the death penalty cannot be distributed, even among the surely guilty, in a perfect way. The poor, for instance, will almost certainly hang for their crimes more often than the rich, who can afford the brightest and best lawyers in the country. Visible minorities may also be more vulnerable in this respect, as blacks have been in those American states that have reinstated the death penalty. And those who are clearly insane—and it is these who commit some of the crimes which get the most publicity—will not be hanged in any event as the defence of not guilty by reason of insanity will continue to be available.

In recent years, Donald Marshall of Nova Scotia and John Wildman of Ontario were convicted of murder and later found to be innocent. In 1984, Senator Metzenbaum tabled in the U.S. Congress a list of 48 persons who were convicted of murder in the U.S. and later found to be innocent.

It also interesting to observe that, despite suggestions to the contrary, jurisdictions with capital punishment spend far more money than do those which have abolished such punishment. Trial and lengthy appeal costs are all borne by the taxpayer. A 1982 study showed that if the death penalty were reintroduced in the State of New York, the cost of the capital trial alone would be more than double the cost of a life term in prison.

While that is something to think about, in the final analysis, I think we have to reject arguments for or against capital punishment based on a dollars and cents calculation. Let us be clear that the money argument cuts both ways.

The case for doing something to protect the lives of prison guards and police officers is, to many, probably the most appealing argument for capital punishment. Might I say personally that I come from a long line of big Irish cops. I am no stranger to policemen, either among my family or among my friends. My grandfather was the Chief of Police in the community which I represent here in this Parliament, and I have an uncle who has served 25 years in the Royal Canadian Mounted Police. I know the compelling nature of this argument, particularly for families whose members serve in these capacities.

Yet, this argument also has its limits. Prison guards are often the victims of tensions that could have been prevented through better management of the prison system; and police are often vulnerable because they are forced to work alone or under unnecessarily dangerous conditions.

Politicians who call for capital punishment but who refuse to properly finance our police departments and our prisons should not be so easily let off the hook on these issues. The question of what to do about repeat offenders who are already in prison and who already have received the maximum possible penalty under the law is a difficult one. However, that is not the motion that we have before us. I remind Hon. Members, with respect to the matter of the killing of police, that the greatest number of police killed on duty in one year was in 1962, when there were 11 police officers murdered in Canada. In that year, capital punishment existed and there were two hangings for the killing of police officers.

• (1640)

Since abolition in 1976, the worst years were 1984 when six police were murdered and 1985 when five police were murdered, and the number of police has doubled since 1962.

Mining is still a more dangerous profession than police work. Many miners are killed every year and many more have died over the years, not just from accidents but from diseases related to the conditions in which they work. I mention this not to make any easy or simplistic comparison between the death of a miner by accident or by neglect and the death of a policeman by gun-fire. Obviously there are significant differences. However, it raises the question of what calls for the highest degree of moral outrage.

I guess my problem is that I am just as outraged by mine owners who have knowingly endangered the lives of their employees and by factory owners who have knowingly poisoned the environment of neighbourhoods and surrounding areas. I am just as outraged by the people who allow others to die, either quickly or slowly, or to be damaged just so they can make bigger profits. These people are just as high on my list of undesirables as many of the people convicted of murder.

If we could come to see these kinds of acts as equally criminal, maybe I would not be so anxious about the fact that the present furore about capital punishment deflects and diverts us from other areas of concern. At this point we do not even prosecute, let alone punish, those who make death-dealing decisions all the time. This is not to mention, when we talk about premeditated murder, the premeditated mass murder of the entire human race which is being premeditated every day in the Pentagon, the Kremlin, and many other places around the world.

I would like to see some of the moral outrage which we get from government back-benchers about premeditated murder of individual Canadians expressed against the premeditated murder of the entire human prospect, the premeditated destruction of all creation which is being premeditated here and now, every day that we sit in the House. I would like to see some moral outrage about that for a change. I would like to see that expressed by the same people who argue that they have so much respect for their constituents' views on this issue. I would like them to show respect for their constituents' views on that issue. The next time we have an opportunity in the House on a free vote, as we have had, to vote against the testing of the cruise missile and other death-dealing weapons, I would like to see them have the same respect for their constituents' opinions, have the same outrage as they have about premeditated murder, get up and vote against cruise missile testing. When that day comes, I will know that moral outrage has been reclaimed in a constructive, not just a destructive way.

Self-righteousness must be guarded against on all sides of the debate. Pro-capital punishment people should avoid thinking that they are the only ones who care. Those of us who are against capital punishment experience anguish and gut-rending pain when we read of children being abused and murdered. It is every bit as real for us as it is for those who are for capital punishment.

Like many people, I sometimes think what I might do if I got my hands on some of these guys, but I am still against capital punishment. It should be clearly understood that pro capital punishment people have no monopoly on the emotion which many murders generate. The debate is not about how we feel or even what as individuals we might want to do or take individual responsibility for. The debate is about the proper role of the state and society and whether there should be state directed killings.

Anti-capital punishment people should guard against the self-righteousness of pretending that they are somehow more morally advanced or civilized than those who argue for it. This is not necessarily true. Many people of goodwill feel capital punishment is a tragic necessity of life which they wish was not necessary, or they experience the cry for capital punishment as a cry for limits, for a sign that there are some things which just will not be tolerated. Even if I do not agree with it, this is understandable in a world where we are too cool by half about many life denying solutions, from nuclear war at the level of

collective morality to abortion at the level of social and individual morality.

I view it as a mistake to single out this issue as the place to reclaim moral outrage as a social good. I also regard it as a mistake or a form of self-righteousness for various small "l" liberals to pat themselves on the back for being against capital punishment, as if it is all we have to do or be to become a "civilized" society, while social, economic, and military decisions which condemn millions to suffering and death are regarded as "political realities".

Allow me, Mr. Speaker, to address the question about whether I should vote according to my own view or according to what the majority view in my riding might be, particularly if it is true that a majority might favour capital punishment. So far I have more letters of opposition to capital punishment than letters for it. I have run three times—in 1979, in 1980, and in 1984—each time against someone who wanted the return of capital punishment and who tried to make a big deal out of it. Each time I made it perfectly clear where I stood on capital punishment. I therefore believe that I can vote against capital punishment with a clear political as well as moral conscience in this regard.

I say two things to Members of Parliament here who might be feeling queasy about going against the will of their constituents in this regard. First, the will of their constituents is not as clear as they think it is. Let us look at what happens when we push someone who is in favour of capital punishment as I have. I know many who were in favour of it, but when asked the second, the third, and the fourth question beyond just the general question, I found that they were not as in favour of it as they really sounded. Second, I ask Members to remember that because people are basically decent, they tend to respect people who are willing to put themselves on the line and to vote according to what they think is right, in spite of the fact that their constituents might disagree with them. I have never found that to be politically debilitating in my years in this place and in three elections.

I subscribe to the traditional Tory view of the responsibility of a Member of Parliament put forward by Edmund Burke in 1774, that a Member of Parliament owes constituents the exercise of his or her judgment and must be held accountable for that judgment at election time. He said:

> Your representative owes you, not his industry alone, but his judgment, and he betrays instead of serving you if he sacrifices it to your opinion.

Surely no one would want to argue seriously although it may be tempting when one disagrees with one's Member of Parliament, that as a rule MPs should vote in mechanical obedience to the majority view in their constituencies. Such a view overlooks the fact that part of what we are paid for as Members of Parliament is to take the time which others do not always have to study the evidence, to hear the witnesses, to read the reports, to meet the various lobby groups, to participate in the debate, to consult with our colleagues, and to vote according to our best judgment. Indeed, if Members of Parliament are only delegates doing what they are told, maybe all we need is for them to have a computer hook-up in their homes by which they can vote on everything as it comes up, without the benefit of the process which Members of Parliament now go through when they vote. I imagine that some might see this as not a bad idea, given the quality of some of the decisions we make here. However, I am not ready to declare the work I do here in Ottawa as redundant.

• (1650)

A final word, Mr. Speaker. This is a free vote. A free vote does not mean that we all receive the freedom to become Pontius Pilate. It does not mean that we all receive the freedom to do simply what the crowd wants, to ask the question what is truth and let the mob answer. A free vote means that we are given an opportunity, rare in this place, to exercise our own best judgment according to our conscience. That is what I hope all Members will do when it comes down to the vote, whenever that may be.

* * *

[*Translation*]

MESSAGE FROM THE SENATE

Mr. Deputy Speaker: I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed, without amendment, Bill C-13, respecting the reorganization of Bell Canada.

* * *

THE ROYAL ASSENT

Mr. Deputy Speaker: I have the honour to inform the House that a communication has been received as follows:

Rideau Hall
Ottawa

25 June 1987

Sir,

I have the honour to inform you that the Honourable Antonio Lamer, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber today, the 25th day of June, 1987, at 5.30 p.m., for the purpose of giving Royal Assent to certain Bills.

Léopold H. Amyot
Secretary to the Governor General

GOVERNMENT ORDERS

[*English*]

CAPITAL PUNISHMENT

ESTABLISHMENT OF SPECIAL COMMITTEE ON REINSTATEMENT

The House resumed consideration of the motion of Mr. Mazankowski:

That this House supports, in principle, the reinstatement of capital punishment and directs that a special committee on reinstatement, composed of 15 members, be established, hold hearings and make its final report to the House no later than three (3) months following the adoption of this motion, such report to provide recommendations on:

(a) which offence or offences should carry the death penalty, and in what circumstances;

(b) which method or methods should be used to carry out the penalty of death, and in what circumstances;

That, pursuant to Standing Order 107(1), this special committee be hereby appointed as a committee to prepare and bring in a bill no later than three months following the adoption of this motion, founded on the committee's recommendations on (a) and (b) above; such a bill shall be the object of a separate and distinct report of the special committee, and such a report shall be its final report;

That such bill, when reported from such special committee to the House, be deemed pursuant to Standing Order 107(1) to have been introduced and stand on the Order Paper, in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business"; and that, when the said bill has been read a second time, it shall stand referred to a Legislative Committee;

That the Striking Committee be empowered to name the Members of the special committee, provided that once the Striking Committee report is laid upon the Table, it shall be deemed concurred in;

That the special committee have the power to sit while the House is sitting and during periods when the House stands adjourned;

That the special committee be empowered to report from time to time and send for persons and papers, and to print such papers and evidence from time to time as may be ordered by the committee and to retain the services of expert, technical, professional and clerical staff;

That the special committee be empowered to adjourn from place to place inside Canada and that, when deemed necessary, the appropriate staff accompany the committee;

That a quorum of the special committee be eight (8) members for any vote, resolution or other decision; and that the chairman be authorized to hold meetings to receive evidence and authorize the printing thereof whenever six (6) members are present;

That any substitution of membership on the special committee be made pursuant to Standing Order 94(4); and

That, notwithstanding the usual practices of this House, if the House is not sitting when the special committee is ready to issue its final report and the said bill, the special committee shall present its report and the bill to the House by filing them with the Clerk of the House provided that the report shall then be deemed to have been laid upon the Table, and the bill shall then be deemed, pursuant to Standing Order 107(1), to have been introduced at the first sitting of the House thereafter and to stand on the Order Paper in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business".

And on the amendment of Mr. Nystrom (p. 7307).

Mr. Deputy Speaker: Questions and comments. The Hon. Member for Peterborough (Mr. Domm).

Mr. Domm: Mr. Speaker, I have two questions for the Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie). The first one deals with the former speaker, the Hon. Member for York Centre (Mr. Kaplan). He made the statement that he supports capital punishment and always has supported it and has considered it for certain offences. He mentioned specifically today, if my memory serves me correctly, the repeat or serial killer, the person who kills over and over again. The Hon. Member for Winnipeg—Birds Hill said that he feels that each Member of Parliament has the responsibility of voting on this issue as he or she feels on his or her conscience. Does the Hon. Member support the idea where a Member of this House supports capital punishment for certain acts of planned, deliberate murder and then votes against the motion that would allow it to be considered—

[*Translation*]

Mr. Deputy Speaker: Order. The Hon. Member for Bourassa (Mr. Rossi) on a point of order.

Mr. Rossi: Mr. Speaker, I want to ask the Chair whether the Hon. Member for Peterborough (Mr. Domm) can ask a Member for the New Democratic Party questions about a comment or speech by a Liberal Member who just spoke.

I would appreciate your advice because I doubt the Hon. Member could very well ask an NDP Member for his opinion on—

[*English*]

We did not say we are untouchable. I am talking about rules. Do not get aggressive. Just cool down. The Hon. Member for Peterborough (Mr. Domm) will not do what he is not allowed to do.

Mr. Deputy Speaker: Questions and comments should be related to the speech of the Member who spoke. I am sure the Hon. Member for Peterborough will do that when he puts his question to the Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie).

Mr. Rossi: That is what I was trying to drive at. The Member knows that, too.

Mr. Domm: Mr. Speaker, with all due respect to the Hon. Member who rose on a point of order, I was referring to a statement that was made and I was drawing the analogy between the statement of the Hon. Member for Winnipeg—Birds Hill that each Member should vote on how he or she feels and whether the question would support the idea that a person can be in support of capital punishment yet vote against the motion. How can he have it both ways?

Mr. Blaikie: Mr. Speaker, the Hon. Member said that he had two questions for me. Maybe he should give me the second one and I will have a crack at both of them.

Mr. Domm: Mr. Speaker, the Hon. Member mentioned in his remarks that the homicide rate in Canada had not doubled since the last executions in 1962, which were the last occasions

for executions in Canada. According to the Statistics Canada reports and the Justice Department, the homicide rate in Canada in 1962 was 1.43 per 100,000 of population. There were 265 homicides in 1962. Homicides have gone on up on a computerized graph since then and in 1985, the last complete year for which statistics are available and reported, 704 homicides were committed, giving a rate of 2.78 per 100,000 population. Is it not correct to say that homicides in Canada have doubled since the last people were executed in 1962?

Miss MacDonald: Since the abolition of capital punishment.

Mr. Blaikie: Mr. Speaker, I know this statistical debate has been going on between the Hon. Member for Peterborough and almost all the rest of the world since the beginning of this debate. I do not think we are going to sort that out here this afternoon.

Mr. Stevens: Mr. Speaker, I rise on a point of order. The Hon. Member is evading the question. The facts are on the records. Statistics Canada, as the Hon. Member for Peterborough has indicated, states that the rate per 100,000 was 1.43 when the Member for Winnipeg—Birds Hill was 11 years old. Now he is an old man of 36. Will he not agree with figures from Statistics Canada which show the rate currently at 2.78 in 1985? That is double the rate. Admit it.

Mr. Blaikie: Mr. Speaker, the rate has gone down since capital punishment was abolished. I would like to answer the question which the Hon. Member for Peterborough asked me concerning the Hon. Member for York Centre (Mr. Kaplan).

The Hon. Member for Peterborough has been involved in politics for some time. He knows that people are often put in the position where they have to choose to vote for or against something in a way that they would prefer not to because they feel the question could be more aptly or comprehensively put, which is what the Hon. Member for York Centre said with respect to his position. Even as one who does not take the view that the Hon. Member took, I was satisfied with his explanation why he intended to vote against the motion.

Mr. Stackhouse: Mr. Speaker, I was impressed listening to the Hon. Member. His remarks statistically reminded me of something I read in *The Economist* just the other week, commenting on the British election. Spokespersons can use statistics to prove whichever case they want. Mrs. Thatcher could use statistics to prove that the British economy had never been better and Mr. Kinnock could use statistics to prove that it had never been worse. It seemed to hinge on which year either of them chose. I suggest that the Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie) is an example of the same process. He chose statistics from the year when capital punishment was fully, formally and legally abolished but not the year when executions ceased.

If we take the figures from the year when the last execution took place and compare the murder rate in that year with the murder rate of last year, then we find that there has been an increase of almost 100 per cent in the homicide rate. We have had an example here of selective statistics.

May I take the time of the House to add another example of selectivity in the Member's remarks? He was very selective regarding causes for moral outrage when he cited the enormity of it on top of murder itself. I agree with him entirely. However, I noticed, unless I did not hear him correctly, the omission of one significant cause for moral outrage when it comes to human life, and that is the taking of the lives of the unborn.

• (1700)

I wish there had been some of that passion and some of that crescendo of emphasis on behalf of the unborn, especially those whose lives have been taken when their bodies are fully formed. Of the 65,000 abortions which occur per year, something like 15 per cent occur when the body of the foetus is fully formed. That comes to about 10,000 such abortions. I hope that the Hon. Member's moral outrage would include some concern for those human lives. The next time he has an opportunity to rise in his place and cast a vote on their behalf, I hope that he will do it as a free person, not as a person following the lead of his Party's policy.

Mr. Blaikie: Mr. Speaker, with respect to his last point, the Hon. Member did not listen very carefully to my speech. If he has a chance to read *Hansard* tomorrow, he will find that I did mention that and I hope I will hear from him then as to the appropriateness of what he just said.

I think if one were to examine my argument, one would find that it was largely non-statistical.

Mr. Stevens: You referred to 1962.

Mr. Blaikie: No, most of my argument was not based on statistics at all. I stand by what I said with respect to statistics and which statistics are relevant. I do not accept that 1962 must be taken as the benchmark, as the Hon. Member argues that it must. That is a difference the Hon. Member and I have.

With respect to the Hon. Member's comment about abortion, I would hope that the Hon. Member would give me the credit of attributing to me independent judgment when voting on that matter even though I voted differently than he did, I presume, a couple of weeks ago when we had an opportunity to vote on that matter. I voted according to my own judgment and not according to any other dictum whatsoever. It is well known in my constituency and elsewhere that I am a critic of both the pro-life position and the pro-choice position.

Mr. Ross Belsher (Fraser Valley East): Mr. Speaker, I welcome this opportunity to speak in the House on the motion before us dealing with whether or not to reinstate capital punishment. I know that many Hon. Members on both sides of the House have already or will utilize this chance to express their views on this very important and highly volatile subject.

I would like to thank all those who have written to me and who have taken the time to make a concerted effort to write or talk to me on this matter. When the Deputy Prime Minister (Mr. Mazankowski) announced the motion in the House on February 13, he stated:

> I would expect all Canadians to make their views known through letters, briefs or meetings . . . to Members on all sides of the House.

Each of us on this side of the House may vote according to our own individual wish and not be bound by Party discipline. We appreciate this opportunity. I applaud the Prime Minister (Mr. Mulroney) who, despite his own personal opinion on the matter of capital punishment, promised this free vote and is fulfilling this promise.

In 1774, more than two centuries ago, Edmund Burke, a British MP, said:

> Your representative owes you, not his industry only, but his judgement: and he betrays instead of serving you if he sacrifices it to your opinion.

He was speaking to his constituents at the time. No one here today would dare to compare himself or herself to this great philosopher, but the intention of his message is valuable to us in this debate.

When elected, a Member of Parliament's duty lies in representing the best interests of all his constituents. At the same time, we were elected for what we ourselves believed and for what we stood for. My beliefs are not a secret to my constituents.

In April 1984 when I stood for the nomination meeting for the Progressive Conservative Party in Fraser Valley East, I stated that capital punishment should be reinstated for first degree murder. My belief in that has not changed to this date.

A questionnaire that I sent to every household in my riding in December of 1984 asked this question: "Do you support capital punishment for premeditated first degree murder?" Indications were that 95 per cent of the 4,387 people who returned it voted yes.

Capital punishment is perhaps one of the most thought-provoking issues that each of us have had to face. I believe I speak for many of my colleagues when I say that I have wrestled with the pros and cons of abolishing or reinstating the penalty for some time now. I still come to the same conclusion. Capital punishment is the ultimate punishment for the ultimate crime.

Underlying all the theories which explain the purpose of criminal law is the basic premise that criminal law is the means by which society reaffirms its values and denounces its violators. These values develop to some extent in response to changing social values. Society abhors murder and anyone who intentionally, with forethought and total disregard for another individual's life, murders a person is abhorred to the same degree.

We live in a world in which at times we must make some difficult choices. The choice of reinstating capital punishment for the crime of first degree premeditated murder is a last resort and is the choice we must make with reluctance.

Abolitionists who try to use the argument that capital punishment merely perpetuates violence are incorrect and are misleading Canadians. When a person on the street takes it into his own hands to be judge, jury and executioner and murders another person intentionally, he has denied that other person the right to be tried before an independent, impartial jury. This is murder. If society gives that murderer the right to counsel, to the safeguards inherent in our criminal law system, including an impartial, objective jury and the best legal protection and then finds him guilty without doubt of that murder, that in my opinion is justice. The difference between the two is obvious.

It is fine for those opposing capital punishment to say that no system is perfect and mistakes happen. How cavalier of them to say this and in the same breath say that we cannot have capital punishment because we may kill an innocent person.

Our laws prohibit anti-social behaviour. We must count on our criminal justice system to be objective enough to deal equally with everyone. Whatever the seriousness of the crime, the protections guaranteed by the Canadian Charter of Rights and Freedoms apply. Maximum penalties are a statement by Parliament and thus by society that the conduct of the criminal is seriously anti-social.

It is interesting to note that the offence of murder has not changed much since 1955 when the last complete revision of the Criminal Code took place. However, its classifications and related punishments have changed. I would like to outline the changes that have occurred since 1961.

In 1961, murder was classified for the first time. Distinctions were made between capital and non-capital murder, with the former being punishable by death. The clear intent at the time was to reserve the death penalty for the most calculated and direct forms of murder. These fell into three categories: planned and deliberate, death caused by own act or otherwise directly participating in the killing and finally when the victim was a peace officer, guard or similar official, whether the murder was intentional or not. In 1961, the death sentence could be commuted to nothing less than life imprisonment.

In 1967, the Act to amend the Criminal Code changed the qualification of capital murder to apply only to those who had murdered peace officers, prison guards and similar officials who were acting in the course of their duties. Every other form was delegated to non-capital and was punishable by life imprisonment.

When this amendment expired in 1972, the law reverted to the 1961 formula. In 1974 the capital and non-capital categories were changed to murder punishable by death, reserved for those who killed peace officers and prison guards; and murder punishable by life imprisonment. This lasted three years. Capital punishment was abolished in 1976 in a narrow

vote in the House. It was at that time we adopted the categories of first and second degree murder. The difference between the two is in the sentencing. First degree murder, which includes planned and deliberate murder, contracted murder, and murder of a peace officer or prison guard, is punishable by life imprisonment without parole for 25 years. Since then there have been numerous Private Members' motions and Bills in favour of the reinstatement of the death penalty, but none have come to a free vote until now.

• (1710)

We must remember that this motion, if passed, will require a parliamentary committee to examine the issues relating to capital punishment and subsequently draft legislation to be debated in the House. The constitutional Act of 1867 gave the federal Government jurisdiction to legislate criminal law, with minor exceptions. This is what we are doing here today and have been doing for the past several days.

We should be careful with some of the information we have been hearing in this House from those who advocate the abolition of capital punishment. The year 1962 seems to be the time many are using to indicate that capital punishment does not deter or prevent murders. However, it is clear that year ends a period of time when little comprehensive data was kept. From 1956 to 1961 inclusive, 10 on-duty police officers were murdered. Unfortunately the data does not show how many cases were solved. However, it does show one of the killers committed suicide. Another was declared insane. Four more were convicted of murder.

It can be said, after examining the information available, that in the six years before 1962 two police killers were executed. In the supposed watershed year of 1962, 11 officers were killed out of a total of eight incidents involving 10 killers. Of those 10 persons charged, two were declared insane and the death penalty is not likely to deter those who are mentally ill. A third committed suicide and spent time in a mental institution. A fourth, who was responsible for killing three officers in B.C. in one incident, was shot and killed by police. He also had spent time in a mental institution. Four of the 10 killers who were responsible for six of the police officer murders in 1962 were mentally ill and probably would not have been deterred in any event. This information weakens the abolitionists' argument. No conclusion can be made against capital punishment as a deterrent factor for murder by using 1962 as the example.

Our society is not going to the dogs. We have not reached a stage where the call to reinstate capital punishment is the result of mass hysteria or hype. Canadians are looking at our criminal law and asking why rehabilitation is not working. Why are mass murderers such as Clifford Olson being allowed to receive special protection in the Kingston Penitentiary? Because the system fears for his life if he was incarcerated in the regular stream of a different maximum security prison. It has been reported that Mr. Olson himself, after confessing to his crimes, said he would not have killed those innocent children if the death penalty was in effect and enforced.

Retribution means recompense for evil done. The German philosopher Kant, in the 1800s, believed that the only proper reason for punishment was the service of strict justice. The only just punishment for the unpardonable crime of murder is proportionate to that crime. Using that philosophical framework, I reiterate that with our system of criminal law, the person charged with and proven to be guilty of first degree murder, planned and deliberate or contracted, should be eligible for the maximum penalty, death.

It seems remarkable to me that the NDP, which calls for abortion on demand, turns around and righteously states that we should not reinstate capital punishment for first degree murder. The message members of the NDP are sending out is that it is all right to destroy the life of an unborn child but do not consider putting to death someone who has been convicted of intentionally murdering an innocent person. What hypocrisy.

In closing, I must say that my conscience demands that I vote in favour of this motion. I anxiously await the rest of the debate and hopefully the upcoming legislation from the parliamentary committee.

Mr. Deputy Speaker: Questions or comments.

Mr. Parry: Mr. Speaker, I would like to ask the Hon. Member a couple of questions based on his closing remarks in which he drew on the philosophy of the German philosopher Immanuel Kant. This relates to the concept of the appropriateness of punishment.

I wonder if the Hon. Member would feel his view that the death penalty is an appropriate punishment for first degree murder is extendible to other degrees of criminal offences? If they are not, I would like him to explain clearly why he is prepared to tolerate this inconsistency in his own views? Is the Hon. Member then in favour of such things as amputations for those who wound or physically hurt another person? Is he in favour of stealing from the thief? Does he not appreciate the inconsistency of applying that rigorous logic to one category of offence and not to any other of a number of offences?

In addition, I would like the Hon. Member to address the question of the company of nations which the reintroduction of capital punishment in Canada would put us in. Does he have any particular admiration or feeling of solidarity with regimes such as those of Iraq, the Soviet Union, Albania, China and Iran, as well as numerous states in the United States, where capital punishment is in effect? Does he really feel that is appropriate international company for this country to be counted with?

Mr. Belsher: Mr. Speaker, we have degrees of punishment for degrees of crime. I said that for planning and carrying out the taking of someone's life, the person who did so would have

to forfeit his or her own life. I do not see any inconsistency there with the rest of our laws.

As to whether or not we should be comparing ourselves to other countries, I find in passing strange that the very Party which seems to take great delight in supporting the Socialist Soviet Union—

Mr. Parry: Rubbish.

Mr. Rossi: Talk about capital punishment.

Mr. Belsher: He asked a question and I will answer it. He finds that part of their law repugnant. Nevertheless, we do not base our laws on what other countries are doing. We have to shape our laws for the situation we have here in Canada.

I find it very strange that when you ask many abolitionists if there are any crimes for which they would be in favour of having capital punishment as the penalty, many of them will say, yes, if it was just for that crime. Just a few minutes ago we heard an Hon. Member say that he could see capital punishment being brought back for repeat offenders. However, he was planning to vote against the motion the way it is.

I for one want to see it brought back for a very limited number of crimes. Many people have used the argument of the sanctity of life and therefore they cannot vote for capital punishment. I, too, value the sanctity of life but the sanctity of life can be demonstrated in no better way than putting on the books the penalty for those convicted of premeditated murder. It is very difficult to prove that murder is premeditated. I do not believe there will be many people executed if capital punishment is put back on the books, but it should be on the books as a deterrent in order to save lives.

• (1720)

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, on two previous occasions in this House, in 1973 and again in 1976, I voted for the abolition of the death penalty. This time I decided not to rely merely on my past point of view but to rethink and reconsider my position carefully and seriously. I decided to do so to see whether there were any good and substantial reasons to justify changing my mind.

I stand for effective law and order in our society. I abhor all acts of violence and, most especially, I am repulsed and angered by violent and criminal acts against children, women, elderly people, and all other peaceful, non-violent persons who have done nothing to provoke or invite acts of terror or horror upon themselves.

I am for law and order. I believe that our police forces should be sufficiently strong in numbers and effective in the enforcement of law to prevent as much violence as possible. Our nation must have a system of justice, including punishment, which while always protecting the innocent does not allow the guilty to laugh in our faces, to be set free on technicalities or after serving only token periods of time in prison. I believe these things, especially with reference to those who think that their problems or their way of life can be resolved or eased by way of violent acts.

During the debate on capital punishment in June of 1976 the then Prime Minister, Mr. Trudeau, said:

> It is clear that the protection of innocent people against assaults on their lives and liberty is one of the highest duties of the state. It is equally clear that this duty requires the aggressive and effective prevention, prosecution and punishment of criminal violence.
>
> It is essential that people have confidence in the law, essential that they have confidence in the ability of the legal process to protect them against the lawless.

I ask the House, however, whether reinstatement of the death penalty will help in any way to give us a better and a safer society. Will it accomplish what its advocates claim it will, that is, bring down the murder rate and make the streets safer? Will it reduce the number of violent acts in our nation?

There is a widespread belief among Canadians that a very high percentage of all crimes committed are violent. In fact, according to Statistics Canada, violent crime comprises only about 8 per cent of all crimes and homicides less than 1 per cent of all violent crime. More than one-third of all murders occur within a domestic situation in the victim's very own home. These statistics do not in any way lessen the seriousness of the problem of violence in general or murder in particular, but they do place the problem in some reasonable perspective.

It distresses me that so many who advocate the death penalty as the answer to violence in society seem, at the same time, to place so little emphasis on prevention. For example, in the constituency which I represent, there are two young people who have developed an excellent school program on violence in the home and in interpersonal relationships. Programs such as these can help so much to avoid violent acts. However, the two young people in question are experiencing great difficulty getting the funding they need to take their program to more schools and present it to a larger number of students.

Is it not curious, Sir, that if we are concerned about violence there are no resources available for a program such as this which can prevent acts of violence in the home and among those who interrelate one with the other? Dr. Nora Volkow, a Texas psychiatrist, recently told a medical conference that one-half of all violent crimes are committed by people who may have brain defects that are treatable with medicine. Murder committed by someone with a mental disorder is not culpable homicide. In the past, when the death penalty was in effect, our Criminal Code described capital murder as being planned and deliberate. Even with the death penalty, then, we do not execute sick people. Is it not entirely possible that a serious brain defect, a mental disorder of one kind or another, could go undetected and such a person could be executed?

Our system of justice is not established on the principle of vengeance. Capital punishment was generally accepted throughout the world for many centuries mainly because of the desire for vengeance as well as the recognition of the sovereign right to inflict death in the name of society. At one time many crimes were punishable by death but gradually in most western

democratic societies there came to be only one capital offence, that is, deliberate, planned homicide.

Following World War II, with its shocking record of the holocaust, its bombing of civilian populations, the use of the atomic bomb on Hiroshima and Nagasaki, there was a strong reaction throughout the western world to officially-sanctioned death. The universal declarations of human rights of 1948 recognized the rights and the dignity of man.

So, Mr. Speaker, I repeat that while our system of justice is not established on the principle of vengeance, neither is it built on the Christian ideal of turning the other cheek. Punishments are meant to be deterrents and there is no doubt in my mind that capital punishment is a deterrent. Most forms of punishment are deterrents, even fines for parking violations. Have you ever witnessed someone rushing out of a meeting in order to put another quarter in the meter?

The question then becomes whether such a drastic form of punishment as the death penalty is an effective deterrent—not whether it is a deterrent alone, but whether it is effective. Is it, for example, more effective than life imprisonment? Studies to date lead one to the conclusion that the death penalty does not have any demonstrable deterrent effect greater than that of life imprisonment. United Nations data confirm the view that abolition of the death penalty does not appreciably increase the incidence of crime.

I have heard the argument, of course, that using the death penalty is more economical than keeping people in prison. That being so, it is entirely logical to ask why not then increase the number of capital crimes and save not only a little money but a great deal. Obviously, even to pose such a question is absurd. Capital punishment can never be reintroduced on the basis of being part of any Government's program of economic restraint. In fact, executions can be extremely costly when all of the different aspects are factored in, including trials, appeals, seeking pardons and so on. At least one U.S. District Attorney has acknowledged for the record that it would be cheaper to send the killers to jail than to execute them. But then he went on to say: "But with some horrible violent crimes even if it costs more, it is worth it to put them to death". That surely is the question for this House: Is it worth it to put them to death?

• (1730)

Some of those who have witnessed executions think otherwise. Recently I took part in a panel discussion on capital punishment which was held in the City of Yellowknife. One woman there told the group that her father, an RCMP officer, once had to witness a hanging as part of his duty. He was ill for many weeks thereafter and he became a strong abolitionist as a result.

A U.S. journalist who won the draw to witness an execution said later:

> Until you see it, you don't understand how gruesome it is, what tremendous responsibility it is . . . you have to block out the fact that this was a killing, not a death. What it said was people are junk, and if you don't believe it, just watch this.

Professor Ken L. Avio of the University of Victoria in Victoria, British Columbia, in a study entitled "The Quality of Mercy: Exercise of the Royal Prerogative in Canada", has noted that those who actually did hang in Canada when capital punishment existed tended to be a limited group, more likely to be male, more likely to be an aboriginal person. Other groups which were more likely than others to die if convicted of murder were a labourer, a French Canadian, or a person whose origins were eastern European.

As well, whether clemency was granted or not depended on the number of homicides committed while one's case was being considered. If one was on death row when a number of murders took place, one would more likely hang than if one's case was being examined during a more quiescent period.

The Assembly of First Nations has written to all Members of Parliament, opposing the death penalty. The letter, signed by the National Chief, George Erasmus, says in part:

> The death penalty is uncivilized, heathen, barbaric and unworthy of—a reasonable people. There is evidence all over the world that the death penalty is not an effective deterrent to the heinous offences upon which it follows. The legal system is not without failure and innocent persons have been put to death by the state.
>
> There is further evidence that First Nations' citizens have been and are being punished by the Canadian state in disproportionate numbers and could be the most victims of a restored death penalty.

Former U.K. Speaker George Thomas, in his book *Mr. Speaker* tells of two murders which were committed on the same night in the Aberavon constituency at a time when Great Britain still had capital punishment. One murder was brutal, unprovoked and involved an innocent young girl. The other murder was by a young man of his girl-friend. The latter confessed and pleaded that it had been entirely accidental, having taken place on a lonely mountain road during a love-making encounter.

One of these young men was Roman Catholic and the other was Protestant. Both were found guilty and sentenced to death. A request for clemency was made on behalf of the young man who pleaded that an accident occurred. The British Home Secretary refused to exercise the Royal Prerogative of mercy in the one case where there was justification because he feared offending one of the two major religions in the United Kingdom. If one was Protestant and the other was Roman Catholic, then both must hang and they both did.

Speaker George Thomas writes:

> When Chuter Ede left the Home Office he told the Commons that he had changed his mind about capital punishment. As I listened to him say that the case of Timothy Evans, whose innocence was proved after he had been hanged, had made him opposed to the death penalty, I recalled my own unhappy dealing with him and wondered if the boy from Aberavon was also on his conscience.

I have faced some criticism at home because I did not take a straw vote on capital punishment. However, one newspaper in my riding did and there was a 1 per cent return and a near split decision. I want to say that I am not opposed in any way

to a measure of direct democracy in our country. If we wish to use referendums more often, I am not against that. However, I ask Members who do not usually poll their constituents about other matters such as tax increases, free trade, or constitutional amendments why they choose the single issue of capital punishment and ask their constituents to become involved in this process?

Even if I were to take a straw vote in the constituency I represent, how valid would the results really be? A satisfactory referendum involves using full election apparatus, not merely mailing out a householder with a tear-off card which is no more than a pseudo-ballot. The results are entirely and completely inconclusive, proving nothing about the attitude of the people who live in that region or constituency.

No, I tell you that our system of democracy is to the greater degree representative in nature and it is I who must stand here in my place soon and make a decision regarding life and regarding death. It is a matter of conscience. Since I myself could never be an executioner, and since I would never want to witness a hanging which my vote, in part, may cause, I must therefore oppose the death penalty and I will vote against this motion.

Mr. Kindy: Mr. Speaker, it was quite interesting listening to the Hon. Member. I respect him because he has convictions.

Does he believe that the state has a responsibility to defend the security and liberty of an individual? For instance, does the state have an obligation to defend the nation from outside invasion?

Does the Hon. Member believe that we must have armed forces that defend liberty and security of the individual? If he agrees, can he explain why he does not agree that the state has the obligation to protect the liberty and security of an individual inside the country, when the threat comes from within, whether it is terrorism or hired killers? In each instance, the state has to kill.

When there is war, the state has the obligation to defend the liberty and security of the individual. There is killing. Similarly, when someone takes an innocent life, or there is terrorism, does the state have the right to protect its citizens?

Mr. Penner: Mr. Speaker, that is an entirely reasonable and fair question. I gather from the question that the Member was not here to listen to the first part of my speech.

In the first part of my speech I placed emphasis on the need for law and order in society, for an effective system of justice and for punishments in order that the number of violent acts could be reduced.

Then I asked the question about whether or not something as drastic as capital punishment would in fact achieve what its advocates said it would, namely a safer, better society with less violence? I used all the evidence I could muster to show that, in fact, the death penalty does not do that.

The Hon. Member asks me if I believe that we need a standing army to protect our society in the event of a war? I say of course. However, I return that question to my hon. friend and ask him: Do we go to war if we do not examine first all the other alternatives? Before we go to war do we not examine the possibility of negotiating a peace, some kind of compromise which would prevent us from a head-on conflict, death and destruction? Of course we do. We try to avoid war at all cost because we know the results are so drastic and irreversible in many instances.

• (1740)

I say it is the same thing within our society. Do we need something so drastic as the death penalty when there are other alternatives which are equally effective and yet do not carry all the dangers and consequences which the death penalty has upon our society?

Mr. Kindy: Mr. Speaker, I agree with what the Hon. Member says, but on the other hand, if we compromise to get peace at all costs, what will happen? We had this type of compromise in the 1930s. Mr. Chamberlain tried to compromise with Hitler. The result was that 30 million people were killed. So we cannot compromise on principle because we can be pushed too far. Does the Hon. Member believe there is too much of a compromise on that one point?

Mr. Penner: The Hon. Member talks about the need to compromise to avoid war and sometimes it does not work, but surely the Hon. Member is not saying that matters ought never to be taken before the Security Council of the United Nations Organization to see whether a confrontation between two sovereign states can somehow be avoided, that somehow the United Nations can intervene and prevent war? That is a kind of compromise, a kind of peace-making operation which every Hon. Member would encourage.

I say that within our own society there are other ways of dealing with violence. We should have more programs to prevent violence in the home and among people who know each other—where most of the violence takes place, by the way—and we can have a more effective justice system to ensure that people who commit violent acts do not laugh in the face of society, thinking they can do it again and again. There are many, many alternatives before we, as the representatives of the people of this country, would have to say that we have exhausted all possibilities in dealing with crime in our society, that we have no more answers and, therefore, we must reintroduce the death penalty.

If the Minister of Justice (Mr. Hnatyshyn) and the Solicitor General (Mr. Kelleher) came to this House and said: "There is nothing more we can do. Nothing works. We still have violence in our society, therefore, we must use execution", then they would have a convincing case and a person like myself would have to reconsider. But I suggest to the Hon. Member and to the House that we have not exhausted all the alternatives. There is so much more we can do. We have not even begun to

seriously deal with violence in a civilized society. Until we have exhausted every single alternative, why would we turn to something as drastic, dramatic and final as the death penalty as an answer to this problem?

* * *

BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Hon. Herb Gray (Windsor West): Mr. Speaker, I would like to ask the Government House Leader what business he intends to call for the next several days.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, again I can advise my hon. friend that, as he is aware, we have had a very productive House Leaders' meeting. We have reached agreement on the order of business for the next couple of days. Tomorrow we will begin with Bill C-60, the Copyright Act, followed by Bill C-21, the Shippers Conference Exemption Act, followed by Bill C-42, the Finance Bill, followed by Bill C-56, another Financial Institutions Bill, followed by Bill C-66, the Veterans Affairs Bill, followed by Bill C-64, the Income Tax Act and Bill C-63 the Small Business Act. If that is finished, we will go on to Bill C-70.

On Monday we will call the capital punishment debate again. On Tuesday we will call Bill C-71, that is the amendment to the Criminal Code flowing out of the Deschenes Report, Bill C-70, WHMS Bill, that is the Workmans Hazardous Materials Bill, Bill C-69, the Customs Tariff Bill.

A Bill will be introduced with respect to the farm improvement loans, I believe, tomorrow. That will be considered. It will be followed, hopefully, by Bill C-62. I understand there may be some problems with that, but if we can work those out, we would like to deal with that Bill. Then Bill C-62, which is a debt relief Bill, and Bill C-61 and Bill C-51. Bill C-61 is on proceeds from crime and we would like to move that into committee if possible, and Bill C-51, the Tobacco Bill.

It is a fairly light agenda and with co-operation, tolerance and understanding, I am sure we can get through all this and perhaps adjourn before the regular hour of ten o'clock.

Mr. Marcel Prud'homme (Saint-Denis): Mr. Speaker, I would like to ask the Hon. House Leader that if tomorrow we go through Bill C-60, Bill C-21, Bill C-42, Bill C-56, Bill C-66, Bill C-64 and Bill C-70, do we understand that if they were not to be passed, they would be taking their place on Tuesday next week, or will they be eliminated and we would start next Tuesday with Bill C-71? If such was the case, I would like to know to prepare myself accordingly to speak on some of these very important Bills. Will there be a legislative committee for some? Will they be dealt with here? What exactly are we saying yes to today? I would like to know the rules.

Mr. Mazankowski: The Hon. Member is saying yes to nothing. I am simply outlining the order of business and it is subject to change. The details have been worked out with the House Leaders and perhaps the Hon. Member may want to consult with his House Leader.

We would hope that we would be able to dispose of those pieces of legislation. If we do not complete all the agenda I proposed for Friday, it will obviously be carried over until Tuesday. I would hope that we might be able to conclude the capital punishment debate on Monday.

THE ROYAL ASSENT

[*English*]

A message was delivered by the Gentleman Usher of the Black Rod as follows:

Mr. Speaker, the Honourable Deputy to the Governor General desires the immediate attendance of this honourable House in the chamber of the honourable the Senate.

Accordingly, Mr. Speaker with the House went up to the Senate Chamber.

• (1800)

And being returned:

Mr. Deputy Speaker: I have the honour to inform the House that when the House went up to the Senate Chamber the Deputy Governor General was pleased to give, in Her Majesty's name, the Royal Assent to the following Bills:

Bill C-50, an Act respecting the treatment of pension payments in determining certain unemployment insurance benefit entitlements and to amend the Unemployment Insurance Act, 1971—Chapter No. 17.

Bill C-59, an Act to provide for payments in respect of exploration for or development of lands for the production of hydrocarbons in Canada other than coal—Chapter No. 18.

Bill C-13, an Act respecting the reorganization of Bell Canada—Chapter No. 19.

Bill C-65, an Act for granting to Her Majesty certain sums of money for the Government of Canada for the financial year ending the 31st March, 1988—Chapter No. 20.

GOVERNMENT ORDERS

[*English*]

CAPITAL PUNISHMENT

ESTABLISHMENT OF SPECIAL COMMITTEE ON REINSTATEMENT

The House resumed consideration of the motion of Mr. Mazankowski:

That this House supports, in principle, the reinstatement of capital punishment and directs that a special committee on reinstatement, composed of 15 members, be established, hold hearings and make its final report to the House no later than three (3) months following the adoption of this motion, such report to provide recommendations on:

(a) which offence or offences should carry the death penalty, and in what circumstances;

(b) which method or methods should be used to carry out the penalty of death, and in what circumstances;

That, pursuant to Standing Order 107(1), this special committee be hereby appointed as a committee to prepare and bring in a bill no later than three months following the adoption of this motion, founded on the committee's recommendations on (a) and (b) above; such a bill shall be the object of a separate and distinct report of the special committee, and such a report shall be its final report;

That such bill, when reported from such special committee to the House, be deemed pursuant to Standing Order 107(1) to have been introduced and stand on the Order Paper, in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business"; and that, when the said bill has been read a second time, it shall stand referred to a Legislative Committee;

That the Striking Committee be empowered to name the Members of the special committee, provided that once the Striking Committee report is laid upon the Table, it shall be deemed concurred in;

That the special committee have the power to sit while the House is sitting and during periods when the House stands adjourned;

That the special committee be empowered to report from time to time and send for persons and papers, and to print such papers and evidence from time to time as may be ordered by the committee and to retain the services of expert, technical, professional and clerical staff;

That the special committee be empowered to adjourn from place to place inside Canada and that, when deemed necessary, the appropriate staff accompany the committee;

That a quorum of the special committee be eight (8) members for any vote, resolution or other decision; and that the chairman be authorized to hold meetings to receive evidence and authorize the printing thereof whenever six (6) members are present;

That any substitution of membership on the special committee be made pursuant to Standing Order 94(4); and

That, notwithstanding the usual practices of this House, if the House is not sitting when the special committee is ready to issue its final report and the said bill, the special committee shall present its report and the bill to the House by filing them with the Clerk of the House provided that the report shall then be deemed to have been laid upon the Table, and the bill shall then be deemed, pursuant to Standing Order 107(1), to have been introduced at the first sitting of the House thereafter and to stand on the Order Paper in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business".

And on the amendment of Mr. Nystrom (p. 7307).

Mr. Deputy Speaker: The Hon. Minister of Justice (Mr. Hnatyshyn) on debate.

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I am pleased to enter into this very important debate in the history of this Parliament. It is a debate that is in response to a commitment made by the Progressive Conservative Party to have the matter of capital punishment brought before the House, thus enabling Members to deal with this issue which is very serious and important to many Canadians.

I support that process, Mr. Speaker, because I believe there is a role for Parliament in dealing with difficult issues facing the country. Notwithstanding that I, as a Private Member of this House of Commons, hold very strong views in opposition to the restoration of the death penalty, I do appreciate the fact that Parliament should have the opportunity to be seized of issues of great national interest and importance. I do not believe anything is accomplished in attempting to ignore the very strong interest that exists on the part of the Canadian people on this particular issue.

Having agreed, as a matter of Party policy, to this process, I have to inform the House again of my very strong feelings in opposition to the motion before us.

It was 11 years ago last Monday, Mr. Speaker, that I stood in the House of Commons and voted in favour of the abolition of the death penalty in Canada. I voted in favour of abolition because at that time my analysis and assessment indicated to me that, in terms of public policy, there was no basis for the death penalty in Canadian society and in Canadian law.

I speak now, as I did then, as a Private Member. This is an issue on which we all have the opportunity to vote on conscience, without our respective Whips calling for a vote one way or the other.

My position on this question has not changed since the time of the 1976 vote. I want to explain once again to Members of this House and the Canadian public why I think that any move to restore capital punishment would be a retrograde step for our society and for our laws.

In 1976 I believed the death penalty to be wrong. I was proud to have had the opportunity to play a part in what I regarded as an important step in the evolution of Canadian law, of Canadian society. That evolution should not now be allowed to slide back, to devolve, or in fact to digress. In 1987 I still hold the view that the state should have no power to sanction the execution of criminals. It is my hope that the continuing evolution of Canadian law will build on the strengths and important steps we have taken over the years.

In my role as a Minister of the Crown, and specifically as the Minister of Justice and Attorney General of Canada, I can assure Hon. Members that I strive, as far as is humanly possible, to play a role in this continuing evolution.

There were many reasons for my vote in favour of abolition 11 years ago, and as I review them today I find that these reasons are at least equally as strong, if not stronger and more appropriate today than then.

It is important for all of us to reflect on the fact that 11 years ago this country abolished the death penalty. Our experience over the period since 1976 should speak to our hearts and to our logic.

At the time there were many who suggested that the abolition of capital punishment would lead to dire consequences in terms of the administration of justice in our country. The people of Canada and Members of Parliament who consider what has happened in our country over that period of time will come to the realization that indeed we have

not seen a deterioration of the situation that existed at the time. In fact I think the statistics bear out the contention that is made—and it is one which I make—that there has been a reduction in the homicide rate in our country.

[*Translation*]

Mr. Speaker, first we all know that our system of justice is human. Like our greatest institutions it was created by men and women. However motivated and animated by a sincere and deep desire for justice as they may very well be, they are only human. Being human implies that one can err and fail.

[*English*]

That the essential humanity of our courts can lead to mistakes, Mr. Speaker, convinces me that it is too dangerous to apply the irrevocable measure of death to the verdict of a court. Members of this House do not need to be reminded of the incidents of wrongful convictions that have in fact occurred in the past. We as a society can attempt to compensate those we wrongfully convicted and imprisoned; however, we cannot restore a life once taken. Errors by eye-witnesses, by the police, by defence counsel, by prosecutors and by judges have been made, and will continue to be made, and it is this essential fact that makes the death penalty the awesome and terrible instrument that it is.

No one should feel content that something so unpredictable as a murder trial should be allowed to end in a mistake that might only be rectified after the death of an innocent man or woman.

There is no room, in my view, Mr. Speaker, for retribution or vengeance in the sentencing of a criminal. I acknowledge, and would share at a personal level, the anger and frustration and bitterness one experiences when a loved one is murdered. The desire for revenge would be great with respect to such an atrocity. But, as Members of Parliament involved in the development of public policy, we have to ask ourselves whether or not we want to arm the state with the right to put to death a citizen of our country. This is a fundamental principle and one which should receive careful consideration before a decision is taken.

While we may decide today that the death penalty would be available for a given offence, or two offences, given the way in which the House of Commons and representative government operates, one could not be assured that, in the future, the offences for which the death penalty would be available would not be increased.

So, we have a heavy burden in forming the proper policy to apply to all Canadians, and it is one of which we must never lose sight. To operate only on a visceral basis, an emotional basis, may lead to a disastrous and wrong decision.

What should be the role of the criminal law in our society in Canada? Certainly, deterrence, protection of the public, and rehabilitation are indeed the proper goals in delineating the best policy. These are the pillars on which the criminal law and the law on sentencing should indeed stand. I believe that criminal justice penalties, and especially the ultimate one, must be demonstrated to be such that they deter the criminal activity they are directed toward.

I know that the statistics, Mr. Speaker, have been referred to many times through the course of this debate. One thing is clear, and that is that an analysis of the facts that have been brought to our attention does not demonstrate, does not prove that the death penalty is a deterrent.

A review of recent statistics shows that the murder rate, as I indicated earlier in my remarks, is declining in Canada today.

• (1810)

We have experienced a period of time in which there has been no death penalty. On the basis of the activity in this vibrant and growing country of which we all can be proud, there has not been an increase in the incidence of murders and homicides. In 1986 the homicide rate fell to a 15-year low. Last year the rate declined by 20 per cent. First degree murder has declined by nearly 25 per cent in the last two years.

I want to examine the experience not only in Canada but in adjacent jurisdictions. What has been the situation in the United States? It has been shown that abolitionist states have equal or lower homicide rates than adjacent retentionist states.

Let us review the last year for which we have statistics in this regard, 1983. In the United States the average homicide rate for all states was 8.3 per 100,000 people. Texas and Louisiana showed rates of 14.2 per 100,000 population, and these two states have the death penalty. West Virginia, which is an abolitionist state, had a homicide rate of 4.9 per 100,000, while its neighbour, Virginia, a state in which there is capital punishment, had a rate of 7.0. These are adjacent states with similar demographies or similar populations, yet we find a dramatic difference in terms of their homicide rates.

Let me deal with some other examples. Iowa, an abolitionist state, had a homicide rate half that of Indiana which has capital punishment. Iowa's rate was 2.2 and Indiana's was 4.9. Maine, which has no death penalty, had a rate of 2.1 per 100,000 population, and Vermont had a rate of 3.6, a state in which there is capital punishment. North Dakota, an abolitionist state, had the same 2.1 rate as South Dakota, a retentionist state.

These figures underline the fact that in adjacent states, one with capital punishment and the other without it, the rates are at least the same. In many cases the rate in abolitionist states is below that in states with the death penalty. Oregon, an abolitionist state, had 4.1 and Washington, which has the death penalty, had a rate of 4.9. The murder rate in Florida has increased since the restoration of capital punishment. That is the record of that state.

I also have some international statistics which I think should be interesting to the Canadian public and to Members of the House. We should remember that the United Nations has called for the eventual abolition of the death penalty world-

wide. This international body has the opportunity to examine regimes and strife in various parts of the globe. It has a first-hand opportunity to observe the consequences and effects of capital punishment. The countries which make up the United Nations are for the abolition of the death penalty.

Having dealt with the United States, I think it is important for us to understand that as a western democracy we are in the same position as other western democracies. All western European countries, by way of example, have abolished capital punishment, with the exception of Belgium and Ireland. I should point out, however, that no executions have occurred in Belgium since 1945 and in Ireland since 1954. We must understand what kind of country we want in terms of this particular law and the sanctions we are imposing in respect of our criminal law.

I acknowledge that the death penalty exists behind the Iron Curtain. It is a constant, ultimate penalty in Iron Curtain countries. I acknowledge that in the Middle East there is a very wide range of countries which in fact have the death penalty.

I make no comment in respect of this matter, except to point out that we in Canada should set our objectives at the highest possible standard of decency, humanity, and compassion in terms of our policies and our law, particularly our criminal law. It is important to see the experience of those countries with whom we most relate in terms of the death penalty. Such a comparison commends itself to the House.

In terms of the protection of the public, I believe this important facet of criminal law can be achieved by the alternative—imprisonment for life for those who commit atrocities. As a parliamentarian and a lawyer, I join with other Members of the House in the hope for further and continued evolution in law in the areas of sentencing and corrections to ensure the protection of all Canadians.

As we debate the issue today, we have before us some very interesting and intensive studies in respect of the whole question of criminal law. We are looking at suggestions of fundamental changes in our criminal law. Recently a report on sentencing by the Archambault Commission was tabled in the House which contained far-reaching and wide-ranging recommendations respecting the whole area of parole, sentencing, and protection of the public, a consideration which was given a great deal of attention by the commission.

At the present time the federal Government is taking the lead and is working with provincial Attorneys-General in looking at these recommendations with some priority to determine what we in Canada can do to improve the protection of the general public.

I see that I am nearing the end of my time. I want to make only two or three final points. When current opinion polls reflect the majority's desire to return to the death penalty, I think often it is a reflection of the frustration sometimes felt by average Canadian citizens in respect of our criminal justice system. I believe we have it within our ability to make changes in Parliament to alleviate the apprehension and concern of many Canadians. In doing that, and not reverting to the symbolic gesture of returning to the death penalty, we will be serving society and truly dealing with the issue.

I will not deal with the question of whether or not we have an obligation in respect of rehabilitation in the criminal justice system. If this is to be a signal that we have given up on that particular objective, it would certainly be a sad day for Canada.

Some issues transcend the use of cold hard numbers. Sometimes our intuition or our visceral feelings coincide with empirical research. I recall our former Prime Minister John Diefenbaker, a great advocate, lawyer, and Canadian, who led the defence in many murder trials in Saskatchewan, once said that the existence of the death penalty resulted in more acquittals by juries than his own efforts as a lawyer.

I note that a recent research study by University of Toronto psychologist, Professor Jonathon Freedman, came to the same conclusion. There has also been released recent research data collected by Amnesty International in its publication entitled "On the Death Penalty in the United States", which indicated an even more disturbing point, that the racial background of the accused and the victim can influence the outcome of a trial and that certain visible minorities are disproportionately and adversely affected by the trial process.

Some have argued in favour of the restoration of the death penalty by use of an economic argument. Have our notions of justice become so impoverished that dollars and cents enter the equation when a life is in the balance?

• (1820)

It is inconsistent to use state sanctioned killing to punish the crime of murder. The state must, by its example, show that there is no place for violence in our society. Violence begets violence. Violence in our society should not be answered by violence by the state. I believe that the return to the death penalty would be the ultimate act of despair by our justice system.

In conclusion, I find the arguments against the deliberate act of judicial killing compelling. Further, and more fundamentally, I find my answer to this question comes from my sense of what is morally correct and from the force of my own conscience. We must stand in our places and be counted. Nothing since 1976 has convinced me that this penalty should be reinstated. My sense of duty also compels me to urge my fellow Members of this Parliament to examine the arguments, to search their hearts and their minds to consider whether or not we as legislators, as policy makers, as representatives of the people of Canada but also as individuals with a duty to use our best judgment, to vote our conscience, think now is the time to allow the shadow of the scaffold to fall again across this land.

Mr. Redway: Mr. Speaker, earlier this year, I believe in January or February, the Hon. Minister of Justice (Mr. Hnatyshyn) in speaking to an organization indicated that he believed Canadians had lost confidence in our criminal justice system. He was not alone in that comment because shortly after that the Attorney General of the Province of Ontario, the Hon. Ian Scott, made a similar statement saying that Canadians have lost confidence in our criminal justice system. To me those were very shocking admissions coming from the Minister of Justice, who is responsible for maintaining our criminal justice system and making sure that Canadians have confidence in it, and coming from the Attorney General of one of the largest provinces, if not the largest province, who also has responsibility for making sure that the criminal justice system of the land is administered in the Province of Ontario so that people have confidence in it.

The Minister tonight has indicated that he is for a stiffening up in the system—if I get him correctly. I will not put words in his mouth, I want to hear what he has to say—and he urged that there should be life imprisonment. Life imprisonment means a lot of different things to a lot of different people. In law now it is supposed to mean 25 years with parole after that. But with the recent Chartrand case involving a first degree police murderer, that may very well mean parole after only 15 years. A lot of other people believe that life imprisonment should mean just that, life imprisonment, and no parole.

We have as well in the mix, to which the Hon. Minister referred, a variety of studies, some of which have been completed and some of which are under way. The Law Reform Commission of Canada has undertaken a variety of studies, some of which are still under way. That commission referred to the question of the massive changes in the Criminal Code and it has also recommended changes in sentencing procedures. The Archambault Commission to which the Minister of Justice referred has recommended changes in sentencing. But the Hon. Minister knows very well that Archambault did not suggest life imprisonment should mean life imprisonment or that life imprisonment should mean 25 years in prison, or that a person should be subject to parole earlier than 25 years in prison.

In addition to that, the Correctional Law Review is under way. Reading the documentation being put out would lead one to believe that the Correctional Law Review might come to an entirely different conclusion from what the Law Reform Commission has come to, from what the Canadian Sentencing Commission has come to and from what the National Parole Board has determined. The latter also has a study under way on how we can change the system of sentencing and parole to give Canadians more confidence in the system so that they will not lack faith in the criminal justice system in Canada.

What does the Minister mean when he says that he is favour of life in prison as an alternative to the death penalty? Has he come to any conclusions at all—I suspect that he may not have, quite frankly—but if he has, does he really think that he has a plan to reassure Canadians that we have a criminal justice system which is workable, effective, one which will make Canadians feel good when they sit watching television at home at night?

Mr. Hnatyshyn: Mr. Speaker, I appreciate the very comprehensive overview of the Hon. Member with respect to a number of initiatives and studies. He has addressed himself to two or three main points. I want to try to be direct with him and not take up too much time in the event of other questions.

Starting in the reverse, I know one thing. I know that whatever is the public perception with respect to the adequacy of our criminal justice system, restoration of the death penalty is not the answer. I believe that with my entire being and heart. To suggest that somehow the restoration of the death penalty will cure all the ills in our criminal justice system, I think the Hon. Member would be the first one to agree that that is simply an untenable position for us to take as a justification for moving on this debate.

I was responding in the context not only of capital punishment but also with respect to the support which seemed to me to be rising in our country for vigilantism, for operating outside the constraints of law.

There are many reasons why public perception is that way. It does not altogether have to do with reality, with whether our system is operating properly. It is the public perception more often than not that causes people to think that something is definitely wrong. People are exposed night after night and day after day to violence on TV. People read the newspaper and know that the only news that will be reported is the aberrant activities of some misguided soul in our country.

Success stories in our criminal justice system get no coverage at all either in the popular press or throughout the electronic media, or very rarely. I should not be too categorical. It may be human nature for reporters to bring that kind of an incident to our attention because it is aberrant and unusual. It is not what Canadians understand their personal lives to be. If that is the case, then I say, yes, we have a lot of work to do. We have it within our capacity in the House of Commons to improve society. I have no great illusions that we are all a bunch of Winston Churchills here who are going to change the destiny of the world. But we can work together to improve our system. I believe that firmly and I believe that we have that attitude in this House.

When the Hon. Member asked me about life imprisonment, that is the law now. I grant you, Mr. Speaker, that there are provisions for application for parole to take place at a certain time. This is not an ironclad guarantee that people will be released from custody. I was addressing that question in the context of protection of the public. Life imprisonment is now the penalty for murder. In certain cases there is no right at all of application to appeal until 25 years of that sentence have been served. If we are going to improve the situation, we should look at what we must do in terms of incarceration, parole and all these matters, to protect Canadians. We should

devote our attention to that, and not to restoring the death penalty.

[*Translation*]

Mr. Rossi: Mr. Speaker, I hope I will have the time which could not be given to the other speaker, although 10 minutes . . . First I want to commend the Minister of Justice (Mr. Hnatyshyn) for the position he has taken. I have a question for him because I am somewhat confused by the attitude of the Prime Minister (Mr. Mulroney), knowing full well that capital punishment was abolished in 1976. Now everybody knows that the Prime Minister is against capital punishment, yet he is the one who brought back the debate on the death penalty. Since the Minister of Justice belongs to Cabinet perhaps he is in on the great secrets, because I am confused; the Prime Minister is against capital punishment, capital punishment has been abolished, yet he re-opens the debate. So I wonder if he might give me an answer where they say:

• (1830)

[*English*]

> That was a fine speech delivered Monday night by Prime Minister Brian Mulroney on the death penalty. He called it "repugnant," "unacceptable" and "abhorrent" and finished with a ringing declaration: "We uphold one principle—the inherent dignity of a human being, the inherent worth of human life. I will resist with all my strength, all my life, any action that would diminish that reality, that would lessen that human value."—
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> The answer, of course, is that Mulroney was trapped by a pledge he made during the Progressive Conservative leadership campaign in 1983. In an effort to win votes from Tory delegates who favoured the restoration of capital punishment, Mulroney promised a "free vote" on the matter in Parliament if he became Prime Minister. Once he was elected, certain backbench Tories wouldn't let him forget this pledge. It serves Mulroney right. Unfortunately, the country is paying for his sins with a divisive, time-consuming, ghoulish debate that is ultimately headed nowhere.

[*Translation*]

I want to ask . . . The Conservative Members do not like this, but I want to ask the Minister of Justice who knows the secrets of the inner sanctum, I repeat the question: Why did the Prime Minister, who has always been against capital punishment, who knows capital punishment has been abolished; however why would he re-open the debate on capital punishment? Why?

[*English*]

Mr. Hnatyshyn: Mr. Speaker, our Party has been on record not since 1983 but since the 1970s that it has been our policy that we believed the House of Commons should have the opportunity to address this particular issue.

Mr. Rossi: Why did he bring it back?

Mr. Hnatyshyn: We have not brought it back. We have brought a debate onto the floor of the House of Commons on an issue that is of immense importance to many Canadians. I addressed this at the outset of my remarks.

I think we are deluding ourselves if we as parliamentarians think that we can somehow shuffle important issues under the rug. I think Parliament is here for open debate.

I respect the position the Hon. Member took prior to this year and I appreciate even more the fact that he has now changed his mind and is now supportive of the continued abolition of capital punishment. His record as a police officer and as a citizen has been exemplary, so I commend him for that.

I do not commend the Hon. Member for attempting to slide important issues under the rug, for saying that parliamentarians should not be allowed to debate important issues of our times. I do not think that it takes a Rhodes scholar to understand that if people feel that important issues are not brought before the House of Commons, they will not only lose faith in our criminal justice system but they will lose faith in our democratic institutions.

That is why I, as a person who fervently believes in the continued abolition of capital punishment, feel that it is important from time to time for us as parliamentarians to have it out, to look it straight in the face and say that we again reject capital punishment now and will reject it the next time it comes up. The freedom of speech and the freedom of a representative assembly such as ours dictate that we must address important issues and address them when the people of Canada want us to address them.

The Acting Speaker (Mr. Paproski): Questions and comments are now terminated. The Hon. Member for Broadview—Greenwood (Ms. McDonald).

Mr. Kindy: Mr. Speaker, I rise on a point of order. I rose before the Liberal Member to ask a question on two occasions and was not recognized.

The Acting Speaker (Mr. Paproski): I will recognize the Hon. Member for a question after the Hon. Member for Broadview—Greenwood (Ms. McDonald) speaks.

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, I am sorry to be taking part in a debate on what I consider to be a very retrograde measure. I am sorry that Canada is considering the reintroduction of capital punishment after it had finally been abolished in the last decade. I am sorry that we are joining countries that are thinking of reintroducing it.

In 1962 the last hangings took place in Canada in the Don Jail which is in my riding. In 1966 a four-year moratorium on hanging was begun after there had been a series of reprieves. That moratorium was renewed in 1971, and in 1976 Canada finally abolished the death penalty for murder on a very close vote, but we took that extremely important step at that time and I am very concerned that we not take this step backward. I want to advance arguments both moral and practical on this issue.

Fundamentally, my argument is a moral one. I do not think the state should take life. I believe that the right of self-defence exists, but in the case of an execution which is by

definition a situation in which there is no immediate risk to anyone, certainly self-defence does not exist.

We live in a rich society. We are at peace with our neighbours. We are not at risk and do not have any of the excuses for executions that another society or another time might have advanced. We are a very privileged country in that respect.

The murder rate in Canada is a relatively low one by world standards. Canada is not a highly violent society and there are many measures that we could take to make our society less violent without going back to the death penalty.

Many people have written us to give us their views and I very much appreciate hearing from so many people who are now opposing the death penalty. I am very pleased to see the leadership role that churches, synagogues and religious leaders have shown in presenting their arguments. However, we have also received letters containing such arguments as people quoting the Bible in defence of the death penalty. As a practising Christian, I am shocked by this and I want to examine some of these arguments.

We have heard it said that there should be an eye for an eye and a tooth for a tooth. This is somehow taken to be an endorsation of capital punishment. It is not an endorsation of capital punishment, it was a limitation on a system of revenge which very often went far beyond the initial crime.

There are instances in the Bible of people who were themselves criminals but were forgiven for their crimes, not punished. There is a whole list of such people. If we began to use the Bible as the guide to what we should do as a House of Commons in Canada today, I note that there are 18 offences listed in the Old Testament for which the capital penalty is the stipulated punishment. These offences include, apart from murder which is on the list, striking a parent, reviling a parent, adultery, incest, homosexuality, possession of a vicious ox which gores someone to death and failing to control it, witchcraft, bestiality, sacrificing to another god, working on the Sabbath, giving children to Molech, calling up ghosts, blasphemy, the rejection of a decision of a priest, the disobedience of a son who is a wastrel or a drunkard, and false testimony resulting in the death of someone accused of one of the above offences.

I suggest to those who want to quote the Old Testament as the source of guidance on this subject that we would have to be consistent, but that is obviously quite preposterous. No one seriously suggests that we institute capital punishment for all those offences in our society today.

I note as well that the law of the time provided extensive restraints on the use of the death penalty. It was very, very unlikely that the death penalty would have been used because there were very strenuous safeguards in place with requirements of numbers of witnesses, who the witnesses had to be, changes in venue to ensure fair trials, and of course the death penalty itself for perjury if it resulted in the death of a person. In this situation, the Old Testament is being quoted in a very blood-thirsty way, but in fact all kinds of safeguards existed at the time making it very unlikely that the death penalty would in fact be used.

I can think of criminals mentioned in the Old Testament who were not executed. Cain killed Abel and far from being executed was protected by God from execution by other people, according to the story. David committed two capital crimes, adultery and murder. God did not demand his life. Jesus did not allow a woman to be stoned after she was caught in adultery. That is one of the famous stories of the Christian faith. Paul did not have the runaway slave executed but urged his owner to take him back. There was a death penalty for runaway slaves at that time. There are plenty of examples of a religious faith teaching that justice does not require this kind of revenge. Indeed, we have the very explicit: "Justice is mine, sayeth the Lord". We as human beings should not presume to take the life of another person. We should let a divine authority make that decision.

• (1840)

We know the ethic of forgiveness is taught. For Christians to be arguing in favour of the death penalty suggests a certain amount of hypocrisy. After all, what is the Christian church but a group of acknowledged sinners who admit they need forgiveness and welcome grace? Why should we then turn the tables and say we will be the judges and exact the final punishment? It seems to me there is a very serious inconsistency there.

What kind of justice would be achieved? The justice of the faith I believe in talks about reconciliation and harmony, not some kind of mechanical retribution. What kind of justice is that? There has to be a restoration of harmony in and a building up of the health of the community, not some kind of mechanical vengeance that will obviously do nothing to restore order and make people live in peace with each other again.

There are as well plenty of practical reasons for not taking this step backward. We have heard the suggestion it would save us money. It is most abhorrent to suggest that we would execute people in order to save on the bills. If we started following that line of argument we would certainly be changing our medicare system rather drastically. It is very doubtful that this is a good argument in any event because of the number and expense of the required judicial safeguards.

It is suggested that the death penalty is a deterrent. We have certainly had plenty of people using statistics in this House to persuade us of the merits of the arguments for and against. I am of the view that the deterrence argument has not been proven by anyone. You can look at longitudinal and cross-section studies. You can compare U.S. states with and without the death penalty. You can compare countries which have abolished it and countries which have not.

By and large countries that do not have the death penalty are at least as well off in their rates of crime, violence and murder as those that do. It does not seem to make a difference

one way or another. I would not argue we are going to see any improvement by maintaining abolition, but in the last few years we have seen a very modest but definite reduction in the murder rate. I do not want to argue that very strongly because it might change. Yet we have no reason to believe we are going to have any greater security with capital punishment.

Every year 2,000 drunk drivers kill somebody. It seems to me we could do a much better job of preventing deaths caused by drunk drivers. We have all kinds of ways we could intervene to save lives from accidents and suicide by providing services such as counselling. There are all kinds of opportunities for us in conflict resolution and giving an opportunity for victims to grow up safely and prevent a cycle of violence in subsequent generations. We do not need the death penalty if we want to reduce the amount of violence in our society. We have practical measures available which would achieve this end far better than deterrence. Obviously one has to be very selective in pulling out the statistics to argue the deterrence factor.

We know that errors will be made with the death penalty. No system is perfect. Our system is modelled on that of the U.K. and there have been executions there which were subsequently found to be absolutely wrong. Once a person is executed it is very seldom that further evidence comes to light because no one has much incentive to go out and gather it. Yet from time to time we find that the evidence was not as solid as it appeared and it is quite possible a number of people were executed who were not the criminals they were thought to be.

Eyewitnesses are notoriously unreliable. What seems to be a good objective test today may, 10 years from now, be proven scientifically not to be very accurate. If someone's life is going to depend on the accuracy of tests of their hair or fingernails for chemicals or whatever, we know mistakes have been made in the past and further refinements have shown that to be the case. I certainly would not want it on my conscience that I had voted for a system that would inevitably result in the death of the wrong person.

We have only just recently had the embarrassment and shame of finding about the very long and wrongful imprisonment of Donald Marshall on a murder charge. If we had capital punishment for murder at that time he would have been executed.

Mr. Stevens: That is not true.

Ms. McDonald: It depends on the definition in the Criminal Code. One of the things we are looking at is to what crimes the death penalty should apply. It is perfectly plausible that it would include first and second degree murder, and conceivably other offences as well. The motion before us is not restricted to first degree murder at all.

Mr. Stevens: That is for the committee to decide.

Ms. McDonald: Yes, but we are opening it up to that possibility. We know that in the past there were no divisions between first and second degree murder. They were all murder.

Mr. Stevens: No.

Ms. McDonald: There was the death penalty for rape as well until very recently. You do not have to go back too far to find the death penalty for armed robbery. In Britain, which is where our system derives from, there was the death penalty for 150 offences in the last century. Most of those were property offences and some of them very trivial. Many people were executed and undoubtedly some for crimes they did not commit. Undoubtedly many were executed for crimes which were not very serious.

People do not seem to think very much about the practical consequences if we take this retrograde step. Every time someone is sentenced to death reprieve will be considered. That is an ancient custom. Studies of reprieve have found there is a great deal of discrimination, as there is in people moving through the system.

We know native people are six times more likely to go to jail for any offence in Canada. They are only half as likely to be paroled even though the offences are, by and large, less serious. We know there is discrimination against natives in our society and we would fully expect there would be discrimination on grounds of economics, race and national origin, because this has happened in every system. It has happened in the past here and we have no reason to believe we would suddenly become perfectly fair. So every time a death sentence is pronounced by a judge there would be appeals all the way to Cabinet. Members of Cabinet would have to decide whether or not the penalty should be applied in each case. Citizens would be writing, there would be vigils and parades and processions.

Mr. Stevens: For Olson?

Ms. McDonald: It is also possible that with the death penalty there would be fewer convictions. I do not know that the evidence is entirely convincing on this point but there are certainly experts who say that with a death penalty juries are less likely to convict. There is some evidence in favour of that argument. We would not get absolute protection if people were acquitted due to a jury's scrupulous care that they not convict the wrong person. They might let someone off completely who ought to be convicted and imprisoned for a very long time.

• (1850)

Some people say that I may not have talked enough to families of victims. I am pleased to see that in some cases families of victims are speaking up. They are saying that the death penalty will never bring back their child and they do not want to have the death penalty reinstated. They mourn the loss of their child who was tragically killed, but the death penalty is morally wrong and there is no way they would get any comfort through it being reinstated. I am very proud of people who have the courage, even in the face of their great loss, to take this stand.

I am very pleased to see the significant number of people who are writing in. They include the leadership of the Elizabeth Fry Society and the John Howard Society. Many, many churches including my own, the Anglican Church, as well as the United Church and the Presbyterian Church, have been very strong on this issue. The Quakers and the Mennonites have long given leadership on this issue as have a number of Rabbis. The Canadian Jewish Congress has taken a strong position. All kinds of people are speaking out and saying very clearly that they do not want Canada to take this step backward.

The countries which have abolished the death penalty so far are the countries which have goals and moral values far more similar to ours than those of the countries which have retained capital punishment. They are the kinds of countries we want to visit and the kinds of countries we enjoy having as our friends. They include European countries, Australia, Austria, Brazil, Colombia, Costa Rica, Denmark, Ecuador, Finland, the Federal Republic of Germany, France, Iceland, Italy, Malta, Mexico, Monaco, New Zealand, the Netherlands, Nicaragua, Norway, Panama, Peru, Portugal, Spain, Sweden, Switzerland, the United Kingdom and Venezuela.

The United Kingdom had a vote on the subject very recently. I was pleased to see that the House of Commons there overwhelmingly defeated a bid to bring back capital punishment. These are the kinds of countries with which we want to be allied. The American states which have abolished capital punishment and stuck with it are, in the majority, our neighbourly states, not those with high crime rates. It would be very sad if we stepped backward and brought back capital punishment.

The Americans who are working in the abolition movement are looking to Canada now. They are extremely concerned that we not take a backward step. They are nearly losing hope themselves as they see large numbers of people on the death rows of the prisons of the United States. They are looking to us for leadership. They will be extremely disappointed if Canada, a relatively nonviolent society, a society of peace, takes this retrograde step with no good reason. That would be a very sad thing for the world. I think we owe it to our American friends not to take a step backward but to give them a glimmer of hope that we are staying the course with them.

There is no solution in capital punishment. I think many fine people are in favour of it because they want a symbol. They talk to us about their fears. They like to think that the reinstatement of capital punishment would say something about respect for life and having a decent kind of society. I respect those sentiments. I think these are people with good will, but I think their means are mistaken. We have no reason to believe that their good instincts would be well rewarded.

We have no reason to believe that any child, any prison officer, or any police officer would be any safer with the reinstatement of capital punishment. There are just no easy solutions like that. I think it would be very wrong for us in the House of Commons to tell people that we can provide safety to Canadian citizens by bringing back the hangman. That is not the right answer.

I am proud of the role that my Party has taken on this issue. We have worked very diligently against the death penalty and are doing so with perhaps a majority of people against us. A majority of people have at least some support for capital punishment. I do not want to exaggerate the position. I do not think there are a lot of people who strongly want to bring back the death penalty. Some people are looking for a symbol. I am proud of my Party for saying that we will not provide that symbol because it gives a false hope, it is a false solution. We said that even when it was unpopular.

We see public opinion moving our way as it has on equality rights, medicare and civil liberties. We had the courage to take unpopular positions on those issues and now see that the vast majority of Canadians agree with us. I am proud of the moral leadership which we have taken on this issue. We have been against capital punishment even when it was tough to be against it. We are now seeing so many people joining us and agreeing that it is a false solution and an immoral act for our society to undertake.

I know my own constituents are divided on this issue. I am hearing from them and am pleased about that. I respect their opinions. We are divided as a society on this issue but I appeal to people to listen to their higher instincts, their better passions. Let us say no to the reintroduction of the death penalty.

Mr. Stevens: Mr. Speaker, earlier in her remarks the Hon. Member said that she felt there was no relationship between the existence or nonexistence of capital punishment and crimes of violence. In that context, how can she explain that in 1962, the last year that there was an execution in Canada, the total number of crimes of violence was 41,000 while every year since, with the exception of one year, the number has steadily increased until in 1985 there were 189,000 crimes of violence?

In the context of a mistake, does she not think that perhaps a mistake was made in 1962 and has been made every year thereafter? With regard to homicides in particular, there has been one extra murder in Canada per day since executions ceased, resulting in a rate of murder double that which we had in 1962.

Ms. McDonald: Mr. Speaker, I am pleased to respond to this question. I am a sociologist by trade and actually studied and published on this issue a number of years ago. The Member asked two quite different questions. The first on crimes of violence and the second on murder rates.

The Hon. Member referred to a figure of 41,000. It should be understood that "crimes of violence" is quite a broad category. Murder, manslaughter and attempted murder represent a very small number of crimes of violence. They also include rape, robbery and aggravated assault. An assault can be a push or a shove. It does not have to be very serious. An

aggravated assault does not necessarily result in hospitalization.

My point is that it is quite a broad category and broad categories are very much influenced by definitions, by classifications, and by police numbers. When you hire more police, the crime rate goes up. When you install a computer at the police station, the crime rate goes up because record-keeping is improved.

We know that there has been an enormous improvement in the amount and quality of policing and in the keeping of police statistics. That, in itself, may be one reason for this increase over time. These figures of police-reported offences are very vulnerable. When you look at convictions you will see that crimes of violence have not increased. Convictions are a more solid estimate because these are the offences which have gone to court and on which a guilty verdict has been rendered.

Unfortunately we cannot do long-range studies on crimes of violence or murder with these figures because the categories have changed. Even with regard to murder there is murder in the first and second degree. Convictions represent only a very small number of homicides actually reported. Therefore, long-term series are simply not available. I have tried to get raw data from Statistics Canada to study this. They do not keep the data in the same form from year to year. One cannot make these long-range comparisons except by using very solid figures like those on convictions. There are problems even then because of the difference between first and second degree murder.

• (1900)

Mr. Stevens: Mr. Speaker, the Hon. Member referred to various countries that do not have the death penalty. She referred to European countries in a general category but I noted that she did not refer to Ireland. My people came from Ireland, which still retains the death penalty. I do not think there is anything wrong with associating with that country. Belgium is another country that still has the death penalty.

Over 80 per cent of the world's population live in countries that have some form of the death penalty. Is it not somewhat presumptuous to suggest that a small minority of the world's population is right and it is a reflection upon almost 90 per cent of the world's population that still keeps the death penalty to say that they are wrong?

I was startled to hear the Hon. Member even drop the name of Nicaragua as a country that does not have the death penalty. I do not know what is contained in the statutes in Nicaragua, but can she seriously suggest that there is not state killing in that country? They simply shoot you there if you do something wrong. They do not worry about trials.

Ms. McDonald: Mr. Speaker, my name is McDonald but half of my ancestors are Irish as well. I am sorry that Ireland has not abolished the death penalty. There is still much terrorism there and the political situation is more difficult than ours in Canada. While Ireland has not abolished the death penalty, I suspect that it will in due course.

I do not want to condemn countries that have not abolished the death penalty but I think they are wrong. However, countries come to a realization of what they want at different times. I hope many more countries will come to abolish the death penalty.

Some of them are at war and it is difficult for such countries to abolish the death penalty. I know that Nicaragua is in the midst of a civil war, yet it abolished the death penalty and I think it deserves credit for showing that moral leadership in difficult circumstances.

While there are differences among countries, I believe we should say as Canadians that we choose this morality and encourage other countries to join us. We will not stop being good neighbours with countries that do not take the same route. We will try to persuade them and hopefully always behave toward them in a decent manner. I think it is time that we engaged in a debate in which we try to persuade them that we are right.

Mr. McCurdy: Mr. Speaker, the Hon. Member for Broadview—Greenwood (Ms. McDonald) will have noted that the hon. minister of peculiar reasoning suggested that since the death penalty had not been administered since 1962, crimes of violence have increased dramatically. I doubt the Hon. Member would follow the logic of his question, which is to suggest that all crimes of violence should be punishable by capital punishment. An equally logical and perhaps more temperate argument would be the application of corporal punishment in proportionate measure.

I listened with great interest to my hon. colleague. She identified the quite shocking inadequacies of the simple-minded analysis of the statistics that were advanced. It should have been self-evident to anyone who is interested in the facts that there is no measure of the frequency of crime but a measure of the frequency of the reporting of crime. Furthermore, any increase that could be measured to have taken place could be attributed to other factors.

Does the Hon. Member see a similarity between this manner of reasoning and the kind of simple-minded answers that are advanced so consistently with that pattern of reasoning to solve what are essentially very complex social problems?

Ms. McDonald: I suspect that the psychology is one of "I have my position, now I have to find the facts to go with it". There is a selective use of Statistics Canada figures on a crime by crime, murder by murder basis. If the murder rate goes up one year, one cites those statistics. If the murder rate goes down the next year, one uses manslaughter statistics or a general category such as crimes of violence.

There is a well established pattern of people who want to use repressive measures quoting rising crime rates and being very

selective about the crimes they pick. I do not believe that helps the debate at all.

I agree with my colleague, the Member for Windsor—Walkerville (Mr. McCurdy), that we have complex problems of violence with which we must deal. We need legislation on pornography, victims of child abuse and many other measures. We need a decent social welfare system. That is how we deal with the question of violence. It is a complex question for which we need complex answers, real services and genuine caring.

The Acting Speaker (Mr. Paproski): I will allow a short question by the Hon. Member for Calgary East (Mr. Kindy).

Mr. Kindy: Mr. Speaker, my question is essentially quite simple. The New Democratic Party, almost as a bloc, voted against the motion of the Member for Grey—Simcoe (Mr. Mitges) to prevent the taking of innocent life. They vote, almost as a bloc, in favour of preventing the taking of the life of a guilty person. How does she square those two positions?

Ms. McDonald: Mr. Speaker, the vote that was taken on the Hon. Member's motion was by individuals in a free vote. All of us will be voting in the same way because we have made the same decision on capital punishment. However, it is a free vote and we have that opportunity.

I do not believe there is any inconsistency. The proposal by the Member for Grey—Simcoe (Mr. Mitges) was for a constitutional change that would not necessarily protect anyone's life. When one considers the availability of abortion in other countries, and the availability of illegal abortions, it would not necessarily save anyone's life.

If anyone is responsibly against abortion they have to be in favour of family allowance, parental leave, child care, adequate sex education and adequate contraception. The way to deal with that issue is by addressing the question of unwanted pregnancies. It is a practical and complex issue which will not be solved by passing a law. It is a law that will be circumvented in any event and in my opinion would not save one life.

The Acting Speaker (Mr. Paproski): Questions and comments are terminated. Debate.

Hon. Bob Layton (Lachine): Mr. Speaker, I join others in the House who have recognized that the debate on capital punishment is an issue which the House should address. Part of the process of government is to focus all of our attention on this very human issue.

The question of the death penalty in Canada is one that can be answered yes or no. If the answer is yes after a free vote in this debate, the question would then become, "When and how?"

I am one of those elected to this place who was either unable or unwilling to make a decision when this question was first posed. I wondered whether I should simply listen to the arguments presented by my colleagues, my family and friends, my constituents in the west Montreal riding of Lachine, and all those across Canada who have sent me their views and recommendations before reaching my personal decision. Stated directly and simply, I want to do the right thing for Canada and Canadians, as I believe do all my colleagues.

I have heard convincing arguments on both sides of this very basic human issue. Persuasive arguments come from people who, having made life-long studies of human behaviour, take opposite positions on the deterrent effects of capital punishment. Persuasive argument comes from mothers of girls who have been raped and murdered, pleading for and against capital punishment. The Hon. Member for St. Michel—Ahuntsic (Mrs. Killens), so highly respected as a human being, recorded in this House the effect on her of the testimony of one such mother. Persuasive argument also comes from 9,000 survey responses and letters forwarded by my constituents, now nearly equally divided in their views. I guess it is not surprising that opinion and argument is so strong and contradictory on this soul-searching issue.

• (1910)

In arriving at my personal decision, which will be reflected by my vote on this issue, I have reached conclusions on a number of parallel or consequential concerns. Without question or doubt, our justice system needs review and correction. Those who break the law must be punished if there is to be respect for the law, and the punishment should fit the crime. It should be both fair and firm. Sentences pronounced by our judges should be carried out rigidly by our penal system. Our parole process must therefore be very judiciously applied. The public has a right to be protected from those who have broken the law.

I believe that the victims of crime deserve more attention. In fact, innocent victims of crime should have direct support from the state. To the degree possible, criminals themselves should be held responsible for the compensation of their victims. Of course, this is seldom possible or practical. Fair compensation is not always monetary. It may be physical or emotional. It will always be difficult to assess or estimate. Assistance may be difficult either to extend or receive. Victims themselves may be the best counsellors.

In this regard, Detective Sergeant Robert Menard recently shared his hope with me that society would support an association of the victims of crime, a self-help organization. Himself a victim, and handicapped as a result, he is devoting his considerable energies to promoting the interests of the victims of crime. Sergeant Menard deserves our encouragement and our support.

But there can be no compensation for capital crime. Murder, planned and consciously carried out is the ultimate crime, whether it is carried out as a part of or the result of another crime, in passion or imposed on unknown innocents, such as an act of terrorism. Our debate is how we, as Canadians, should deal with those who commit murder.

Just as the crime of murder is the ultimate crime, the death penalty is the ultimate penalty. While it evidently protects society from repetition of the crime by the same individual, capital punishment introduces the possibility of irreversible error which, as our Prime Minister (Mr. Mulroney) described, is an unspeakable horror.

But, as it must in a free vote, the issue of capital punishment will be resolved when each of us votes as our conscience directs. Like most, if not all, of my colleagues in this House of Commons, I have found this issue of capital punishment very troubling. However, after deep reflection, I have decided that I will vote against the Bill to restore capital punishment. I believe it is right for Canada and Canadians. I hope my colleagues will agree.

Mr. Clinch: Mr. Speaker, I would like to take a few moments to comment on this very important and obviously controversial question before the House. For me, the question of capital punishment is a matter of moral responsibility, tied in with my concept of reverence for life.

The Acting Speaker (Mr. Paproski): Order, please. This is the time for questions and comments on the Hon. Member's speech. I would hope the Hon. Member would take that into account.

Mr. Clinch: I will certainly take that into account, Mr. Speaker, in my comments which would be in support of the speech just delivered, so I would assume that I would be allowed to make the comments I propose to make.

My reverence for life has been strongly encouraged in my early life by my parents, whom I know will be supportive of the stand I take, as well as those who were involved in my early education, the Sisters of Charity and the Brothers of the Sacred Heart at St. Thomas University, and all through my life by the former Bishop of the Diocese of Bathhurst, Monsieur Camille André LeBlanc.

The burden of proof always lies with those who argue for the destruction of any form of life. They have to demonstrate that it is necessary. They have to bring forward convincing evidence. They must demonstrate that its use makes the world a better place than it would otherwise be. For years it has been argued that capital punishment deters people from committing murder. Almost every study I have read comes up with the same conclusion, whatever causes the murder rate to rise, the absence of capital punishment is not one of them.

I have laboured long and hard over this question. I have consulted with the constituents of Gloucester, sought their opinions, and asked whether or not they favoured the return of capital punishment. Opinions have varied. I have been attacked verbally by some and encouraged by others to do what I felt was right. I have always maintained a great deal of respect and tolerance for the views of others. This debate has not caused me to change that position.

In making my decision on this matter, I recall the words of one whom I have always respected. It has been said:

> Cowardice asks the question—is it safe? Expediency asks the question—is it politic? Vanity asks the question—is it popular? But conscience asks the question—is it right? And there comes a time when one must take a position that it is neither safe nor politic nor popular, but he must take it because his conscience tells him that it is right.

For that reason, I must vote against the restoration of capital punishment.

Mr. Ellis: Mr. Speaker, I want to very briefly comment on the speech by my colleague, the Hon. Member for Lachine (Mr. Layton), and say to you, Sir, and through you to the House, what an excellent speech it was. It was exceptionally well prepared, well thought-out and well delivered.

I go back to the time in the early 1970s when we had a number of debates on capital punishment. I agonized, as has my colleague. I spoke with my bishop, my friends, my family, and so on. I arrived at a different conclusion. I have not heard anything in the debate so far to change my mind. I am not at all critical of my colleague's decision. It is his personal decision.

What I want to ask my colleague about is the result of his poll. As I recall in his speech he said the poll he received was about evenly distributed. I assume by that that he means there were half for and half against. In a poll which I took in my constituency, about 70 per cent were in favour of the reintroduction of capital punishment. I am curious as to how the Hon. Member asked the question. Did he frame it in any way that might have attempted to attract a special answer? Did he have any comments from his respondents to state whether or not there were qualifications in their yes or no?

• (1920)

Mr. Layton: Mr. Speaker, in response to the question from my colleague, the Hon. Member for Prince Edward—Hastings (Mr. Ellis), I patterned the survey in my Householder after one which had been responded to extensively in a Householder put out by one of our colleagues from Toronto. The concerns were all very carefully outlined. In the case of the Hon. Member from Toronto he identified his position, which is for the return of capital punishment. In mine, I took what was a consistent position until today, that I was uncertain, totally uncertain, as to which way my vote should be cast.

The response to my survey was interesting. An earlier survey which was conducted showed about a five-to-three or 65-to-35 ratio in terms of the first responses we received. In that case there was an overwhelming response in favour of the return of capital punishment. We watched as the thousands of responses came in to the point where, as I mentioned, there were nearly 9,000. The gap narrowed to where I think the estimate would be in the two-to-three range.

What was important to me, and what I was very interested in, was the way in which my community responded, a community of which I am very much a part, a community which is in

the west end of Montreal. As Hon. Members know, we face quite a number of concerns in that Anglophone section of Quebec. We reflect upon issues which are issues of Quebec in the global sense, but we are a special community in that society. I was interested to see how the people in my community would respond.

Some 70 per cent, give or take, are Anglophone voters in my community while 30 per cent are members of the French-speaking community. From other surveys that have been conducted in the Province of Quebec we know that the response in Quebec is approaching 50-50. That of course would reflect a strong majority of French-speaking Canadians. However, in my riding of Lachine where the majority is still two-to-one, or more, English-speaking I was curious as to what the reaction would be.

The initial reaction came on strong but gradually diminished to a four-to-three position. In addition, I found that those who were prompted to write from the heart numbered in the hundreds. They sent letters along with the survey and also separately. The overwhelming majority sought my support on behalf of the rejection of capital punishment.

The Acting Speaker (Mr. Paproski): Since there are no further questions or comments the Chair recognizes the Hon. Member for Davenport (Mr. Caccia) on debate.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, at this point in the debate it is hard to advance notions that are fresh and crisp and which carry a connotation of novelty. I enter the debate with the thought that this is a propaganda war over statistics as to whether our crime rates have gone up or down and whether we should use 1962 as a base year or a more recent year.

I observe that in this debate the question is whether or not capital punishment is a deterrent that works or does not work, and where it seems to work and where it does not seem to apply at all.

I have read and heard some perverse arguments in this debate at times on economic grounds which state that it would be less expensive to the taxpayer to execute a person rather than to keep that person in prison for an extended period of time. It seems to me that at this point it would be only fair to ask some busy questions and the questions, of course, that guide me in this debate in particular.

The first question is this. Can we retreat as a nation and go backward by adopting the measure that is being proposed and thus allow Canada to join a dwindling number of nations, those nations that are still hanging on, so to speak, to the notion that capital punishment is the answer? Can we do that as the proponent of this measure would like us to do by way of a vote next Monday? In other words, can we lead Canada backward into a phase out of that which we thought we had achieved once and for all 10 years ago? Can we do that? Is it fair to Canada? Is it fair to the reputation we have in the world? Of course, my answer is no.

Can we vote for a remedy, as proposed in this motion, that would treat the symptoms of a big problem, evidently, instead of the causes? In other words, can we be lead to believe that by reintroducing capital punishment we will really improve the social conditions and behaviour of Canadian society? I ask the proponents of this measure this. Can we honestly and seriously believe that this will be the net effect and the net result of this measure? Do they really believe it?

Obviously, as you can see, Mr. Speaker, by the way I am posing the questions, I do not believe that by voting for capital punishment we would be introducing a remedy that would treat the roots of the problem.

I would also ask whether, as the representatives of the people who have elected us, we can pronounce ourselves in favour of an action, in favour of killing, in order to prove that killing is wrong. Can we do that? Can we set that kind of example? Is that what Canadians really expect from us fundamentally and basically, to vote for a measure to kill in order to prove that killing is wrong?

Evidently there is a watershed here between those who believe that to kill in order to prove that killing is wrong is the right thing, and those who believe the opposite, like myself. I reject that first notion, as do many Canadians. It is true that we have received a number of letters urging us to vote for capital punishment, and we should receive letters since this is a very important public issue. But we have also received a number of representations, and very thoughtful ones, and I will refer to two of them shortly, which definitely indicate that it is distasteful to again see Canada adopt this measure.

What we should be debating instead are the root causes that lead to violence in society. That is the ground for a substantial, constructive and meaningful debate for this House to be engaged in, in which we would be asking ourselves the following. What are the root causes that lead to increases in crime rates in our society? That is the essence, the foundation, of this debate. Really, it is what is behind this motion.

• (1930)

In a sense, we ought to be grateful to the movers of this motion as it provides us the opportunity to pose these fundamental questions. But, that is the extent to which I would express my gratitude to them.

The question I ask is this. Why is it that we are not debating the root causes of violence in our society? The more one considers this issue, the more one has to conclude that capital punishment is not the answer in terms of ending or reducing violence in society.

In terms of the debate thus far, I must conclude that in fact the advocates of capital punishment have failed to prove a cause and effect relationship between the absence of capital punishment and an increase in violent crime. Not one of those speaking in favour of capital punishment thus far in the debate has been able to discharge that burden of proof; not one has

been able to show a cause and effect relationship between the absence of capital punishment and an increase in violent crime. The onus is on the advocates of capital punishment to prove that, and they have not done so. Therefore, the case for reinstatement of capital punishment is falling apart. More and more Members of Parliament are coming to the conclusion that the right approach is to vote against this measure.

When faced with two communities, one with a high crime rate and one with a low crime rate, one has to ask one's self what it is that accounts for the difference. That is the question that we ought to pursue and that we ought to understand. It is not an easy question to answer. Obviously, some answers must be found.

We know that some of the elements that can lead to an increase in the level of violence in a community can include a lack of basic income, a lack of proper housing, of proper social services. Other factors could include the lack of a strong family base and a lack of adequate education. What we are addressing here is a fundamental social issue. It is one that cannot be resolved by adoption of the simple notion that capital punishment by the state can reduce violence in society. If that kind of thinking were to prevail in this House, it would take us back several centuries in our evolution.

It was two centuries ago that Cesare Beccaria, an individual who was born in the same city where I was born, wrote a treatise on crime and punishment which included the following on capital punishment. Just listen to what he wrote in 1764. I quote:

> The death penalty is not useful because it sets men an example of cruelty. Even if the passions or the necessity of war have taught the shedding of human blood, the laws moderating the behaviour of men should not add to this cruel example, all the more disastrous because lawful death is dealt out with formality and after due deliberation.

Just listen to that! In the coldness of the morning, usually. He goes on to say:

> To me it seems absurd that the laws, which express the will of the people, and which loathe homicide and punish it, commit homicide themselves and, in order to dissuade citizens from murder, decree a public murder.

That is a fundamental principle in public thought that those of us who are against capital punishment hope will prevail when the vote is held next Monday.

What we should be examining at this stage is the question of the root causes for violence in our society. We should look at the question of the redistribution of wealth in society, and the over-all question of what leads human beings to behave in a given manner.

If we were to pursue such a broad range of social questions, we would come up with answers that Canadians would accept as fair and that Canadians would want to adopt. I am convinced that Canadians do not want violence in response to violence. It is true that Canadians want protection and prevention. It is the search for prevention that is the challenge that is still ahead of us.

With the reintroduction of capital punishment, if it were to happen—perish the thought—who would be executed? Who would be the victim of the inequity and unfairness that follows from capital punishment, as it has been examined and documented in other countries? Would it be the member of a minority group, the person who cannot afford a lawyer? Do you think it would be the person who is without political contacts? The evidence clearly demonstrates that those who would be the subject of capital punishment would be the weaker elements in society.

• (1940)

To ask in the final stage the political body, the Cabinet of Canada, to make the decision on whether or not a person should be executed is an abhorrent thought. It is unfair to the person involved whose life is at stake, and it is unfair to the person who would be asked to make that decision.

It is interesting that in the last several months a good number of religious organizations across Canada have expressed their position against this resolution. Why? I submit that they have done so because of ethical reasons, not for pragmatic reasons.

I profoundly disagree with those who make it an issue of deterrence and who say, "Oh, if it were a deterrent, then I would vote for capital punishment; but since it is not a deterrent or it cannot be proven to be a deterrent, I will not vote". It is still the taking of a life. It is still asking the state in the name of society—and the state is asked to be an example of exemplary behaviour to society—to do the very thing the state wants to prevent. That is the basic principle which to me is the guiding light in this particular debate.

For Heaven's sake, why should capital punishment be a deterrent? Would it be a deterrent in a moment of passion or of anger? Would it be a deterrent in abject poverty or in a moment of insanity? Would it be a deterrent in a moment of irresponsible behaviour? Do they really think that? Are they serious about that? It is unbelievable. I can only say that an increasing number of Canadians are against capital punishment.

I was extremely touched a few months ago to receive a letter from Mrs. Lesley C. Parrott, the mother of Alison Parrott, whom she described in her letter as her 11-year old daughter who was abducted and murdered in July 1986. In her letter she wrote:

> Alison's murder has given me a very personal and agonizing experience of the horror of violence and killing. It has more than ever convinced me that we as society cannot ever and must not ever condone killing, whether by state or individual, in any shape or form.

She continued:

> I do not want to be part of a society that brings up future generations with the belief that killing can be legitimized under certain circumstances.

That is a beautiful way of putting it. Mrs. Parrott continued:

> Let the message be clear and unconditional: human life is sacred; killing is always wrong.

Capital Punishment

Please consider my deep felt views, and vote NO to the return of the death penalty.

By the way, she is not a constituent of mine.

I have another document which deserves to be raised in the course of this debate. It is a letter from Pauline Maitland, the widow of a slain Toronto policeman in 1976. She wrote:

I learned—that the man who killed my husband, P.C. Leslie Maitland, last February 1st, has now been sentenced to death. I would like you to know that the views of myself and my husband's family on capital punishment remain unchanged. We are totally against it. It would not bring Leslie back and it is too easy a way out for all of us. Society condemns murder, but is willing to accept the murder of this man in the name of justice. Please do what you can to prevent this second crime, before it is too late . . . The killing of this man would be completely foreign to all the moral standards of both my late husband and myself.

In conclusion, and because my time is up, I voted against capital punishment in the past, and I can assure the House that today I am still against capital punishment and that so long as I live I will be against capital punishment.

I would like to take this opportunity to urge colleagues who are still undecided to join in voting against capital punishment.

Mr. Ellis: Mr. Speaker, I will be very brief. The speaker who just took his place was looking at me through a good deal of this debate, perhaps simply because I was the only one in this corner of the House. He asked a question directly of me, whether those of us who favour the reintroduction of capital punishment could satisfy the burden of proof. I am not at all sure that it is incumbent upon us to satisfy any burden of proof at all.

He went on to blame society, as many do, for the killers of the day. I say to him that Clifford Olson, who has perhaps been used as an example too often, as I have read of him, comes from the same kind of background as nearly half of the people in my constituency, yet I do not see half my constituents going out and carrying out the terrible acts that this man did.

Tomorrow morning when the Hon. Member for Davenport (Mr. Caccia) is in the House during Question Period, the galleries will be perhaps one-half or two-thirds full. On a Friday morning maybe they will be half full, so there will be nearly 400 people in the Chamber. I ask him to think about all of them being killed in one fell swoop by one person, whoever that person was who put the bomb on the Air-India flight.

I do not think any of us who support capital punishment would respond with violence for violence. There is no way that any of us intend to take out Clifford Olson and horribly rape and beat him as he did his victims. There is no way we would take the man who killed nearly 400 people on the Air-India flight, put him out over the Atlantic, put a bomb on the airplane, and blow him up. That is not our intent.

He speaks of unfairness. I can only suggest to him—and he may want to answer this—that sadly I hear from him that he has no respect for the life of those 10 or a dozen teenagers in British Columbia or those nearly 400 people on the Air-India flight, but he does have respect for Mr. Olson or for the person who put the bomb on the Air India flight. I think it is a matter of fairness that those terrible crimes be met with a just penalty.

Mr. Caccia: Mr. Speaker, it is sad to hear these kinds of questions from the Hon. Member for Prince Edward—Hastings (Mr. Ellis). I thought he had reached a stage of maturity where he would pose different kinds of questions.

• (1950)

My answer to his question is this. First, he cannot brush away the responsibility of those who have put this motion forward to come forward with proof in support of their motion. I say to the Hon. Member, as an advocate of capital punishment, that so far he and the other proponents have failed to prove a cause and effect relationship between the absence of capital punishment and an increase in violent crime. He has not yet, and he had admitted it himself, discharged that burden that goes with putting forward that motion.

Second, concerning respect for life, I would say to the Hon. Member that two wrongs do not make one right. We are all fully aware of the tragedies that occur whenever a murder takes place and whenever an act of terrorism has been carried out, whenever one life is lost. But what is the remedy to prevent this from happening? In my speech I attempted in some detail, within the limitations of time, to indicate to the Hon. Member what we should be searching for, namely, the root of the problem, in order to reduce the likelihood of these actions taking place in future. It is getting to the root of the problem that I urge upon the Hon. Member, rather than accusing colleagues here of not having respect for life. I think that is absolutely silly, and I reject that notion.

Mr. Greenaway: Mr. Speaker, first, I want the Hon. Member for Davenport (Mr. Caccia) to know that I respect his position as I respect the positions of anyone in this issue, whether pro or con.

At one point in the Member's speech, if I have this right, he asked if Canadians want reinstatement to prove that killing is wrong? Is that not exactly what the people have been trying to tell us year after year in poll after poll? The majority feels that capital punishment should be reinstated. Do we not have a democratic system in Canada? Does the majority not stand for anything?

This is one of the issues with which I have trouble personally. It has nothing to do with how I feel about the issue because I made up my mind in 1974 that I was in favour of the return of capital punishment, but 87 per cent of the people in my riding in a fair poll feel that capital punishment should be reinstated. Across the country somewhere between 60 per cent and 80 per cent of the people feel it should be reinstated. How can we turn away from our people in the democratic process?

I ask the Member that question not in any spirit of malice or embarrassment. I would be interested if he could shed some light on that problem. It is a problem for me.

Mr. Caccia: Mr. Speaker, this is a difficult question. It is only fair that the Hon. Member would raise it because it is one that troubles the minds of many. There is no easy answer to the question.

I suppose basically one might find the answer in whether the Hon. Member sees himself as a delegate from his riding or a representative from his riding. If he chooses to be a representative in the real meaning of the word as it appears in the dictionary, then he will endeavour to represent the views of the majority as he perceives that majority to be. He will of course, deny the minority the alternative option, having acted as a representative. The alternative would be for the Hon. Member to perform his mandate as a delegate.

If he does choose that route, then he would be doing something like this. He would be using his time and effort, because he is paid to do that, to study the issue in much greater depth than probably anyone in his riding. He would collect the data, the information, the knowledge and the philosophical background that would guide him in arriving at a decision or conclusion that a study in depth of this kind will permit him to arrive at. If that happens to conform with the views of the majority in his riding, he will vote with a majority of the people in his riding.

Should he, as a result of his efforts, arrive at an informed opinion based on the principles that he will be searching for that is different from that of the majority of the people in his riding, and should he decide to be a delegate for his people in Ottawa, then he will make a decision that will not represent the majority in his riding. In doing so, he may give leadership to the people in his riding. He may be criticized. He may even lose the next election, but he will definitely achieve one thing. He will have the respect of his electors.

The Acting Speaker (Mr. Paproski): Questions and comments are now terminated. Debate, the Hon. Member for York East (Mr. Redway).

Mr. Alan Redway (York East): Thank you for the opportunity to enter this debate, Mr. Speaker, on what I really do not have to tell you is a most difficult and trying issue. You have sat through a good many days and evenings of debate on this subject, as I have. Before that you listened to the arguments pro and con as they have been debated across the country. You and I know that this is an issue on which there are extremely strong feelings on both sides. There really does not appear to be any meeting of the minds of any sort. It is a very divisive issue.

For me, this issue started back in 1982 when I decided that I would seek a nomination and stand for Parliament. At that time, as you will recall, the issue in Canada, as it is today, was the question of the economy and jobs. It was not an issue of capital punishment. The major issue as reflected in the minds and the hearts of the people in your riding, Mr. Speaker, and certainly in mine was that of the economy and jobs. The polls reflected that fact. If we look at the polls today we see that they still reflect that fact.

As I campaigned I found that if there was one issue raised as I knocked on people's doors and I suspect they raised it with you, Mr. Speaker and most others in this Chamber—apart from the economy and jobs, and that was the one I talked about first—it was the issue of capital punishment. It was not an issue on which I went out to campaign. I doubt if it was an issue on which you went out to campaign. It was not a subject matter that politicians in this House of Commons wanted particularly to have as an issue. It had been dealt with in the past. I suspect all of us, no matter on what side of the issue they were, would have been happy to leave it alone, and forget about it.

The reason it is an issue is not because you made it an issue or that I made it an issue—frankly it is not because the Prime Minister (Mr. Mulroney) made it an issue—it is because the people of Canada made it an issue. The people were concerned about it, and they raised it time and time again throughout the election campaign. The Prime Minister, the Leader of the Opposition at that time, made a commitment that there would be a free vote on the issue after the election, if our Party were elected.

• (2000)

For me, the issue did not stop there either. That commitment was not the end of it. We went for two years without a motion being introduced in the House on the subject of capital punishment. Throughout those two years I received phone calls and letters on the subject. Every time I held a town hall meeting in my riding, as I try to do on a monthly basis, that issue inevitably came up. Time and time again at those meetings, we spent half the time, three-quarters of the time and sometimes almost all the time discussing the issue of capital punishment, and those meetings would go on for two or three hours. We discussed when this issue would be dealt with by the House and when Parliament would come to grips with the issue.

In the last few days and weeks, I have listened to my colleagues talk about why we are debating this issue. In my view, the reason is clear. It has nothing to do with politicians. The reason is basically because the people of Canada want it debated, brought before Parliament and dealt with.

Since the motion was introduced, it has become quite clear in my mind that those who were very vociferous in their support of capital punishment decided that the matter is now before Parliament and there is no point in remaining on my back about it. Perhaps they are still on your back about it, Mr. Speaker, but at least I have not been hearing from those who had wanted to bring this issue forward. It appears that they are now content because the issue has been brought forward.

The people from whom I hear now, of course, are those who are opposed to the reinstatement of capital punishment. I have received virtually every letter and card that has been referred to in the House, virtually every one of which opposes the concept of the reintroduction of capital punishment.

Throughout these debates, and particularly since the reinstatement motion was introduced in the House, all sides of the debate have raged in the press and the media. In my view, virtually every conceivable fact was reviewed and discussed, and latterly most of those facts have been contrary to the concept of the reintroduction of capital punishment.

This was a troublesome issue for me during the election campaign. As I said, I resolved in my mind that the best way to deal with it was to have a national public referendum which would be binding on Parliament, the Government and the people of Canada. That is the position I personally put forward during the election campaign. After the campaign was over and the Prime Minister made the statement that there was to be a free vote at some time during the term of this Parliament, it became obviously clear that the concept of a referendum was *passé*. So at that time I made the commitment that the next best thing to a referendum would be a poll of my constituents. If their views were very clear, regardless of my own views on the subject, I would vote in support of the views of the majority of my constituents.

At the same time, I indicated to my constituents that originally I had been a proponent of capital punishment but laterally, on all of the evidence, I had swung around and had come to oppose it personally. However, I said that if there was a clear expression of majority opinion on this issue, notwithstanding my own views, I would vote in accordance with the views of my constituents.

I would like to read into the record what I put in my Householder. I stated:

> The results of both the questionnaire survey and the poll are extremely important. Please answer the questions as if you were making the ultimate decision on the life or death of a fellow human being because regardless of my personal feelings and regardless of the fact that many will accuse me of copping out, I will cast my vote in accordance with my understanding of the wishes of the majority of the residents of our constituency, if there is a very clear majority. If there is no clear majority, I shall feel free to vote my own conscience.

I decided that a survey was not good enough as far as I was concerned. There were too many ways a survey might be rigged or tampered with by individuals who would want to slant it one way or the other. I undertook at the same time to do a professional poll, fortunately paid for by my constituency association. I decided to base my conclusion on those two criteria as long as there was a clear-cut understanding.

You may be aware, Mr. Speaker, and if you are not, many others are, that I personally have been severely criticized for that view in the press. *The Toronto Star* ran an editorial aimed directly at me and one other Hon. Member who was mentioned by name two or three times. In addition to that, one of my former municipal council colleagues wrote an open letter to me in his regular column in a Sunday issue of *The Toronto Star* attacking the position of voting for one's constituents' wishes. The basis of that criticism is one that has certainly been reported in *The Toronto Star* several times, but one I have heard in the House many times during this debate. I will not refer to individuals by name, but I have heard this referred to today and that basis is the great principle enunciated by Mr. Edmund Burke.

What was it that Mr. Edmund Burke said? He said:

> Your representative owes you, not his industry only, but his judgment; and he betrays instead of serving you if he sacrifices it to your opinion.

That has a nice ring to it. It certainly seems to be the very essence of what a politician, a parliamentarian, is supposed to be. However, I think we must all remember that Burke wrote those words back in the 1700s. It was a time when the French Revolution was raging in Europe. Burke wrote those words at a time when there was no television, there was no radio, there were no libraries, there was no public education system, there were few newspapers and there were few books. He wrote them at a time when very few people could even read or write and he wrote them at a time when only very substantial land owners could vote.

In my view, Burke's statement was a product of its time. It was an elitist statement reflecting disdain for the opinion of others. His views are the views that are always quoted by a politician who is trying to rationalize why he has disregarded the views of his constituents. It is an I-know-better-than-you approach to one's role as a parliamentarian and representative of the people. That is a viewpoint which I personally have always rejected.

That is not to say that there is not a kernel of truth in what Mr. Burke said. He talked about owing one's constituents one's judgment. I certainly believe that I owe my constituents my judgment and I certainly believe that I exercise my judgment on all issues. I believe that I am exercising my judgment on this issue as well by utilizing my constituents' views in coming to my conclusions.

I say that bearing in mind the fact that on most issues and perhaps virtually every issue except this one, I have a great deal more information at my command than any of my constituents. I have at my command reports, material, library references and all sorts of different inputs that my constituents do not have.

• (2010)

In my view that is not the case on this issue. This issue has been debated publicly for years and years. In fact, serious debate in this House started at least 30 years ago. Over that time every single fact and figure one way or another has come out. More recently, the press and media have debated it backwards, forwards and sideways. In my view, my constituents know every single fact of this issue just as much as I do. I have heard all the pros and cons debated. I have heard the very substantial reasons put forward for being against capital punishment and the very substantial reasons for being for

capital punishment. I have to conclude that for every argument for, there is an argument against. I will not go into that *ad nauseam* because some Hon. Members may want to ask me questions, but I will just mention three or four items.

First is the question of whether or not it is a deterrent. I sat here this afternoon and this evening and heard very compelling arguments on both sides. Statistics are trotted out applying to one or the other. We have had very compelling arguments as to why the state should not take a life. On the other hand, we have had the argument that the state is protecting other innocent lives by doing so. There is the argument that doing so discriminates against the poor and minorities. The rich people always get good lawyers and always get off. Yet you and I know that not so long ago in my Province of Ontario a man by the name of Buxbaum hired as his defence counsel someone who is considered to be probably the best defence counsel in the country. That counsel could not get him off and he was convicted of murder.

Then there is the argument that the wrong person may be executed. There have been some very compelling stories there. On the other hand, the other side says there is no evidence that anyone in this country has been wrongfully executed. The only case I have heard where it is said perhaps an innocent person was put to death was a case I have not heard much about. That case is that of William Coffin in Quebec.

About a year ago I was in Montreal for a great political convention which I think you attended, Mr. Speaker. I picked up the Montreal *Gazette* on a Saturday evening, March 15, and there was a big article about the Coffin case. That was long before this motion was introduced, so perhaps someone anticipated this debate. That article contained a lengthy interview with the widow of William Coffin. She was asked if, after 30 years of anguish, she favoured a return to capital punishment in Canada. Mrs. Coffin said: "Hang them. They brag about killing and then they're out after just a few years even where there's absolutely no doubt about it. They hanged Bill despite the doubt. The stupid asses give murderers weekend passes today and houses so they can visit with their wives."

I do not put that forward as a reason for supporting capital punishment. I do so to show that for every argument against there is a compelling argument for.

The conclusion I have come to and the judgment I have applied in this case is based on the fact that, given all this evidence, I think a rational person could come to the decision to support capital punishment and a rational person could come to the decision to oppose it, all on the same evidence. The typical rational person could come to two different conclusions. I mean no reflection on anyone else in this House because I believe this is a matter of deep personal conscience, but I personally believe it would be arrogant for me to decide on that sort of evidence, and on the basis of the fact that a substantial majority of people in my riding favour capital punishment, that I am so right and they are so wrong.

There are other things that come into this decision to support the views of my constituents. Some of those things were raised by the Hon. Minister of Justice (Mr. Hnatyshyn) in his comments. One was the fact that there has been a growing lack of respect for the law and a rise of vigilante-ism. We have seen that in Calgary and Montreal. As the Minister said, the public has lost confidence in our criminal justice system. If there was a way of assuring the people of my riding and other Canadians that we could institute a criminal justice system in which they could have confidence, then I think the results of public opinion polls on this question would be different. Yet I have heard no one in this House, and I have questioned several Members, put forward their views on how we can restructure our system to meet that goal. I have heard no one give us a reasonable answer on that.

I took a survey and professional poll in my riding. The results of the survey were 69 per cent in favour of reinstating the death penalty and 24 per cent against. Going on an across-the-board basis, whether they were males, females, young, middle-aged, older people, family income was less than $20,000, $20,000 to $40,000, or over $40,000, whether their education was high school or university, the lowest percentage in support of reinstating capital punishment was 59 per cent. In the professional telephone poll conducted, it was 68 per cent the same way. Again across the board, depending on whether you were male, female, your age, family income, and so on, the lowest was 61 per cent in favour. Based on all of that information, I have come to the conclusion that the message from my constituents is clear and overwhelming, and I will be voting for reinstatement of capital punishment with this motion.

I want to conclude with this. I do not believe even while voting for this that if it passes, and it may not, we have come to the end of the debate. Even if capital punishment is reinstated, the debate will continue to rage. The same is true if it is not reinstated. When you and I are out knocking on doors in the next election campaign, I do not think we will find anything different. There will still be a lot of people who want the issue back before Parliament one way or another. I think we are in for a long one on this issue. The ultimate conclusion in my mind is to find some other reasonable alternative, something where people have some confidence that the system works and they are not being threatened. I have not heard anyone suggest that in this Chamber today or in the two and a half years I have been here. Neither have I seen it in any of the studies the Government has published or is in the process of publishing to date.

• (2020)

Mr. Greenaway: Mr. Speaker, the Hon. Member raised an interesting point. He said that upon examination of the evidence a rational person could conclude either way. If that is the case, how does he explain that a preponderance of Canadian people are in favour of the death penalty? Should it not be 50-50? Is he saying that the people of Canada are not rational or have not examined the evidence?

Mr. Redway: I would certainly never say that, Mr. Speaker, as the Hon. Member knows quite well. I am saying that on the evidence any individual could, in my view, conclude one way or the other. It so happens that the vast majority of Canadians have concluded that they want capital punishment reinstated. I, personally, have reached the opposite conclusion on the evidence. I do not think that makes me any less rational than the vast majority of the Canadian people, as the Hon. Member points out.

I do believe that the evidence is fairly well balanced in this case. For every argument there is a counter-argument. I cannot conclude that, because I have come to one conclusion while 69 per cent of my constituents have come to another, I am right and they are absolutely wrong. That is why I have reached my own decision.

Mr. Warner: Mr. Speaker, the Hon. Member made the interesting point that on the same information and statistics it is fairly easy for people to arrive at different conclusions. As the debate goes on, it becomes more and more apparent that people speaking for and against the motion are drawing on the same information and, in many cases, basing their arguments on the same premises. To make a final decision one way or another is obviously very difficult for all Members.

During the debate I have noticed that many people have different ideas of for what crimes the punishment is appropriate. I spoke at some length on this topic to a Miss Lynch who was with the Parole Board for 15 years. She was a proponent of capital punishment. Over the 15 years she met practically every person who was in jail in Canada for murder. Of the 600 or 800 people with whom she spoke, she felt that probably only six or eight should have been executed.

In this context, perhaps people who are having difficulty with this resolution should consider passing it in order that a Bill could be developed which would be appropriate to bring to the House for further debate.

I commend the previous speaker for pointing out the fact that from the same premises, the same information, and very similar statistics, people arrive at different conclusions. If this motion passes, we may have a form of capital punishment which would be appropriate for Canadians.

If you would allow me one more comment, Mr. Speaker, the term "capital punishment" may not be the best choice of words. Perhaps we are looking for justice.

Mr. Redway: Mr. Speaker, the Hon. Member's comment has given me the opportunity to expand slightly on what I said with regard to the poll I conducted. I tried to conduct a survey which was slanted against capital punishment. I tried to make sure that people considered every possible issue before they reached their final conclusion. I asked them a series of questions. To ensure that I had a proper mix of respondents, I asked them whether they were male or female, their age distribution, and their combined family income distribution. I then went on to ask the following questions:

> 1. Although some scientific studies indicate that capital punishment is not an effective deterrent, do you personally think that it acts as an effective deterrent or not?

The majority of people, notwithstanding the slant of that question, concluded that it was an effective deterrent. I asked:

> 2. For which of the following crimes, if any, would you favour imposing the death penalty?

I listed child murder, police and prison guard murder, terrorism, rape, treason, any first degree premeditated murder, and mass murder. There were various responses to that which certainly ties in with the Hon. Member's comment. Third, I asked:

> 3. Some people have stated the following: "Restoring the death penalty could mean more murderers would be loose on the streets because juries would be more reluctant to hand down a guilty verdict, knowing the death penalty would be imposed."

Most people disagreed with that. Fourth, I asked:

> 4. If the death penalty is reinstated, do you think that the trial judge should have discretion as to whether or not the death penalty should be imposed?

Most people said yes. Fifth, I asked:

> 5. If the death penalty is reinstated, do you think that the federal Cabinet should again have the right to "stay" the death penalty or not?

In my newsletter I pointed out the problems which that creates for the federal Cabinet in that it spends more time debating the life or death issue than worrying about whether people have jobs. However, the majority of people said that the federal Cabinet should have the right to stay executions.

I also asked:

> 6. If the death penalty is reinstated, which one of the following methods of execution should be used?

I listed hanging, electric chair, lethal injection and the gas chamber. Most people, as you can imagine, opted for lethal injection. I then asked:

> 7. Which, if any, of the following would you consider as a viable alternative to the death penalty?

I listed 25 years minimum in prison, 25 years in prison subject to parole, life sentence meaning life, and no viable alternative to the death penalty. The majority of people said "life sentence meaning life". I suspect if we debated that issue in this House we would find that this House could not agree on that issue. In fact, every Member of this House to whom I have put that question has not agreed with that and has opted for basically what we have now. The eighth question I asked was:

> 8. Do you think that the issue of capital punishment would best be decided by the House or . . . a public referendum—

Although that was not an available option, almost 80 per cent of the respondents said it should be answered by a public referendum. Finally, I put the question:

> 9. Do you think that the death penalty should be reinstated in Canada or not?

I have indicated the results I received.

I used that format both in my questionnaire to my constituents and in the professional poll so that respondents would have to address all of these other issues before finally making a decision on whether they were for it or against it. Notwithstanding that, 69 per cent favoured the reinstatement of capital punishment.

Mr. Horner: Mr. Speaker, I, too, like the Member for York East (Mr. Redway), have agonized over the question of how to vote on this issue. I was most interested in his comments about reform of the criminal justice system. Would my colleague comment upon whether he believes that the return of capital punishment may possibly lead to a reform of the criminal justice system? In other words, if we vote to return capital punishment, will the House study the criminal justice system with a view to implementing the reforms which the people he surveyed asked for?

Mr. Redway: Mr. Speaker, as the Hon. Member knows, the Government has undertaken and continues to undertake a variety of studies on this very issue. There is the Law Reform Commission of Canada study, parts of which have been reported. There is the Canadian Sentencing Commission study which has been recently reported. There is under way now a study by the National Parole Board on criteria for parole. There is also under way now the Correctional Law Review study. There are at least four studies on this issue that are either completed or in the process of being completed.

• (2030)

In addition, the Hon. Member, who is a member of the Standing Committee on Justice and Solicitor General, knows that the committee has now agreed to undertake a study of this which will commence in September. I am delighted with that and, whether or not I am a member of the Committee, I intend to be there.

I hope that in some way, shape or form we can synthesize all of these different reports and come up with something that will be a reform of our criminal justice system, that will restore the confidence of Canadians in our criminal justice system.

I must tell the Hon. Member for Mississauga North (Mr. Horner), however, that I am not tremendously optimistic about that. As he has heard in the House tonight, throughout the debate, and as we have heard throughout the last two and one-half years, there is a wide divergence of opinion on this subject of the criminal justice system and whether there is anything wrong with it, whether it is better to make it looser or tighten it up. There is not a consensus in this House on that issue. That will be the toughest thing to achieve.

The Acting Speaker (Mr. Paproski): Questions and comments are now terminated. Debate.

Mr. Ernie Epp (Thunder Bay—Nipigon): Mr. Speaker, at the outset, let me say that I regret that this debate is taking place in this Parliament. I think there are far more useful things that this Parliament might be doing. However, I accept my obligation to consider the question which has been put before the House of Commons as a result of the decision of the Government.

I am quite prepared to spell out the reasons why I oppose the reinstatement of capital punishment and share the repugnance of so many Canadians at the thought of hanging anyone, even first degree murderers.

This is truly one of those moral issues that faces parliamentarians at various times. It is a question in which the free vote that has been given to each of us is justified. It is a matter on which taking a leadership role is very important and, it is in that spirit that I will consider the question.

The issue of capital punishment is of far greater importance in some parts of the country than in others. It is difficult to explain why I have had relatively little mail on the subject. The *Nipigon Gazette* in my riding of Thunder Bay recently ran a letter from one of my constituents which included a coupon addressed to me as a Member of Parliament. This constituent invited readers to clip it out and send it to me as an expression of their opinion. I was surprised to discover some weeks later that only three of these coupons had been sent to me. It was one of the most remarkable demonstrations of limited importance that this issue had for my constituents.

Clearly there are other issues of far more importance to them, such as a fairer system of taxation, employment opportunities for the young, middle-aged and older workers who are driven out of work. That sense of what is really important encourages me again to take the stand that I do.

I had the opportunity to join in a debate on this matter at Conrad Grebel College at the University of Waterloo approximately a month ago. I was the opponent of the Hon. Member for Kitchener (Mr. Reimer). Anyone who knows the ethnocultural communities will know that like myself, he is of Mennonite background. In fact, he is a member of the Mennonite Brethren Church, as are some of my mother's relatives.

I was paired on the side of the question against the reinstatement of capital punishment with Professor John Redekop, a political scientist and Moderator of the Mennonite Brethren Church of Canada.

Paired on the other side of the question with the Member for Kitchener was Professor Clark Pinnock, from McMaster Divinity School. He is a scholar of some note in evangelical circles in Canada. In light of that position, I regretted seeing him on the other side of the question.

I grew up in Canadian evangelicalism as well as in a Mennonite family. Therefore, in this context, I could readily have had the impact of these particular communities in conflict.

Some 70 per cent of the Mennonite community generally is overwhelmingly opposed to capital punishment. When one singles out the Pentecostal and Christian Missionary Alliance

Churches, the evangelical community is even more overwhelmingly on the other side. My brother Bert and his wife in Winnipeg are very active in the Christian Missionary Alliance Church, and I am very much aware of those who think overwhelmingly on the other side of the question that we should reinstate capital punishment.

My presentation is more of a politician's argument rather than that of the professor I am on political leave. It has been suggested that we should follow the majority. Of course, as a New Democrat, I have never been partial to that argument from the beginning due to the radius to lead in what has been a minority position which, fortunately, is becoming smaller. Of course, I still want as many of those whom I respect as possible on my side of the question.

I was pleased to be able to link a past Moderator of my church of present affiliation, the United Church of Canada, and co-chairing the Alliance Against the Reinstatement of Capital Punishment and other leaders, including the present Moderator, with my Mennonite forebearers and those who lead the communities today and others.

I am a supporter of the Canadian Civil Liberties Association which held a great rally in Toronto against reinstatement at the beginning of June. I support the work of Amnesty International. I have received many letters from people connected with that organization encouraging me not to support reinstatement. I respect all of these voices intensely. I would find it intensely unsettling if they were people opposing my stand. These were consolations to a politician who has taken the particular moral stance I have taken.

In considering the position held by the Member for Kitchener and the Member for London East (Mr. Jepson) for theological reasons, which relatives and friends of mine in various parts of the country have also taken, I was interested to read an article in the May issue of the United Church *Observer* which contained the admirable title: "Do Justice and Love Mercy".

The article by the Reverend Victor Shepherd under the title "Murder and the Cross" comes to grips with what I believe is the most profound theological view on the question. Because I respect the communities for which the Member for Kitchener and the Member for London East have been speaking in their way in the House, I want to put this on the record for consideration as a profoundly powerful statement of the counterview, using some of the same Scripture that they would be prepared to accept, yet resulting in a diametrically opposed position. The author states:

> Murder is dreadful. Its victims spend their last moments in anguish. There is a unique finality to the crime, since the murder victim can neither recover nor be compensated.
>
> It's no wonder that the public reacts angrily, nor surprising that anger intensifies to rage. Rage, after all, is more than a mindless reaction to murder. Rage is an appropriate Christian response, since the Christian's rage reflects God's.
>
> God's anger, every bit as real as God's love.
>
> Every Hebrew prophet reminds the people that to disobey, ignore, or trifle with God is invariably to incur God's wrath. Jesus himself was livid on many occasions, not least when his premeditated violence (it takes considerable time to braid cords into a whip) flayed those who were exploiting defenceless men and women. Those who are outraged at murder, then, are not reacting in an unchristian or sub-human manner. Their response is one with God's. And when an outraged society cries out that the murderer deserves to die, God concurs: The murderer does deserve to die.
>
> With this conviction in mind we must learn from Scripture how God does deal with the murderer. With all of us, in fact. Perhaps we are surprised to read that "All have sinned and fall short of the glory of God" (Romans 3:23), that "none is righteous, no, not one" (Romans 3:10). While Scripture never regards murder as anything but heinous, nevertheless it insists that before God, the only searcher of human hearts, each of us is a sinner with nothing to plead in self defence. There is a solidarity-in-sinnership which admits of no excuses and no exceptions.
>
> Yet there is also one who has come to us, stood with us, and taken upon himself the condemnation owing (or falling on) all of us. "One has died for all therefore all have died". (2 Corinthians 5:14). The apostle's word could not be plainer. For in the profoundest sense, the death of Jesus gathers up in itself the death which the murderer and the rest of us unrighteous rebels deserve alike.
>
> This plain but profound word takes us to the very heartbeat of Scripture, the atonement. The atonement makes one of God and a runaway world.
>
> Jesus insists he came precisely to give himself as a ransom for sinners (Mark 10:45). On the eve of his crucifixion, distressed and distraught at the ordeal before him, he ponders asking if he can be spared it all. He is jolted as he realizes afresh, "No for this purpose I have come to this hour." (John 12:27) Too often we assume that Jesus came to show us something or tell us something, as though the root human ailment were our ignorance. Really, the root human problem is humankind's defiant disobedience, a situation which God must punish even as God longs to spare the creation the condemnation it deserves and from which it cannot extricate itself.
>
> The purpose of Christ's coming, then, is to do something; namely to act as God's agent in reconciling the entire creation to God and in restoring it to the "way" or "walk" to which God has appointed it. For this reason the cross or the atonement is the event in which the passions of sinners and God collide and from which the church's life and thought radiate.
>
> For every New Testament writer the death of Jesus is not merely a matter of biological cessation nor even a matter of martyrdom . . . The death of Jesus, rather, is seen to be tied up with God's judgment on sin. God had always decreed that sin must issue in estrangement from God, banishment from God's presence. It does. As sinners, all of us deserve God's judgment, and all of us call it down on ourselves. Yet when Jesus cries, "My God, why have you forsaken me?"—
>
> All New Testament writers discern that the condemnation the world merits has been borne by the one who gathers up our sinful humanity before God even as he mediates God's mercy to us. "One died, therefore all have died." All of us are fixed in the same condemnation; and as that condemnation is borne away, all of us are made beneficiaries of the same mercy. In other words, God's condemnation spares no one in order that God's mercy may miss no one.
>
> This being the case, can it ever be appropriate for Christians to insist on adding to what God has accepted as sufficient, the acceptance which God declares in raising Jesus from the dead?
>
> To suggest that God requires "something more" (the death of the murderer) is surely to try to do better than what God has already pronounced will have the desired effect.
>
> As the truth of God's purpose and the effectiveness of God's act transfigure our mind and heart, we understand why the apostle says, "Never avenge yourselves. Vengeance is mine, I will repay, says the Lord." (Romans 12:9) The command of God is clear: Christians must renounce any claim to vengeance. But not because Christians can afford to, smugly knowing that God will "do it" for them.
>
> The text means something else. We should renounce our claim to vengeance simply because we are near-sighted people with partial perspective and stoney hearts who cannot comprehend the murderer's entire situation. God alone sees the situation whole since God alone is the searcher of the heart. God alone discerns the many factors of which we are not aware or do not want to be: The

murderer's upbringing, social disadvantage, childhood abandonment, emotional malformation.

God lifts this entire development out of our hands and lifts it up where God can infuse it with mercy and correction and healing.

To say that the death of Jesus is sufficient doesn't mean that no place for punishment remains. Indeed, everyone, whom God loves, God disciplines. (Hebrews 12:6) Certainly it is appropriate for Christians to insist on punishment, as long as the nature of such punishment is disciplinary and aims at restoration of the murderer.

There, of course, in the suggestion of restoration and redemption, is the ultimate Christian motive for refusing to cut short a life even when it is that of a murderer who has committed a heinous crime.

• (2040)

As a profound statement from Christian theology, a theology to which I think the evangelical can respond as easily as those he would regard as liberal in his theology, this seems to me to be a sound basis for taking the political stand I do.

What should we be doing, then? It is clear from a public opinion poll published just in the last days that Canadians do not like hanging very much. In fact, very, very few support that as the form of capital punishment. We find also a declining number of Canadians are actually in support of capital punishment. My expectation is that if this national debate, which has been going on for some time now in the media as well as in the House of Commons, continues, we will actually reach a 50-50 position in the country, half of the people on each side of the question and if you will, a normal distribution statistically. And, of course, as far as opinion is concerned, how would one choose on that basis?

I would suggest that recognizing the factors that are at work in lives, to which the Reverend Victor Shepherd was alluding in suggesting that God alone knows the situation of the murderer in earlier days, we might well consider other matters on which the Canadian public has expressed itself quite strongly and ask why the Government is not taking up those matters? I focus specifically on the matter of capital punishment which has been before the Government and on which the various Parties have taken a stand, and upon which the Canadian people have expressed themselves very clearly. Child care is, I suggest, closely related to the situation in which so many people find themselves. God knows where they end up, given the kinds of situations they experience as children.

I was intrigued to see that when the special committee was touring the country, receiving representations on child care, a total of 519 of the respondents addressed the question of delivery of funds, for example, and 76 per cent called for funding to be directed to the child care service itself. On the matter of funding for-profit child care, 77 per cent were opposed to public support of for-profit programs.

On the matter of universal versus targeted accessibility, 86.5 per cent called for a universally accessible child care system. On the question of child care and its effects on children and families, no fewer that 89 per cent believe that child care outside the family could be a positive experience for children and families. This, of course, was supported because these are the respondents addressing the special committee. But I would say that this was matched by the Goldfarb poll of 1,667 Canadians, which has also been reported in this matter, with 79 per cent of Canadians thinking that day care spaces should be ensured and 74 per cent believing that the money should be spent on the day care centres themselves. That is powerful public support. Three-quarters of the Canadian public and more support these positions.

The Government presumes to contradict that, to think that a different stance makes sense, a program that will not create the number of spaces that we need. That strikes me as an odd thing for a Government to do, a Government whose Leader in the last election campaign knuckled under to some expressions of public opinion and established this free vote process. Surely, something that is genuinely creative, something that would save lives, programs or centres that could easily reduce the number of murders, deserves action along the lines that the Canadian public want, and want in overwhelming proportions.

These seem to me to be interrelated arguments in support of the position that I intend to take. I must say that I have been studying this question, as all of us have, I suppose, at least all of us who are making speeches in the House on the matter, and I have been struck by a very different kind of effect altogether, an effect which appears in the United States when capital punishment is reinstituted. Of course, there is first of all the question of deterrence to consider, not that many Members in the House are making that argument any longer. It is striking that in the United States in 1982-83 the 18 states that had no capital punishment experienced homicide rates of 5.9 per 100,000 while the 32 states that had re-established the death penalty had a homicide rate of 7.66 per 100,000. The lowest rate came in abolitionist Minnesota at 1.7; the highest was in retentionist Louisiana and Texas at 14.2.

• (2050)

Even more startling is the evidence that when capital punishment is reinstituted it increases the homicide rate. We may debate the brutalizing effect of capital punishment but here we seem to have an incitement to violence, when people are aware that the state is practising the ultimate violence against the lives of murderers. We find that in Florida the first electrocution in 15 years took place in May of 1979, even though the three years preceding, 1976-78, had the lowest murder rates on record in the state, while the three years following the reinstitution, 1980-82, had the highest murder rate in the state's recent history with a 28 per cent increase in homicides in 1980. That sort of indication that people respond to violence and strike out at their neighbours seems to me to be the clinching argument for me to take the position that I do and to vote against the reinstatement of capital punishment.

Mr. Lewis: Mr. Speaker, I listened to my friend's very thoughtful speech. I wish to compliment him on the research that he has done and his liberal use of quotations. I wonder

whether or not he was quoting from *The United Church Observer*—

Mr. Epp (Thunder Bay—Nipigon): Yes.

Mr. Lewis: I would like to ask the Hon. Member to comment as to whether or not he was quoting from *The United Church Observer*. Perhaps in framing the answer he can tell us if he feels that the recent second-year-in-a-row drop in membership in the United Church is in any way connected with the fact that the church in many cases is taking an adversarial role, has completely eliminated the very basic and fundamental separation between church and state, and is completely out of touch with its congregations on issues such as free trade, refugee laws and fiscal matters, and that this is a case for the church to take a stand on a moral issue.

Is the Hon. Member prepared to support why the church would take a stand on a moral issue and at the same time confuse the issue so greatly on areas in which a great many of us who support that faith believe that it has absolutely no business being mixed into, such matters as refugee laws, immigration and free trade, issues on which the leadership of the church is completely out of touch with its congregations? In places such as Orillia there is absolutely no support for the positions taken by the leadership of the United Church. I appreciate that this is a moral issue. I think there is a place for the church to be involved in this issue. My friend has very ably quoted from what I thought was *The United Church Observer* and I just want him to comment on that point.

Mr. Epp (Thunder Bay—Nipigon): Mr. Speaker, it is customary to thank Members of the House for asking questions. So I follow the convention here.

Without meaning to reflect on the Parliamentary Secretary unduly, I had indicated what I was quoting from. It was an article by the Reverend Victor Shepherd in the May issue of *The United Church Observer* which has a kind of text, if not picture, that moves me, entitled: "Do Justice and Love Mercy". It is a marvellous injunction from the Old Testament prophets for us to follow. It is one I want to be moved by since the message of the prophets, no less than the message of Jesus, dealt with everyday life. It was certainly not designed for the after-life only or for some distant place. It was designed to take people where they were, to liberate them and to set them free to live full lives. That is what the church is about.

If the Parliamentary Secretary thinks that the stance taken by the United Church on some of these questions does not have support in the congregations, then I guess that is an open question. Some congregations are more supportive than others. The church is never involved in playing to the gallery. The church is never involved in trying to be a majoritarian movement. The Conservative Party in the last election campaign under its Leader, the present Prime Minister (Mr. Mulroney), played that kind of game with a vengeance. We all see the consequences of that lack of principle.

The United Church of Canada, like the Canadian Conference of Catholic Bishops, and those other churches that do more than just think about the salvation of souls, considers the lives of people in their time and in their society. They dare to question what governments put forward as the best route, the best policies for the country to be following. Those churches follow what has always been an inspiring and fertilizing path in their time.

As far as the possibility that capital punishment might have had some immediate effect on the United Church membership, as my good friend the reverend from Winnipeg—Birds Hill has observed quietly, the United Church of Canada has taken this particular stand for many a decade. I am sure that it has had no effect now.

Perhaps I could say as one last observation, which the Parliamentary Secretary needed to be here when I got into this to understand, that I am speaking to the constituency that the Hon. Member for Kitchener and the Hon. Member for London East presumed to speak for. I speak to those people as people among whom I grew up, those who, whether one calls them fundamentalists or evangelical, think that Scripture points toward capital punishment.

Mr. Reimer: Mr. Speaker, I would like to first make a comment and then ask a question of the Hon. Member for Thunder Bay—Nipigon (Mr. Epp).

Early in the speech of the Hon. Member he suggested that most Mennonites were opposed to capital punishment. I will just speak for one conference of Mennonites, the conference to which I belong, the Mennonite Brethren. I think Hon. Members would find that it is probably the other way around, that maybe 60-40 approximately support it as opposed to those who oppose it. However, I cannot speak for all the others. But the Hon. Member did not differentiate. This is a comment to at least make the statistics as close to accurate as we can.

• (2100)

The Hon. Member referred to one of the verses of Scripture out of the Book of Romans, Mr. Speaker, to the effect that vengeance is forbidden to the Christian but we were to leave room for God's wrath. I believe it is the nineteenth verse of the twelfth chapter of Romans. Then, five verses later there is a verse that says that the civil authority, which is there to maintain law and order in society, is called "God's servant, an agent of His wrath to bring punishment on the evil-doer".

Would the Hon. Member not agree that one of the ways that God exercises His wrath upon evil is through the civil authority that He placed in society? Does it not create a problem for the Hon. Member to simply say that that is not the case?

I would ask him to comment on that.

Mr. Epp (Thunder Bay—Nipigon): Mr. Speaker, my good friend the Hon. Member for Winnipeg—Birds Hill (Mr.

Blaikie) has just observed: What an incredible argument to come from an anabaptist.

The statistic that I was alluding to was the response in the self-selected poll which *Faith Today* published some months ago, which showed that 70 per cent were opposed to capital punishment. That they were the more evangelically inclined, as opposed to the General Conference, is, I think, an interesting manifestation that their anabaptism is triumphing over whatever influences they have been subject to in Canada. I concede that from among the Mennonite brethren—

Mr. Blaikie: Creeping Anglicanism.

Mr. Epp (Thunder Bay—Nipigon): Creeping Anglicanism. That is a thought. The Hon. Member for Kitchener will want to respond to that, I am sure.

It seems to me that if we are going to compare our society and our Government to that of the Roman Empire and all of its autocracy and brutality, and so on and so forth, we are going to end up with some very strange country. To say that the magistrate does not carry the sword in vain is surely to say something that is very true as a truism, but given—

The Acting Speaker (Mr. Paproski): I regret to inform Hon. Members that questions and comments are now terminated. The Hon Member for Parry Sound—Muskoka (Mr. Darling) on debate.

Mr. Stan Darling (Parry Sound—Muskoka): Mr. Speaker, I appreciate the opportunity to speak in support of the return of capital punishment in Canada.

As a long-time advocate of capital punishment for specific types of killing, I can assure each and every abolitionist that this decision is not taken lightly. Most proponents of capital punishment have completed an emotional struggle, using their personal, religious and moral experiences.

I believe it is unfair to depict the supporters of capital punishment as right-wing Neanderthals who value neither human life nor the spirit within. This issue bears no resemblance to blood lust. Instead, those of us who equate fairness and justice with capital punishment endured a painful and gut-wrenching process prior to reaching that conclusion.

This issue was fought with verbal wars, Mr. Speaker, waged with logic, statistics, and each Member's own interpretation of ethics. It is as debate should be. However, it is incumbent upon each of us, as elected representatives of the people, to think with our heads as well as our hearts. Consider for a moment the so-called logic in this popular statement frequently proffered by the abolitionists: Murder is killing. Capital punishment is killing. Therefore, capital killing is murder.

As retired Vancouver criminal court judge Lou Bewley astutely points out, there are a couple of things wrong with this contention. It is counterfeit logic, a linguistic swindle, and a false assumption. This faulty proposition is akin to claiming: Water is wet. Liquid Draino is wet. Therefore, liquid Draino is water. There is a difference between unlawful murder and judicially-ordered execution. The state does not murder. The state protects the majority. Modern man, no less than his forefathers, has the God given right to protect himself.

As a species, we have been given the will to survive. When certain persons among us threaten that ability to survive, and the ability of our wives and children, we must collectively ensure our futures are intact. This constitutes the most basic function of the state. It is the essence and definition of civilization. It seems curious that abolitionists consider judicially-ordered execution as uncivilized, when it is actually the fruition of a civilized culture.

When we consider that 95 inmates released on mandatory supervision committed homicides and 37 inmates on parole also murdered between 1975 and 1984, we are given to question whether or not we are adequately protecting ourselves from that element.

I doubt that the proponents of abolition in this House, Mr. Speaker, would advocate the laying down of arms in the event of war. To their credit, they would agree that Canada's participation in both world wars was both warranted and necessary. In the event of a future attack on democracy and our quality of life, I would wager they would offer unconditional support to avert our country's demise.

People will kill people during wartime, and are encouraged by the state for survival of the same. As citizens of this country, we take great pride in the military might and the bravery exhibited during wartime. The declaration of war is the endorsement of state-sponsored killing.

Of course, the abolitionists will disagree that killing during wartime and peacetime are the same. There are many dissimilarities. Yet, the end result, and the reasoning behind both types of killing, are strikingly similar. In war, we kill to avoid being killed and to retain law and order as we know it. In advocating judicially-ordered execution, we are doing the same thing. We are ensuring that those convicted will not kill again and undermine the fabric of our society by way of a heinous crime.

While it is questionable that capital punishment serves as an effective deterrent for others, we know it would be an excellent deterrent for convicts who are let out of prison or who escape and kill again. It is the ultimate deterrent for murderers who repeat the act after incarceration, and during.

Consider the lifer who has nothing to lose. Under current law, we are an impotent and toothless society when we are forced to deal with a convicted murderer. We have virtually no recourse against the lifer who carves up a prison guard, a social worker, or another prisoner. Sure, we can give him or her a life sentence again. But, to what end? I cannot help but wonder whether some abolitionists would convert if they were responsible for prison surveillance day after day, month after month, and year after year. As legislators, we have the power

to remove this constant and very real threat to the well-being of those who function within the prison system in Canada.

The debate on capital punishment, Mr. Speaker, is taking place in Parliament, in coffee shops, and on the streets across this country. Whenever debate takes place on this delicate subject, it is tempting to wage a war with statistics. It seems that stats are readily available to argue both sides of the issue. As is often the case with tabulation, it is child's play to bend and shake the figures to best suit one's own need.

It has been argued that the murder rate has actually decreased during some years since capital punishment was abolished in Canada back in 1976. I would point out that during some of the years since 1976 statistics show increases as well. However, if politicians were to take a lesson from scientists seeking experimental results, we would look for confounding conditions which might have affected our results. What could account for fewer murders after capital punishment was removed? What has changed since 1976 which might skew the numbers downward?

• (2110)

It is noteworthy that the world of trauma medicine has come into its own during the last decade. Many of Canada's larger urban centres have integrated trauma centres in hospitals with paramedics in the streets for the treatment of wounds causing victims to go into shock. Trauma centres are on the cutting edge of modern medicine. With the impressive efforts of those physicians and paramedics in the field, many lives are saved which would have been lost a decade ago.

Trauma medicine comes to the fore most commonly after car crashes, industrial accidents, and the like. We should consider for a moment that these same trauma specialists are constantly treating gunshot wounds, knife punctures, blast victims, and hundreds of other unspeakable afflictions. I submit that there have been fewer murders in the books during certain years because medical breakthroughs have kept more victims alive.

If we are still taking notes from our friends in the scientific field, we would look to see if attempted murders have increased, and the answer is yes. Therein lies the confounding factor in the results of our real life experiment. Heaven knows what the statistics would show if Canada had an identical medical community in place now as we did back in 1976.

Is it just a coincidence? Are we to ignore the healing effects of the air ambulance, or the use of medical anti-shock trousers commonly known as MAST, or communications which allow hospital specialists to read the vital signs of a victim miles away?

Where trauma medicine is available, patients often arrive at hospital already stabilized. Drugs have been administered at the scene, paramedics have intubated patients whose breathing was obstructed, blood shortages have been replenished, and the list goes on and on. I remind the House that such treatment was virtually unavailable a decade ago in Canada and was used only in heavily populated areas of the United States. Fortunately it is more widespread now, but Canada is still many years behind our neighbours to the south.

The magic of medicine could very well be skewing the statistics to which we all seem to cling so dearly. I suspect that the fine men and women in trauma medicine are at least partly responsible for keeping Canada's murder rate as low as it is.

Speaking of statistics on homicides, it was mentioned earlier today that in 1962 there were 265 homicides, or they were at the rate of 1.43 every 100,000 people. In 1985 the figure was 704 or 2.78 per 100,000 people.

As the debate on capital punishment continues, the people of Canada may take little solace from recent developments in the court room. We should take, for example, the case of Louis Troalen of Quebec who was convicted of second degree murder while already serving two life sentences. According to a press account, this individual killed a fellow inmate at Archambault Penitentiary on February 4. Last July the same man shot and killed Marcel Simard of the St. Hubert Police Force and tried to kill his partner. While sitting in the prisoner's box with a guilty plea for stabbing his fellow inmate to death, Troalen raised his handcuffed hands in the shape of a gun and shouted at the investigating officer: "You're my next victim, you bastard".

A situation such as this fairly begs the question: Does this sort of human being deserve to live in our midst? Is our society safe so long as he is alive? The inmate he killed in prison most certainly was not safe. Are the prison guards who feed and supervise this man secure while in the same room? Is this society offering the investigating officer any peace of mind in the unlikely but possible event of a jail break? Just how often are we to allow an individual to kill in cold blood?

To the confirmed abolitionists I submit this: "Are you not inadvertently encouraging murder by keeping certain people alive?"

I can appreciate the abolitionist's revulsion at the taking of a human life, but so long as certain individuals remain on this earth, more lives will be taken by the habitual murderer. If human life is so valuable, how can the abolitionist justify giving such a misfit the further opportunity to take the lives of those around him?

On one of the coldest days of the year in early January 1981 I attended a funeral in Huntsville, Ontario. It was one of the biggest funerals I have ever seen. Following the church service, I walked down the steps outside, a few paces behind a coffin draped with the Canadian flag. A few days before, on January 2 to be exact, Constable Rick Verdecchia of the Huntsville Ontario Provincial Police Detachment was driving down the highway on a routine midnight shift. He pulled a car over to the side of the road and approached from the rear. He probably never heard the shot which killed him.

Little did he know that a gas station attendant named Chester Blackmore was shot and killed further up the highway minutes before, within five miles of the place where I live. Later, believe it or not, after they had shot and killed the constable in Huntsville, these same two young men sped away to Orillia where another police car stopped them, not knowing about the murders at all, and a constable was shot—and I believe his name was Constable Hurtubise—but fortunately he recovered.

As I looked past Constable Verdecchia's coffin at several hundred policemen and policewomen from across North America who were standing at attention, the shortcoming of Canada's Parliament became crystal clear. As legislators we have offered virtually no security, no vote of confidence to these people since the last execution took place in 1962. We fully expect them to protect us in the light of day and dark of night, yet we offer no safety in return.

Since the abolition of capital punishment in 1976, 37 policemen have been murdered. Much has been said about whether capital punishment would act as a deterrent in police killings. Abolitionists usually advocate that there must be statistical proof of deterrence before they accept state sanctioned execution. Can they offer proof that there is no deterrence? So long as the lives of Canada's police personnel are on the line, I do not believe that we should even take the chance. If there is even the most remote possibility, and there is, that capital punishment will save their lives, we owe it to them to put it in place. If the life of just one policeman or policewoman is saved through capital punishment legislation—and I believe this to be the case—we as parliamentarians must come to their aid.

The popular argument that high risk, that is to say dying, is an occupational hazard for police is callous and indefensible. Our police are extensions of ourselves who perform those unsavoury duties from which we gladly give a wide berth ourselves.

Voting in favour of reinstating capital punishment is a vote for fairness. It is a vote for self-preservation and a vote for protection. Canadian Members of Parliament owe it to themselves and the people they represent to deliver them from the threat of cold-blooded murder. I advocate dispatching those found guilty of specific crimes by painless injection, and now I am speaking of persons guilty of first degree murder, rape killings, and high treason, who have proven they no longer deserve to live in our society.

• (2120)

As I said earlier, I have had the same conviction for some years. I listened with great care to those who have opposite views. I am aware of the position taken by the media. I can think of a recent issue of *Maclean's* magazine with the gruesome noose in it and other newspaper cartoons with the noose, the scaffold and the grey dawn and how terrifying this all is. I agree that hanging is very gruesome. I am confident that if this motion passes and a committee is formed that recommendations will be made for the most humane way to deal with those criminals who no longer deserve to live.

Let me point out that the media would do well to portray the victims and the grieving families of those who have been so wantonly murdered. There are certain people in this life who are beyond redemption as far as hoping that they can make a new life and turn over a new leaf. It is for those very few that I feel that capital punishment should be reinstated.

My colleague mentioned polls. Polls across the country have overwhelmingly been in favour of the return of capital punishment, that up to 80 per cent of the people are in favour of it. Some of the polls show that 60 per cent of the people are in favour. When people think and look at figures for premeditated murder, some of those who said they were against capital punishment when they were polled probably thought that these were crimes of passion. We know that 98 per cent of all murders are as a result of fights, crimes of passion or family quarrels. Only a very small percentage fit into the category where capital punishment would be applied.

It must be proven beyond a shadow of a doubt that an individual is guilty. The verdict is given by his peers of 12 jurors. The judge weighs the evidence, and he can consider mercy. If the sentence is for capital punishment, there is still the last resort of appealing to the Cabinet of the federal Government to commute the sentence. Every opportunity is given for a fair trial. I will be considering all of these things when I cast my vote Monday night or early Tuesday morning in favour of the return of capital punishment.

Mr. Riis: I have a simple question for my friend. I listened with interest to his speech. I know how he feels about the procedures and the way Parliament has always been conducted. He made reference in his closing comments to the fact that he plans to be voting late Monday evening or early Tuesday morning, which, of course, will only occur if closure is invoked on Monday.

How did he feel when the Prime Minister (Mr. Mulroney) said that everyone would have an opportunity to speak to present his or her views on this important issue of life and death? What does he feel about the Government's initiative to invoke closure which will curtail debate by probably two-thirds of the Members of Parliament?

Mr. Darling: Mr. Speaker, I appreciate the comments made by my colleague. As far as the closure motion is concerned, this Parliament has been aware that the Prime Minister (Mr. Mulroney) prior to the last election in 1984 gave a commitment that there would be a free vote on capital punishment. Many of us on this side are honest enough to say that we were pressuring him in the first year to bring in a motion of capital punishment or at least give the House Leader the go ahead to do it. I am well aware that for the Prime Minister, it has been a traumatic experience. I understand he gave a very eloquent speech Monday evening. Unfortunately I was unable to be

here because I was on my way to Washington to talk to a congressman on acid rain. But he gave his word.

We are well aware that these are the last few days, and I am sorry about that. People have made up their minds. Despite the eloquent pleas of the Prime Minister on Monday night and despite the eloquent pleas of the Minister of Justice (Mr. Hnatyshyn), the chief law officer of Canada, who are both abolitionists, they have not changed five votes in this House, and I would be willing to bet on that.

Mr. Gauthier: How do you know?

Mr. Darling: Over 100 have spoken in this debate as I understand it. Over 40 hours have been used. I believe in 1982 the British House of Commons had a debate on capital punishment which took just eight hours. Another one was held earlier this year and I believe that took five hours and 19 minutes.

The Opposition has had every opportunity to speak on this important subject. When I say the Opposition, I am talking about those who are abolitionists, most of whom are on the opposition side. I was in a committee where two Members, one from the Official Opposition—that should not be said—but two Members said that they would do everything possible to use every trick in the book to stall this vote. The Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie) is shaking his head.

Mr. Blaikie: It is not true.

Mr. Darling: It is not true? I will name them after but I will not name them publicly—

The Acting Speaker (Mr. Paproski): Further questions or comments? The Hon. Member for Bourassa (Mr. Rossi) and then the Hon. Member for Scarborough Centre (Mrs. Browes).

[*Translation*]

Mr. Rossi: As for me, Mr. Speaker, I am convinced that the Hon. Member for Parry Sound—Muskoka (Mr. Darling), who is a close friend of mine, had absolutely no intention of misleading this House. However, when he said that more than 100 Members had spoken into this debate, I would like to remind him, and that is why the Opposition is opposing the closure of the debate, that he was himself only the fifty-fifth one to speak. Thus, we are far from the 100 figure.

Consequently, Mr. Speaker, I think the Hon. Member has inadvertently misled the House, but let me tell you that we, on this side—the Opposition—we would like every Member of the House to have an opportunity to speak, as was suggested in the House by the Prime Minister (Mr. Mulroney) and Deputy Prime Minister (Mr. Mazankowski) on I do not remember what date. And it is not by bringing in closure that they will keep their promise to let every Member speak.

[*English*]

Mr. Darling: Mr. Speaker, I can answer the Hon. Member for Bourassa (Mr. Rossi), who is my neighbour down the hall. When I said 100, I am not too far out. I am not talking necessarily about the speeches but also the many comments that have been made. Those people participated. Look at those who have participated here tonight. Some of them probably do not want to speak at length on the matter, yet they have been able to make a statement and get their points across in questions. I would be willing to bet the Hon. Member that by the time the vote is taken there will have been 100 Members on their feet who have expressed their views and have asked questions.

• (2130)

Mrs. Browes: Mr. Speaker, I would like to make a short comment on the Hon. Member's speech. I would like to compliment the Hon. Member on the thoughtful approach he has taken and also for his commitment to and enthusiasm for something in which he obviously believes very firmly.

This is a serious debate. Not only is this debate taking place in a serious fashion in this Chamber but with this motion having been brought to the floor of the House of Commons, a great deal of debate in the kitchens, family rooms and backyards across Canada has been precipitated.

I had the opportunity to hear several hundred people who came to my constituency office talk about this particular issue and tell me how they feel about it. About 82 per cent of the people from the riding of Scarborough Centre, right across the board and not falling into an age or gender category, are, according to the letters and questionnaires, in favour of the reinstatement of capital punishment.

The Hon. Member said that the state protects the majority and that is something with which I certainly agree. Having capital punishment as an option on the books is something for which I am prepared to vote.

Throughout the world, there are 28 countries that are abolitionist by law for all crimes. Eighteen countries are abolitionist by law for ordinary crimes only and Canada falls into that category. Then there are 129 countries and territories that retain capital punishment on the books. That, as I understand it, represents more than 80 per cent of the population of the world.

When we talk about many countries taking capital punishment off the books, I believe we must look at the 80 per cent of the population of this planet who believe there should be capital punishment on the books. When this motion comes to a vote, I will vote with the Hon. Member for Parry Sound—Muskoka (Mr. Darling) for the principle of reinstating capital punishment for premeditated murder.

The Acting Speaker (Mr. Paproski): Questions and comments are now terminated. Debate.

[*Translation*]

Mr. Carlo Rossi (Bourassa): Mr. Speaker, I rise in the House today to speak to the subject of reinstating the death penalty, in the firm conviction that my constituents will understand why their Member, who was known to favour capital punishment in the past, is no longer in favour of reinstating capital punishment today.

I do not want to judge anyone in this speech. I just want to explain my decision.

I respect those who do not share my views but I expect them to respect me as well.

I know from representations I have received that many people in my riding, and we have discussed the subject at length, share my opinion. I have received a great deal of correspondence, and the vast majority of the letters I receive are opposed to reinstating capital punishment.

Mr. Speaker, as in the House, a number of people in my riding are in favour of capital punishment. But today, and let me tell you I visit my riding regularly, and I talk a lot, and I must say that their reaction when I decided to change my stand was surprisingly favourable.

To some, a return to capital punishment is a matter of conscience. Personally, I weighed the moral implications and I made my decision after a great deal of reflection.

I have a deep respect for all forms of life, and morally and as a matter of personal conscience, I cannot approve of the act of killing, whether by the State or by individuals, except of course in extraordinary circumstances such as when defending one's country in time of war or when one is engaged in self-defence.

The consequences of this debate go far beyond the confines of our usual debates, Mr. Speaker. Our decision in this House will determine whether Canadian society has the right to end the life of a murderer or not. However, even if the person is a murderer, the fact remains that this person is above all a human being, and that is why I condemn, in no uncertain terms, the motion of closure tabled by the Conservatives to restrict the speaking time of Canada's elected representatives who want to speak to this vital issue, this matter of life and death.

Mr. Speaker, my police origins, as many Members will know, and of course my constituents who put their trust in me, put me in an environment that no one in the House, and I say no one, would have been proud to belong to.

In my 31 years as a detective lieutenant with the *Bureau des enquêtes criminelles*, Mr. Speaker, I was involved in cases of hostages taking, armed robbery, negotiation and gun fighting. In my line of work, cases of rape and murder were routine.

• (2140)

These cases were routine for myself and my fellow police officers and detectives in Montreal whom I respect and to whom I send greetings. I am proud to say that, contrary to what a great many people may think, there is not a single police officer who enjoys catching or firing on a human being. Mr. Speaker, I can tell you that none of the police officers in the Montreal urban community whom I know personally will shoot to kill. And when I hear someone say: Come on, Carlo, you were a police officer and against capital punishment. Let me tell you that in addition to being an elected Member of Parliament or former detective lieutenant Carlo Rossi, there are a great many police officers in Canada who are against capital punishment because a police officer is first and foremost a human being who respects life and who has taken an oath to protect it. His duty as a police officer is to protect life.

Mr. Speaker, it is a fact that I arrested several suspects. Most of them were sentenced. But the big question is: Did they all deserve capital punishment? Of course not. But some murderers certainly deserved life emprisonment. On the subject of life imprisonment, I want to return to these paroles which are granted much too early.

I am sure that if this committee which wants to travel from coast to coast to ask Canadians how murderers should be killed, either through an injection, hanging, the electrical chair or any other way the life of a man can be taken. Instead, it asked people: Do you feel that, beside taking a human life, there are other ways to remedy the situation? Mr. Speaker, the Hon. Member for Parry Sound—Muskoka (Mr. Darling) clearly stated early in his speech that even if he is for capital punishment, there were 36 or 37 people who killed while they were on parole. Therefore, Mr. Speaker, my point is quite true.

Those guys should have done their time, instead of spending 15 years in a penitentiary, they should have stayed there for life as sentenced, and I am going to deal with parolees, Mr. Speaker, because I have some first hand experience . . . let me give you an idea of how it works, based on my own experience, in the case of inmates sentenced for other offences than murder to 10 or eight years in prison. After 3, 4 or 5 years, those people are out in the street again. However, what a lot of Canadians do not know is that when those guys are paroled they are told: If you are caught committing another crime, you will have to complete the balance of your 10 years and an additional term for your crime. I therefore leave you to imagine, Mr. Speaker, what the parolee is going to do: Needless to say, if he takes part in an armed robbery, he will be very careful not to be caught again and go back to jail to spent another 20 years.

I think it is one thing to tell Canadians throughout this great country: Yes, we are going to amend the Criminal Code, the parole system, we are going to have a reform of the Parole Board if you want. However, I think we should come clear on this and not mislead people, because when you visit constituencies, mine at least, you meet elderly people who know what it is all about and keep telling me: they are sentenced to jail, they get a five-year sentence, and after two years they are back in the street. So that is what we should be concerned about. This is where we should try to find solutions rather than killing human beings.

I wish to talk about the parole system along the same lines. As you know, no one in this House has ever mentionned statistics dealing with rehabilitation. No one ever dared to mention figures on the concept of "rehabilitation", on the people who get out of prison and are rehabilitated. No, Mr. Speaker, they cannot talk about those figures because the people who commit crimes after their rehabilitation do not get caught, therefore we have no statistics. Let me tell you something else from my own experience. There was an inmate of Saint-Vincent-de-Paul who came out. It is what they call in police parlance—those policemen listening to me know what I am talking about, and the policemen who took part in that inquiry with me also know that it is called: Code 26. Code 26 means you get out on day parole. You know, the guys in prison, I have nothing against them—as long as they are there, they have their hands folded like impressive choir boys. But as soon as they get out, watch out! So that guy gets out at eight o'clock in the morning, he has one day on parole, one Code 26, and he must get back to prison at 6 p.m. So he comes back to prison at 6 p.m., Mr. Speaker, but what he did not boast of and we found out after an investigation is, he went and rented a priest's costume in a Montreal firm I will not name, a priest's costume, a cassock. He went into a bank in Côte-des-Neiges, on Côte St. Catherine Road, held it up and came out with $35,000. So at 6 p.m. he went back to prison, but in the meantime he had commited a $35,000 armed robbery. Do you think that guy if by any chance a policeman had barged in, would have hesitated before killing that policeman? No chance because, certainly, he did not want to get caught. That is normal. This also, Mr. Speaker, is part of what Canadians should be told.

Before we take a human life, Mr. Speaker, there are other alternatives. And this is what I am asking Hon. Members in this House. There are many alternatives. But let us stop kidding ourselves, let us open our eyes and face reality. Reality is something I have experienced. If you want to know how many people are on parole, do not look up statistics because you do not maintain statistics. Go and see police officers. It is amazing that police officers are not consulted. They know how many guys have parole days and make hold-ups. You will not find that in the media. That is not published, but I can tell you about it. Go to the criminal investigation office and you will be surprised, Mr. Speaker.

After saying all that, I repeat that I am against capital punishment. A civilized society such as Canada has no more right to condemn a criminal to death deliberately than anyone has to commit a murder. Canada is envied throughout the world. One of the major attributes of this country is certainly its democratic principles and our judicial system no longer provides for the death penalty. Very few democratic countries still have the death penalty in this day and age. Instead of thinking about the death penalty and establishing a committee which will travel throughout Canada to examine how to kill other human beings, should we not ask this committee to try to determine, for instance, what type of organizations we should have to help the victims? What type of committee will we have? We are doing everything for the convicts, but what are we doing for the victims? What are we going to do for the children whose parents have been killed? We are going to execute their murderer. But what about the children? Let us try to be more humane. Let us try to act logically and humanely.

The previous speaker told us about crimes of passion. That makes me laugh. If a man kills his wife, it might be a crime of passion, but he might also have wanted to kill her for 15 years. Can this be considered a crime of passion?

Then, there are murders committed while under the effect of drugs. Such murderers can certainly be rehabilitated. I also heard the previous speaker mention the sick people who kill children. My friend in front of me is a lawyer. It is true that we sometimes hear people say: He is sick because he has killed. However, what many people do not know is that this sick person is not supposed to be at large in society. He is institutionalized for an evaluation, and when... My friend the lawyer, I am not a member of the Bar Association myself, but I think that you will agree with what I am going to say. When he is deemed fit to stand for trial he is supposed to return before the court and be accused for his crime. So there are two possibilities, Mr. Speaker: He is never set free because he is crazy, that is the way to say it, and when he is thought to be no longer crazy, well he stands for trial.

• (2150)

[*English*]

If you have something to say, sir, say it out loud and I will answer you. I am not a shy type.

Mr. Lewis: I am not heckling you, Carlos.

Mr. Rossi: You had better not.

[*Translation*]

Mr. Speaker, that is not the risk. Some say it is not the risk of executing an innocent man. Some Members have said in this House, indeed the Hon. Member for York East (Mr. Redway)...

[*English*]

I can say this in English. According to him, there was never a mistake made in this great country of Canada. In 1982—

[*Translation*]

—the Minister of Canada released Donald Marshall who had been convicted in 1971 for the murder of Sandy Seale. A review of the case 11 years later proved he was innocent. Had he been hanged he would be dead. That is just one case, but there are many others. I know of others, not in Canada, I know of some in Massachussetts, I know of others here and there, but it matters little where, these are human beings who are killed.

Mr. Speaker, I care so much about human life and much—

An Hon. Member: Me too!

Mr. Rossi: I do not know who said "me too", but I for one care about it and to prove it. I was talking about the work of a policeman, because I do not think that in this House, with due respect for all Hon. Members, we hear about statistics. You have been listening to statistics all evening, Mr. Speaker. Some say there have been fewer murders since the death penalty has been abolished. Others say the number has doubled. Well, I think everybody will agree that statistics mean what we want them to mean. But in real life, on the scene, on the battleground one knows what a human life is. And I was there when some guys departed for a better world, Mr. Speaker.

And I remember very vividly because I was a human being even though I was a police officer, first and foremost I was a human being. Some radio commentators who know me will remember this incident because they were there with me.

There was an individual, who had taken a 20-year old girl as hostage in an hotel in the eastern part of Montreal. I am called on the premises at 11.30 p.m., almost at midnight. After three hours of negotiations, the man let the young girl go and tells me: "Mr. Rossi, give me half an hour. I have just escaped from a 10-year bid—he meant 10 years of penitentiary—give me half an hour Mr. Rossi, I want to smoke a cigarette and I will kick off." He meant that life was finished for him. Let me tell you, that I was human as all other police officers. I made his cellmate come out to try to convince him to give up without killing himself. A human life had to be protected. Now the said convict . . . you are signalling me, Mr. Speaker, but I began at 9.33 p.m., unless I cannot read the time. Well, 33. Excuse me.

Unfortunately, Mr. Speaker, that man killed himself. He shot himself. We did everything to save his life.

There is another thing that people do not know when I refer to parole. There is something that the people do not know about capital punishment. Several Members in this House do not know it. Do you know that inmates hate jail more than capital punishment? They would rather be hanged than remain in prison. So, capital punishment will not be a deterrent for them. Far from it!

A gangster, a thief, a murderer, must be punished. What is the use of a 12-member jury, a judge, a platoon of lawyers, and the expenditure of a small fortune if, after he is found guilty and sentenced by the judge to 15 years in jail, he comes out after six years? Like some other Hon. Members, I believe that we should have a reform of the prison system, we should be less lenient and when someone is sentenced . . . It is clear, as I said earlier, that the guy behind bars will co-operate. He is going to be a real good guy. However, he is not the same back on the street, Mr. Speaker.

To conclude, Mr. Speaker, I will say that my position is clear, I am against capital punishment. I would say that despite the very good speech of the Prime Minister (Mr. Mulroney)—I say very good because, in my humble opinion, it is a good thing to be for all forms of human life and I congratulate him—I cannot praise him for having said that he would give every single Member of this House the opportunity to voice their opinion in this debate on human life. He even said: "Please, Hon. Members, do not let yourselves be swayed by public opinion, vote according to your conscience." Do you have a conscience, ladies and gentlemen of this House? Or is your conduct dictated by opinion polls?

Do not worry! If you have the confidence of your constituents and if they value your judgment, you will be re-elected, even if you voted according to the polls. Thank you. I am against capital punishment.

Mr. Schellenberg: Mr. Speaker, I have two questions for my colleague for Bourassa.

[*English*]

I understand the turmoil that my hon. colleague has gone through in changing his opinion of some months ago on the capital punishment issue. I sincerely respect the comments he has made tonight. I want to compliment him on his service to the people of Montreal in his former life as one of the new centurians and in his present life as a Member in this Chamber.

The Member mentioned the right of the state to kill and how wrong that was. As he is fully aware, in extreme circumstances our nation and other nations give soldiers the right to kill. In every day circumstances our nation gives our policemen the right to kill. Would he comment on what would happen in this country if we took away that right, the protection we have in our police forces?

Would he also comment on the comments his colleague, the Member for York Centre (Mr. Kaplan), made earlier today? That Member said that the one case in which he can support capital punishment is that of those who have murdered, are in prison, and essentially face no further penalty for killing prison guards or policemen. How does he feel about that issue?

[*Translation*]

Mr. Rossi: Mr. Speaker, with your permission, I would like first of all to say that my friend and neighbour down the hall did not quite understand my remarks. I did say "except for the state, as in times of war and so on—"

But at no time, when he says that permission is given to police officers to—and I quote:

[*English*]

—permission is given to police officers to kill. That is very wrong, Mr. Speaker. No police officer is given permission to kill. When a police officer is sworn in, he swears to protect life. To protect life means to protect the life of any human being, whether he is a thief, a priest or your son. You are sworn to

protect life. It is not as this Member has said, that we are granted permission to kill.

Mr. Schellenberg: On occasion.

Mr. Rossi: I am sorry, my dear colleague, not on occasion. We are not sworn in to kill. You will not make me say that we are permitted to kill. That is completely false. We have to protect the life of everyone but we do not have to kill.

[*Translation*]

The Acting Speaker (Mr. Paproski): I am sorry to interrupt, but it being ten o'clock, pursuant to order made on Friday, June 12, 1987, the House stands adjourned until tomorrow, at ten o'clock, pursuant to Standing Order 3(1).

At 10 p.m. the House adjourned.

HOUSE OF COMMONS

Friday, June 26, 1987

The House met at 10 a.m.

Prayers

[*English*]

PRIVILEGE

APPLICATION OF STANDING ORDER 92(2)

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, I rise on a Question of Privilege of which I gave you notice earlier this morning.

Yesterday the chairman of the Standing Committee on Labour, Employment and Immigration called a meeting of the committee to plan the future business of the committee and to deal with recommendations of the steering committee, that is, the subcommittee on agenda and procedure, that the committee meet on Monday, June 29, to examine the policy of the Unemployment Insurance Commission to force unemployment insurance beneficiaries to take work as strike breakers, and also to deal with the John Quigley affair.

Rather than deal with the proposals of the steering committee, the majority on the committee forced the committee, first, to meet *in camera*, and then passed a resolution that the committee would not meet until September 14.

As a result of that action taken by the Government majority, myself and three other members on the committee made a demand under Standing Order 92(2) that the committee meet to deal with the Unemployment Insurance Commission policy with respect to strike breakers. This demand was made by myself, the Hon. Member for Nickel Belt (Mr. Rodriguez), the Hon. Member for Spadina (Mr. Heap) and the Hon. Member for York West (Mr. Marchi).

As of this morning we have not yet had a reply from the chairman of the standing committee with respect to our demand and we need 48 hours notice in order for such a meeting to take place. We maintain that the chairman of the standing committee has no discretion in this matter to delay or refuse our request, nor can the majority on the committee do so.

The purpose of Standing Order 92(2) was to ensure the calling of a meeting by a minority on standing committees of this House. We strongly believe that this action taken by the Conservative majority on the committee, and the chairman, to refuse a meeting under Standing Order 92(2), is a violation of our privileges and, in particular, a violation of the privileges of all Members in opposition Parties in this Parliament. This is particularly so in a Parliament such as this where the Government has an overwhelming majority.

If Standing Order 92(2) is to have any meaning whatsoever, it is that four Members of a committee can force that committee to meet when there is an important issue on which it must meet. I submit to you, Mr. Speaker, that our privileges, the minority Members of this Parliament, the Opposition, are being violated by the action of the majority on the committee by the refusal to act on our demand under Standing Order 92(2) to have a meeting to deal with this important matter.

If you find, Mr. Speaker, that we have a prima facie case of privilege, I will make the appropriate motion to refer this matter to the Standing Committee on Elections, Privileges and Procedure.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I wish to refer you directly to Citation 76 of Beauchesne's, Fifth Edition:

> Breaches of privilege in committee may be dealt with only by the House itself on report from the committee.

Second, I would submit that the committee majority has decided not to sit during the summer as has, I believe, almost every other committee of this House, so that puts them in the majority rather than in the minority.

Third, the four Members of the Opposition who wish to meet Monday, only for their own purposes, have given notice under Standing Order 92(2), which they are entitled to do. But my friend presupposes that the chairman will not call that meeting. This is only the first day of the 10 day period. My goodness, if we are going to have a Question of Privilege, surely it must come at the end of the 10 day period, not on the very first day.

There is no one in breach of Standing Order 92(2) until the expiration of the 10 days. I do not think I need to say anymore than that.

Mr. Allmand: Mr. Speaker—

Mr. Speaker: Perhaps the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand) could wait and I will hear the Hon. Member for Kamloops Shuswap (Mr. Riis) and then I will hear the Hon. Member again.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I find it unfortunate that I feel an obligation to rise on this Question of Privilege this morning. This is a time of year when we are trying to facilitate the business of the House. All Parties are trying to co-operate. We also recognize that the committees are an extension of this House, that the work done in the committees is a reflection of what happens in this House and vice versa.

I believe it is important to recognize this as a unique situation for two reasons; first, the committee was intending to deal with the Unemployment Insurance Commission's approval of the hiring of strike breakers in the Post Office.

Mr. Lewis: Not true.

Mr. Riis: This makes it unique. This is not a typical piece of committee business. I would ask the Parliamentary Secretary not to interrupt. We all listened to him carefully.

Mr. Lewis: Tell the truth. This is hearsay, and you know it.

• (1010)

Mr. Riis: Mr. Speaker, that deserves a comment.

Mr. Speaker: The Hon. Member for Notre-Dame-de-Grâce—Lachine East has raised an alleged question of privilege. I have listened to the Parliamentary Secretary who has made his points effectively and succinctly. The Hon. Member for Kamloops—Shuswap has the floor. I would ask all Hon. Members to extend the courtesies to that Hon. Member that were extended to both the other Hon. Members in this intervention.

Mr. Riis: Mr. Speaker, I simply want to make the point that we are dealing with a very special situation here today at a time when the co-operation of all sides of the House is required. We are dealing with a situation in committee regarding a matter that concerns us all, that is, the impasse between Canada Post and the letter carriers and the hiring of strike-breakers. This is an issue that deserves attention by the appropriate committee, the Standing Committee on Labour, Employment and Immigration. That is what is behind a great many of the concerns that we have had in the last 24 hours.

Granted, Standing Order 92(2) indicates that within 10 days of receipt by the Clerk of the Standing Committee of a request signed by any four members of the said committee the chairman of the said committee shall convene such a meeting. Let us also recognize that by its Standing Orders the House will recess on Tuesday. In other words, if the committee chairman were to fulfil the intention of Standing Order 92(2) he could, by following that rule, call for a meeting in September. Obviously, the issue facing us today regarding the hiring of strike-breakers by Canada Post will be an academic issue come September, at least we all hope so. The issue is now; it is before us now. That is why the Hon. Member has indicated that the privileges of the minority members on the committee have been obviously violated.

Considering that we are about to enter into the summer recess and the fact that the hiring of strike-breakers is a matter of urgent and pressing necessity for the committee to deal with now, it is not unrealistic for Hon. members on this day to be concerned that, in spite of the request, the chairman of the committee has not given any indication whether or not there will be a meeting. I simply want to speak in support of my hon. colleague's concern that the privileges of Members of this House have in fact been breached.

Hon. Herb Gray (Windsor West): Mr. Speaker, I want to make some very brief comments about the question of privilege raised by my colleague, the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand). First, the Parliamentary Secretary to the Government House Leader (Mr. Lewis) argued against the validity of the question of privilege on the basis of Citation 76 of Beauchesne. I point out that Citation 76 is in the Fifth Edition of Beauchesne which appeared years before the provision of our Standing Orders which the Hon. Member for Notre-Dame-de-Grâce—Lachine East relies on in support of his question of privilege. In fact, that section of our Standing Orders was made permanent only a few weeks ago. Thus, I would respectfully submit that the citation is of questionable relevance and validity with respect to the section of our Standing Orders upon which the Hon. Member for Notre-Dame-de-Grâce—Lachine East relies, especially since as far as I am aware that section did not exist at the time that Beauchesne's Fifth Edition was published.

Second, if Your Honour looks at the citation itself, the context of the language seems to be with respect to the conduct of witnesses and their failure to attend or to refuse to give evidence rather than the type of situation which the Hon. Member for Notre-Dame-de-Grâce—Lachine East is talking about today. If the point made by the Parliamentary Secretary is correct, then members of a committee could decide for themselves whether any of the Standing Orders referring to committees apply to them. I respectfully submit that such a conclusion urged upon Your Honour by the Parliamentary Secretary is patently ridiculous.

The committees of the House are subsidiary bodies of the House and subject to the Standing Orders of the House the same way as the Chamber itself is subject to those orders. Surely, if a committee or the majority of members of a committee are unwilling to follow the Standing Orders, and they are not in a position to decide whether or not the Standing Orders apply to them, then surely this is a matter for Your honour to decide upon as Speaker of the House responsible for applying the Standing Orders to the House and any and all of its subsidiary bodies.

I submit that it is clearly a matter touching upon the privileges of all Members of the House whether or not a committee or a majority of members of a committee follow the Standing Orders.

The Parliamentary Secretary attempts to play down the significance of four members of the committee having made a

request for a meeting of the committee pursuant to Standing Order 92(2) because they are members of the Opposition. I point out to you, Mr. Speaker, that the Standing Orders of the House adopted unanimously by the House—in fact on the proposal of the Government—make no distinction whatsoever between members of the Opposition and members of the Government majority when it comes to determining the validity of the request provided for and permitted under Standing Order 92(2). The request for a meeting provided for under Standing order 92(2) is just as valid if it is made by four opposition Members as if it were made by government Members, or by a mixture of government Members and opposition Members.

Therefore, the question for Your Honour to decide is whether the unwillingness of the majority members of the committee to act pursuant to the clear wording of the Standing Orders of the House involves a question of privilege, not only of the Hon. Member for Notre-Dame-de-Grâce—Lachine East but of all Members of the House. I submit that it does.

If it were possible for the majority members of the committee to follow the rules of the House on committee meetings as they see fit, it would make a mockery of what this House has decided on with respect to the application of the Standing Orders to committees and the way that the committees should act. It would make a mockery of all the pretensions of the Government with respect to parliamentary reform which was supposed to make committees more important and more useful for all Members of the House, including members of the Opposition.

Finally, the Parliamentary Secretary to the Government House Leader argues that the question of privilege raised by the Hon. Member for Notre-Dame-de-Grâce—Lachine East is premature because there are still 10 sitting days within which the chairman of the committee should convene a meeting. But the Hon. Member for Notre-Dame-de-Grâce—Lachine East, I think, will be pointing out—but I want to put this on the record now—that the majority of members of the committee, supporters of the Government, passed a resolution stating that they would not meet until September. In effect, they have given their answer. Unfortunately, that answer is that they do not care about the rules of the House.

I respectfully submit that you, Sir, acting on behalf of us all have to say very clearly that the members of a committee, even though they are a majority supporting the Government, have to obey the rules to the same extent as the rest of us.

Mr. Allmand: Mr. Speaker, I will be very brief in reply to two of the arguments of the Parliamentary Secretary. First, he said that questions of privilege arising in committee could only be dealt with on a report from that committee. In this case the committee refuses to meet even to consider the question of privilege.

Second, he says under Standing Order 92(2) that the chairman has 10 days from the receipt of a notice by four members to call the meeting. The rule also says that 48 hours' notice must be given of such a meeting. We all know that Parliament has only two more days of sitting after today, next Monday and Tuesday, before it must adjourn for the summer. If we are to have this meeting before we adjourn for the summer, then the 48 hours' notice would have to be given today.

• (1020)

The steering committee of that committee resolved and made a report to the full committee that the committee should take up the issue of whether or not the Unemployment Insurance Commission was forcing unemployed workers to take jobs as strike-breakers or else they would lose their unemployment insurance benefits, and were saying, "here are these jobs at the Post Office, take them", and if they refused to take them, it said, "you lose your benefits".

Members of Parliament on that committee have received calls indicating that that is what is being done. We do not know whether or not it is being done. That is why we wanted to call the committee to examine this very important issue which affects the ongoing postal strike.

If we cannot meet on Monday or Tuesday to have the Unemployment Insurance Commission deal with the issue and answer whether or not it is being done, then we will not have an opportunity to do so.

If Standing Order 92(2) means anything at all, it means that four members of a committee can oblige the sitting of a committee to deal with issues such as this, even when the majority may not want to do so. Why did we decide to include that rule in the previous round of reforms? It was just for that reason, so that a committee would have to meet on the request of four members to deal with certain specified issues.

By the committee refusing to respond and grant us our request today, we will not be able to do it before the House adjourns. I submit that our privileges in the Opposition, and the privileges of all Members are being harmed by this lack of decision and/or the decision of the committee not to meet at all during the summer months.

By the way, we are not asking in this case to meet during the summer; we are asking to meet next week, next Monday or Tuesday, while the House is still sitting.

Mr. Lewis: Mr. Speaker, I see no reason to reply to my colleague's recent comments.

Mr. Speaker: The Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand) has raised a specific complaint that he and other members of the Standing Committee of Labour, Employment and Immigration have heard allegations that unemployment insurance officials are telling people who are receiving UIC benefits that they can no longer receive those benefits unless they take jobs at the Post Office which, as all Hon. Members know, is in a strike position.

The Hon. Member's complaint—and presumably it is the complaint of other members on the committee who join with him—is that if the Post Office is doing this, it ought not to be doing so because it is forcing unemployed workers to act as strike-breakers.

The Hon. Member for Notre-Dame-de-Grâce—Lachine East has clearly stated to the Chair and to the House, as I am sure he would, quite frankly, that he does not know whether this allegation is in fact true. However, he says that what he wishes and what other members of the committee wish to do is have a meeting of the committee so that the matter can be pursued.

The Standing Order under which the Hon. Member seeks recourse within the committee—and Hon. Members will note that I said "within the committee"—is Standing Order 92(2), which reads as follows:

> Within ten sitting days of the receipt, by the clerk of a standing committee, of a request signed by any four members of the said committee, the Chairman of the said committee shall convene such a meeting provided that forty-eight-hours' notice is given of the meeting. For the purposes of this Standing Order, the reasons for convening such a meeting shall be stated in the request.

As has been pointed out by the Hon. Member for Windsor West (Mr. Gray), it is a Standing Order which has just been confirmed by the House. The Hon. Member for Windsor West argued that because it is a new order, Citation 76 from Beauchesne's Fifth Edition, which was given to the Chair by the Hon. Parliamentary Secretary, is not relevant. That citation is to the effect that it is not for the Chair to interfere with the internal workings of a committee.

It is the Chair's view that the citation in Beauchesne's to which the Hon. Parliamentary Secretary referred is not made irrelevant at all just because there are some new rules and, as a consequence, the Chair must pay a lot of attention to that.

The general rule is that a complaint about the workings of a committee is not something with which the Chair in normal circumstances is entitled to interfere or to try to set right, unless of course it is in fact a question of privilege that is carefully defined—and it has been so for decades—as something that is being done which makes it impossible for or diminishes the capacity of Hon. Members to do their duty as Members of Parliament.

The complaint the Hon. Member for Notre-Dame-de-Grâce—Lachine East brought to the Chair is one which is, certainly in the minds of some Hon. Members, a serious one, and it may well be in the minds of most Hon. Members of this place. However, I cannot make this decision on the basis of the complaint itself.

What the Unemployment Insurance Commission is or is not doing is, as the Hon. Member said, not clear yet. Even if it were clear, that cannot in itself be the basis for a ruling of privilege by the Chair. As legitimate as the point may be, the Chair must remind Hon. Members that it is the responsibility of the Chair to rule on procedural matters, not on matters extraneous to the procedure, no matter how important they may be in fact.

The Hon. Member has asked the Chair to intervene by saying that the privilege of Hon. Members has been breached as a consequence of one of two things, or perhaps both; first, the majority of the committee having decided, apparently, that they do not want to meet until after the summer is over, and second, the refusal, at least so far this morning, of the Chairman to convene a meeting as a consequence of a notice given to the Chairman on behalf of four members pursuant to the rule.

Whatever the rule might have been intended to mean, other than how it appears on its face, the Chair is in a difficult position in this case because the Chair must read the rule as it is actually stated. What the rule says is, "Within ten sitting days of the receipt". I quote these words, but the effect is that within ten sitting days of the receipt of a notice—and I am assuming for the purposes of this ruling that the notice was properly given—the Chairman shall convene a meeting and forty-eight hours' notice must be given of that meeting.

The Chair reads that to mean that under this rule the Chairman must convene that meeting or must give notice of that meeting within ten sitting days of the receipt, which means that the meeting could take place some days, certainly, after receipt of the notice.

The difficulty of the Hon. Member for Notre-Dame-de-Grâce—Lachine East and of the other members who want this meeting is that unless something should change—and of course the Chair assumes nothing at this point, except that there is some expectation that the House will adjourn this coming Tuesday—the chairperson of the committee may not decide to set a date or give notice to have a meeting during the next three sitting days, that is, today, Monday, and Tuesday. If that should happen, the next sitting day the rule would apply to would be sometime after the House reconvenes in September.

• (1030)

It is not for the Chair to comment on whether the chairman or other members of the committee ought or ought not to make some special effort to comply with the request that has come in. It might very well be that Members would prefer that the Chair did not comment at all on what they want to do. It is certainly not the place of the Chair to do so.

It is because, at least as of this morning, the Hon. Member for Notre-Dame-de-Grâce—Lachine East and the other Members who have asked for a meeting have had no response one way or the other, except a clear indication from the committee that they do not want to sit until September under after the House reconvenes, that this complaint is brought to the Chair.

As I have said, the matter is not one that is frivolous. It is certainly one that this particular committee, if it were disposed

to hear it, would have every right to hear and perhaps ought to hear. Unfortunately, and I say this with some regret to the Hon. Member for Notre-Dame-de-Grâce—Lachine East, the Chair cannot find under these circumstances a prima facie case of privilege.

Again, the Chair is in a position where it is not appropriate for the Chair to try to intervene in the workings of the committee. The effect is, of course, that if members of the committee are not able to have some further discussion today or Monday, it may well be that, because of the wording of the rule, the committee will not have before it this matter which, as I have said, at least on the basis of the allegations is certainly of interest and seriousness.

However, that is a situation in which we all find ourselves as a consequence of the two things; the wording of the rule and the fact that an adjournment is scheduled for sometime this coming Tuesday. I would point out to the Hon. Member for Notre-Dame-de-Grâce—Lachine East and to other Members that there are some opportunities available today, Monday and Tuesday when this matter can be raised. It may be possible for the Hon. Members to find some clarification through Question Period or by some other means, and possibly a resolution of the problem about which they are concerned may be there. I regret to have to advise the Hon. Member and his colleagues that under the circumstances it is not appropriate for the Chair to try to intervene.

I want to thank all Hon. Members, the Hon. Member for Notre-Dame-de-Grâce—Lachine East for raising this matter, the Hon. Parliamentary Secretary to the President of the Privy Council (Mr. Lewis) for his succinct remarks and the Hon. Member for Windsor West and the Hon. Member for Kamloops—Shuswap (Mr. Riis). I would hope that perhaps some Hon. Members could gather together in the next little while and perhaps a discussion would help resolve the difficulty.

GOVERNMENT ORDERS

[*English*]

WAYS AND MEANS

INCOME TAX ACT

Hon. Tom Hockin (Minister of State for Finance) moved that a Ways and Means motion with respect to the Imposition of Taxes in the Nova Scotia Offshore area and to amend the Income Tax Act, laid upon the Table Thursday, June 25, 1987, be concurred in.

Motion agreed to.

Copyright Act

COPYRIGHT ACT

MEASURE TO AMEND

The House resumed from Monday, June 15, consideration of the motion of Miss MacDonald that Bill C-60, an Act to amend the Copyright Act and to amend other Acts in consequence thereof, be read the second time and referred to a legislative committee.

Hon. Flora MacDonald (Minister of Communications): Mr. Speaker, when I opened debate on Bill C-60 on June 15, I mentioned that we were introducing long overdue amendments to the Copyright Act and that this was the first package of amendments that would come before the House. The House will realize, of course, that there has been no major revision of the Copyright Act since it was introduced in 1924. Therefore, we are very pleased to be able to bring these amendments forward.

I had begun to list the various measures that are included in this first package of amendments to the Copyright Act. The first measure dealt with collectives.

The collective approach has many advantages. For users, lengthy searches for copyright owners and protracted negotiations on royalty payments for each individual use are eliminated by the extension of collectives. The result is quick, easy access to protected works for users. On the other hand, for copyright owners, there is remuneration that might otherwise never have been received. There is also greater protection. Collectives have the resources to monitor the use made of works in their repertoires, insist on royalties and even sue for infringement if necessary. I know that in addition to the existing performing rights societies, namely, CAPAC and PROCAN, some similar groups are already forming and are eager to receive the go ahead that this legislation would provide.

Visual artists, for example, have banded together in Vis-Art Copyright Inc. which licences the right to reproduce its works in books, calendars, greeting cards, films and so forth. This provides a new source of income for artists. The new provisions on collectives will give Vis-Art and other newly formed groups the legal recognition needed to operate collectively. Because of the obvious benefits for both users and owners, the Government feels that the collective exercise of copyright should be explicitly encouraged in our Copyright Act.

The second measure deals with the copyright board. The collective exercise of rights does entail, as we know, possible abuses. Whenever a combination of individuals together controls access to, and use of, a particular goods or service, there is the potential for anti-competitive behaviour. In other words, if the only practical access to a particular right is through one collective, this collective can achieve such a dominant bargaining position that the interests of potential customers are not sufficiently safeguarded.

Our existing copyright law provides for a regulatory body, the Copyright Appeal Board, vested with the authority to separate after hearing from interested parties. But under the present Act, only musical performing rights associations are under the jurisdiction of the Copyright Appeal Board. The revised Act would extend the jurisdiction of a new board to be known simply as the Copyright Board to include all collectives of copyright owners. This board will continue to set and regulate royalty rates. It will also be able to make binding decisions whenever collectives and those who wish to use their members' works are unable to reach an agreement. In response to a request for arbitration from either party, the board may set what it feels to be a fair royalty rate.

We believe that users will prefer the simplicity of the collective administration of one particular right to the more difficult approach of dealing with greater numbers of individuals and groups. They will rely on the Copyright Board to ensure reasonable rates and copyright owners will also welcome the board's regulation because it will preserve their right to band together for their own protection. That is to say, to the extent that specific activities are regulated by the Copyright Board, they will be shielded from the competition act under an exemption encompassing activities subject to federal or provincial regulation.

• (1040)

The introduction of a system of collectives regulated by a copyright board will benefit both users and owners of copyright. This will encourage creative activity in Canada and will ensure freer access to copyright materials by all users.

The third measure has to do with the abolition of compulsory sound recording licences, a very welcome measure indeed. The Bill responds to the changing circumstances in the music industry. The present Copyright Act provides for a compulsory licence for sound recording. It has been there for 60 years. Under this provision, a company or an individual has the right to make a second recording of any musical work once a first recording has been made by paying the copyright owner a statutory royalty of two cents. This royalty has been in effect for some 60 years and is one of the lowest in the world.

[*Translation*]

Originally, compulsory licenses were brought in to promote the development of new businesses in the Canadian sound recording industry. Sixty years ago, there was a fear that the industry would be dominated by a small number of large companies if music editors could use their exclusive rights to set high rates for the recording of musical works.

However, the legislation on competition has already eliminated the threat of such monopolies. Moreover, it seemed inappropriate to continue to deny copyright holders the right to determine who can record their works and in what circumstances.

[*English*]

Rather than being forced to sell to anyone at an arbitrarily established price, owners should be given the right to negotiate the most favourable terms possible with potential copyright owners and that is what this Bill will ensure.

The fourth measure deals with moral rights. As Hon. Members know, there is more at stake in the exploitation of a work than economic reward. Creative works are very much the expression of the personality of their authors. Creators cannot be fully protected unless their moral rights are recognized. Such moral rights include the protection of the integrity of the finished work, guarding it from any distortion, alteration or other modification.

Thus, if red ribbons are tied around the necks of sculpted figures as happened to a work by Michael Snow not long ago, the artist would no longer have to seek special legal redress since the new law would guarantee the artist's right to protect the integrity of his or her work.

Moral rights also include preventing a work from being used against its creator's wishes, in association with a product, service, cause or institution as if to imply endorsement. The present Bill specifies that moral rights are to be protected as carefully as economic rights. In fact, all the legal remedies that are now available for copyright infringement will be available for moral rights violations. This will be just as important an encouragement to creative activities as the measures I have already described. It has been welcomed by Canada's artists.

Fifth, is the measure that deals with the rights of exhibition. It is another important new right being provided in the Bill before the House. Creators of visual arts, for the sake of their reputations and integrity, will be entitled to control in what context and under what circumstances their works are to be displayed and to be compensated for this exhibition. Considering that the right of public performance of musical and dramatic works is already protected, it is only fitting to offer similar protection to visual art works.

The sixth measure deals with the protection of choreographic works. The social and cultural transformations that have overtaken the Copyright Act leaving some types of creative endeavour without sufficient protection include a very important development in the field of dance. Sixty years ago when the Act was drafted, choreographic works were characterized by a plot or a sequence of action and were therefore protected under the category of dramatic works. Now, of course, many choreographic works are visually pleasing, aesthetic compositions without any particular story line. In order to protect works in a field in which so many Canadians continue to distinguish themselves, Bill C-60 makes protection explicit for all choreography, whether or not it has a story line.

Three of the measures included in the Bill are being introduced in conjunction with my colleague, the Minister of Consumer and Corporate Affairs (Mr. Andre), who has worked with me in the preparation of the present legislation

before the House. The first of those measures that fall within his jurisdiction has to do with the protection of computer software. In addition to transformations within categories of creative endeavour, entirely new categories have developed since the original Copyright Act was passed. Think, for example, of the knowledge, the originality and the imagination required to develop computer software.

Software development is rapidly becoming a major industry in Canada. Computer programs are clearly intellectual property entitled to copyright protection. However, since computers were unheard of back in 1924 when the Act was drafted, special court judgments have been required until now to safeguard the rights of software creators. The Bill before the House today will protect these software creators by including computer programs under the definition of literary works in the Copyright Act.

According to some estimates about some popular computer programs, one illegal copy exists for every one purchased from the legitimate owners. This measure will help ensure that creators in this dynamic field receive the rewards due to them and this will encourage further progress in a field that is vital to our economic development and international competitiveness.

The second measure that falls within the jurisdiction of the Minister of Consumer and Corporate Affairs has to do with increased penalties for the sale of unauthorized copies. We realize that artists and creators will not be properly protected if the penalties for infringement of copyright are an insufficient deterrent. The maximum penalty for breaking the existing copyright law is only $200. This is clearly inadequate, given the enormous profits presently being made through the illegal copying and sale of books, records, video-tapes and computer programs. Therefore, the new Bill provides for fines of up to $1 million and penalties of up to five years in jail for conviction on indictment of copyright infringement.

The final measure in this grouping has to do with copyright and industrial design. While certain types of creative endeavour have been left without protection under the Copyright Act, other types protected elsewhere seemed to have been granted redundant protection. Specifically, designers of utilitarian objects which ought to be covered by the Industrial Design Act have been found potentially eligible for full copyright protection by recent judicial decisions. The uncertainty caused by these decisions has created a pressing need to clarify the present wording of the law.

The Copyright Act should not be transformed into a kind of a catch-all legislation protecting works for which copyright is not appropriate. Bill C-60 will therefore provide an objective means of determining whether or not an article can be protected by copyright, industrial design, both, or neither.

• (1050)

As I said, this Bill deals only with a certain number of issues under the Copyright Act. Because of the obvious urgency of copyright reform, the Government decided to proceed with revision in two stages rather than waiting to submit an omnibus Bill at a later date. The matters to be addressed in the second phase have just as high a priority as those presently before the House. However, because of the complexity of these issues, the drafting of legislation to address them has not yet been completed. Nevertheless, it is my firm intention to introduce this second phase of amendments just as quickly as possible.

In conclusion, a recognition of creators' rights stimulates creative activity and the flow of intellectual products to our cultural industries. It secures returns to creators and entrepreneurs and encourages capital investment in high cost technology. Copyright provides a legal basis for the publishing, film and recording industries and will now ensure the same for the computer industry. It is a fundamental element of cultural policy which can help ensure Canadian cultural development, Canadian sovereignty, and a national identity.

In the final analysis, copyright stimulates the economy by creating jobs and encouraging investment. It is estimated that $10 billion or 3.2 per cent of our Gross National Product is generated by industries dependent upon copyright. The legislation now before us will reinforce the Canadian cultural sector, contribute to the development of a copyright industry, and stimulate the creation of high-technology jobs. For all of those reasons, I urge that Bill C-60 be referred to a legislative committee for deliberation and study just as quickly as possible.

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, at the outset I would like to assure the Minister that I agree with her and look forward to swift passage of Bill C-60. While I think we need to look at and clarify a few issues, I assure her that she has my support.

Canada's present copyright laws are a marvel of antiquity. They were written in 1924 when piano rolls and silent films were king. It was a time when a composer was satisfied to receive two cents each time a recording of his song was sold, and when a computer was a person equipped with an adding machine. Times have changed and it is time that this law reflects those changes.

Copyright law allows for the exercise of economic as well as moral rights. For most Canadians copyright will never be a household word, yet these laws vitally affect many activities which are of immense importance and interest in a developed society. The conduct and ethic of the businesses touched include the press, radio, television, computer software, cable television, satellites, the recording, film and theatre industries, home entertainment, books, magazines, architecture and music. In fact, almost anything that makes life worth living. Therefore, copyright legislation must reflect the legal recognition of the exclusive right of creators to determine the use of their work and to enable them to share in the benefits.

The goal in this Act is to protect intellectual property and strike a healthy balance between copyright owners and users. In 1984 the Liberal Government issued a White Paper on copyright entitled *From Gutenberg to Telidon*. In 1985 a Commons subcommittee held hearings across the country on revisions to the Copyright Act and its report became known as a charter of rights for creators. Both documents provided greater protection to those who rely on copyright for their living, the creators of books, songs and other intellectual property.

While we recognize the urgency and priority of new copyright legislation, we must also recognize it is not a solution in and of itself. As stated by the Federal Cultural Policy Review Committee, commonly known as the Applebaum/Hébert report, in 1982, no one should be under the delusion that copyright legislation by itself will solve either the economic or social problems of all authors.

Copyright legislation serves best those authors whose works appeal to large segments of the public wherever in the world they be. It cannot solve the social and economic problems of those authors whose works, although they may have great aesthetic and academic value, will earn very little because they appeal to relatively small numbers of users.

Therefore, I underscore my ongoing concern, and I believe that of the Minister, that passage of this legislation will not suffice for the creators of much of Canada's artistic community. The cultural support programs already in place must continue. I refer to the book publishing policy, postal subsidies, museum assistance, Indian cultural development and art programs, film development programs, funding for sound recording programs, payments to Canadian authors for use of their works in public libraries, cultural initiative programs, assistance to the performing arts, Bill C-58, the advertising regulations for magazines and television, and the simultaneous advertising substitution for cable distributors.

In the report *From Gutenberg to Telidon* we note that the value of the work of Canadian industries concerned with copyright law is now $10 billion. This is equivalent to 2.2 per cent of the Gross Domestic Product. Actual copyright payments totalled more than $1 billion. Perhaps a lot of people will find that they knew very little about these facts and figures and will now start to recognize the worth of these industries. If so, they might pay a little more attention. Of that $1 billion, 67 per cent is paid to Canadian sources and 33 per cent to non-Canadian sources.

It should be noted, however, that the radio and television industries accounted for 75 per cent of the total, with 82 per cent of those payments going to Canadian sources. With respect to the publishing, recording and film industries, just 22 per cent of those payments go to Canadian sources while the remaining 78 per cent was paid to foreign rights owners.

Last month the Government introduced the first of two stages of the copyright revisions. Bill C-60 has received favourable acclaim from Canadian artists. It addresses computer programs, anti-piracy remedies, the relationship of copyright and industrial design legislation, the Copyright Board, collective management of copyright, moral rights, protection of choreography works, the abolition of compulsory licences for the making of sound recordings, and the right to exhibit artistic works in public.

I would like to give a small amount of background information on the part dealing with computer programs, offences and penalties, which is often referred to as the piracy section. The revenues from systems and application of software and custom software development as forecast for the Canadian software industry was to be in the range of $1.5 billion in 1986. We are told this Bill will give the software industry the same protection against illegal copying as has already been accorded to books. The software industry estimates that illegal copying has cost it close to $400 million a year. The legislation will now give software copyright the protection it now gives to books; that is, protection to authors for lifetime plus 50 years. It increases as well the current $200 maximum penalty to $1 million or a five-year prison term. Thus, the Bill recommends penalties which will be efficient and effective deterrents.

• (1100)

Casey August, Director of Intellectual Property at IBM Canada Limited, a major software developer as well as the country's largest computer company, says:

> It is important that the legislation very clearly states that it is the message that is protected without reference to the media on which it is recorded.

Casey wants legal protection, not only for diskettes but for microchips, compact disks, and other media containing proprietary information.

Mr. Speaker: I very much regret to interrupt the Hon. Member. I hope I have interrupted at a point at which her very interesting speech can be continued very easily when she resumes debate. However, it is now time for Statements by Members.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

INDIAN AFFAIRS

TREATY TERMS—ALLEGED VIOLATIONS

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, the Oxford Dictionary defines a treaty as a formally concluded and ratified agreement between nations, one that a country is bound by. Canada has a number of treaties with Indian nations within Canada. These treaties are recognized and affirmed in our Constitution.

Treaty No. 9 in northern Ontario was signed in 1905, and ten years ago Treaties Nos. 6 and 7 in western Canada observed the centennial commemoration of their treaties and focused attention on the meaning of these documents. The

chiefs of treaty Indian nations repeatedly express dismay that the treaty promises have not been kept by Canada and many of their people continue to live in poverty.

In 1977 Prince Charles, while visiting western Canada and speaking on behalf of the Government, acknowledged these hardships and stressed that the Government wished to work out solutions jointly with the Indian people. In fact the Government and Indian leaders have different perceptions regarding Indian treaties and this leads to violations of the treaties by Canada.

I say to the Right Hon. Prime Minister (Mr. Mulroney) and the Minister of Justice (Mr. Hnatyshyn) that it is time for a national conference on Indian treaties in order to determine clearly and precisely the obligations by which Canada is bound.

* * *

CHILD CARE

OPPOSITION TO UNIVERSAL SYSTEM

Mr. Gordon Taylor (Bow River): Mr. Speaker, I and many of my constituents do not believe in universal child care. Why should the taxpayers provide child care for the wealthy who are quite able financially to look after their own children, either in privately operated centres or by hiring a nanny? Under universality, in some cases children of the wealthy fill the centres leaving no room for children of single parents.

I am all in favour of helping those who need it, but we should not be taxing everybody, including the low and middle-income families, to pay for day care centres for the children of the rich. Furthermore, the parents in the low and middle-income groups, and even many in the wealthy classes where one parent stays at home to look after the children, object strenuously to paying taxes to take care of the children of the wealthy.

Let us provide excellent care for the children of parents who need it. Universality sounds nice but is absolutely unfair to those who look after their own children and to a majority of the people who pay the taxes.

* * *

IMMIGRATION

FOREIGN DOMESTIC WORKERS PROGRAM

Mr. Dan Heap (Spadina): Mr. Speaker, in two *Globe and Mail* articles today Judy Steed outlines the plight of "May"—not her real name—a domestic worker who, after spending five years in Canada, did not qualify under the Foreign Domestic Workers Program even though she had met all the normal requirements. May's unfortunate problem was having responsibilities in Jamaica for four school age children.

The Foreign Domestic Workers Program allows women from developing countries to work in Canada as badly needed nannies mainly because of insufficient day care spaces. However, these women are not acceptable to Canada as landed immigrants unless they leave domestic work and have no responsibilities outside Canada.

The Government is telling the thousands of domestic workers in this country, as well as parents, that the care and nurturing of future generations of Canadians is worthless. The Government is telling domestic workers that house work and child care are not a career.

I call on the Government to reform the Foreign Domestic Workers Program and allow these women landed status on the basis of what they are doing now.

* * *

[*Translation*]

NAVIGATIONAL SAFETY

LAC SAINT-JEAN—IMPORTANCE OF NEW HYDROGRAPHIC MAPS

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, immediately after my election in September 1984, I received an important request from residents of my constituency.

Everyone is familiar with the size of the interior sea we call the Lac Saint-Jean. It gives great pleasure to those who live along its shores, to the many tourists who come to swim in it, as well as to the great number of boaters who sail its waters.

It is mostly on behalf of these boaters that I am rising today. Even before I was elected, the Lac Saint-Jean boaters had requested new hydrographic surveys. As the lake is difficult to navigate, these maps are essential for the safety of boaters.

The Canadian Hydrographic Service told us that these maps would be published first in the spring of 1985, then of 1986, and then of 1987. Now, we are told that they will be published on July 13th.

On behalf of my constituents, I would like to thank the Canadian Hydrographic Service for having acted quickly in this matter to make navigation on Lac Saint-Jean safer.

* * *

[*English*]

THE CONSTITUTION

1987 CONSTITUTIONAL ACCORD

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, notwithstanding my support in principle for the Meech Lake

Constitutional Accord; notwithstanding my fervent hope that appropriate amendments will be made to ensure that Governments will preserve and promote the fundamental characteristics of Canada, which include the rights of English-speaking Canadians in Quebec and the rights of French-speaking Canadians outside Quebec; notwithstanding my desire to see that the Accord recognizes that the unique character of Canada is its bilingual, multicultural and native aspects; and notwithstanding my concerns about the restrictive way in which Clause 16 of the Accord has been drafted and can give rise to serious Charter constraints, my most serious concern about the Accord is that it makes no attempt to revoke the "notwithstanding" clause in the Charter of Rights, the clause which provides that the rights and freedoms of Canadians can be taken away at the whim of any Government.

It is totally unacceptable that the rights and freedoms guaranteed to Canadians should be taken away for five minutes, let alone five years, as permitted by the "notwithstanding" clause. Adequate protection is to be found in Clause 1 defining "reasonable justification".

The November, 1986, resolution of my Party advocates the repeal of this clause. It is unfortunate for Canada that the Prime Minister (Mr. Mulroney) missed the opportunity to press his provincial counterparts for the repeal of this most invidious and offensive clause. I sincerely hope that it will be addressed in the near future.

* * *

[*Translation*]

WOMEN

EMPLOYMENT—WORK ACCOMPLISHED BY *ACTION TRAVAIL DES FEMMES*

Mr. Guy St. Julien (Abitibi): Mr. Speaker, in a unanimous ruling which will probably have a major impact on the labour market, the Supreme Court of Canada maintained yesterday an order issued in 1984 by a tribunal of the Human Rights Commission forcing the Canadian National Company to implement a special hiring program for women.

This ruling represents a hard-earned victory for the organization which launched this fight against discrimination, *Action Travail des Femmes*, a Montreal group devoted to the promotion of women in occupational sectors traditionally dominated by men.

The CN is one of the largest employers in Canada and a very small group has succeeded in getting a very significant ruling against this corporation.

In its 1984 ruling following 150 individual complaints; the tribunal of the Commission supported the claim of *Action Travail des Femmes* that the CN was using discriminatory hiring and recruiting practices by refusing women the possibility of holding certain unskilled manual jobs allotted to men. Late in 1981, only 57 women had manual jobs in the St. Lawrence region of the CN, or just 0.7 per cent of all workers in the region.

Mr. Speaker, this is one more step towards equality for women. The results of this ruling will be felt not only in businesses under federal jurisdiction, but also in all equal opportunity programs in other provinces.

* * *

[*English*]

EMPLOYMENT EQUITY

CANADIAN NATIONAL RAILWAYS—HIRING OF WOMEN

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, this week we celebrate the Supreme Court of Canada ruling that Human Rights Tribunals can set hiring quotas for companies that discriminate against women and other disadvantaged groups.

In 1984 the Human Rights Tribunal discovered that the recruitment, hiring and promotion policies at CN Railway prevented and discouraged women from moving into blue collar jobs and ordered CN to meet a hiring quota. CN appealed to the Federal Court of Canada and had the ruling overturned. However, the women of Quebec, led by *Action Travail des Femmes*, refused to remain silent when their rights were in jeopardy and appealed the decision to the Supreme Court of Canada.

In a landmark decision, Chief Justice Brian Dickson overruled the Federal Court, ordered the restoration of the Tribunal's 1984 order, and dismissed a cross-appeal by the railway company.

This ruling in the Supreme Court will have a lasting impact on women and minority groups far into Canada's future. Due to the perseverance of *Action Travail des Femmes* we have taken a positive step toward eliminating systemic discrimination in employment for women and minorities.

* * *

[*Translation*]

THE ECONOMY

IMPORTANCE OF PRIVATE ENTERPRISE

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, the outcome of the election in Great Britain eloquently attests to renewed confidence in private enterprise, in individual initiative, in productive efforts, and in fair competition. The socialists across the floor entertain doubts about this message from London. Consider Moscow. What do they make of Mr. Gorbachev's draconian approach to the spirit of enterprise, the notion of profit, decentralization and responsibility?

The agenda of the Soviet plenum which opened yesterday is clear, and I quote: "It is devoted to Party work concerning the radical economic management restructuration".

Mr. Speaker, in the context of Great Britain and the USSR, the socialists on the other side are totally refuted and abandoned. Before nationalizing, regulating and distributing unearned wealth, their leader ought to phone Michael Gorbachev, a gesture which would modernize these dissidents!

* * *

• (1110)

[*English*]

LABOUR RELATIONS

CAPE BRETON DEVELOPMENT CORPORATION—ATTEMPT TO REDUCE NUMBER OF BARGAINING UNITS

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, it seems that the Government is not only riding roughshod over the rights of the letter carriers in the present postal strike, it is out to break unions wherever it possibly can.

A great example of this is taking place at the Cape Breton Development Corporation in Cape Breton, where until recently there were 12 bargaining units representing 7 different unions. The corporation wanted to eliminate some of these bargaining units. While that may be admirable as far as it goes, it does not require a corporation to tell people to give up their bargaining unit.

Three of the unions, the International Association of Machinists, the nurses' union, and the United Transportation Union, want to maintain their own identity.

The Cape Breton Development Corporation is saying that there are too many illegal stoppages. The International Association of Machinists have only lost 12 days through illegal strikes and have only had one legal strike in 47 years. In 10 years the nurses' union has only had one grievance, which it won.

The workers of this country should be able to maintain their bargaining units. It is a right that the Government should respect.

* * *

NATIONAL DEFENCE

NORTHERN TRAINING CENTRE—SUGGESTED LOCATION IN INUVIK

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, the White Paper on National Defence, with its re-emphasis on Canadian territorial, particularly northern, defence, has been extremely well received in the North, the defence needs of which had been neglected for so long by previous Governments.

The establishment of a northern training centre is an excellent idea which ought to be put into effect as soon as possible.

A location will be needed with an existing infrastructure, variety of terrain, and one which is suitable for land, sea and air operations. Might I invite the Minister of National Defence (Mr. Beatty) to consider Inuvik which combines all these attributes together with a long and friendly association with the military, as probably being the best site in the Arctic for the new training facility.

* * *

SPORTS

CANADIAN FOOTBALL LEAGUE—END OF MONTREAL ALOUETTES' FRANCHISE

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, I want to join with sports fans across Canada in expressing my concern about the future of the Canadian Football League.

I want to say at the outset that I believe strongly that Canadian football can survive and prosper. However, in order to do that it will take a concerted effort from all those involved, the owners and management of all teams, the players, the fans and the communities involved, and all levels of government.

The collapse of the Montreal Alouettes a couple of days ago, while coming as a shock to all of us, was really not a complete surprise. Dark clouds had been building over the CFL and this franchise for a number of years.

Nevertheless, it was still a tragic day for professional sport in Canada. The CFL, and the Alouettes in particular, are a Canadian institution which has brought a great deal of pleasure and no small sense of pride to Canadians for many years.

As our cultural and sport industries come under increasing domination from south of the border, the CFL, and Canada's unique brand of football, become increasingly important as a source of national unity, and national and regional pride.

The CFL can survive but it will take all of us to make it do so. Let us pull together and ensure a healthy future for Canadian football.

Oral Questions

FISHERIES

DRIFT NET EXPERIMENTS—CALL FOR CANCELLATION

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, a couple of weeks ago I had the opportunity to attend the Canada-U.S. interparliamentary group meetings in Vancouver. I was part of Committee 3 which was discussing areas of mutual environmental concern.

Something which we all agreed upon as Canadians and Americans was the horrible practice of the Japanese and others in the Pacific Ocean with respect to the use of drift nets. Imagine my embarrassment when I found out subsequent to that meeting that the Minister of Fisheries and Oceans (Mr. Siddon) not only allowed a drift net experiment last year but, after making several lofty speeches about how horrible this practice was, allowed another experiment to continue in drift netting. Drift netting is the marine equivalent of clear-cutting. It is totally abominable and unacceptable.

I call on the Minister of Fisheries and Oceans to cancel this experiment, to give some credibility to Canada's international voice on this issue, and to work actively to have all other nations stop this horrible practice of using drift nets.

* * *

[*Translation*]

TAX REFORM

OPPOSITION TO FOOD TAX

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, having slapped taxes on prescription drugs, soft drinks and long distance phone calls, the Government—contrary to the answers given in the House by the Minister of Finance (Mr. Wilson)—clearly and definitely intends to tax food. Just look at pages 10 and 11 of the brochure *Tax Reform 1987—Sales Tax* where the Government clearly indicates the process leading to a tax on food.

Mr. Speaker, I serve notice on the Prime Minister and the Conservative Government that a country-wide action plan will be launched as early as this summer. Petitions will be forwarded to 3,000 organizations to make sure that this Government never gets around to taxing food, bread and butter.

* * *

EMPLOYMENT EQUITY

SUPREME COURT JUDGMENT—OPPORTUNITY FOR GOVERNMENT TO ACT

Mrs. Lucie Pépin (Outremont): Mr. Speaker, yesterday the Supreme Court of Canada released its judgment on the equal opportunity program.

Pursuant to this Supreme Court decision, henceforth CN Railway will have to offer 25 per cent of its blue collar jobs to women until such time as they make up 13 per cent of all CN staff. By ruling in favour of Action Travail des Femmes, the Supreme Court has paved the way for women to gain access to jobs which, by tradition, are open to men only. We can only rejoice at this decision.

Yesterday, however, Mr. Gordon Fairweather made a statement to the daily newspaper *La Presse* asking the Government to enforce its employment equity legislation much more rigourously. On a number of occasions this year, the head of the Human Rights Commission told the Government that its employment equity legislation for women was not producing concrete results. He publicly urged the Conservative Government to act more firmly and make its employment equity program compulsory. Perhaps the Conservative Government will draw inspiration from the Supreme Court ruling to show leadership by enforcing Bill C-62 so that Crown corporations will give women equal opportunities under their employment programs.

ORAL QUESTION PERIOD

[*Translation*]

TRADE

REPORTED LETTER FROM UNITED STATES PRESIDENT TO PRIME MINISTER—REQUEST FOR CLARIFICATION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, my question is directed to the Prime Minister. Could he confirm a report in today's *La Presse* that the Prime Minister received a letter from President Reagan, stating that the U.S. would go along with a trade dispute mechanism that would be applied only at the discretion of the United States, especially in the case of free trade talks?

Did the President really say that in his letter to the Prime Minister? And what was the response of the Prime Minister of Canada?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I can confirm that I received, as I do from time to time, a query from the President of the United States, following comments I made to him in Venice, and which constitutes a major step towards a final settlement, I hope, of this aspect of the problem.

I will not comment on the contents of the letter or my answer, except to say that we are making the kind of progress that is normal in this kind of situation.

• (1120)

[*English*]

REQUEST THAT NEGOTIATIONS BE TERMINATED

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Prime Minister knows that it has been our position ever since the imposition of the U.S. countervail on the export of Canadian lumber to the United States and, indeed, I understand it to be the position of his Government as well, that a binding trade dispute mechanism must be an essential part of any trade agreement with the United States. It appears that the United States is not willing to contemplate that mechanism. It also appears that the United States is not willing to exempt Canada in any meaningful way from its unilateral remedy position even after a free trade agreement is signed.

Will the Prime Minister not admit, therefore, that if there is not to be a binding trade dispute mechanism, if there is not to be some meaningful restriction on the unilateral imposition of countervail, he might well order his negotiator to break off negotiations because there is no further point to those negotiations?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend says he received advice that the Americans are not willing to contemplate such a proposal and are not willing to exempt Canada. We have received no such advice at all. We have received indications of positions, bargaining positions, I presume, of the American administration, and we have received no such indications, definitive indications, of positions whatsoever.

I have indicated many times that I believe an important part of the rationale for the building of a free trade arrangement is the promotion of our mutual trading interests. It would be self-defeating if, within the parameters of such an agreement, there was an instrument that vitiated the notion of this free access, in other words, if a free trade arrangement contained the capacity for one party unilaterally to trigger retaliatory measures against the other. The object of the exercise is to find a mechanism that will resolve those matters without that unilateral capacity to trigger reprisals of that kind.

That is the philosophy that motivates our negotiators. That is the mandate we have given our negotiators, and we have received no position, definitive position, from the other side, declaring this to be unacceptable from their point of view.

APPLICATION OF UNITED STATES LAW—REQUEST THAT PRESIDENT'S LETTER BE TABLED

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, we have had it confirmed that the letter does exist, as the Prime Minister has also admitted in the House, and that in that letter the President of the United States expresses the unwillingness of the American administration to exempt Canada from those unilateral remedies, particularly by way of a compulsory submission to a binding dispute mechanism.

The Minister for International Trade has already said today: "I have been monitoring the politics of this and I would say that the free trade talks could be the victim of a U.S. Trade Bill". Both the United States Trade Act of 1974 and the current Bill before Congress apply increasingly strict unilateral remedies directed by the Congress against trading partners of the United States. The truth is that this country has already been a victim in these trade talks in terms of lumber, fish and other items, and we have received nothing in return.

Will the Prime Minister table the letter from the President of the United States? And if it be true that the Americans are not willing to contemplate a compulsory binding trade mechanism, will he advise his chief negotiator, Mr. Reisman, to walk away from the table while he still has the shirt on his back?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my right hon. friend had, of course, a more charitable view of Mr. Reisman's competence when he was serving as his Deputy Minister of Finance. I would just say that the interests of Canada are being extremely well served by Ambassador Reisman and his colleagues, who are doing a tremendous job in putting forward the national interest in a very important and sensitive series of negotiations.

The Leader of the Opposition does know, of course, it would be a breach of every convention for me to table correspondence I receive from the President of the United States, or from any other Head of Government, on a given item in the House of Commons. My hon. friend knows that. The President of the United States expresses a point of view in his letter and he does not go beyond that. On the basis of that, the negotiations will continue.

But my right hon. friend raises an important matter when he refers to the Trade Bill which is presently before the United States Congress. The ramifications of that Trade Bill could be extremely serious for America's trading partners and, in particular, have serious consequences for Canada, for employment in Canada. That Bill could cost jobs in Canada. It is precisely because of the implication, the enormous implications, of that trade legislation, and what it could trigger in consequence, that Canada is seeking a comprehensive free trade arrangement with the United States to make sure that does not apply to Canada so we continue to have the investment and jobs, the hundreds of thousands of jobs this country needs to grow and to prosper. That is why the negotiations are so important.

CONTENT OF PRESIDENT'S LETTER

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, despite the Prime Minister's best efforts to suggest otherwise, let it be made clear that it is not the competence of the negotiator, Simon Reisman, that is in question today. It is the competence of the man who has given Mr. Reisman his mandate, the Prime Minister, that is in question today.

Mr. Reisman said this week: "If we leave each side free to interpret the trade agreement, then you do not really have what I would call a reliable commitment". Today it seems clear to everyone but the Prime Minister that a reliable American commitment will never happen.

Hasn't the President of the United States in his letter to the Prime Minister, in reality, politely suggested to the Prime Minister that he should take a walk?

Mr. John McDermid (Parliamentary Secretary to Minister for International Trade): Mr. Speaker, the short answer to the question is no.

REQUEST NEGOTIATIONS BE DISCONTINUED

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, my question is directed to the Prime Minister, the author of the mandate. I want to say to him that it is clear to everyone in Canada, and to everyone in this House, that these talks are coming apart at the seams. The Government is setting up the U.S. Congress as the villain in the talks.

The Prime Minister has said many times that it took courage to enter these talks. I want to tell him that the last fellow who went over Niagara Falls in a barrel also had courage. The question Canadians are asking today is does the Prime Minister have the common sense and intelligence to walk away from these talks when the interest of Canada is obviously not being well served?

Mr. John McDermid (Parliamentary Secretary to Minister for International Trade): Mr. Speaker, the only people who want the talks to come apart are the Liberals and the New Democratic Party. They would love to see them fall apart—

Mr. Blackburn (Brant): Come on.

Mr. McDermid: —for crass political reasons, no other reason. I can tell the Hon. Member, number one, the talks are not coming apart as he would like to say.

Mr. Blackburn (Brant): Even your own Party doesn't believe you.

Mr. McDermid: And number two, our Government has said right from the start that if it is not a good deal for Canada and for Canadians we will not sign it. We still stick by that.

* * *

CANADA POST CORPORATION

LETTER CARRIERS' STRIKE—PICKET LINE INJURIES

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question is directed to the Minister responsible for the Post Office who said yesterday in this House: "The process which has been unfolding over the last 10 days in these labour negotiations is perfectly normal". The Minister will be aware that two days ago in Prince George, British Columbia, a large postal truck, crashing through the picket line, broke both arms, both legs and caused internal injuries to a female employee on the picket line. He will know that yesterday there were two people in Ottawa injured on the picket line.

Is this the process the Minister considers to be normal in terms of labour negotiations?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I think the Hon. Member would have been more forthcoming if he had read the rest of my comments into the record as well, but they are there in *Hansard*. However, I would like to read from the *Gazette* of June 18:

"It's a very tough issue because you have two conflicting realities. The postal workers must be treated fairly and justly, but other Canadians must continue to receive their mail", Saskatchewan MP Lorne Nystrom said yesterday.

That is what the Post Office is trying to do, deliver the mail.

CORPORATION'S HIRING OF STRIKE-BREAKERS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my supplementary question is directed to the Right Hon. Prime Minister. On April 19, 1984, the Right Hon. Prime Minister made the following statement. He said: "My father was not only a union member, he was a union officer, and I do not cross picket lines". In light of this very clear and precise statement made by the Prime Minister does he think that it is correct, that it is appropriate, that it is acceptable for the Post Office of Canada to be hiring strike-breakers whose intention it is to cross picket lines?

• (1130)

Some Hon. Members: Hear, hear!

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the Hon. Member is quite right. I do not cross picket lines. I never have and I never will.

The answer to the second part of the question was provided by the Hon. Member's seat-mate who indicated, in a response which was just cited in the House, that the Post Office has an obligation to the Canadian people, to the taxpayers and to ordinary citizens to try to deliver the mail. That is what it is trying to do.

Some Hon. Members: Hear, hear!

REQUEST MEDIATOR BE APPOINTED

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question for the Right Hon. Prime Minister is this. Does he support Canada Post's hiring of strike-breakers to cross picket lines?

I also want to ask him this question. He knows that this morning both sides have indicated that they have reached an impasse, that the negotiations have in fact broken down. On many occasions both sides have made the request for a mediator. The right hon. gentleman's reputation is as a labour

mediator. When both sides are requesting the appointment of a mediator, when the people of Canada want the mails to continue, when the talks have broken down and an impasse has been reached as of this morning, why on earth will the Prime Minister and his Government not ask that a mediator be brought in now to begin resolving this very critical issue?

Some Hon. Members: Hear, hear!

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the article I just cited had another interesting quote from a member of the New Democratic Party. It states:

> Although condemning the use of strike-breakers, Keeper—

—the Hon. Member for Winnipeg North Centre.

> —hesitated when asked if an NDP Government would move to ban the use of non-union labour during a legal strike . . .
>
> "Frankly, I really don't know. It's difficult for me to know what we would do if we were in office—"

Mr. de Jong: Appoint a mediator and quit playing stupid politics. People are getting hurt.

Mr. Andre: The fact is you cannot have it both ways, on the one hand—

Mr. Riis: What about answering the question?

Mr. Andre: —standing up here being condemnatory, and on the other hand talking like this.

Mr. Cassidy: Are you going to put a mediator in or not?

Mr. Andre: I remind the Hon. Member to read—

Mr. Speaker: The Hon. Member for Saint-Jacques.

GOVERNMENT POLICY

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, my question is for the Prime Minister. Everyone wants the mail delivered, but I am not sure every Canadian admires the way the Government has been handling the mail strike, to put it mildly, in a strange way. It has not intervened. It has not appointed a mediator. It has not put an end to the use of these scabs, these strike-breakers, despite the violence. The questions which beg to be asked are these.

What is the Government's hidden agenda with regard to the Post Office? Is the Government out on a mission to try to bust the unions? Is this step number one to privatize the Post Office? Why is the Government not coming out clearly now and telling Canadians what it is trying to achieve by its hands-off approach, what it is trying to achieve through the back door?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, in an article reported in *Le Droit* on June 18 the Hon. Member for Papineau had some advice. He said:

[*Translation*]

> The Government should "cut the umbilical cord. The baby doesn't belong to the Government any more, and the Conservatives should let the baby grow up."

[*English*]

When the Crown corporation was created by the House, with its unanimous consent, the objective was to remove the political interference which had caused the problems in the past. Canada Post is endeavouring to fulfil its social responsibility of delivering the mail. There is a dispute going on and the parties are in discussion now at the Chateau Laurier. I think we ought to give that process a chance to work and, in the meantime, ask all parties to behave responsibly and to avoid violence.

[*Translation*]

GOVERNMENT POSITION

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, I think we can safely say a Government has never behaved as mysteriously as this in a postal strike—watching events unfold without doing anything. One wonders what the Government is trying to accomplish. Is it trying to break the unions? Is that it? Is it trying gradually to privatize the Post Office? For heaven's sake, stop this hypocrisy! Tell us and tell all Canadians what you're really trying to do through the back door!

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, the impresssion I get this morning from the questions asked by the parties opposite is that they don't want the negotiations to continue. The parties are sitting around the table, and they are now negotiating. The Government has already intervened by appointing a conciliator and a commissioner. The parties have gone back to the negotiating table. Why not encourage them to negotiate? We should not get involved in the negotiations when the parties are at the table. Let them negotiate!

* * *

[*English*]

TRADE

CANADA-UNITED STATES NEGOTIATIONS—FILM LEGISLATION PROPOSALS

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, my question is for the Prime Minister. I would like to quote to the Prime Minister from the publication which his own Government put out at the start of the free trade thrust with the U.S. in which it said that its primary goal was "new rules . . . limiting U.S. trade remedy laws, i.e., exemptions from measures aimed at others—". Will the Prime Minister confirm that in the same week that his Government has postponed its film legislation proposals it has received from President Reagan a clear rejection of that exemption which has been the primary goal of the Government, according to its own publications?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I cannot confirm that because that would be false.

REQUEST PRIME MINISTER TABLE PRESIDENT'S LETTER

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, it is a question which I think the Canadian people can only resolve if the Prime Minister is willing to table the letter which was sent to him by President Reagan. I ask the Prime Minister why he will not do that. Is this country condemned to keep on surrendering while the United States keeps on hammering us?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I know that as a matter of policy the NDP is a protectionist group. I know that the NDP favours this kind of economic isolation. I know that the NDP is opposed to foreign investment unless it happens to be in the riding of the Leader of the NDP.

Mr. Althouse: Do you know what your Government's policy is?

Mr. Mulroney: We know that NDP policies would take us back to the 1930s. We know, and I can assure the House, that at an appropriate time the anti-trade, anti-American—

Mr. Blaikie: You are starting to sound like Trudeau now.

Mr. Mulroney: —anti-NATO, anti-business policies of the NDP will be examined by the Canadian people.

Mr. Riis: You sound defensive.

Mr. Mulroney: May I ask the Hon. Member this. While an international negotiation is going on—

Mr. Blaikie: Stop reading your own fund-raising letters.

Mr. Mulroney: —designed to create the hope to create jobs for Canada, stop taking the American side—

Mr. Speaker: The Hon. Member for Ottawa—Carleton.

Some Hon. Members: Hear, hear!

* * *

PUBLIC SERVICE

ALLEGATIONS AGAINST DEPUTY MINISTER—PRIME MINISTER'S POSITION

Mr. Barry Turner (Ottawa—Carleton): Mr. Speaker, my question is addressed to the Right Hon. Prime Minister.

Mr. Young: Good luck!

Some Hon. Members: Oh, oh!

Mr. Turner (Ottawa—Carleton): Mr. Speaker, serious allegations, including the accusation of perjury, have been made against the Deputy Minister of Employment and Immigration. What does the Prime Minister intend to do about these very serious allegations?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the charge of perjury that was made is entirely without foundation. The Deputy Minister, Mr. Gaetan Lussier, neither appeared as a witness in the case in question nor did he sign any affidavit on the matter. He could not even legally, by extension, have been involved in any act that would give rise to that accusation.

• (1140)

May I say on another level that I have had the personal privilege of working with Mr. Lussier, as have other people. I had the opportunity the other day to reach him in Whitehorse to convey to him what he already knew about my view, that he has been, as have his colleagues, a truly outstanding public servant.

The Public Service has served the country honourably and well. This kind of attack is unacceptable. I have dealt with it in my caucus. I shall deal with it every time and in every circumstance.

The accusation against Mr. Lussier is false and unacceptable, and such accusations against public servants shall not be tolerated by the Government.

Some Hon. Members: Hear, hear!

* * *

[*Translation*]

CANADA POST CORPORATION

COST OF EMPLOYING STRIKE-BREAKERS

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, my question is directed to the Minister responsible for the Canada Post Corporation. Canadians have voiced their indignation, and even the Conservative Member for Richelieu, echoing the feelings of many of his colleagues, has stated that the Conservative Government is being immoral and antidemocratic when it allows Canada Post to hire strike-breakers and encourages violence on the picket lines. Can the Minister tell us today how much Canada Post is paying to hire strike-breakers? What is the cost of the newspaper ads which Canada Post is running every day? Is there any truth to the rumours that the strike is costing Canada Post up to $1 million a day?

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, we know that the lack of postal service in a complete shut-down of the system costs the Canadian economy enormous sums of money. The Canadian Federation of Independent Business said that the last strike in 1981 cost $3 billion to that business sector alone.

We know that postal service is vitally important in many sectors of the economy, and that is why the conciliation commissioner recommended and observed in his report that the Post Office has no other alternative but to continue to try to deliver the mail.

Officials are trying to do that. I have asked them and they have indicated that they will try to avoid violence in all circumstances. I would ask other parties to do that.

In the meantime let us encourage the negotiators at the table to reach a solution, because I think it is in everybody's interest that we have an efficient, productive postal service to serve the needs of Canadians.

CORPORATION'S HIRING POLICY

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, the daughter of the Liberal candidate in the by-election in St. John's was refused a job in Canada Post because she refused to sign a form that she would cross picket lines.

Does the Minister agree with the policy of Canada Post that in order to be hired a person must sign a form agreeing to cross picket lines? Is that fair? Is that justice?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I wonder if the Hon. Member might spend some time profitably with his colleague, the Hon. Member for Papineau, in terms of what is the proper position *vis-à-vis* the Government and this Crown corporation.

The Crown corporation is endeavouring to fulfil its social responsibility. It is endeavouring to do that in a way which avoids violence but gets the mail out.

In the meantime they are at the table now, as I have indicated, trying to find a resolution to this dispute. I would hope that all Members of the House would try to be encouraging to that process rather than try to make mischief.

* * *

THE CONSTITUTION

EQUALITY RIGHTS FOR WOMEN AND MINORITIES

Ms. Pauline Jewett (New Westminster—Coquitlam): Mr. Speaker, my question is for the Prime Minister. As the Prime Minister knows, Canada leads the world in the constitutional protection of the equality rights of women.

Recently women lawyers in Canada, while welcoming the Meech Lake Accord, have raised serious concerns that the guarantees of equality rights for women and minorities have been overlooked in the Langevin amendments.

If this is the case, will the First Ministers be open to improvements which will ensure that the equality of rights of women and minorities provided for in Sections 15 and 28 of the Charter will not be put at risk?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, there is absolutely nothing in the Meech Lake Accord that would diminish or in any way affect equality rights for women and minorities.

On the contrary, the object of the exercise was to strengthen the country and, in the process of so doing, strengthen the rights of minorities and women across the nation.

REQUEST THAT FIRST MINISTERS CONSIDER EQUALITY RIGHTS

Ms. Pauline Jewett (New Westminster—Coquitlam): Mr. Speaker, the First Ministers will know that the Langevin amendments overlooked the guarantees of equality rights for women and minorities in the Charter. Surely this will be raised in the public hearings this summer.

May I at least ask the Prime Minister, and indeed all First Ministers, if they will now give very serious consideration to this concern, so that the rights of women and minorities will not be undermined and that indeed they will be enhanced?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I am not in any way quarrelling with the right of my hon. friend to raise the question about equality rights for women and minorities. If someone wishes to raise this at the parliamentary committee, of course that is the place where I suppose concerns can be mentioned.

Surely my hon. friend will acknowledge with regard to the Meech Lake Accord that there is nothing which does anything other than strengthen the unity of the country. Specifically, I think that the action of the Government with regard to the promotion of the interests of women toward equality—plus, for example, the most recent action yesterday of the Government in the House with regard to the promotion of the rights of minorities under the Official Languages Act—indicates a commitment which is profound, durable, and I think beneficial to Canada.

* * *

[*Translation*]

WOMEN'S RIGHTS

NEED TO PLACE CERTAIN CLAUSES ON AGENDA FOR NEXT FIRST MINISTERS' MEETING

Mrs. Lucie Pépin (Outremont): Mr. Speaker, my question is directed to the Prime Minister. In fact, the Prime Minister promised Canadian women he would fight to give them equality, but the kind of Bill that was tabled yesterday is certainly not going to help minorities or women and it certainly does not hold very well for having the equal status of women included in the new Meech Lake Accord. I wish the Prime Minister would give the House the assurance that in the next round of discussions, women's rights which were laid down in the Charter and the Constitution will not be threatened anymore than the rights of Indians and minorities. Could

the Prime Minister give the House the assurance that when he has a meeting with the Premiers, the agenda will include reinforcing Clause 2 and providing additional assurances with respect to Clauses 15 and 28, in order to promote entrenchment of the rights of Canadian women?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I am sorry but I am not sure I understood the Hon. Member's comments. Is she trying to say, on behalf of her political group, that the Meech Lake Accord is flawed and that some radical surgery is necessary or a radical amendment in connection with the question she brought up, or is she talking about tabling some new proposals at a second round of discussions, because I get the impression that her party was basically in favour of the Meech Lake Accord and, in fact, I said yesterday that we were prepared to consider the other issues at a second round?

NECESSITY TO ENSURE WOMEN'S RIGHTS WON'T BE JEOPARDIZED

Mrs. Lucie Pépin (Outremont): Mr. Speaker, the purpose of my question is to ensure that proposals will be made at the second meeting with the Premiers, to show Canadian women that their rights are not being threatened. This is not a protest against the Meech Lake proposals. I simply want to ensure that at a second meeting with the Premiers, you will confirm those rights in the Constitution.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, if there is the slightest doubt about this, I will do so with the requisite speed, and, I am sure, with the co-operation of Members on all sides of this House.

* * *

[*English*]

AGRICULTURE

SPECIAL CANADIAN GRAINS PROGRAM—REQUEST THAT HAY PRODUCERS BE INCLUDED

Mr. Gordon Taylor (Bow River): Mr. Speaker, my question is for the Hon. Minister of Agriculture. Whereas the Hon. Minister, in answering my question last Thursday on the eligibility of hay farmers to share in the Special Canadian Grains Program, said in part "market prices must have been directly and detrimentally affected by the U.S. Farm Bill"; and whereas the market price for exported hay to Japan from Alberta and indeed from Canada is adversely affected because the U.S. has been and is subsidizing American compressed hay exported to Japan, will the Hon. Minister review the negative decision made, I believe without this information, by the farm leaders?

• (1150)

Hon. John Wise (Minister of Agriculture): Mr. Speaker, I am sure we must respect and admire the Hon. Member's continuing interest in this problem. I must inform the Hon. Member that I have in front of me a briefing note from Mr. Pender, the administrator of the program, and also from Mr. Frank Clayton, the assistant deputy minister of policy, which confirms my answer to my hon. friend of last Thursday that, indeed, hay is not supported under the U.S. Farm Bill and that lower prices received from last year's hay crop really resulted from an overabundance of supply. Consequently, it cannot be regarded as eligible under the Bill.

The Hon. Member will know, Mr. Speaker, that our Government already provides assistance for alfalfa pellets and alfalfa cubes as eligible commodities under the Western Grain Transportation Act.

* * *

EMPLOYMENT EQUITY

REQUEST THAT LEGISLATION BE INTRODUCED

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, my question is for the Prime Minister. What is his view on equal pay for work of equal value? The Prime Minister will recall that in the 1984 Leaders' debate the Prime Minister said

[*Translation*]

"I find it an aberration and an injustice that the Government would accept a principle and later smother it in practice."

[*English*]

Yesterday the head of the Human Rights Commission announced that fundamental reform of existing equal pay for work of equal value legislation is essential if women are to achieve pay equality. Will the Government introduce pay equity legislation just as soon as possible as recommended by Mr. Fairweather?

Hon. Robert de Cotret (President of the Treasury Board): Mr. Speaker, in answer to the Hon. Member's question, I would like to say that it is always good to put some order in your own house before doing it elsewhere.

We have moved, and moved quickly, to implement equal pay for work of equal value in the federal Public Service in conjunction with the unions. All 13 of them are working closely with the Government to implement as quickly as possible pay equity that should influence positively roughly 81,000 female employees of the federal Public Service.

REQUEST THAT PRIORITY BE GIVEN TO DRAFTING LEGISLATION

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, my supplementary question is for the Minister of Justice. He will know the Human Rights Commission concerns a much broader sector than that to which the President of the Treasury Board has referred. It is not good enough to limit this to employees of the federal Government. We need fair pay now.

Will the Minister of Justice give priority this summer to drafting equal pay legislation? Will he introduce it in the House in the fall so that employers will be required, and there will be enforcement, to raise the wages of underpaid female employees?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, as the Hon. Member points out, the recommendations of the Chairman of the Human Rights Commission have only recently been received. I can assure the Hon. Member that these recommendations will be carefully considered by myself and by my cabinet colleagues.

Building on the record that we have developed in our Government, as indicated by the President of the Treasury Board, we want to make sure that where possible we will continue this exemplary record, and we will give this matter the most serious consideration.

WAGE GAP AFFECTING WOMEN IN FEDERALLY REGULATED COMPANIES

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, my question is for the Minister of Justice. Earlier this spring Statistics Canada came out with a report indicating that for the first time in 18 years the wage gap between men and women in Canada had widened rather than narrowed.

At that time I asked questions of the Government as to whether it would do something about it. Now we have the Chairman of the Human Rights Commission pointing out that 300,000 women work for federally regulated companies and that the wage gap is 35 per cent. Is it not time for the Government to give urgent action to the suggestion of the Chairman of the Human Rights Commission and bring in amendments as soon as possible?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I do not think there has been any Government that has been quite as sensitive on the whole question of equality for the women of Canada than this Government. It has been manifested in areas within our own direct jurisdiction. I would remind the Hon. Member that this Government has been responsible for the creation of 850,000 new jobs since we came into office. A very large number of these have been devoted toward the women of Canada.

Mr. Speaker: The Hon. Member for Notre-Dame-de-Grâce—Lachine East. A short supplementary, please.

HUMAN RIGHTS COMMISSION'S RECOMMENDATIONS

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, we also know that 71 per cent of part-time jobs are held by women and that is one reason that the wage gap is widening.

The Chairman of the Canadian Human Rights Commission points out that under the present system for lodging complaints on pay equity, federally regulated companies are depriving women of $1.2 billion and this amount is growing all the time. This is an urgent matter. Won't the Minister take action soon as a result of the request by the chairman?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I reiterate the fact that we have worked and demonstrated our commitment with respect to equality. I have given the undertaking in this House to look very carefully at the recommendations and suggestions of the Chairman of the Human Rights Commission. I have been known as "Fast Ray", but to ask me to bring in legislation the day after the chairman brings in his report is asking a bit much.

* * *

ENERGY

PURCHASE OF DOME PETROLEUM—SENATE COMMITTEE RECOMMENDATION

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, this has been a fairly quiet Question Period. I hesitate to bring up the matter of public opinion polls, but I would like to put a question to the Prime Minister. He is probably aware that a huge majority of people, according to the public opinion polls, favour a Canadian solution to the problem of the take-over of Dome Petroleum.

Given that yesterday or the other day the Senate Committee on Energy recommended that the federal Government take steps to re-open the bidding for Dome so there can be a Canadian solution, what is the Government of Canada waiting for? Why does it not do just that?

[*Translation*]

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, I am somewhat surprised at the question of the Hon. Member, and especially at his comments about the Senate. I find such a show of interest surprising coming from him. I had always thought that the New Democratic Party was convinced that the Senate held no views whatsoever and that the Senate was not a valid place to produce such opinions.

Second, the Canadian solution which this Government would prefer, and I wish to emphasize this, Mr. Speaker, would be to ensure that the assets and shares of Dome remain in Canada. In this context, the best solution would be one which would ensure a future for Dome in Canada.

[*English*]

Mr. Speaker: The Hon. Member for Vancouver—Kingsway. A short supplementary, please.

Mr. Waddell: Mr. Speaker, perhaps the Minister would like a Senate appointment.

Some Hon. Members: Oh, oh!

Oral Questions

GOVERNMENT POLICY

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, I have a supplementary question for the Minister. Yesterday, given that Bill Hopper, president of Petro-Canada, told the House of Commons energy committee that he was interested, to use his words, in some of the assets of Dome, what is the Government's policy? The June 30 deadline is coming up. Is the Government prepared to let Dome go bankrupt, lose all those jobs in western Canada and cause all those problems, or will the Government act and get a Canadian solution now for Dome?

[*Translation*]

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, I repeat that it was the action taken by the previous Government under the National Energy Policy which created the problems we are now facing, especially as far as Dome is concerned.

What this Government is now doing is to ensure that Dome will have an economically realistic future in the energy sector.

* * *

TAX REFORM

TAX ON FOOD—PRIME MINISTER'S POSITION

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, I want to direct a question to the Prime Minister in connection with statements made by the Minister of Finance concerning the tax reform. People in Canada, especially senior citizens and families, have been wondering ever since the tax reform was announced, the new tax, whether—if only the Prime Minister would stop talking and laughing, and listen to the questions we are asking—

I should like to ask the Prime Minister, and Canadians would like to know: Will the Prime Minister speak out against any sales tax on food, a sales tax on bread and butter? Will the Prime Minister reject such a measure?

Hon. Robert de Cotret (President of the Treasury Board): Mr. Speaker, will the Hon. Member for Montreal—Sainte-Marie stop scaring people with this kind of question!

Nowhere in the White Paper is there any reference to a tax on food. The Minister of Finance has been quite clear. There is no question of taxing food in the White Paper. We will be consulting the provinces concerning three possible sales tax formulas.

TAX ON FOOD—GOVERNMENT POSITION

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, either the President of the Treasury Board cannot read or he did not read the document. The document entitled *Sales Tax*, pages 10 and 11, shows what the consequences would be and who are the biggest food consumers. Since it is printed in this document—and my question is directed to the Right Hon. the Prime Minister, the public at large would like to know—will the Prime Minister prevent his Government from taxing food, bread and butter, or does the Prime Minister intend to allow this tax to be levied? Yes or no?

Hon. Robert de Cotret (President of the Treasury Board): In the White Paper there is no proposition about a tax on food. The decision has not been made—

Mr. Malépart: The decision has not been made!

Mr. de Cotret: The reference is to the base. No decision has been made. The discussion has to do with the tax base and the tax rate. There is no mention of a tax—

Mr. Malépart: Like in the case of the elderly. Pensions will not be de-indexed!

An Hon. Member: Small dictator!

Mr. de Cotret: Again I will repeat what the Minister of Finance said: There is no tax on food in the white Paper, nor will there be a tax increase for small wage earners.

* * *

• (1200)

[*English*]

PORNOGRAPHY

EFFECT OF SUPREME COURT DECISION ON BILL C-54

Mr. Geoff Scott (Hamilton—Wentworth): Mr. Speaker, my question is for the Minister of Justice. The Minister of Justice will know that the Supreme Court of Canada rendered its decision yesterday in the case of Video World Ltd. This case involved the obscenity section of the Criminal Code. The Minister will also know the country's concern over the spread of pornography and the degradation of women. Can the Minister advise the House of the effect of the Supreme Court case on Bill C-54, the pornography amendments?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, the decision of the Supreme Court of Canada has affirmed the decision of the Manitoba Court of Appeal which determined that explicit depictions of vaginal, oral or anal intercourse are contrary to the current obscenity laws. The decision of the Supreme Court of Canada was unanimous, as was the decision of the Manitoba Court of Appeal, and I think it establishes that the Government's Bill is in tune with the current law of the country with respect to the explicit depiction of these activities.

Mr. Speaker: The next will be the last question. The Hon. Member for Cowichan—Malahat—The Islands.

INDIAN AFFAIRS

REINSTATEMENT OF FORMER STATUS HOLDERS—PROVISION OF GOVERNMENT FUNDING

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, my question is for the Minister of Indian Affairs. The Government has made a complete shambles of the implementation process of Bill C-31 providing for the reinstatement of Indian people who had lost status through unfair and discriminatory laws. Instead of the Government honouring its commitment that no band would be made worse off because of Bill C-31, almost the entire burden has been put on the individuals themselves, mostly women, and on the bands, their councils and chiefs.

Why has the Government not followed through with its commitment to provide adequate funding so that no Indian band would be made worse off after Bill C-31 than before? Why is the Government making an already difficult situation between reinstated people and their bands more difficult by not making the resources available?

Hon. Bill McKnight (Minister of Indian Affairs and Northern Development): Mr. Speaker, the Hon. Member's premise is completely false. Under the provisions of Bill C-31, dollars are made available for implementation. Once membership and status are established, the programs that are available to other status Indians in Canada are automatically made available to the returnees under Bill C-31 as of the date of application, not as of the date membership has been recognized by the Department through the review process.

The Government has identified dollars. Housing dollars are made available for those people who indicate that they would return to their bands and to reserves. The Government is honouring and will continue to honour the commitments made.

One thing the Hon. Member should be aware of is that the committee assumed that the maximum number of people asking to be reinstated would be in the neighbourhood of 68,000 to 75,000. We now anticipate that there will be some 90,000 individual applications made for reinstatement under Bill C-31.

LEVEL OF GOVERNMENT FUNDING

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, the system is completely backed up. Less than one-third of the 90,000 applications have been processed. Only 12 bands have had membership codes approved and that provision expires at the end of this year.

Will the Minister guarantee to the House that he will seek more funding for the reinstatement process when the present funds run out because they are completely inadequate to do the job?

Hon. Bill McKnight (Minister of Indian Affairs and Northern Development): Mr. Speaker, the dollars provided by the legislation are still there. The dollars that were recommended by Government and approved are still there to be used by those bands with returnees.

The Hon. Member says that only 12 codes have been recognized. The legislation, in a compromise situation to try to accommodate different points of view, established a two-year time period in which bands could put forward membership codes and have them accepted if they wished to take charge of the membership of their people rather than have the Department do so, and I hope they all take advantage of that opportunity. The point is that over the two-year period we have assisted Indian bands in establishing membership codes so they could provide for their own people and have control of those membership codes as the legislation allows.

ROUTINE PROCEEDINGS

[*English*]

INTERPARLIAMENTARY DELEGATION

PRESENTATION OF REPORT OF DELEGATION TO CHINA

Mr. Speaker: Pursuant to Standing Order 101, I have the honour to present to the House in both official languages—

[*Translation*]

—the report on the official visit to China by a delegation of the Parliament of Canada—

[*English*]

—April 19 to May 2, 1987.

* * *

[*Translation*]

CRTC

TABLING OF ANNUAL REPORT

Mrs. Claudy Mailly (Parliamentary Secretary to Minister of Communications): Mr. Speaker, pursuant to Standing Order 67(2), I have the honour of tabling the annual report of the CRTC.

Pursuant to Standing Order 67(4), the report is deemed to have been referred to the Standing Committee on Communications and Culture.

* * *

TELEFILM CANADA

TABLING OF ANNUAL REPORT

Mrs. Claudy Mailly (Parliamentary Secretary to Minister of Communications): Mr. Speaker, pursuant to Standing

Order 67(2), I have the honour of tabling the annual report for 1986-87 of Telefilm Canada.

Pursuant to Standing Order 67(4), the report is deemed to have been referred to the Standing Committee on Communications and Culture.

* * *

CRTC

TABLING OF REPORT ON ACCESS TO INFORMATION AND PROTECTION OF PERSONAL INFORMATION

Mrs. Claudy Mailly (Parliamentary Secretary to Minister of Communications): Mr. Speaker, pursuant to Standing Order 72(2), I have the honour of tabling the CRTC report on Access to Information and Protection of Privacy.

Pursuant to Standing Order 67(4), the report is to be referred to the Standing Committee on Justice and Solicitor General.

* * *

PETITIONS

GOVERNMENT RESPONSE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table, in both official languages, the Government's response to 34 petitions numbered as follows: 332-2427, 332-2498, 332-2572, 332-2582, 332-2595, 332-2602 to 332-2629 inclusive and 332-2636.

* * *

COMMITTEES OF THE HOUSE

STRIKING—TWENTY-FOURTH REPORT OF STANDING COMMITTEE

Mr. Scott Fennell (Ontario): Mr. Speaker, I have the honour of tabling, in both official languages, the Twenty-Fourth Report of the Striking Committee.

[*Editor's Note: For above report see today's Votes and Proceedings.*]

[*English*]

Mr. Speaker, I have had discussions with the opposition Parties regarding unanimous consent to defer the tabling of the 25th Report of the Striking Committee until shortly after one o'clock. I would ask that you secure that agreement.

The Acting Speaker (Mr. Paproski): Is that agreed?

Mr. Gauthier: I agree, Mr. Speaker, but I think that by our rules the names must be tabled today. I take it that the Conservative Party Whip is going to do that shortly after one o'clock.

• (1210)

Mr. Fennell: Yes.

The Acting Speaker (Mr. Paproski): Is that agreed?

Some Hon. Members: Agreed.

CONSUMER AND CORPORATE AFFAIRS—SECOND REPORT OF STANDING COMMITTEE

Mr. Bob Horner (Mississauga North): Mr. Speaker, as a representative of the chairperson of the Standing Committee on Consumer and Corporate Affairs and a member of that committee, I have the honour to present the second report of the Committee on Bill C-70, an Act to amend the Hazardous Products Act and the Canada Labour Code, to enact the Hazardous Materials Information Review Act, and to amend other Acts in relation thereto, with amendments.

I want to commend the people who made the work of the committee so easy. It is a tripartite committee consisting of the federal and provincial Governments and management and labour, who worked long and hard on this. I encourage early enactment of this legislation with a view to the safety of people in the workplace.

[*Editor's Note: See today's Votes and Proceedings.*]

* * *

CANADIAN ENVIRONMENTAL PROTECTION ACT

MEASURE TO ENACT

Hon. Tom McMillan (Minister of the Environment) moved for leave to introduce Bill C-74, an Act respecting the protection of the environment and of human life and health.

The Acting Speaker (Mr. Paproski): Shall the Hon. Minister have leave to introduce the Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

CANADA-NOVA SCOTIA OFFSHORE PETROLEUM RESOURCES ACCORD IMPLEMENTATION ACT

MEASURE TO ENACT

Hon. Don Mazankowski (for the Minister of Energy, Mines and Resources) moved for leave to introduce Bill C-75, an Act

to implement an agreement between the Government of Canada and the Government of Nova Scotia on offshore petroleum resource management and revenue sharing, and to make related and consequential amendments.

The Acting Speaker (Mr. Paproski): Shall the Hon. Minister have leave to introduce the Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

EMERGENCY PREPAREDNESS ACT

MEASURE TO ENACT

Hon. Perrin Beatty (Minister of National Defence) moved for leave to introduce Bill C-76, an Act to provide for emergency preparedness and to make a related amendment to the National Defence Act.

The Acting Speaker (Mr. Paproski): Shall the Hon. Minister have leave to introduce the Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

EMERGENCIES ACT

MEASURE TO ENACT

Hon. Perrin Beatty (Minister of National Defence) moved for leave to introduce Bill C-77, an Act to authorize the taking of special temporary measures to ensure safety and security during national emergencies and to amend other Acts in consequence thereof.

The Acting Speaker (Mr. Paproski): Shall the Hon. Minister have leave to introduce the Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

The Acting Speaker (Mr. Paproski): Introduction of Private Members' Bills.

Mr. Penner: Mr. Speaker, on a very brief point of order, Members today received a communiqué from the Hon. Minister of Indian Affairs and Northern Development (Mr. McKnight) which indicated that today in the House he would be tabling a report in conjunction with the requirements of Section 22 of an Act to amend the Indian Act, 1985. The Minister was in his place during Question Period and at the appropriate point in the proceedings he did not rise to present his report. Can the Parliamentary Secretary or the Government House Leader explain what went amiss?

The Acting Speaker (Mr. Paproski): It is not a point of order but if the Deputy Prime Minister (Mr. Mazankowski)—

Mr. Mazankowski: Mr. Speaker, I am not aware of the communiqué but I will undertake to the Hon. Member and the House to look into it and perhaps come back a little bit later.

Mr. Penner: Yes.

Mr. Gauthier: Here he is.

Mr. McKnight: Mr. Speaker, my office provided to the opposition Party critics notice that later this day a report would be tabled on the implementation of changes to the Indian Act as prescribed under Bill C-31. As I understand it, that will take place later this day.

* * *

PETITIONS

SUPPORT FOR REINSTATEMENT OF CAPITAL PUNISHMENT

Mr. John Reimer (Kitchener): Mr. Speaker, on behalf of 279 Canadians living in my riding in the Cities of Kitchener, Waterloo and Cambridge, I am pleased to present a petition calling upon the Government to pass the motion favouring the return of capital punishment for certain acts of planned and deliberate murder.

[*Translation*]

OPPOSITION TO RENTAL INCREASES FOR MAISON D'AMITIÉ

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I welcome this opportunity to table eight petitions signed by people from my riding. The petitions meet the requirements of Standing Order 106.

These petitions are signed by residents from several areas in my riding, who now avail themselves of their ancient and undoubted right thus to present a grievance common to your petitioners in the certain assurance that your Honourable House will therefor provide a remedy.

They say that according to a report published by the Canadian Advisory Council on the Status of Women, one woman out of eight is subjected to psychological, economic, sexual or verbal violence by her spouse; that at a time when the Government should act instead of cracking down, the National Capital Commission intends to raise the rent for La Maison d'Amitié, the only francophone non-profit organization in the area for women and children in distress, by more than $3,000 a month; that the Prime Minister stated recently in the House that the problem of battered women is one of the most seriouus social and legal challenges facing us today; therefore your

petitioners humbly pray and call upon Parliament to urge the National Capital Commission to reverse its decision to raise the rent and to continue, as in the past, charging the symbolic sum of one dollar.

Mr. Côté (Lac-Saint-Jean): If I may, Mr. Speaker, a brief comment before presenting my petition. This is the first Friday I am in the House since the Standing Orders have been changed, and on Fridays we rise at 3 p.m. instead of 5 p.m. I am proud that this new Standing Order has been adopted because it was a project I launched nearly a year ago.

I am proud because not only Members but also the Clerks, the stenographers and all the staff of the House can finish earlier.

REQUEST FOR CONTINUATION OF PART-TIME SERVICE CENTRES—NATIONAL HEALTH AND WELFARE

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, I am pleased to present to the House a petition in the name of the Saguenay—Lac-Saint-Jean AQDR and its 1,530 members, the Saguenay—Lac-Saint-Jean FADOC and its 13,500 members, and the Lac-Saint-Jean information and redevelopment service which request the continuation of the part-time service centres of the Department of National Health and Welfare of Canada at the temporary offices of Alma, Roberval, Saint-Félicien, Dolbeau, Jonquière, and Ville de la Baie.

• (1220)

[*English*]

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I have a petition against Bill C-55 which attempts to change the entry system for refugees in this country. The people who have signed this petition come from many different parts of Canada. They are deeply concerned about the limitations to the right of appeal in this Bill. They are deeply concerned about the notion of a safe third country. They suggest that Parliament should look instead to the Standing Committee which has made many recommendations for a better and more humane direction for the future.

Mr. Dan Heap (Spadina): Mr. Speaker, it is my honour and duty to present a petition signed by about 200 Canadians, most of whom are from the City of Toronto. They point out that since many people are driven by the troubles in the world to seek safety from persecution in Canada and since the existing system of refugee status determination has been overloaded, a new system is needed. They advocate the one which was developed a year and a half ago by the Standing Committee of Parliament on Labour, Employment and Immigration which has widespread public support.

Therefore, they humbly pray and call upon Parliament to ensure that the Government enacts legislation which will embody the principles of fair and quick oral hearings for refugee claimants before a refugee board independent of the Immigration Commission, universal access to such hearings for every claimant in Canada, and adequate opportunity to arrive in Canada to make this claim.

Mr. Speaker, I have another petition which relates to the same matter but has a different prayer. It points out that Bill C-55 threatens to undermine Canada's commitment to assisting refugees, in particular by screening out many who might have a genuine claim. The petitioners recommend that the new procedure for refugee claimants should be that recommended by the Standing Committee of Parliament.

Therefore, they recommend that Parliament withdraw Bill C-55 and substitute therefor legislation embodying the principles of fair and quick oral hearings of claims of refugee claimants before a refugee board independent of the Immigration Commission, universal access to such hearings for every applicant in Canada, and the right to appeal on the basis of fact.

LOW-LEVEL FLIGHTS AT ARMED FORCES BASE GOOSE BAY

Mr. Dan Heap (Spadina): Mr. Speaker, I also have a petition from a number of residents in many parts of Canada who are concerned that the low-level flight training of pilots of NATO countries at the Canadian Forces Base in Goose Bay, Labrador, is disrupting the way of life of many of the native people there and is also a provocative and aggressive war-fighting action which tends to endanger world peace.

They therefore request Parliament to ensure that the Prime Minister (Mr. Mulroney) end all low-level flight training at the Goose Bay Canadian Forces Base and cease negotiations with NATO for the establishment of a larger base there.

REQUEST FOR INQUIRY INTO USE OF CHEMICAL PESTICIDES

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is my pleasure to present a petition pursuant to Standing Order 106 signed by petitioners in Ontario and a variety of places in British Columbia who are increasingly concerned that the number of chemicals used as herbicides and insecticides are being proven to have harmful effects on human health.

They believe that these chemicals produce short and long-term harmful effects on non-target organisms such as soil and water. They say that the same chemicals have, in past years, been registered and approved as safe for various uses. They believe that the new chemicals are consistently approved under the same guidelines as the now-proven-harmful ones were and that the non-active inert components contained in the distributed product have been neither adequately tested nor named.

Therefore, they are calling upon the House of Commons to initiate a full public inquiry into the safety, testing, registration and regulation of the use of pesticides. They ask the House of Commons to consider the examination of alternative

ways of controlling pests such as biologic control and plant-derived pesticides.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the following questions will be answered today: Nos. 104 and 140.

[*Text*]

CIDA—DISBURSEMENTS WITHIN ONTARIO AND BRITISH COLUMBIA

Question No. 104—**Mr. Riis:**

In (*a*) 1983 (*b*) 1984 (*c*) 1985 (d) 1986, how many proposals and for what total sum of money have (i) British Columbia (ii) Ontario businesses been successful with the Canadian International Development Agency?

Hon. Monique Landry (Minister for External Relations): 1. Statistical information of the Canadian International Development Agency are recorded on a fiscal year basis, April 1 to March 31.

2. The following table presents the number and total value of contracts awarded by CIDA from fiscal year 1983-84 to fiscal year 1986-87. (The information may differ from statistics on disbursements within a particular fiscal year.)

Service Contracts		1983-84	1984-85	1985-86	1986-87
Registered consultants	(#)				
Ontario		not available	1,295	1,655	2,014
British Columbia		not available	338	412	517
Signed contracts	(#)				
Ontario		409	436	474	696
British Columbia		53	51	52	85
Value of contracts	$'000				
Ontario		50,206	124,121	115,913	206,460
British Columbia		12,745	10,597	32,136	21,298
Goods & Equipment Contracts*					
Signed contracts	(#)				
Ontario		84	677	815	718
British Columbia		8	62	74	72
Value of contracts	$'000				
Ontario		28,443	142,078	145,768	138,654
British Columbia		5,394	9,911	5,105	15,832
Industrial Co-operation					
Signed contracts	(#)				
Ontario		287	172	102	145
British Columbia		47	48	23	33
Value of contracts	$'000				
Ontario		18,600	19,097	9,215	15,387
British Columbia		3,503	7,690	3,381	4,600
Total (services, goods and equipment, and Industrial Co-operation)					
Signed contracts	(#)				
Ontario		780	1,285	1,391	1,559
British Columbia		108	161	149	190
Value of contracts	$'000				
Ontario		97,249	285,296	270,896	360,501
British Columbia		21,642	28,198	40,622	41,730

Notes:
–Statistics exclude procurement by Crown Marketing Boards for foodstuffs;
–In FY '83-84, food aid contracts were not recorded in the main computer;
–In FY '84-85, only bilateral food aid contracts were recorded.

LAW FIRMS RETAINED IN CITY OF KAMLOOPS, B.C.

Question No. 140—**Mr. Riis:**

For the fiscal year 1986-87, did the government retain the services of private law firms in the City of Kamloops, British Columbia and, if so, what was the total cost and, in each case, what was the name of the firm and the amount received?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): For the fiscal year 1986-87 the total cost for legal agents in Kamloops, B.C. is $186,319.31, as follows:

Berna, Andrew	115.86
Mair, Janowsky, Blair	147,271.52
Webber and Company	26,657.90
Horne, James	2,272.08
Schaefer & McMillan	10,001.95

[*Translation*]

Mr. Lewis: Mr. Speaker, I ask that the remaining questions stand.

The Acting Speaker (Mr. Paproski): The questions enumerated by the Hon. Parliamentary Secretary have been answered. Shall the remaining questions stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

COPYRIGHT ACT

MEASURE TO AMEND

The House resumed consideration of the motion of Miss MacDonald that Bill C-60, an Act to amend the Copyright Act and to amend other Acts in consequence thereof, be read the second time and referred to a legislative committee.

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, I note that Bill C-54 does not purport to extend copyright protection to actual semiconductor chips. This is surprising since the Bill does deal with other aspects of computer programs and software. The Ministry of Consumer and Corporate Affairs advises me that such changes will be forthcoming in part two of the copyright legislation yet to be tabled.

The United States has a semiconductor chip protection act which extends protection to chips created by Canadian nationals only if Canada enacts comparable legislation protecting American chip originators. Since we do not have comparable legislation on chips, our local originators could be at a disadvantage in the U.S. market.

I am advised, however, by officials of the Department of Consumer and Corporate Affairs that Canada has been granted an interim protection order under the U.S. legislation. Since this order is due to expire in the fall of 1987, and notwithstanding assurances that there will be an extension, I believe the Government would be best advised to give immediate and serious consideration to this chip issue. Postponing the addressing of this issue to some unknown and fleeting phase two is really not satisfactory.

With regard to the anti-piracy remedies, the major objective of a copyright enforcement policy is to secure compliance with the law and to provide for restitution if the copyright owners' interests have been damaged. As with all aspects of the legislation, the remedy provisions must be seen to be fair to both users, that is the defendants, and owners, the plaintiffs, both in the letter of the law and in its application.

• (1230)

According to the feedback I have been receiving, at the present time there seems to be satisfaction for the new measures being proposed to increase the criminal penalties, including fines. For example, revenues from the sale of sound recordings in Canada amounted to over $600 million in 1985. It is estimated that a further $40 million worth of pirated records and tapes were bought in that year. Pirated video cassettes account for as much as 15 per cent to 20 per cent of the legitimate market, whose retail value was some $530 million in 1984 and has been growing considerably.

Estimates of pirated software vary widely. For some popular application packages, there may be at least one pirated copy in use for every package authorized by the publisher. That can be very serious.

The new Section 25 proposed by the Bill imposes severe penalties on a person who knowingly infringes the copyright of a work. While I appreciate that the word "knowingly" has been in use in the penalty section of the old Copyright Act for decades, I want to be assured that these new stronger deterrent criminal sanctions are not imposed against persons who unwittingly violate copyright laws. Do such people commit the offence knowingly? Just as the innocent infringer is treated less severely under Section 22, the civil remedies section of the existing Copyright Act, I will be asking in committee whether the new Bill could treat innocent infringers less severely than deliberate infringers, as I have no sympathy for the latter.

Let us turn to educational exemptions. Leading up to the introduction of this legislation, I received representations from educators who were concerned that they might not be exempted from penalties for not obeying copyright. It is my understanding that there is not a general exemption for the reproduction of copyright material for educational purposes mainly because such an exemption could seriously jeopardize the function of the copyright system in stimulating the production and dissemination of copyright material.

Clearly, educators face problems in attempting to ensure access to a lot of copyright material. In many cases, it is difficult and time consuming to locate copyright owners of particular works in order to secure permission to reproduce such materials.

In Quebec, teachers can legally photocopy substantial extracts from a repertoire of 17,000 titles under a blanket agreement between the Quebec Ministry of Education and the Quebec Writers' Union, *l'Union des ecrivains du Québec*. The Ministry of Education is paying $1 million a year to cover photocopying of printed works by educational institutions in the province. The union distributes royalty payments to its members according to the use made of their works. Perhaps educators in other provinces could use the Quebec experience and therefore allay their fears.

The new Copyright Board and the introduction of an incentive to set up a system of collectives to ensure reasonable rates for artists is a new and welcome addition.

Let me turn to the mechanical royalty rate for composers. There exists in the present Copyright Act a provision for compulsory licensing of mechanical reproductions which is a two-cent rate for composers and music publishers of recorded music. It was intended for piano rolls and shellacked 78 rpm breakable recordings. The law was passed in the heyday of silent pictures and three years before the first national radio broadcast. Last March, I called for the abolition of this section and, therefore, am most pleased to see the repeal of Section 19, for it has been two cents for too long.

Song writers will now be able to freely negotiate royalty rates with publishers. I am pleased that we are finally allowing individual creators who work with their minds and imagination a fair return for producing exciting Canadian cultural products.

Creative works are very much the expression of the personality of their authors. The authors of the Charter of Rights for Creators believed that moral rights should be accorded as much importance as economic rights. I am pleased, as are many Canadian artists, that this definition has been expanded. We will certainly all remember artist Michael Snow who, in 1982, was forced to go to the courts to have the Toronto Eaton Centre remove the red ribbons from the necks of the 60 geese forming his sculpture, Flight Stop.

I find it interesting that the Government, in one piece of legislation, gives the creators rights over their work, preventing it from being altered in any way, while another piece of legislation, Bill C-54, commonly known as the pornography

Bill, gives authority to alter displays of erotica. Clause 159.7 of the Bill states:

> Every person who displays any erotica in a way that is visible to a member of the public in a public place, unless the public must, in order to see the erotica, pass a prominent warning notice advising of the nature of the display therein or unless the erotica is hidden by a barrier or is covered by an opaque wrapper, is guilty of an offence punishable on summary conviction.

Is this not a conflict? Which legislation will take precedent? I will not address the matter of whether we should cover erotica material with a fig leaf, a maple leaf, or gift wrap.

What about the right to exhibit works of art in public? Presently the 1924 Copyright Act does not entrench in law the right of artists to obtain royalty fees for exhibiting their art works in public.

According to the new legislation, exhibition rights will become an integral part of copyright that can be exercised like other economic rights. Fifty years ago, the enactment of a performance right was considered a maverick development. Now performance rights are commonplace and have undeniably enriched composers and lyricists.

While Canadian visual artists are compensated through proceeds of sales and reproduction fees, these sources do not cover the full use of these art works. Today, the businesses of art rentals and exhibitions in public and private galleries significantly exceed the income from original works. Furthermore, in 1981, a Canadian Council study found that less than one-tenth of one per cent of art gallery expenditures went to artists' fees. Clearly there has been an insufficient onus on gallery proprietors to remunerate the visual artist in amounts commensurate with the number of exhibitions being held.

I am pleased that through this statutory exhibition right, artists will now be in receipt of royalties rightly earned.

I will now deal with choreography. Under the current 1924 Copyright Act, choreographic works come within the category of dramatic works. As a result, works of choreography must develop a plot or a sequence of action.

Glass Houses, a work by Toronto choreographer Christopher House, or Marcel Marceau's work in mime are examples of work not constructed around a dramatic plot.

Groups appearing before the subcommittee in 1985 asked that there be an entirely separate category of protected subject matter labelled "choreographic works" incorporated in the new legislation. "Choreographic works" is defined in Bill C-60 as: "Any work of choreography, whether or not it has any story line". While I accept this definition, I would have preferred that suggested by Elise Orenstein of the Canadian Association of Professional Dance Organizations, which is "an arrangement or an organized thought in time and space which uses human bodies as design units".

Perhaps the most contentious part of the Bill could be the clauses which relate to the Industrial Design Act of Canada. The field of industrial design is closely related to copyright. In fact, a number of court cases have occurred in Canada because the parties were unable to ascertain whether their rights were protected by the Copyright Act, or by the Industrial Design Act.

For example, consider the June, 1986 decision of the Federal Court of Appeal in Bayliner Marine *versus* Doral Boats. The court held in that case that a company which produced engineering drawings to manufacture a special type of hull for a boat, and then manufactured the boat from those drawings, could not assert any copyright against a party which bought one of the boats, took it apart, and manufactured its own boat after copying the actual hull. The court held that if the company which originated the design had wanted to protect its rights, it should have sought registration of the design for the boat hull under the Industrial Design Act. The originator was out of time to make such a registration since the Industrial Design Act only permits such registrations to be made within one year from the date the design was "published", that is, shown publicly. According to the Government, Bill C-60 proposes to "resolve the ambiguities resulting from recent court decisions" and "to provide an objective means of determining whether an article can be protected by copyright, industrial design, both or neither".

• (1240)

However, the Bill may fail to accomplish its objective in the area of industrial design. The amendment to Clause 46 of the Bill returns the law to the unsatisfactory state which existed in Canada following the Bayliner marine decision, to which I just referred. The new Clause 46 provides that the copyright in certain designs will become unenforceable once an article is manufactured from that design in quantities of more than 50. So we are left with the unusual situation that if 35 articles are produced from the design, the designer will have copyright protection which will then disappear once the 50th article has been produced.

The effect of the Bill is that those relatively few designs which are created purely for artistic purposes, and not for manufacturing, will be afforded copyright protection, while the vast majority of designs which are created for industrial purpose, that is, products to be manufactured in quantities of more than 50, will have none. The latter will be protected, if at all, under the little-known Industrial Design Act, which is only about two pages long, but only if registered within the specific time limit of one year allowed under that Act. Therefore, the ultimate effect of the Bill will be to take most designs outside of copyright and place them under the Industrial Design Act.

In other words, most of our designers will no longer be able to simply fill in a pre-printed form and send in a cheque for $35 in order to register their copyright in a new design. Nor will they be able to claim copyright protection even if they forget to register at all, which is normally the case. Rather, our designers will be obliged to register promptly under the more complicated scheme set forth in the Industrial Design Act, which could cost hundreds of dollars in legal or agent's fees.

The lawyers will be happy. The designers, the persons the Bill is supposed to protect, will not.

If our designers are astute enough to know about the obligation to register under the Industrial Design Act, will they receive as much legal protection for their design as they would have obtained under copyright? I am advised that the answer is no. First, the length of protection for industrial design is a maximum of 10 years. It is considerably longer for copyright, as we well know. Second, the remedies for infringement provided for in Section 15 of the Industrial Design Act, that is, the injunction, are not as extensive as will now be available under the new Copyright Bill.

One would have thought that since Bill C-60 chose to shift registrations to the Industrial Design Act, for designs which are manufactured in quantity, rather than the Copyright Act, the least the Government could have done would be to amend substantially the Industrial Design Act which is itself decades old and inadequate. But, no, while the Government has sought to bring non-controversial parts of the Copyright Act up to date with Bill C-60, the same Bill proposes only one amendment to Section 2, that is, the definition section of the Industrial Design Act, an Act which in itself is over 100 years old.

I recognize the difficulties and the differences in opinion, but once having decided to amend this Act, I think we should do it right, do it thoroughly and do it now.

How are the two Acts to work in a complementary fashion when one of them is being brought into the 1980s and the other is left to languish in the past? In my books, I give the Government only half marks. Having identified the problem that exists on the inter-relationship between these two statutes, the Government's Bill fails to deal adequately with the problem.

It is suggested that necessary amendments to the Industrial Design Act could be brought in under phase two of the copyright legislation which has yet to be tabled in the House. But who knows if we will ever see phase two of the legislation during this Parliament? Phase two may prove to be as illusive a subject as the introduction of phase two of the sales tax reform proposed by the Minister of Finance (Mr. Wilson).

I have some additional concerns with respect to the new Clause 46(3) of the Bill. That clause sets out certain kinds of products which will be afforded copyright protection, notwithstanding the Industrial Design Act. For example, is it fair that the creator of cartoon characters which are covered by copyright, will lose copyright protection, and that is the Mickey Mouse characters and so on from Walt Disney? They will lose copyright protection and only be covered by industrial design protection for a maximum of 10 years once the design is imprinted on a T-shirt? I would suspect that during legislative committee hearings into this Bill, some groups will wish to come before us to suggest that their particular type of manufactured product should be added to Clause 46(3) so as to receive copyright protection.

With respect to the retroactivity portions of Clause 24 of the Bill, I am always wary of such clauses and will invite the closest scrutiny in legislative committee. I am indebted, however to officials of the Department of Consumer and Corporate Affairs who have explained the mischief with which the section is designed to deal. I hope they will not catch more fish in this retroactive net than is absolutely necessary.

Copyright is an essential freedom. It has an important role to play in the culture and economy of our country. It is not a restrictive concept. It is, rather, one which promotes the free flow of knowledge. Without copyright, any book, painting, or musical composition, for example, could freely be copied and its creators would not be entitled to any benefit such as royalties from the creation of their work. Obviously, an author would have little incentive to produce any original works if others could, without authorization, copy those works and benefit from so doing.

Thus protecting works by copyright enables creators to profit from their creations. Copyright encourages and provides incentive for artists to continue to create works to be part of the growth of Canadian culture, the development of which we all encourage.

I would like to say in conclusion that copyright is an essential right which must follow the trends and technology of a society like any other basic right. I hope that will be the outcome of this amendment.

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, I am very pleased to have the opportunity today to speak on Bill C-60, the very long-awaited amendments on copyright legislation. We are dealing with a Bill which dates back to 1924, the last Act, which has been scarcely modified since then and, of course, there have been enormous changes in the intervening years which have necessitated a new Bill.

I had the pleasure of working on the Subcommittee on Copyright, and of hearing submissions from experts, from artists and from cultural workers across the country. I very much enjoyed the learning experience in finding out the very particular problems that changed technologies have made for our artists and which have necessitated this new legislation. I regret that not more of the recommendations of the subcommittee have been included in this Bill. This is rather a timid Bill. It includes the most non-contentious of the items on which we worked and a lot more remains to be done.

Nonetheless, I compliment the Government for finally bringing in the Bill. I am certainly going to co-operate in seeing that it gets passed today on second reading and gets to committee for some further study, not that we would anticipate a lengthy period in committee for a subject which has been so very much studied by committee, by departmental task forces and by experts over the years.

The Subcommittee on Copyright entitled its report: "A Charter of Rights for Creators". Certainly our approach was to give creators full credit to ensure that their economic rights,

their moral rights and the integrity of their work, are far better protected. We enunciated some principles which guided our approach throughout the treatment of copyright. Our idea was that a creator should be protected and abuses eliminated, whatever the medium. We ought to have some common standards to ensure that the creator has the full economic rights and the opportunity to control and prevent copying and distortion of his or her works. We set out the general principle, whatever the medium they should apply.

We, of course, sought to incorporate the new forms of creative activity that were not anticipated at that time in 1924 when the Act was first passed. Computers, software, hardware and television itself were not invented at that time. Of course, there have also been enormous changes in other techniques for printing, changes in all forms of creative activity since then that we felt needed to be updated in the new legislation.

• (1250)

In the case of computer software we thought that there ought to be protection by way of copyright. An amendment to Bill C-60 will ensure that the writers of software will receive full protection, that criminal and civil liabilities will apply, and there will be the provision of the full period of 50 years plus the life of the creator, as is the case for other literary works.

I especially welcome the measure in the Bill to end the right for mechanical reproduction for sound recordings. For a long time there has been agitation on this issue. At the time this provision was made, the sum of money agreed upon was two cents per side as the fee to the composer. There was then the possibility of compulsory licensing. No one had to negotiate a contract with composers. They were automatically given the right of payment of this very minimal sum of money. Of course, over the years inflation has made two cents per side a ridiculously small sum of money. It has meant that there is no incentive, for one thing, for composers to see their works produced in Canada when they can be making more money having them produced elsewhere. Who else is working at the same wages as they were in 1924? It is hard to imagine that type of situation continuing. So this is one of the provisions that was very long overdue. I am pleased to see it as one of the provisions that we have in Bill C-60 which is before us.

The question of moral rights was one that the Subcommittee on Copyright spent a lot of time dealing with. We were concerned not only that artists receive their economic rights, and many artists are poor, but that all artists are at the risk of having their work misrepresented, distorted, used in some fashion or other. We have had scandalous cases of writers and visual artists having to sue to protect their rights. In some cases they have been successful. But why should they have to prove damage to reputation? Why should they have to go to this excessive amount of trouble to prove their case, to guarantee the integrity of their work?

So what we recommended and what the Bill will do is to make it easier to protect the moral integrity of an artist's work. There cannot be modification without the creator's consent, except for legitimate restoration and conservation. The artist will no longer have to prove that the change was prejudicial to his or her reputation. For the purpose of penalties, moral rights will be treated as being just as important as economic rights. So an artist could sue for damages and not just for an injunction to stop the distortion to the work as is the case at present. I think that is an advance that our artists will very much appreciate. Certainly, the people who came to see us talked very vigorously about the need to protect their moral rights as creators and the need to end the indignity of having to prove that somehow their rights had been damaged, the presumption being that they did not have the right to control the use of their work.

The provisions in Bill C-60 state that moral rights cannot be assigned to anyone else, although the creator can agree not to exercise them, in effect, to waive them. I hope that artists will not be pressured into these types of agreements, as I think that would be unfortunate. Certainly, our intention is to increase the rights of artists. One has to worry about what kinds of contracts they may be forced to sign that would limit their ability to exercise those rights.

Another area in which we see an important advance for artists is in exhibition rights, rights for visual artists to receive fees for the exhibition of their works in museums, public art galleries and so forth. At present there is no such provision. Visual artists have made various arrangements. They have some type of a fee schedule and they request payment. But they do not have a right in terms of payment; it is only a voluntary provision right now. The sums of money earned are not very high. We are very pleased to see this advance that gives a visual artist exhibition rights.

I am not sure how far these rights go. I will be looking into the fine print to examine this matter a little more closely. It was brought to the attention of the Standing Committee on Communications and Culture at hearings recently in Moncton by a very well known artist, Claude Gauvin, that when she had a CBC show done on her and her work the CBC would not pay her artist rights for showing her paintings. The CBC argued that she was getting free publicity by having this show and she ought to be grateful for having free publicity and ought not to be getting royalties. I think that is unfortunate. I think it is wrong. If she had been a musical artist having a show done on her compositions the CBC would have had to pay her royalties for her copyright on her musical works. But because she is a visual artist there was no similar obligation. I hope that that loophole will be closed. If it is not, we will have to look at some amendment in committee.

Another area in which there has been improvement is with respect to choreography. There will now be protection for the first time in a choreographer's own name. There will be a separate category for choreography. It will not be considered just a type of dramatic work. The limitation of treating choreography simply as one other type of literary work is that, of course, for some modern dance there is no story line. They

are not literary works. The expression is that dance is an arrangement in time and space using human bodies as design units. This is a technical expression for what we are trying to get at. Perhaps it is the right expression. It does not quite convey what we see. Nevertheless, the idea is that there ought to be protection for these more abstract forms of choreography as well as for the more traditional type which tells a story. This is an interesting advance to see. We have excellent dancers in Canada and excellent choreographers. This is an art form that has really thrived in recent decades. So it is quite proper that we see improved recognition of this art in our new copyright legislation.

The area of industrial design and its overlap or separation from copyright is a very complex one. At present there is a certain amount of uncertainty as to whether industrial design or copyright is the appropriate framework for some particular blueprints, designs and so forth. Our recommendation at committee, something which the Bill respects, was simply to clarify this point of division. There have been lawsuits and there is a certain amount of murkiness as to what the situation is. We have to clarify what comes under copyright, which has very much more extensive protection, and what should come under industrial design legislation.

We should extend the full rights of copyright to what should come only under industrial design. Full copyright protection is, of course, the life of the creator, plus 50 years. That is a very strong form of protection. It would be quite inappropriate and certainly not good for the economy to extend this type of protection for examples of work that should only receive the lesser protection of industrial design.

We are expecting a revision of industrial design legislation. That is another question and not one I will deal with here. We are content to see that there ought to be a careful delineation of roles and to confine copyright to what copyright was really intended to be for, that is, to protect the original work of creators.

[*Translation*]

Creators have been waiting for this Bill a long time. It is a disgrace that we still depend on legislation passed sixty years ago, when we consider the major technological changes that have taken place since then. At the time there were no computers, no software, no television or video-cassettes.

There have also been major changes in the field of artistic expression, in dance and choreography. Choreography used to mean the explanation of a theme or a story. Today, we have form choreography, without a story. The legislation mush be amended to include this type of expression.

There has been a substantial change in the value of the dollar, if we look at inflation over a period of sixty years. For composers, two cents per record side may have been reasonable in 1924 but it certainly isn't now and has not been for some time. We should abolish the right to music reproduction so that composers can get contracts that are fair.

This Bill is going to do just that, since the moral rights provisions under the present legislation are not adequate. Artists and especially painters have told us that an amendment is needed to better protect the integrity of their work. Today, an artist has to produce evidence of prejudice to his name or reputation.

The proposed legislation will extend moral protection and prevent any changes in the original work.

• (1300)

[*English*]

Another part of Bill C-60 would facilitate the establishment of copyright societies. Certainly this development is very much welcomed and very much promoted by the copyright committee.

Individual creators may authorize collectives to manage access to their rights to collect and to distribute royalties collected on their behalf. We already have two very large collective copyright societies in operation for music—CAPAC and PRO Canada. There is also the Union des écrivains du Québec for the administration of photocopying rights. However, the development of similar kinds of copyright societies has been impeded in Canada by competition legislation. There would be the possibility of prosecution under those laws, which has prohibited the formation of other copyright societies.

Under the new law, if a new society formed and filed its rates with the copyright board, it would be exempt from prosecution by the director of investigation for the Competition Act. Instead it could go to the copyright board for an examination of the tariffs set, if the society thought that the tariffs were not in the public interest. However, the society would have to make a case that the tariffs set were not reasonable and were contrary to the public interest. That gives considerable scope to artists to form collectives and ensure that their rights are better protected.

The user and owner of copyright would decide on the rates. There would be an appeal to the copyright board, only if there were an objection by one or the other side, or if there were an objection by the director of investigation for the Competition Act.

Our idea was that we should encourage creative people to get together to protect their rights, to advance their rights, to administer their rights collectively in a way which they certainly cannot realistically do individually, to assume that bargaining will take place in a fair way, and to use appeal to the copyright board only if the parties are unable to resolve their difficulties, or only if it is clear that the public interest has been harmed. We would expect that normally this would not be necessary and that owners and users of copyright would regulate tariffs themselves.

The Copyright Appeal Board is to be given a new name. Its old name was somewhat a misnomer because it was not an

appeal board. With its new, more descriptive name, it will have certain new powers. It will have the power to set rates or to alter rates by copyright societies on musical performance rights. It will have the power to fix royalty rates for new societies when negotiations between the user and the owner of copyright fails, or when there is an appeal to it in effect.

The copyright board will have the right to license the use of copyright works when the owner of the copyrighted work cannot be located. There would be an appeal to the Federal Court on points of law from decisions made by the copyright board.

The chairperson of the board would be a judge. There would be two full-time appointees and up to three others, full or part time. They would not be public servants. I would hope they would be knowledgeable experts in the field of copyright.

Altogether the provisions for the board are very much those anticipated by the committee. They are certainly in the spirit of the recommendations of the Copyright Subcommittee as to its powers and composition. I very much look forward to seeing this copyright board established in the fashion proposed here.

Finally there is the question of piracy, the violation of copyright. Right now the provisions are far too inadequate. We know that there is an enormous amount of violation of copyright and that the technology available now for home copying and piracy in video and audio cassettes is extensive.

Right now the fines do not deter. Pirated video cassettes may be 15 per cent to 20 per cent of the legitimate market, which of course means an enormous loss in revenues to artists. Fines on summary conviction could go up to $25,000 or six months. The penalties on indictable offence, or the really serious offences, could go up to $1 million or five years in prison.

I remember the Copyright Subcommittee discussing what the penalties should be. I certainly remember arguing very strenuously for hefty financial penalties. We must have realistic deterrents if creators are to have full protection of their economic rights. We must have serious penalties, which will mean that it is not good business to violate copyright, that one is better off to pay the royalties than to pay the stiff fines which we would anticipate being meted out.

I want to raise a few objections about how the Minister has dealt with the issue. I am very concerned, as a member of the committee and as someone who has worked extremely hard on the issue, that I have been somewhat maligned. The Minister actually had the colossal gall to say in the House the other day that I have been holding up copyright. I even received a telephone call to the effect that the NDP was not being sufficiently vigilant and indeed was working against the interests of artists.

I sat on the committee and was there when it reported. On October 18, 1985, just shortly after the committee reported, I directed a question in the House to the Minister asking when the Government would bring in a Bill and received an answer indicating that at the earliest possible moment the Government would give these 132 recommendations its consideration and would introduce legislation, subject to negotiations with the other House Leaders. We had been somewhat led to believe that there might be legislation within six months.

I raised the issue again on October 24, 1985, and referred to the subcommittee's report and urged that we have speedy action to implement it.

On January 28, 1987—and in the meantime I had raised it in committee with the Minister, indeed with more than one Minister, on a number of occasions—I indicated that artists had been waiting since the fall of 1985 for action on a new Copyright Act. I said:

> They are beginning to be very disturbed by rumours that the Government is backtracking on the excellent proposals for reform unanimously made by the copyright committee.

We had even heard rumours that the legislation would not be complete, and of course it has not been complete.

I continued:

> The only way for the Government to put to rest these most unfortunate rumours is to bring in a Bill soon with the important and comprehensive recommendations of the copyright committee in it.

• (1310)

Then on March 11, again in a question to the Minister of Communications (Miss MacDonald) referring to the long-standing injustice to composers, I asked when she was going to bring in legislation to remedy this injustice and to do so very quickly. Then, however, on June 15, 1987, we have the Minister stating:

> Last week the Member was protesting when I brought in copyright legislation. That was long overdue as well . . . I hope the Hon. Member will not have the same negative reaction when I bring in the film legislation.

I have been urging film and copyright legislation. In the case of copyright legislation, I have been urging it for years now. This is a complete misstatement of my position. What the Minister was referring to was a letter that I had sent her on May 25 wherein I protested her plans to bring the Bill in on a particular day when the Standing Committee on Communications and Culture would be holding hearings in Saskatoon. This would have meant that the Liberal critic and I could not have been present.

Here we had a Bill that had been waiting for months and months and months. The Copyright Subcommittee's report was presented in October, 1985 and the Minister was planning to bring in the Bill on a day on which the two people most vitally concerned from the opposition Parties had to be at her own Department's committee hearings on another task force. What I did was not done to hold up the legislation. I have been urging that the legislation be brought in for years and I simply want to correct that situation for the record. I think it is quite reprehensible that that sort of misrepresentation should have been committed.

I want to refer to my regret that certain other matters have not been included in this legislation and very much hope they will be included soon in the Government's next legislation. Performers' performances is one aspect of copyright that was not included in Bill C-60.

We did not see any easy remedy for the question of home copying. The committee recommended that there be some kind of royalty payment attached on cassettes, blank tapes and machines for copying that would go to collective societies. My recommendation was slightly different from the majority report. It should be in the form of a tax to ensure that the money does not go out of the country but gets plowed back to our own creative people. Nonetheless, the principle is that creators ought to be paid. Home copying is a way of escaping paying royalties. If a person purchased that same object, he or she would be paying royalties, but if a person copies it from the air, the individual avoids paying royalties to creators. I am sorry we have not seen action on this very important question.

We recommended changes about how photographs get treated for copyright. That is not in the Bill. Some of the contentious issues were excluded. I can understand the Government is still divided on that issue, particularly with regard to broadcasting and retransmission rights.

I call on the Government to move quickly on these very important matters that have not yet been included. Artists are concerned with the possibility of new taxes. They are concerned with cut-backs in the arts, and so it is important they get adequate protection in copyright.

I welcome this legislation. I am keen to see it get to committee. I do not think it will take long in committee. Our artists deserve this piece of legislation. I will certainly co-operate and my Party will co-operate in seeing that the Bill gets swift passage at this stage and gets back to the House for third reading as soon as we can possibly manage it.

The Acting Speaker (Mr. Paproski): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mr. Paproski): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the second time and referred to a legislative committee.

ROUTINE PROCEEDINGS

[*English*]

STRIKING COMMITTEE

PRESENTATION OF TWENTY-FIFTH REPORT OF STANDING COMMITTEE

Mr. Scott Fennell (Ontario): Mr. Speaker, following my request earlier this day, I have the honour to present the twenty-fifth report of the Striking Committee.

If the House gives it consent, I intend to move concurrence in this report later this day.

[*Editor's Note: See today's Vote and Proceedings.*]

CONCURRENCE IN TWENTY-FIFTH REPORT OF STANDING COMMITTEE

Mr. Scott Fennell (Ontario): Mr. Speaker, I should like at this time to move concurrence in the twenty-fifth report of the Striking Committee presented earlier this day.

Motion agreed to.

GOVERNMENT ORDERS

[*English*]

SHIPPING CONFERENCES EXEMPTION ACT, 1986

MEASURE TO ENACT

Hon. George Hees (for Minister of Transport) moved by unanimous consent, that Bill C-21, an Act to exempt certain shipping conference practices from the provisions of the Competition Act, to repeal the Shipping Conferences Exemption Act, 1979 and to amend other Acts in consequence thereof, as reported (with amendments) from a legislative committee, be concurred in.

The Acting Speaker (Mr. Paproski): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

Mr. Hees moved that the Bill be read the third time and passed.

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Mr. Speaker, it is an honour and a privilege to rise to speak on third reading of Bill C-21, an Act to exempt certain shipping conference practices from the provisions of the Competition Act. I can assure Members of the House that this Bill has had a thorough going over by the legislative committee.

Bill C-21 was referred to the legislative committee and we started hearings in April. We heard some 16 witnesses, we had 36 submissions and there were 16 motions for amendment

which were accepted. I am totally convinced that this Bill sets out a sensible and reasonable balance between the needs of Canadian shippers and the international carriers.

I want to commend the Members of Parliament who sat on this committee. We have all spent many years in opposition and some years in Government. We were led by the distinguished Chairman, the Hon. Member for Quebec East (Mr. Tremblay). The Hon. Member for St. Catharines (Mr. Reid), the Hon. Member for Fraser Valley East (Mr. Belsher), the Hon. Member for Dartmouth—Halifax East (Mr. Forrestall) and the Hon. Member for York East (Mr. Redway), all members of the committee, served the committee very well indeed. The Official Opposition was represented by the Hon. Member for Papineau (Mr. Ouellet), who has had many years' experience in this House and in Cabinet. He brought a lot of wisdom and advice to the committee. The Hon. Member for Thunder Bay—Nipigon (Mr. Epp), representing the New Democratic Party, presented his case well.

I believe that the committee served the new rules of Parliament very well. We had recommendations that were aggressive and had to go back to Cabinet. The Cabinet accepted the wisdom of the three Parties as represented on this legislative committee, and I think the Cabinet should be commended for accepting the committee's wisdom. Not all wisdom lies entirely in the bureaucracy and the narrow interest groups that bring some of these issues to the fore. When Members of Parliament direct themselves to a problem, it can genuinely lead to improvements in Bills. Therefore, Mr. Speaker, it is a privilege to participate on third reading.

[*Translation*]

Hon. André Ouellet (Papineau): Mr. Speaker, I welcome this opportunity to speak on behalf of my party at the last stage before Bill C-21 is adopted by this House.

We are all aware that the international shipping conferences play a major role in the transportation of goods between Canada and other countries. The conference system was created over a century ago as part of the trade relations between Great Britain and India. At the time, fierce competition between big ocean carriers caused a great deal of instability and uncertainty in the important export trade between these two countries.

Finally, shippers, carriers and consigness decided that all parties stood to gain from increased safety and stability in the transportation of both goods and passangers.

The resulting agreement finally formed the basis for the shipping conferences that have now spread throughout the world.

The conferences are organizations whose members, the various ocean carriers, all subscribe tot he same code of conduct covering, among other things, rates and levels of service, doing so in exchange for agreements on the provision of regular services.

A typical activity of shipping conferences is monitoring price competition, since member shipping lines are obliged to charge the same rates.

In order to restrict internal competition, shipping conferences usually set limits on the number of trips that may be made by each member, as well as on the quantity of merchandise that may be carried and the number of ports members may call.

The present legislation does not require a shipper enter into a patronage contract exclusively with a carrier who is a member of a conference. In practice, however, the conferences generally insist on signing such a contract, in return for certain considerations, including discounts on the quantity of merchandise shipped.

On the other hand, a shipper may drop a patronage contract to take advantage of cheaper rates with another carrier, whether or not the latter is a member of a shipping conference.

The present legislation also protects the conferences from any legal proceedings under the Competition Act, it provides Canada with a measure of control over conference activities and gives the Canadian council of shippers the right to restrict the powers of the conferences.

Mr. Speaker, this legislation, referred to as the Shipping Conferences Exemption Act, 1979, has served our country and our trade interests very well.

However, in 1984, the United States, our neighbour to the south, passed a new Act, the U.S. Shipping Act of 1984, which not only ratifies the principle of the conference system but also includes provisions to further protect conferences in certain areas against American antitrust laws.

• (1320)

[*English*]

Canada's proximity to the United States and the fact that this country is served by a number of joint U.S.-Canada shipping conferences requires that the laws of our countries be fairly compatible on this question. That was one of the arguments put forward by the Government when it tabled this Bill.

At the outset, we in the Opposition agreed. Nevertheless, we had some serious reservations about some aspects of this legislation. The Government was trying to reconfirm the shipping conference situation, but the legislation had some clauses built in that in fact threatened the very existence of the shipping conference. We in the Opposition argued that some of these features had to be removed from the legislation. To that end, we moved a number of amendments in the legislative committee.

[*Translation*]

Mr. Speaker, in our view, the amendments improved the Bill and provided legislation that recognized the existence of the conference system without thereby jeopardizing their existence

or viability. I must say that the work done in committee was exemplary and that all parliamentarians and the Government in particular should take note.

In fact, this time the Government decided to listen to the claims and suggestions of the various intervenors who testified before the parliamentary committee. I must say that had the Government been as receptive to the representations which were made with respect to Bills C-19 and C-18—both pieces of legislation concerning the Department of Transport—but to which the Government would not listen, we in the Opposition would probably have supported C-19 and C-18. But we could not do so because we felt that the Government was simply not prepared to move forward without bringing in amendments in the field of transport deregulation, particularly concerning Canada's trucking industry as well as air transportation in Bill C-18.

But this time, in the case of Bill C-21, consultation has not been a sham, it has been real. Not only did the Government listened to the suggestions of the witnesses who appeared before the parliamentary committee, but it also listened to those of the Official Opposition.

It has acted responsibly by amending the Bill to take these suggestions and criticisms into account.

[*English*]

Finally, we will have seen an exercise in which good faith, good judgment and a sense of responsibility won over simple partisanship. This is thanks to the contribution of all members of the committee and in particular the excellent work of the Parliamentary Secretary. I would like to pay tribute to him on this occasion because he has been very active in the committee. He has been a force that has conveyed to his Minister and his Government the views expressed by all members of the committee, not only by opposition Members. Some government Members also had views and feelings with regard to this legislation.

In conclusion, we have before the House a better Bill, a good Bill.

[*Translation*]

Therefore, Mr. speaker, I have no hesitation in saying that we in the Official Opposition will support this legislative measure.

[*English*]

Mr. Ernie Epp (Thunder Bay—Nipigon): Mr. Speaker, as the New Democratic Party's representative on the legislative committee which dealt with Bill C-21, I appreciate having this opportunity to say something about the Bill before us and about the work carried out by the committee. I would recognize comments made by others about working together on the committee and about the role of the Parliamentary Secretary in carrying changes to the Bill to the Cabinet for consideration.

I must say that I remain very concerned about what the consequences of Bill C-21 may be in practice over the next several years. In order to spell out some of those concerns, I would like to take a little more time than my colleagues on the committee have taken to consider the matter.

This particular version of the Shipping Conferences Exemption Act is of course a part of a series of Bills designed to exempt the operation of conferences, agreements among ocean carriers, selling services to those who wanted to export or import products. These conferences have allowed carriers to agree together on the terms and the rates of service and have exempted them stage by stage through each reformulation from the operations of the Canadian competition law.

The need to re-enact the 1979 Shipping Conferences Exemption Act created the opportunity to which the Government responded with Bill C-21. In 1982 there was a review of this matter by the Water Transport Committee of the CTC and the report to the Minister was generally favourable to the Shipping Conferences Exemption Act, 1979.

• (1330)

It is realistic to recognize that the U.S. legislation in 1984 changed the situation somewhat. Of course, various other factors are at work on the oceans these days, primarily less traffic and an over-supply of vessels. This has created a situation where it has been very difficult to operate at a profit. Whether one blames the U.S. legislation for the bankruptcies in the American lines or ascribes them to the same circumstances affecting others is an open question. It is worth recognizing, however, that the Canadian Bill arose not just in the circumstances of a change in the U.S. law but in the context of an oversupply or, one could easily say, excessive competition among lines. A good deal of service was being offered by carriers who were not in the conferences and rates were falling. It is that economic context which we need to keep in mind in considering the Bill before us today.

The U.S. legislation had several key points, and I want to single out just a few of those. First was the provision for independent action by shippers within the conferences, that is mandatory independent action on rates on 10 days' notice. That meant that if a shipper wished to come to an agreement with a carrier who was in a conference and negotiate lower rates than the conference had established, there was a provision in the law for the shipper to do so. That mandatory independent action was the first of the disruptive elements which the U.S. law threw into the operation of the shipping conferences.

The provision for service contracts which would enable an individual shipper, usually a larger shipper with a lot of business to do, to arrive at special terms with a carrier within a conference was another of the provisions which the U.S. law threw into the ocean shipping scene. The law required that not the contracts themselves but their essential terms be published and available to others who were interested in trying to match

these favourable arrangements. A third provision was a denial of intermodal rates, that is to say, not just the carriage across the ocean but also the movement on land by rail or truck. The carriers were denied the opportunity to do that.

The question for us, of course, is how to relate to the changes the U.S. has made. How should we position ourselves given the diversity of conferences, and some very large ones have come into existence recently, which organize the vessels carrying goods to and from North America? What we were given in Bill C-21 so far as some of these provisions I have been exploring are concerned was a provision on loyalty contracts. That is to say, a basic feature of the conference system by which shippers commit themselves to a particular carrier. They say, in return for giving you all of our trade, what are the rates? The loyalty contract reflects the arrangements they have arrived at. This gives the carrier some assurance of cargo to be carried. That is for the carrier a very important feature.

What Bill C-21 has done is to open up the possibility that a shipper might be able to divert some of the cargo from this loyalty contractor to others. Of course, that opens up the possibility of playing off members of the conference against independents who may want to enter the trade for their own advantage, even if what they are doing in the short run is going to be ruinous to them and to others in the long run.

The Bill also includes provisions for independent action and it is of course reflecting the American law, where mandatory independent action is provided for on very short notice, that another of the contentious features of Bill C-21 is to be found. The length of notice a shipper has to give before this action comes into effect is one of the points in which the Bill was amended in committee thanks to the hearings and the careful investigations we carried out.

A third feature of Bill C-21, the service contract arrangement, is given novel treatment. Where the U.S. law provides that these particular special arrangements between shippers and carriers will be filed confidentially but their essential terms released so that others know what they are doing, what the best arrangements are that a big shipper can arrive at, in Bill C-21 we have a provision for confidentiality of service contracts. It will not be known to others what exactly a big shipper has been able to arrive at in negotiating one of these service contracts.

As I have already suggested and others have noted the Bill received some amendment in committee. One of the most important changes, and this was a recognition by the Government of concern in the industry about the consequences of the legislation, was the deletion of a clause which would have allowed independent action on service contracts. Those contracts now negotiated will not be open to that additional violation of the conference principle but the service contracts themselves will continue to operate and the confidentiality of them continued as well, as I want to note in a moment.

The increase to 30 days' notice on independent action was an improvement over the 10 days originally in the Bill. A couple of other more or less significant changes which the Bill proposed were a fine of $5,000 per day for violations, which is an enormous increase from what was in the old Act. The committee agreed to reduce that to $1,000 a day.

• (1340)

The proposal that the Act, once passed, should terminate at a certain time was also dropped from this Bill. That strikes me as very sensible. Once the law is established it should continue in force unless and until it proves to be unwise or in need of reconsideration. That can obviously be done. However, it should not contain a sunset clause which will cause it to lapse in five years, which will only impose work on the next Parliament. Therefore, that was a useful amendment.

Among the amendments which I put forward in committee which were not accepted was one to Clause 12 to have service contracts, in their essential terms, open to the public, as American law now specifies that they shall be. I regret intensely that that particular amendment was not accepted. Various interests called for it in appearances before the committee. The decision to keep them confidential in Canada becomes the basis for my objection and my advice to my colleagues to vote against the Bill in the form in which it has come back from committee.

Clause 21 is another on which I proposed an amendment. That amendment grew directly out of the work of the Water Transport Committee in 1982 but which reflected a philosophy different from that of the Government on transport legislation in general which is to let the market-place operate with very little concern on the part of the Government. It seemed to me that we wanted instead sound regulation and, since the negotiations between shippers and the conferences do not always go as well as they might, an obligation placed upon the carriers to negotiate with these shipping associations in good faith which would reflect the American law. That was one of the obligations which I sought to include in the Bill. The government majority of members of the committee refused to accept that.

The issue of considering Bill C-21 was illuminated by a couple of professional witnesses who appeared before the committee at the very beginning of its deliberations. The first was a Canadian, Professor Gunnar Sletmo of Montreal of l'École des Hautes Études Commerciales. As Professor Sletmo himself reminded us, he chaired the task force considering deep sea shipping a few years ago. He knows intimately the people involved in large-scale shipping in Canada. He knows very well what their concerns are about carriers. He took quite a different position on the Bill from that of the shippers' council. In a paper which he presented to the committee he discussed the background to the operation of conferences and his concerns about what Bill C-21 might do. He said:

> As shipping space, usually in the form of containers, is largely a standard "commodity", there has to be some mechanism for reaching agreement on rates

among major shipping lines. If not, the result is a free-for-all which while it may benefit the large corporation in the short run, will squeeze out the small shipper who does not have hundreds of containers to offer for shipment. To insist on free competition in a market with the above characteristics is to promote instability, inefficiency, and bankruptcies. A completely free market will result in rates that are non-compensatory in periods of slow trade and surplus capacity, but which will skyrocket during tight supply conditions with growing trade.

Under such circumstances, the price shocks in the general cargo sector would be akin to those experienced in the oil sector in years past where tanker rates changed by a factor of ten or more over a short period of time.

In this paper Professor Sletmo points out a variety of forces that work on the conferences as constraints on the possibility of monopoly pricing. I will not take the time now to note those, but to the six cited in a classic study from the early fifties he added a couple of additional factors which are operating now, those being air cargo and the neobulk shipment developments of the last years.

He is arguing, of course, that the constraints are such that there really is no need to try to destroy the basic conference system. It was his conviction, as well as that of many other people, that the shipping conference system basically, which Canadian law recognized more fully than U.S. law had before, though perhaps not quite up to the sophistication of European and Japanese law, was in fact designed to destroy the conference system.

In addition, Professor Sletmo pointed out what the consequences would be for small shippers. In a certain classic sense there was a confrontation between the shipping federation, which speaks for those who represent the ocean carriers, and the shippers' council which is, I think, first of all, the organization of the large exporters and importers who provide so much of the container trade to the carriers. The shippers' council wanted Bill C-21, and the shipping federation was convinced that some of the provisions, particularly the secrecy on the service contract, was detrimental to the future of the conferences and, therefore, a danger to Canadian ports and Canadian shipping. Professor Sletmo adds:

The Bill in its present form may harm the small shipper who lacks the resources—human and economic—to keep fully informed about different transport arrangements. He usually lacks the volume to obtain interesting special rates or service contracts. The small shipper is highly dependent upon regular liner services at stable and predictable rates. For that to be available, an efficient and reliable liner industry is needed. In all trades, that has till now meant the presence of conferences. This does not preclude the presence of independents, however. On the contrary, non-conference services represent a valuable complement to conference lines and obliterate claims that conferences "monopolize" trades.

If the hand of the largest shippers is further strengthened by legislation, it means still lower rates for those shippers. However, this does not mean reduced costs to conference lines. Hence, the general rate structure will come under upward pressure to recover the reduced liner income. An analogy is a hotel raising its individual rates because it was forced to accept even lower corporate rates.

I could read from the submission of Dr. Leslie Kanuk, an American authority who appeared before the committee the same afternoon. I will only cite her American observation that if it ain't broke, why fix it? She stated that the Shipping Conferences Exemption Act of 1979, the system which we will continue to have until this Bill comes into effect, worked pretty well. I suggest that we face a period of very serious risk as this Bill goes into effect. It is more severe than the American law. Rather than following American law, as the Government has often done, particularly in the secrecy involving service contracts, we do not know how ocean carriers and the conferences will respond to it. There is a possibility that they might give up serving Canadian ports. That, of course, would have immediate impact on our ocean ports.

There are some particular possibilities along that line that I want to point out. Given the developments in carriage these days, particularly the U.S. railways going to the stacked container system of movement across the continent, there is a possibility that American ports and railways will be able to grab trades, even from inland Canadian shippers. Some Canadian centres, in particular Toronto and Montreal, are not all that far removed from American ports. There is a real possibility of displacement of Canadian ports by American ports. For example, Vancouver on the West which could be displaced by Seattle. In the East, Elizabeth, New Jersey, would displace Saint John, which could conceivably take port business from Montreal.

• (1350)

In 1985 almost a quarter of the containers moving through Canadian ports were American. In addition, approximately one-fifth of Canadian cargo moved through American ports. In fact, on the West Coast, almost one-half of the containers were moving through Seattle and other centres.

The Shipping Conferences Exemption Act could easily result in the various ports, such as Montreal, Vancouver and Saint John suffering very severely. This could involve some thousands of jobs at the ports, with the additional economic ramifications. Only time will tell, but the uncertainties that the Government has created with this Bill are such that I have advised my colleagues that we should join in opposing this Bill.

The Acting Speaker (Mr. Paproski): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mr. Paproski): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mr. Paproski): All those in favour of the motion please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mr. Paproski): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mr. Paproski): In my opinion the yeas have it.

And more than five Members having risen:

The Acting Speaker (Mr. Paproski): Pursuant to Standing Order 13(5), a recorded division on the proposed motion stands deferred.

* * *

FINANCIAL INSTITUTIONS AND DEPOSIT INSURANCE SYSTEM AMENDMENT ACT

MEASURE TO AMEND

The House resumed from Tuesday, June 23, consideration of the motion of Mr. Hockin that Bill C-42, an Act respecting financial institutions and the deposit insurance system, be read the third time and passed.

The Acting Speaker (Mr. Paproski): Resuming debate with the Hon. Member for Kenora—Rainy River.

Mr. Cassidy: Mr. Speaker, I rise on a point of order. My colleague, the Member for Kenora—Rainy River (Mr. Parry), may have concluded his remarks.

The Acting Speaker (Mr. Paproski): I will recognize the Hon. Member for Ottawa Centre.

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, Bill C-42 has been before the Finance Committee for some time. It is the first of three portions of the financial deregulation and reregulation which the Government has been putting forward.

While this Bill is important, it is unfortunate that it has not been accompanied by the third portion of the Government's legislation which would have informed us of its policies about such crucial issues as self-dealing, conflict of interest, and the size of financial institutions.

This is the least contentious of the three Bills because in the wake of the collapse of the western banks and the new ownership under which were placed all of the minor banks that were set up in the last 10 or 12 years, it became evident that there needed to be a new formula for the supervision of financial institutions. That is what is being done in this particular area.

I regret that the portions of the Bill dealing with deposit insurance still have not resolved some of the existing questions. The committee spent considerable time looking at this question in some detail.

I might say that there was some contention in the committee over the question of whether or not and under what circumstances the Deposit Insurance Corporation would be able to levy a penalty of an excess premium on institutions that were not maintaining the standards prescribed by the CDIC for the operation of its affairs. A good deal of confusions remains between the Deposit Insurance Corporation and the Superintendent of Financial Institutions as to who does what to whom. I think it is wrong that the Bill has not been changed in order to prescribe more specifically some of the duties of auditors. I hoped that change would be implemented because one of the tragedies and scandals of the collapse of the western banks is that there still has been no effective action taken to discipline the professional auditors who allowed that to take place without reporting on the prevailing situation in the western banks. We now know that there was a great deal of effort to essentially mislead investors and depositors about the true nature of what was happening.

There was some interesting discussion in the committee on the question of whether the creation of a separate office of the Superintendent of Insurance was adequate protection in ensuring that financial institutions in Canada will continue to be safely, effectively, and prudently operated.

The basic question in this area was whether we should essentially insure deposits, almost without limit, or whether there should possibly be a form of co-insurance for deposits over a certain level. No specific measures were ultimately implemented in this area, but the point is well taken that the Government has put too much reliance on the effectiveness of the Superintendent of Financial Institutions to oversee these financial institutions. This has essentially left little or no role to the private investors, municipalities, and depositors to ensure that they are not making unnecessarily unwise investments in order to obtain an extra one-quarter per cent or one-half per cent interest.

I expressed concern that it looks as though the Office of the Superintendent of Insurance would not get adequate new resources in order to ensure that what happened in 1985 might not happen again. The Superintendent said that he would decide what resources he needed and had been assured that he would get those resources when he went before Treasury Board and Minister of Finance (Mr. Wilson). I appreciate the confidence that he expressed.

The new Superintendent is obviously a man of great capacity and we welcome his appointment. However, I am not sure whether Mr. Mackenzie might not face similar problems that his predecessor faced as Inspector General of the banks. He may be unable to get adequate resources or effectively fulfil the greater responsibility he has been given. Unfortunately, that is a problem that has not been resolved.

One could raise many other questions about this legislation. The Superintendent of Financial Institutions is being given very substantial powers to effectively move in on institutions, seize assets and, according to the other Bill, determine the value of real estate assets. This was not possible at the time of the collapse of the western banks and, had some of these powers existed at that time, it might have saved the taxpayers, bank customers, or perhaps both, hundreds of millions of dollars. Canadian taxpayers would not have had to bail out the banks to the degree that was required.

It is regrettable that we are essentially locking the stable door after the horses have fled. I think one has to conclude that while this legislation is a welcome improvement on what existed before, we are looking at a situation where well over $1 billion has been effectively advanced from the Treasury of the Government of Canada to rescue institutions which went deeper and deeper into trouble before they were caught. It was the officials who were responsible to the Government who gave assurances that these institutions were in good financial order. It was those assurances which then led the Government to decide that it had no choice but to honour the commitment and bail-out not just those depositors who were insured but those uninsured depositors, which meant that tens upon hundreds of millions of dollars went to foreign depositors who simply invested in the western banks in order to get a slightly better term on their money.

• (1400)

It was this Government which was responsible for that and for the expenditure. I ask you, Mr. Speaker, to recall this very carefully when at future times we find the Government saying: "We cannot go ahead on such issues as child care. We cannot have a universal child care program because the money is not there".

It reminds me of what the Government said before the Second World War when Members of my Party, the CCF at the time, said: "We should be spending money to help get the economy moving. We should be prepared, if need be, to even have deficits in order to ensure Canadians get back to work". The Prime Minister of the day, be it a Conservative Prime Minister, Mr. Bennett, or a Liberal Minister, Mr. King, said: "We cannot do it. The money is not there". But then the war came along and suddenly the money was there, not to invest in peace but to invest in armaments to fight against the Germans. Of course, we should have done that in the circumstances of the time, but it is ironic that when it was a matter of having Canadians working, the money was not there, and when it was a matter of Canada fighting in a war in Europe, the money suddenly came to be there.

Our Party's suggestion was that there should be a program which would initially cost, I believe, some $300 million, and we are told the money is not there. When we press our case, the Prime Minister (Mr. Mulroney) stands up and goes through those lines he was rehearsing with Decima Research before he came to the House of Commons today, to try to paint the New Democrats as a bunch of crazy socialists who somehow do not know which end is up.

I have to ask which is more important, to bail out foreign depositors who happen to put money into Canadian banks in order to get an extra one-quarter per cent of interest, or to ensure the beginning of a child care program which will serve families across Canada? It says something about the Government's priorities that it puts foreign bankers ahead of Canada's children. With those remarks, I conclude my comments on Bill C-42.

We are in fact opposing the Bill as we did on second reading, not so much because of the technicalities of what is in here but because of our basic disagreement and concern with the Government's failure to come to grips with the problems of over concentration of ownership in the financial sector, its weak procedures, the weak policies it put in place, and its failure to even come up with policies which would match the recommendations made by the committee on finance in which my friend, the Hon. Member for Kamloops Shuswap (Mr. Riis) participated and which unanimously recommended that no commercial concern should be able to own more than 30 per cent of a financial institution in Canada. The Government has said it is very worried about commercial financial links but then it tells a company such as Imasco, for example, that it only has to disburse 35 per cent of Canada Trust and it can keep the remaining 65 per cent.

We are disagreeing with all three of these Bills for these basic reasons of principle, although when we get down to the specifics, my comments would be a bit more moderate and would reflect the comments I just made.

The Acting Speaker (Mr. Paproski): Is the House ready for the question?

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is very important, I think, that a variety of points of view be put on the record—

The Acting Speaker (Mr. Paproski): Order, please. The Speaker will now hear a point of order.

* * *

POINT OF ORDER

INDIAN ACT, 1985—FILING OF REPORT BY MINISTER

Mr. Speaker: I should advise the House that I had arranged to hear a point of order from the Hon. Member for Cochrane—Superior (Mr. Penner) at this time, at the conclusion of the last Member's speech.

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, I rise on a point of order regarding the tabling today of a report by the Hon. Minister of Indian Affairs and Northern Development (Mr. McKnight) as required by Section 22 of an Act to amend the Indian Act, 1985, a statute which is generally referred to as Bill C-31. I gave you notice earlier today, Mr. Speaker, that I intended to raise this point of order and I thank you for hearing me now.

Mr. Lewis: Order or privilege?

Mr. Penner: A point of order. I would have made my point of order earlier today under Routine Proceedings. I had expected the Minister to table the report. I realize now he was not required to do that, that since it is a statutory obligation, it

could be filed with the Table and that has been done in correct order.

I regret, however, that the Minister did not make a brief statement in conjunction with his tabling because the Standing Orders permit no oral questions when a report is tabled only. However, that is beside the point. My point of order will be brief and succinct. It has two parts to it. Both are related to the statutory obligations of the 1985 Act to which I referred earlier, commonly known as Bill C-31. The statutory requirements of what the report must contain is the first point I want to make. My second point is what further action is required now that the report has been tabled, that is the adequate and appropriate Parliamentary response to the report.

First, the statute in Section 22.1(c) states the report shall include detailed information on "the impact of the amendments on the lands and resources of Indian bands". There are two other requirements just ahead of that, (a) and (b), and they require certain statistical information. So far as I know, those two sections are complete and in accord with statutory requirements. It is Section 22.1(c) which gives me concern, the impact of these amendments on the land and resources of Indian bands. I say to you, Mr. Speaker, there is a deficiency here and this deficiency represents a statutory avoidance. The obligations of the statute have not been fulfilled.

To support my allegation, I turn to the report itself which confesses this inadequacy. It says it is still too early for the full impact of the 1985 amendments on reserve lands and band resources to be felt. In view of the changes that may take place over the next few years, Indian Affairs will undertake an evaluation of the impact of the 1985 amendments and present a report in June 1990. I argue that that simply will not do. The statute never said at any time that the report must indicate the full impact. It said it must report the impact after two years. Those, Sir, are already significant because 25,000 native people have now been registered as Indians and 9,000 had their band status restored immediately. The impact, therefore, exists and this report does not adequately report on that impact.

The Minister and his department have made no real effort to provide this information to the House. So the first part of my point of order is what recourse does the House then have if a statutory requirement imposed on the Minister is incompletely or inadequately fulfilled? I allege this report is deficient and incomplete. Second, Standing Order 67(4), states:

> Reports, returns or other papers laid before the House in accordance with an Act of Parliament shall thereupon be deemed to have been permanently referred to the appropriate standing committee.

However, the statute differs from that standing order and when there is a dispute between a statute and a Standing Order, you will know, Sir, that the statute must take precedent. I quote from Erskine May, 19th Edition, page 212:

> A statute overrides, and cannot be superseded by, an order or regulation of one House or of both jointly.

• (1410)

There is a difference, Sir, in simply referring the report pursuant to Standing Order 67(4) or doing what the statute requires. Section 22(2) of the statute states that such committee of Parliament as may be designated or established for the purposes of this subsection shall forthwith, after the report of the Minister is tabled under Subsection (1), review that report and may in the course of that review undertake a review of any provisions of the Indian Act enacted by this Act.

That refers to a committee of Parliament. It does not state a standing committee of the House of Commons. Someone advised me earlier that that may be no more than sloppy drafting. Be that as it may, it states a committee of Parliament—and the definition of Parliament is the House of Commons, the Senate and the Governor General. Of course the Governor General does not participate in committees.

So it would seem to me that a case can be made that what is called for by the statute is a special joint committee. This special joint committee shall be given more than the usual powers of a standing committee. It should be able to travel from place to place, and it should have the assistance of experts. It is vital that such a committee assess fully the impact of this law, Bill C-31, upon Indian people, Indian bands and Indian nations.

The simple fact is that the opposition Members, that is, myself and the Hon. Member for Kenora—Rainy River (Mr. Parry), have lost confidence and faith in the work of the Standing Committee on Aboriginal Affairs and Northern Development. It rarely meets. When it is convened it barely functions. This law, Bill C-31, is too important to be treated in such a cursory fashion.

Therefore, Sir, the second part of my point of order is that the statute calls for the designation or establishment of a parliamentary committee to deal particularly and exclusively with the report. A perfunctory reference to the standing committee will just not do. I ask Your Honour to rule that such a reference to the standing committee ought to be set aside. There is a statutory obligation on the House to strike a special committee, most likely a special joint committee, to undertake fully and completely the assessment of Bill C-31 upon the Indian people of Canada.

Thank you, Sir, for listening to my point of order.

Hon. Bill McKnight (Minister of Indian Affairs and Northern Development): Mr. Speaker, first, I want to thank the Hon. Member for Cochrane—Superior (Mr. Penner) for giving me notice that he would be presenting this point of order. I would like to address the point the Hon. Member made with respect to the adequacy of the response in the report under the statute that we are discussing, which is ordinarily known as Bill C-31. I suggest that there is a response. The response as to the impact was that the impact could not be measured, enunciated or substantiated with

knowledge because of the information that the Department had at the time of the legislative requirement for responding.

One of the most dramatic and far-reaching aspects of the changes to the Indian Act under Section 22 will be with respect to Indian bands having control of their membership. As the statute was passed, two years were allowed for bands to take control, if they wished, of their membership by establishing a membership code in accordance with the statute.

Up until the last two weeks or three weeks as this report was being prepared, bands had not provided membership codes to the Department. Therefore it was very difficult for the Department to assess how people who were reinstated under Indian heritage return and membership return would be treated by individual bands. Therefore, with respect to the impact on lands and resources, as well as in terms of actual increases in program and service expenditures, only a small number of people have returned to reserves to date. As a result, the full impact of the amendments are yet to be felt. The Department is therefore committed to continuing to monitor the impact of implementing Bill C-31.

I do not want to take any more time on that point. I think the Hon. Member opposite understands the rationale for the report being statistical in nature and the inability of the Department to enunciate the full impact.

I want to address briefly the tabling of the document, as the Hon. Member has suggested, pursuant to Standing Order 67(1). That Standing Order states:

> 67. (1) Any return, report or other paper required to be laid before the House in accordance with any Act of Parliament or in pursuance of any resolution or Standing Order of this House may be deposited with the Clerk of the House on any sitting day, and such return, report or other paper shall be deemed for all purposes to have been presented to or laid before the House.

My colleague opposite referred to this. I would also point out that Standing Order 67(4) states:

> 67. (4) Reports, returns or other papers laid before the House in accordance with an Act of Parliament shall thereupon be deemed to have been permanently referred to the appropriate standing committee.

In this report, as it was tabled, we felt that it was deemed to be referred to the appropriate standing committee, that is, the Standing Committee on Aboriginal Affairs and Northern Development.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, I would like to say just a few words in support of my colleague, the Hon. Member for Cochrane—Superior (Mr. Penner).

I agree with him when he says that the report that is being tabled today by the Minister is incomplete in that it does not deal with the very important fact of the impact of Bill C-31 upon Indian bands and Indian organizations. That was not dealt with. In his response the Minister said that the impact could not be measured because the information that the Department had at that time was incomplete.

I wish to submit that the Minister and the Department did not undertake the necessary process to obtain that type of information. Although the full impact is not yet known as to what Bill C-31 will do to Indian bands across Canada, Indian bands are already experiencing considerable difficulty in the implementation process. The Assembly of First Nations, meeting now in Toronto as we speak, would not agree with the Minister that no determination about the impact can be determined. There is an impact. Although the full impact cannot yet be established, we should be able to see what some of the preliminary impact is. We should be able to understand in what direction the impact is moving Indian peoples.

I wish to stress that when the committee was dealing with this Bill, we were very concerned about the widespread changes that this would introduce to Indian communities. As a result of that we built in the procedure that there would be a full reporting to Parliament by the Ministry on the impact that this would have. We realize that we were not completely sure of what was going to happen. By the Minister and the Department not filing a full and complete report, they are not meeting their obligation to Parliament. In turn, as Members of Parliament, we are not meeting the obligation that we undertook at that time to the Indian people to ensure that we would monitor the impact of Bill C-31 upon their communities. The Department has failed. The Minister has failed. Unless we as the House of Commons insist that the Department and the Minister table a full report, then we are failing.

I would like to second the other point made by the Hon. Member for Cochrane—Superior, that is, that a special joint committee be appointed to look at all aspects of the implementation of Bill C-31 to see how it is actually affecting Indian communities and the people who are being reinstated.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I have just a few brief remarks to make since I believe the Minister has replied fully. First, with respect to the question as to whether or not this matter should go to a standing committee or a joint committee, I make two points. First, I wish to reiterate a point made by the Minister. He said that Standing Order 67(4) states:

> 67. (4) Reports, returns or other papers laid before the House in accordance with an Act of Parliament shall thereupon be deemed to have been permanently referred to the appropriate standing committee.

I submit that the Minister is in compliance with the rules of the House. Had the Government been aware of any request or consideration that the matter go to a joint standing committee, then that is something we could have taken into consideration. In the meantime I submit that to suggest to the House that one has a point of order because one has lost confidence in a standing committee, which is not fully made up of people of one's own Party, is more a matter of debate than a point of order.

• (1420)

I submit that the point of order fails and that the Government has in fact complied with the rules of the House, which I submit is in Your Honour's jurisdiction. Whether or not the report is broad and does all things which every Member of the House of Commons wants it to do is a matter for debate and maybe even a matter of judicial interpretation. However, as far as whether or not it complies with the rules of the House and stands as a valid point of order, I submit that we are in compliance with the rules of the House.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I want to add two or three points to this very critical point of order. I am pleased the Hon. Member for Cochrane—Superior (Mr. Penner) raised it.

I suspect that every Member of Parliament has received volumes of mail in terms of the problems and concerns of native people in respect of Bill C-31. I know that in my own constituency, with a number of reserves and the problems associated with them, it has been a matter of delegations, telegrams, and letters for months and months. Obviously we are all interested in the issue.

Setting aside the point made by the Hon. Member for Cochrane—Superior and the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly), that members of the standing committee have little faith in the committee in terms of its past performance, to say nothing of the views held by Indian people through various Indian bands and native nations, the critical part of Your Honour's decision is where the statute calls for a parliamentary committee.

I do not think you would find anything but an enthusiastic response from native people and native bands across Canada if the House saw fit to send the matter, not to the standing committee which I submit has lost the confidence of the House and of native people, but to a special parliamentary committee made up of Members of the Parliament of Canada, including the Senate and the House of Commons, to assess the impact of Bill C-31.

It is not only important for what it has or has not done over the last two years, but in a sense it sets the tone for decades and generations of people to come. We would only be fulfilling our parliamentary responsibilities and duty in the most honourable way possible if we participated in a parliamentary committee as opposed to simply seeing the matter referred to the standing committee.

Mr. Speaker: The Hon. Member for Cochrane—Superior (Mr. Penner) has brought a matter of some complexity to the Chair, and others have commented on it. It is somewhat similar to an application brought to the Chair some days ago by the Hon. Member for Nickel Belt (Mr. Rodriguez). Since I will be ruling on the matter shortly, it is probably advisable to reserve at this time.

I assure the Hon. Member for Cochrane—Superior, the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly), and the Hon. Member for Kamloops—Shuswap (Mr. Riis) that I will look very carefully at the point raised. There is, as I say, a similarity which creates certain problems for the Chair.

I have listened carefully to the Hon. Parliamentary Secretary who, as always, made remarks which will be of assistance to me. However, I think I would ask the indulgence of the House to reserve on the matter because the two cases are very similar and will probably have to be decided on somewhat similar grounds.

GOVERNMENT ORDERS

[*English*]

FINANCIAL INSTITUTIONS AND DEPOSIT INSURANCE SYSTEM AMENDMENT ACT

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Hockin that Bill C-42, an Act respecting financial institutions and the deposit insurance system, be read the third time and passed.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, Bill C-42 comes at an interesting time, at a time when for obvious ideological purposes the Government has launched into a mad plunge into deregulation. We have seen the deregulation of the transportation industry—shipping by sea, by rail, by land, and by air. In other words, we have seen an ideological approach to the whole matter of deregulation when the facts and witnesses indicate that there is no sense to it at all. I suspect we would see exactly the same applied to the financial industry. However. we have seen an interesting mix of deregulation and reregulation. If the Government had decided to deregulate financial industries as it has deregulated other industries, it would have been inappropriate. Of course what brought it on was the total collapse of a number of financial institutions in the last few years.

This is a new phenomenon in Canada. Previously the last bank failure in Canada was in 1923 with the failure of the Home Bank. There had not been a bank failure in Canada until 1985 when of course, 62 years later, the Canadian Commercial Bank and Northland Bank collapsed. I will have more to say about that in a moment.

Along with those two banks other financial institutions collapsed: Astra Trust Company, the Fidelity Trust Company, AMIC Mortgage Investment Corporation, Greymac Mortgage Corporation, Seaway Mortgage Corporation, Northguard Mortgage Corporation, Pioneer Trust Company, Western Capital Trust Company, Continental Trust Company, North American General Insurance Company, Underwriters National Assurance Company, American Reserve Insurance

Company, and Pitts Insurance Company. I will not take up the time of the House to continue reading the list. However, basically since the Conservatives formed the Government of Canada, we have seen the collapse of a whole series of financial institutions. I do not want to suggest for a moment that it was only because of the election of the Conservative Party to form the Government of Canada, but I will say that it was a factor.

The need to move with some haste or some expedition in terms of reregulating or updating the regulations attached to Canadian financial institutions was focused on the $1 billion bank bail-out bungle perpetuated by various government Members. It was a financial mess.

Those who must bear some of the responsibility include the management of the banks in the whole matter of the bank-gate affair, when they tried to cover up the errors they had made as senior financial managers in both the Canadian Commercial Bank and the Northland Bank. Then of course outside auditors were involved—the Clarkson Gordon team, the Peat Marwick team, and the Thorne Riddell team—for not ringing the alarm bells when they should have. If they were living up to their professional responsibility, they should have said to the shareholders and the depositors that those two banks were in serious trouble. However, they too were part of a giant cover-up.

Then the Governor of the Bank of Canada told people not to worry, that the Canadian Commercial Bank was a secure bank. He told depositors to have no fear, and of course he should have known better. The Inspector General of Banks also misled, I suspect inadvertently, the people of Canada by saying that his team had been in there looking at the banks, and of course he had not. He had overlooked that and in a sense misled the shareholders, the depositors, and those doing business with those two banks, to say nothing of the then Minister of State for Finance and the Minister of Finance (Mr. Wilson) who repeatedly stood in the House of Commons as senior representatives of the Government, sending out a false message to the people of Canada, particularly the shareholders, the depositors, and those doing business with the two banks. They said: "Everything is fine, don't worry, have confidence in us". Big deal, we know what happened when the whole thing collapsed.

Of course with them went thousands of small businesses in western Canada and a concern for the shareholders, to say nothing of those people who were wondering what would happen to their deposits.

Even the six chief executive officers of the six major Canadian banks were caught up in this misrepresentation of the facts. They were brought in at the eleventh hour. They did not realize that the two banks, for all intents and purposes, were brain dead and could no longer survive. They did not know that the two banks required artificial intensive care just to keep them going in a very artificial way for some time. They should have known, but they listened to the Minister of Finance, the Minister of State for Finance, the Governor of the Bank of Canada, and the Inspector General of Banks. They had faith in these people, but of course we know now that that faith was misplaced.

Then along came the Estey Commission which proved conclusively that the failure of the two banks had nothing to do with economic conditions in western Canada. It was a popular myth at the time to say that there were difficult economic times and therefore the two banks collapsed. We were reminded of many other financial institutions which did not collapse in western Canada; they in fact remained strong and viable. It is true that they had difficult times, but they did not collapse.

• (1430)

Judge Estey of that inquiry pointed out clearly that it was the management or, more appropriately, the mismanagement of those financial institutions that made the whole set of errors, errors upon errors upon errors, made by people who had failed to do their jobs adequately. While no one person or one group of people can be targeted as being the cause of the problem, it was indeed the system. Today we are trying to improve the system.

We have made some progress in improving the system. As my colleague, the Hon. Member for Ottawa Centre (Mr. Cassidy), indicated, we are supporting parts of this legislation, but other parts we have difficulty with. The critical part of Bill C-42 responds to Estey in the creation of the office of the Superintendent of Financial Institutions. This mega-office will provide an overview of financial institutions in the country. This office will consolidate the function of the present Inspector General of Banks and the Superintendent of Insurance. The superintendent of this new office will be responsible for the administration of statutes, the execution of supervisory actions in the assessment of solvency and will be answerable, of course, to the Minister of Finance.

I will not take up any more time of the House in an effort to facilitate the passage of this Bill, but we oppose this Bill primarily for the reason that it fails, in our estimation, to deal adequately with deposit insurance. While we hold to the policy of ensuring deposits over $60,000, as long as this Government is in power the depositors know that regardless of what happens, it will move in with whatever amount of taxpayers' money is necessary, whether it is half a billion dollars, a billion or a couple of billion dollars. But there is no money for decent day care facilities, no money to provide venture capital for small business and no money to support fishermen and farmers. When it came to bailing out the uninsured depositors, made up almost exclusively of foreign banks, the Bank of Japan, Wells Fargo, the Bank of Kuwait, the Dubai National Bank—and we can go on, along came the Government of Canada, using taxpayers' money, and bailed them out.

We do not have confidence in the present Government to have faith in the present deposit insurance changes. More

appropriately, Mr. Speaker, is the ownership provision. We felt strongly about this when we looked into this whole matter in the Finance committee. As a matter of fact, I remember sitting late into the night time and time again looking into concentration in the financial community. As New Democrats, we felt ownership should be limited to 10 per cent, that 10 per cent ownership in a financial institution, like we have at the banks, is a safeguard to keep away from one individual or one group of companies having exclusive domain or having monopoly control over a particular institution.

The Finance committee thought that might be a little bit heavy, although it was okay for the banks of Canada, so they raised it to 30 per cent. They felt that any more than 30 per cent ownership would cause problems in terms of financial corporate concentration in the power exercised therein. This Bill fails totally to come to grips with that. As my colleague from Ottawa Centre indicated, even with the huge Imasco conglomerate it will only be allowed to divest down to 60 per cent ownership in its financial institution which gives Imasco total effective control, to say nothing of many, many others where the control is 100 per cent in the hands of one individual. With all due respect to Arab sheiks, they can come into Canada and pick up a financial institution and own one. That is not what we feel is in the best interests of the Canadian depositors or people doing business with the Canadian financial institutions.

We oppose this legislation. We feel reluctant that we did not have a better Bill than Bill C-42. It is a small step in the right direction. The Bill really fails to deliver the kind of protection that the Canadian public deserves, in terms of shareholders, depositors and those doing business with the Canadian financial institutions.

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MESSAGE FROM THE SENATE

The Acting Speaker (Mr. Paproski): Before I recognize the Hon. Member for Gander—Twillingate (Mr. Baker), I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed Bill S-11, an Act respecting the acquisition, operation and disposal of the Windsor-Detroit tunnel by the City of Windsor, to which the concurrence of this House is desired.

GOVERNMENT ORDERS

[*English*]

FINANCIAL INSTITUTIONS AND DEPOSIT INSURANCE SYSTEM AMENDMENT ACT

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Hockin that Bill C-42, an Act respecting financial institutions and the deposit insurance system, be read the third time and passed.

The Acting Speaker (Mr. Paproski): Resuming debate. The Hon. Member for Gander—Twillingate (Mr. Baker).

Mr. George Baker (Gander—Twillingate): Mr. Speaker, the Parliamentary Secretary to the President of the Privy Council (Mr. Lewis) apparently does not believe that I can deliver a very short address. All I need is one minute—I could take 20 minutes if I wished, but I won't because I understand we are going on to another Bill in a couple of moments—just to put on the record what the previous speaker was talking about. It is interesting to note that none of these people from the Governor of the Bank down to the top management of all of our major financial institutions, to all of the highly paid experts in the financial community during those meetings which took place, knew exactly what they were recommending or what they were about.

It is interesting to put on the record as well that politicians and Cabinet Ministers had meetings prior to the decision being made, and really on their shoulders lies the responsibility of the billion dollars which had to be spent.

There appears in this Bill a section under which fines can be levied for "not sound business and financial practices". It leads certain financial institutions to think twice about taking a chance. In other words, at the end of this month, on Tuesday, the Fisheries Improvement Loans program comes to an end, the Farm Improvement Loans program comes to an end, all of the guaranteed loans to primary producers come to an end unless Bills are passed in this Chamber by Tuesday afternoon, which obviously they will not be.

The Government of Canada, getting out of the practice of guaranteeing loans to small business people, changed the law under the Small Businesses Loans Act. Now, if you are a businessman and you walk into a bank, wanting to start up a business, you have to put 1 per cent up front first. You have to say to the bank manager "Look, I want a loan and I will pay you 1 per cent cash today in order to get that loan because that is what the Government of Canada says in its new Small Businesses Loans Act". The other primary producers cannot even get a guarantee anymore. By putting in this Bill, "not sound business and financial practices", banks will hesitate, they will think twice or three times because if it ever gets in the newspaper that they have been fined for carrying out unsound business practices, as our critic has pointed out, that

would certainly be a serious affront to that particular financial institution.

The Acting Speaker (Mr. Paproski): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mr. Paproski): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mr. Paproski): All those in favour please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mr. Paproski): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mr. Paproski): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mr. Paproski): Pursuant to Standing Order 13(5) the recorded division stands deferred until 6 o'clock p.m., Monday, June 29, 1987.

* * *

BUSINESS OF THE HOUSE

Mr. Mazankowski: Mr. Speaker, I rise on a point of order to indicate House business further to the exchange which took place here in the House a week ago arising out of the question of privilege raised by the Hon. Member for York Centre (Mr. Kaplan) and as well the point of order raised by the Hon. Member for Burnaby (Mr. Robinson). I would like to indicate at this time that House business as it relates to the proceedings next week and perhaps address the concerns that have been expressed by both Hon. Members.

• (1440)

You will recall, Mr. Speaker, as will Hon. Members, that both the question of privilege and the point of order respecting the notice and timing of the proceedings on Motion No. 5 respecting capital punishment standing in my name were left in abeyance to allow Members to have private discussions to determine if acceptable arrangements could be arrived at. For my part, I have been unable to have spokesmen for the Parties reach such agreement and arrangements. Earlier today I received rejections from my counterparts to a proposal which would have added time on Monday next to allow participation in the debate and to conclude it that day.

In the circumstances, therefore, I feel it is appropriate as a way of giving the fair notice of a vote which was sought by the Hon. Member for Burnaby and to follow up on the concerns expressed by the Hon. Member for York Centre a week ago to give adequate notice prior to the vote being taken. I would like to take this opportunity to give notice that at the next sitting of the House, immediately before the Order of the Day is called for resuming debate on government Motion No. 5 respecting capital punishment and on any amendments proposed thereto, I will move that the debate be not further adjourned.

As the Standing Orders work, the notice, when moved on Monday, will require a final vote on the question by 1 a.m. that sitting day without a provision for deferment. I regret that I cannot help the Hon. Member for Burnaby meet his request but at least—

Mr. Cassidy: So much for a free vote in the House of Commons.

Mr. Mazankowski: At least, I do want to use this opportunity to give ample and timely—

Mr. Cassidy: So much for free debate in the House of Commons.

Mr. Speaker: Order. The Hon. Deputy Prime Minister (Mr. Mazankowski) is addressing the House on a matter which is very important to this Chamber as all Hon. Members know. Members of course will have different views as to how this debate might proceed. However, the Hon. Deputy Prime Minister has come to the House to take into account at least to some degree the matters raised by the Hon. Member for York Centre (Mr. Kaplan) and the Hon. Member for Burnaby (Mr. Robinson) several days ago.

At that time, I adjourned the matter in the hope that Hon. Members on both sides of the Chamber could sort out their difficulties and arrive at some more unanimous agreement as to how the debate should proceed. The Hon. Deputy Prime Minister has said that at least in his view, that was not possible and has now come to the Chamber to, as I take it, try to meet at least some degree of the concerns that were raised the other day and to give more notice than perhaps was seen to be given before of the steps the Hon. Deputy Prime Minister is intending to take on Monday which will of course lead to a limitation of the debate, assuming that all of that does take place. However, I would ask Hon. Members to extend to the Deputy Prime Minister the same courtesy that we would extend to all others and that is to hear the Hon. Deputy Prime Minister throughout his entire remarks. Other Hon. Members may want to rise briefly and the Chair will consider that if it is appropriate.

Mr. Mazankowski: Mr. Speaker, I have almost concluded my remarks. I would simply repeat that the purpose of my coming to the House this afternoon is to try to comply with the requests made by Hon. Members opposite to provide ample and timely notice to Members who have expressed concern and

to all other Hon. Members. I appreciate being allowed to take the time of the House to do just that.

Mr. Gray (Windsor West): Mr. Speaker, we are profoundly disappointed that the Government has chosen to choke off debate on a matter as important as the reinstatement of the death penalty. This is not consistent with what happened when this matter was before the House in the past and it is certainly not consistent with the words of the Prime Minister (Mr. Mulroney) in his eloquent speech opposing the death penalty.

I do want to make an inquiry and I hope I am doing it in a proper manner. In light of the remarks of the Deputy Prime Minister (Mr. Mazankowski), I wonder when there might be rulings on the question of privilege and point of order raised in this connection Friday last. I hope my inquiry will not be taken in any way as attempting to expedite your consideration of the matter, but I feel that I must ask the question in view of what the Deputy Prime Minister has just said.

Mr. Riis: Mr. Speaker, I am very, very disappointed that we have to do this. First, I want to say to the Deputy Prime Minister (Mr. Mazankowski) that at least we appreciate the notice so that on such a critical vote, Members of Parliament from all sides will be adequately notified that the vote will take place at one o'clock early Tuesday morning. However, I want to say how profoundly sad we are that this has taken place.

So far during the debate on capital punishment, 82 per cent of the Members of the House of Commons have as yet been unable to make a speech.

Mr. Fennell: That's not true.

Mr. Riis: Eighty-two per cent have been unable to make a speech in the House of Commons. We believed the Prime Minister (Mr. Mulroney) when he said that the people of Canada would see a full and free debate and a vote in the House of Commons. We took that to mean that those Members of Parliament who wished to make a speech on capital punishment would have the opportunity to do so. Now, when 82 per cent of the Members have yet to make a speech on capital punishment, the Government is introducing a motion that will force a vote after just a few more hours of debate. That is something that we find unacceptable. Once again, we find that the Prime Minister's word is not to be taken as offered. The Prime Minister has said one thing and now the Government is doing another. That seems to be a trend that we find very, very disappointing.

I think the people of Canada will also think that they have been shortchanged. They have a right to know why their Members of Parliament are voting as they will vote at one o'clock on Tuesday morning. It is not unrealistic to expect an opportunity to be at least provided to those Hon. Members who wish to make a speech to explain to their constituents and the people of Canada why they will vote as they will.

On behalf of the New Democrats, I want to register our profound disappointment. We feel that this is an inappropriate use of parliamentary procedure. Never was the heavy hand of closure meant to limit a debate on what is literally a life-and-death issue.

On behalf of the New Democrats, I say that this action is inappropriate. This is not what the Prime Minister promised the people of Canada. It is something that we feel will detract from the esteem the public now holds for the House of Commons and the Parliament of Canada. If Hon. Members who wish to speak on an issue as crucial as this cannot, with 82 per cent of the Members of the House of Commons not yet having had the opportunity to make a speech on this critical issue, the people of Canada will feel that they too have been betrayed.

[*Translation*]

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, I too want to say how deeply disappointed I am that the Government should have decided to impose closure on the capital punishment debate.

The decision has a special impact because this is supposed to be a free vote, yet it belittles the authority of the whips, and each Member expected, or perhaps the majority of Members were expecting to have an opportunity to air their views and explain their vote.

I also think that the majority of Canadians really thought that their Members of Parliament or most of them would speak to this issue.

Speaking for myself, I may be among those who will not be able to take part in the debate and who would have liked to explain why they will be voting against the resolution to restore capital punishment.

I want to be brief, and in conclusion I would say that it is rather strange that the Government chose to impose closure on this kind of vote. Ironically, closure, which is also called the guillotine, will now apply to a bill aimed at reinstating capital punishment.

• (1450)

[*English*]

Mr. Nowlan: Mr. Speaker, I have been sitting here listening to the House Leader on this very sensitive and serious issue. Having been involved in three other debates on capital punishment in my term as a Member, knowing full well the emotion and division this debate creates because it deals with individual conscience, I am frankly rather disappointed at the reaction from those on the opposition side, and I have sat there myself. I was hoping the House Leaders would have been able to reach an agreement to shorten the time for the debate and extend the hours. If Members opposite really wanted to give every Member an opportunity to participate in the debate, surely that would have been the simple thing to do. House Leaders could have come together for that purpose, not for partisan political reasons in order to try and castigate the

Prime Minister (Mr. Mulroney). They can face up to the issue without making cheap political points.

I am not going to have a chance to speak in this debate, but I am not that worried. There is not a Member of this House who cannot communicate with the media as to why he or she votes the way they vote. To lay the blame on the Prime Minister is to give it to him both ways. I have had some problems with the Prime Minister on other issues, but I am not prepared to sit here and listen to the hypocrisy involved in lambasting the Prime Minister for not fulfilling his promises and then doing the same thing when he tries to fulfil a promise on something as sensitive as capital punishment. The Opposition in their hypocrisy tried to condemn him there, too.

I think the House Leader has been most reasonable in trying to come up with a deal which nobody here has talked about. We could have sat here all weekend, any weekend and had this thing—

Mr. Speaker: Order, please.

Mr. Nowlan: This leaves me absolutely cold.

Some Hon. Members: Hear, hear!

Mr. Speaker: I indicated that to the degree it was appropriate I would recognize Members, and I may well recognize a few more. However, I want to warn that in the mind of the Speaker this exchange could very rapidly become a debate on something else entirely. I do not think that would be appropriate.

[*Translation*]

Mr. Jean-Robert Gauthier (Ottawa—Vanier): In my opinion, Mr. Speaker, every Member enjoys the privilege and the right to speak in the House. Sixteen Members of the Official Opposition have expressed their desire to take part in this debate. If anything is important at all in this House, it has to be that Members may express themselves, speak, and present their points of view. What this Government has done by imposing closure is that it turns this into a partisan issue, it adopts with respect to this question a new policy which restricts the right to speak of the Members of the Official Opposition, and I strongly object to that policy. I think it is irregular and unacceptable, Mr. Speaker. Again I repeat that 16 Members on this side are anxious to take the floor, and we will do everything we can to make sure they get it.

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, I deplore the Government's decision, and especially, and that is the point of order, the fact that the Government interfered in a debate that had been initiated as part of Private Members' Business. Furthermore, according to the Government spokesman, it was initially supposed to be a free debate and a free vote without any inteference on the part of the Government.

I also deplore the statement by the Government House Leader, who said that, after seeking a consensus with the opposition parties, he had been obliged to announce closure.

Mr. Speaker, the Government House Leader wanted the Opposition parties to accept his proposal to finish the debate next Monday or else he would impose closure. Mr. Speaker, it was no choice at all.

Quite frankly, I think it is hypocritical of the Prime Minister and his Government, the Minister of Justice and the rest who have clearly stated they are against capital punishment, to let the debate go on and then all of a sudden insist on a vote.

I would say to my colleagues opposite, Mr. Speaker, that all Members should have a chance to participate. It was this Government's decision to have the issue debated in the House. We felt there were many other questions that were far more important to Canadians than spending days and weeks and months on the debate on capital punishment. Everybody knows now it is hardly likely this process will lead to a Bill and, subsequently, to the application of the death penalty.

Mr. Speaker, we may well ask why the House has spent so much time and effort on this issue. Didn't the Government know enough not to initiate this process or have it initiated? And why is the Government now interfering with this question instead of leaving it as Private Members' Business?

[*English*]

Mr. Belsher: Mr. Speaker, I am not sure that opposition Members would agree to any time being convenient to bring in closure. The suggestion that it will happen on Monday certainly will not be agreeable. However, if the people opposite are sincere in wanting to make sure Members have an opportunity to speak they could, through the House Leaders, talk about a limited time of five minutes or 10 minutes for each person to speak in the debate on Monday. Thus all Members could be accommodated.

Mr. Tobin: Mr. Speaker, I am one of those who is probably going to find himself in much the same position as other Members who want to speak on this Bill. Let us be clear what we are doing. The House is being asked to endorse or reject a motion which in principle affirms capital punishment as a suitable vehicle for the state to carry out the law of the land. We are talking about the House of Commons saying yes or no to capital punishment. For Members to stand up and suggest that five minutes or four minutes or three minutes is an appropriate amount of time for a small number of Members to be heard on such a fundamental question is simply unacceptable, as well intentioned as those comments may have been. I include the Hon. Member for Annapolis Valley—Hants (Mr. Nowlan) in that comment.

If there is to be something said for House Leaders going back to the negotiating table and discussing this further, then I would suggest, if there is any hope of a reasonable or rational solution being arrived at, the three gentlemen involved should go and do it. I for one cannot agree in any way, shape or form to do anything but to refuse to allow the business of this House to proceed if the Government is going to invoke closure on a fundamental question like capital punishment.

I cannot accept on the one hand the Prime Minister (Mr. Mulroney) standing in this House making the speech he made just a few short days ago and today the man who sits at his right hand, the Deputy Prime Minister (Mr. Mazankowski), walks into the House and moves closure. The Prime Minister said he would do all within his power to oppose capital punishment and two days later in walks the Deputy Prime Minister and moves closure.

Mr. Speaker: The Hon. Member for Humber—Port au Port—St. Barbe (Mr. Tobin) is raising a point which was raised a few days ago. I suggest to the Hon. Member for Windsor West (Mr. Gray) that the Chair would find it appropriate to make a ruling and I will do so at eleven o'clock Monday morning. I do not see anything to be gained by re-arguing what I heard a few days ago. I assure all Hon. Members that I have the point and that having been through this same debate twice in my time in this Chamber, along with many of those who are here today, I understand completely the feelings, sentiment, emotion, and some of the other things that go with it. With that we can close off the argument and I will come back to the Chamber at eleven o'clock Monday morning.

Mr. Lewis: Mr. Speaker, there have been discussions among the Parties and I think you might find there is a disposition to not see the clock in order that the House may deal with report stage of Bill C-56 and third reading on consent, which deals with certain Acts relating to financial institutions. In addition, we would deal with second and third reading of Bill C-66, an Act to establish the Veterans Appeal Board. Having dealt with those two items, we would adjourn for the weekend.

• (1500)

Mr. Riis: Mr. Speaker, I want to confirm that there have been discussions. There was an undertaking by the House Leaders to assist the Government in passing certain Bills, particularly that of concern to veterans and the tandem legislation to the Bill with which we have just dealt.

On behalf of the New Democratic Party, it is our intention not to see the clock for a few minutes in order to allow the completion of this legislation today.

Mr. Gray (Windsor West): Mr. Speaker, after the conduct of the Government in moving closure, it does not deserve any consideration with respect to its legislative package.

Mr. Nickerson: Don't take it personally.

Mr. Gray (Windsor West): If that is the way it is, good-bye.

Mr. Speaker: It may be that the Chair could ignore the clock for a couple of seconds in case anyone wants to change their mind. I am, of course, prepared to co-operate. Are there any Members rising?

Mr. Riis: Mr. Speaker, I want to echo the sentiments of my hon. friend, the Member for Windsor West (Mr. Gray), the House Leader for the Liberal Party, that it is very frustrating, when you are trying to accommodate business of the House, to have members of the Government yelling across the floor at you. That is very difficult.

However, I would like to propose that we take five minutes to deal with the Bill of interest to veterans. The Minister of Veterans Affairs (Mr. Hees) is here. He has been waiting patiently all day. We had an understanding that this Bill would be dealt with earlier. I think the Parliamentary Secretary to the Government House Leader (Mr. Lewis) made an error in the order of the business for today. In order to facilitate the Minister of Veterans Affairs, I suggest that we take two or three minutes to deal with this Bill.

Mr. Speaker: Is there consent?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

VETERANS APPEAL BOARD ACT

MEASURE TO ENACT

Hon. George Hees (Minister of Veterans Affairs) moved that Bill C-66, an Act to establish the Veterans Appeal Board and to amend other Acts in relation thereto, be read the second time and referred to a legislative committee.

He said: Mr. Speaker, before speaking on Bill C-66 I would very much like to thank my hon. friends, the Member for Hull—Aylmer (Mr. Isabelle) and the Member for Beaches (Mr. Young), for their gracious assistance in seeing this legislation passed through all stages today. I appreciate very much the attitude of all Members of this House and their kindness in allowing this important Bill to come before the House. I also wish to thank the Government and Opposition House Leaders who so kindly and generously agreed to see this legislation brought forward before the summer recess.

Hon. Members will be aware of the substantial progress that has been made in reducing delays in the disability pension process. In the last two and one-half years the time required to process pension applications has been cut by well over half. At the same time, a far greater percentage of decisions are going in favour of the veteran today than was the case previously.

These very satisfactory results have been achieved in the face of an almost 100 per cent increase in case load. It is quite a remarkable feat for any operation to double its work-load while slashing its turnaround time by over half. Bill C-66 will help us to continue to achieve these kinds of results for veterans and their dependants.

We are proposing that the Pension Review Board and the War Veterans Allowance Board, two independent quasi-judicial boards, be merged into a single Veterans Appeal Board. In this way we will be able to make maximum use of

our existing resources without diminishing existing appeal rights for veterans in any way whatsoever.

This merger is necessary because the Pension Review Board is under considerable strain as its annual case load has increased by nearly 100 per cent from 1,335 to 2,654 applications in just three years. Hon. Members will appreciate that as veterans grow older their disabilities tend to become more serious. That is why more and more pension claims are coming forward each year.

By way of contrast, the War Veterans Allowance Board carries a lighter work-load as veterans grow older. This is because war veterans allowance is an income-tested program. Once veterans reach age 65 they become eligible for Old Age Security benefits and so are much less dependent on Veterans Affairs for income support. The result is that the number of appeals coming before the War Veterans Allowance Board has dropped by 73 per cent in the last three years.

Yet, Mr. Speaker, at present the War Veterans Allowance Board has more person-year resources than the Pension Review Board. A combined Veterans Appeal Board will permit us to concentrate our resources on the area where they are most needed—pension appeals. Hon. Members should also be assured that no Public Service layoffs will result from the merger. Any public servants not required at the new board will be transferred to other areas of Veterans Affairs.

I am also glad to report that this legislation meets with the approval of the major veterans' organizations. Indeed, the National Council of Veteran Associations recommended the merger some time ago and the Royal Canadian Legion has publicly endorsed the proposal. Both associations were consulted prior to the development of Bill C-66.

In short, Mr. Speaker, we are asking the House to approve a measure which will streamline our pension process to enable us to provide better, more efficient service for now and in the future.

I again wish to thank all Hon. Members for their very kind co-operation in permitting the passage of this legislation through all stages today. Such co-operation is a superb example of the very high esteem in which Canada's veterans are regarded by their elected representatives.

I thank the Members of the House for their co-operation very, very much indeed.

Some Hon. Members: Hear, hear!

[*Translation*]

Mr. Gaston Isabelle (Hull—Aylmer): Mr. Speaker, I should like to thank my colleagues—at least the Liberals, of course—for having so generously agreed to debate Bill C-66 which, for all practical purposes, establishes the Veterans Appeal Board.

Mr. Speaker, as the Official Opposition critic I am very pleased to make a few comments on this subject. First I want to thank the Minister for giving me the documents required to study this piece of legislation to set up the administrative mechanism which I am sure will contribute to meet the needs of veterans in an effective manner.

I can say that we support this essentially administrative measure, and we are impatiently waiting for the new omnibus bill which we have been promised for next fall and which will update the 27 laws dealing with veterans affairs.

Mr. Speaker, I think this approach reflects the sound management of veterans affairs since there will be a merger—the purpose of this Bill—of the War Veterans Allowance Board and the Pension Review Board. As we all know, veterans do grow old like everybody else, and since War Veterans Allowance Board benefits are simply an income supplement of sorts for those who needed them, for those who at age 65 are more or less transferred to the income supplement section of the Department of National Health and Welfare, naturally the work of this War Veterans Allowance Board loses some of its importance. The WVAB also had more staff than the Pension Review Board which has an ever increasing workload, and at the same time it had much fewer employees than the War Veterans Allowance Board.

Mr. Speaker, I think this is sound management. I think the Minister . . . I don't know whether this is one of the results of the Marin Commission, but I do think that improving management is a step in the right direction. There is also the considerable savings involved in a merger of these two boards, probably as much as $400,000, and I hope that amount will be given to our veterans instead of being paid back to the Treasury Board or put in the revolving fund to be spent on other employees or other purposes. I am sure veterans will continue to get the same service, perhaps more efficiently.

I also noted that as far as staff was concerned, Pension Review Board Canada and War Veterans Allowance Board Canada had a staff of fifty-eight employees. I have been given the assurance there will be no jobs lost and that employees who can no longer be employed within the former boards will be transferred to other jobs in the Department. So I think this is a very wise decision, an administrative decision that is both economical and efficient, and I am sure that the veterans who acted on the Minister's suggestion to submit their claims to the Review Board if they thought there was a worsening of their case or that they could in some way benefit from certain pensions through the Department of Veterans Affairs will agree.

I am sure that this merger, the regrouping of these two entities will generate greater efficiency, as I believe is the purpose, in addition to saving the Department considerable sums of money. And here again, I would ask the Minister whether the money thus saved could be spent on other programs, on veterans who need it and who have given so much of their lives to their country. I hope they will finally get some tangible reward that will make their lives more comfortable, especially if we can finally provide them with some pleasant moments every year.

• (1510)

[*English*]

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, on behalf of the New Democrats, particularly the Hon. Member for Beaches (Mr. Young), it is an honour to make this presentation in response to Bill C-66 and the comments of the Hon. Minister of Veterans Affairs (Mr. Hees).

I want to indicate why there is such a spirit of co-operation and willingness of all Members of the House to essentially break the Standing Orders to accommodate the Minister and Bill C-66. The Minister makes it a habit, in a true spirit of Parliament, of involving his critics in his decision-making and the processing of legislation. I know that the critic for the Liberal Party and my friend, the Hon. Member for Beaches, have always indicated on every occasion how much they appreciate working in co-operation with the Minister of Veterans Affairs to ensure that the lives of veterans are made as comfortable and positive as possible in our country.

If other Ministers, particularly other chairpersons of standing committees, operated in that same co-operative spirit, the business of this House would flow much more smoothly. It would be much more productive and the level and quality of parliamentary debate and discussion would be elevated. I hold up the Minister of Veterans Affairs as a model for his colleagues to follow.

Bill C-66 brings together the War Veterans Allowance Board and Pension Review Board under a new umbrella organization called the Veterans Appeal Board. We believe that it is an appropriate step at this time. We recognize that this particular initiative has been approved by the Royal Canadian Legion, other organizations representing veterans, and the National Council of Veterans Associations.

With their endorsement, we feel comfortable that now is the time to proceed with this as expeditiously as possible. We also recognize that there are improvements yet to be made to the War Veterans Allowance Act. The Minister has indicated his intention to bring forward amendments to the veterans' legislation in the fall, to further improve Canada's treatment of our veterans.

We look forward to continuing our co-operation with the Minister of Veterans Affairs to ensure that Canada's veterans are fully recognized for the sacrifice they made on our behalf.

We look forward to working co-operatively with the Minister when he brings forward his omnibus Bill which will essentially bring together as many as 27 different Acts that refer to the veterans who served Canada so gallantly in the past. We must never forget the contribution they made.

We appreciate being able to work with the Minister in such a co-operative way on behalf of Canada's veterans.

Mr. George Baker (Gander—Twillingate): Mr. Speaker, I simply want to say that I am sure all Members would agree that the Minister has been doing an excellent job, along with the official critics of both other Parties. The Minister has certainly been responsive to all MPs and the letters that have been written on behalf of veterans. It is certainly good to see such great co-operation between a Minister and Members of Parliament from both sides of the House, and the excellent manner in which the critic for the Official Opposition and the critic for the NDP have been able to work with the Minister of Veterans Affairs (Mr. Hees).

There is one point I want to make on a personal note, in dealing with problems of many constituents. Other Members have mentioned that they have experienced the same problem. It concerns the situation of a veteran who qualifies for a disability allowance and a judgment is made by the appeal board to pass a lump sum payment on to the veteran. If the veteran has received a pension from a private pension scheme all along, sometimes, as a result of the additional amount of money to be paid as a result of the judgment by the Veterans Appeal Board, the private pension firm wishes to recover some of the money the veteran has received over the years.

Perhaps by putting this on the record some way can be found to assist those veterans, some of whom have been involved in court battles with the private pension firms in this country. This could include paying their legal fees or assisting them in some way.

With those few words of appreciation to the Minister and critics of the other two Parties in the House on behalf of back-bench MPs, I will conclude my remarks.

The Acting Speaker (Mr. Paproski): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the second time and, by unanimous consent, considered in committee, reported, read the third time and passed.

• (1520)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): I have just a brief point of order. The other day the Hon. Member for Regina West (Mr. Benjamin) made the point as the Speaker read through the various motions which are on the Order Paper, all having been stood by the Members, about that happening each day, and it occurred to me as the Chair went through 44 clauses of a Bill which had consent to clear all stages, that it was perhaps a little redundant to have the person in the chair—

The Acting Speaker (Mr. Paproski): I think the Hon. Member should have raised the point at the time. It is redundant now.

Veterans Appeal Board

It being 3 p.m., pursuant to order made Friday, June 12, 1987, the House stands adjourned until Monday, June 29, at eleven o'clock pursuant to Standing Order 3(1).

At 3.26 p.m. the House adjourned.

HOUSE OF COMMONS

Monday, June 29, 1987

The House met at 11 a.m.

Prayers

[*English*]

PRIVILEGE

APPLICATION OF THE PROVISIONS OF S. O. 57 TO THE DEBATE ON THE REINSTATEMENT OF CAPITAL PUNISHMENT

Mr. Speaker: On Friday last, just before the House adjourned, the Hon. Deputy Prime Minister (Mr. Mazankowski) renewed notice of his intention to move a motion under Standing Order 57 in relation to Government Business No. 5.

If the closure motion is moved and adopted later this day, the result will be that at one o'clock Tuesday morning all debate on the motion for the reinstatement of capital punishment will end and the House will divide on the motion and any amendments thereto.

On Friday, June 19, the day after the Deputy Prime Minister first gave notice of closure, the Hon. Member for York Centre (Mr. Kaplan) rose on a question of privilege, arguing that the Deputy Prime Minister was making illegitimate use of the rules of the House. The Hon. Member for York Centre, in his argument, referred to a ruling by the Chair on April 14, 1987, and asked the Chair to apply the same logic used then to the present situation.

When the Chair ruled on April 14, the House was at a standstill. Routine Proceedings were, for several days, totally taken up by dilatory tactics that were a matter of grave concern to me. I refer Hon. Members to page 5120 of *Hansard*, where I reported my dilemma as follows:

> The House is nevertheless facing an impasse which it has been unable to resolve for itself. There comes a time when the Chair has to face its responsibilities. When circumstances change and the Rules of Procedure provide no solution, the Chair must fall back on its discretion in the interests of the House and all its Members.

Further, on page 5121 of *Hansard*, I said the following:

> I repeat my conviction that the entire question of the use of dilatory motions during Routine Proceedings needs to be examined and that no procedures should be sanctioned which permit the House to be brought to a total standstill for an indefinite period. Division bells are no substitute for debate.

If Hon. Members have taken from my ruling of April 14 that the Chair would, in the future, exercise discretion on any or all of the rules of the House, they have misunderstood the letter and the spirit of the ruling. The discretion I exercised on that day was in the context of an absolute lack of any guidance in the Standing Orders—I repeat, in the context of an absolute lack of any guidance from the Standing Orders—or in the precedents, or practices, or conventions of this House. Nor was there any direction from the House itself, at that moment.

The Hon. Member for York Centre and the Hon. Member for Burnaby (Mr. Robinson) were skilled advocates in the arguments they presented on June 19 last. The Chair appreciates that it may be very difficult for Hon. Members on both sides of the capital punishment debate to focus only on the Speaker's role at this time. It is essential, I might add, that the Chair refrain from showing sympathy with one side or the other on such an important national debate. What the Chair must now address is, quite simply, the terms of Standing Order 57, which have been unchanged since 1913.

Notice of closure has been given 23 times since 1913; it has been moved and adopted 19 times. It is not a new Standing Order, even if only infrequently used. This present situation is not without precedent. Closure has been used by all Parties while in Government; it has been used after much, and after very little debate. It remains to this day a procedural avenue available to the Government. By and large, the timing of its use becomes a political issue, but some debate clearly must have taken place. Thus, the timing of closure in debate is clearly not a procedural matter.

[*Translation*]

The Hon. Member for York Centre (Mr. Kaplan) referred to the British practice which is quite different. The application of closure in Westminster cuts off any further debate. The British rule is very severe, and that is why their Standing Orders authorize the Speaker to refuse the motion if he finds it abuses the rules.

[*English*]

The British practice, which has been referred to, is quite different. When closure is applied in Great Britain no further debate can take place. In our Commons, debate continues after the adoption of the closure motion until 1 a.m. on that sitting day. The British rule is more severe, and thus their Speaker is given by a specific Standing Order the discretion to refuse the motion. The Canadian Commons has not given its presiding officer such discretionary power.

I have reviewed all of the arguments put forward by the Hon. Member for York Centre, the Hon. Member for Windsor West (Mr. Gray), the Hon. Member for Kamloops—Shuswap (Mr. Riis), the Hon. Member for Humber—Port au Port—St.

Barbe (Mr. Tobin), and the Hon. Member for Burnaby. Politically speaking, I can understand their concern; procedurally speaking, as your presiding officer, as were many Speakers before me, I am without authority to intervene when a Standing Order is used according to our rules and practices.

The House has adopted Standing Order 57. The House must accept its consequences, if it is invoked. The Hon. Deputy Prime Minister, having given notice at a previous sitting, has so far complied with the terms of Standing Order 57. If he chooses to move the appropriate motion later today, I shall have no choice but to put the question to the House.

ROUTINE PROCEEDINGS

[*English*]

INTERPARLIAMENTARY DELEGATION

PRESENTATION OF THE EIGHTEENTH REPORT OF THE CANADIAN NATO PARLIAMENTARY ASSOCIATION

Mr. Bob Hicks (Scarborough East): Mr. Speaker, pursuant to Standing Order 101, I have the honour to present to the House the Eighteenth Report, in both official languages, of the Canadian NATO Parliamentary Association.

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COMMITTEES OF THE HOUSE

FINANCE AND ECONOMIC AFFAIRS—TENTH REPORT OF THE STANDING COMMITTEE

Mr. Don Blenkarn (Mississauga South): Mr. Speaker, I have the honour to present, in both official languages, the tenth report of the Standing Committee on Finance and Economic Affairs in relation to the smuggling and tax evasion of those bringing motor fuel into Canada.

The committee makes a number of recommendations, principally directing the Department of National Revenue to reinstate the licences of independent dealers in petroleum products who have successfully passed a history of audit, and introduce a new system whereby new entrants into the field will obtain a licence by filing a letter of credit to ensure that they can and will pay tax due.

The committee calls upon the Minister of Consumer and Corporate Affairs (Mr. Andre) to investigate the pricing of motor fuels since the recent Budget, to determine what anti-competitive behaviour there has been, if any, by the major refiners in the country.

AGRICULTURE—THIRD REPORT OF STANDING COMMITTEE

Mr. A. H. Harry Brightwell (Perth): Mr. Speaker, I have the honour to present the third report of the standing committee on agriculture to which, pursuant to Standing Order 99(2), the committee requests a comprehensive response.

This report is a study on the tobacco-growing industry, Mr. Speaker, and of the communities affected by the decline in that industry. This industry is in decline, and the decline is damaging farm families and the communities, and some of the decline is caused by government policy on smoking and by taxation.

This report makes recommendations that could ease the transition that is occurring and, in doing so, could benefit all depressed communities in Canada.

JUSTICE AND SOLICITOR GENERAL—FOURTH REPORT OF STANDING COMMITTEE

Mr. David Daubney (Ottawa West): Mr. Speaker, I have the honour to present, in both official languages, the fourth report of the Standing Committee on Justice and Solicitor General, on the subject matter of Private Member's Bill C-234, the Missing Children Search Act, to which the committee requests that the Government respond prior to September 1, 1987.

• (1110)

The committee recommends that the Criminal Code be amended to ensure that searches for missing children are properly and expeditiously carried out and to make it an offence to fail to report a missing child or to fail to assist in the search for a missing child.

AGRICULTURE—FOURTH REPORT OF STANDING COMMITTEE

Mr. Lee Clark (Brandon—Souris): Mr. Speaker, I have the honour to present, in both official languages, the fourth report of the Standing Committee on Agriculture dealing with farm input costs. Pursuant to Standing Order 99(2) the committee requests that the Government table a comprehensive response within 150 days.

MULTICULTURALISM—FIRST REPORT OF STANDING COMMITTEE

Mr. Gus Mitges (Grey—Simcoe): Mr. Speaker, I have the honour to present the first report of the Standing Committee on Multiculturalism, in both official languages.

In this report, Mr. Speaker, your committee wishes to point out that many Canadians still face discrimination and that the human and economic resources inherent in the linguistic and cultural diversity of Canada have not been utilized to realize the full potential of Canada's multicultural, multiracial society. There is an overwhelming need to move ahead now with specific measures to integrate multiculturalism into all aspects of Canadian social, political and economic life.

The Standing Committee on Multiculturalism therefore puts forward major recommendations to accomplish this and asks the Government and all Hon. Members to give these recommendations their serious consideration.

[*Editor's Note: See today's Votes and Proceedings.*]

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MARRIAGE (PROHIBITED DEGREES) ACT

MEASURE TO ENACT

Mr. Rob Nicholson (Niagara Falls) moved that Bill S-5 (from the Senate), an Act to amend and consolidate the laws prohibiting marriage between related persons, be read the first time.

He said: Mr. Speaker, I am pleased to present a Bill that will amend and consolidate the laws prohibiting marriage between related persons. It is straightforward and will clear up any confusion that may exist with respect to prohibited classes of individuals entering marriage. This matter has received full consideration and has been passed by the other place. I hope that it receives speedy passage in the House.

Motion agreed to and Bill read the first time.

* * *

PETITIONS

REQUEST FOR LEGISLATION DEALING WITH STRIP CLUBS

Hon. Herb Gray (Windsor West): Mr. Speaker, I rise to present a petition to the House signed by some 45 people in the Windsor area. It calls on the federal Government to amend the Criminal Code to make it possible for provincial Governments to more easily deal with the problem of the proliferation of strip clubs, a problem concerning many in the Windsor area.

This petition, while signed by some 45 people, represents petitions signed by some 20,000 people in the Windsor area calling for the kind of action spelled out in the petition. In this regard, there will also be petitions presented by my colleagues from the Windsor area.

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I too have a petition to present which calls on the Government to make changes to the Criminal Code which will delegate to provincial Governments the capacity through their liquor licensing laws to regulate and to control strip clubs in the City of Windsor and, of course, elsewhere in the Province of Ontario.

This subject has been of great concern to the citizens of Windsor for many months. I am very pleased to present this petition from approximately 50 Windsor residents, which

petition represents a much greater number of people who have also signed petitions in this city.

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, I am pleased to join with my colleagues from Windsor in tabling a petition signed by some 50 people from the Windsor area representing some 20,000 people who have signed similar petitions. They are concerned about the proliferation of adult entertainment parlours in that city, particularly with respect to the apparent involvement of criminal elements in this activity. They seek the enactment of legislation which would allow the province to pass laws regulating and governing the manner of dress or degree of nudity of persons employed by or in establishments providing adult entertainment.

OPPOSITION TO NEW SYSTEM OF TAXATION OF NORTHERN BENEFITS

Mr. Rod Murphy (Churchill): Mr. Speaker, I have the honour to present a petition in which the petitioners express their opinion that the new system of taxation of northern benefits hurts people, especially in the communities of Thompson and Wabowden, that the taxing of northern benefits is heavy-handed and complicated, taking away benefits intended to compensate employees for loss of amenities.

The undersigned call upon the House of Commons to direct the Minister of Finance (Mr. Wilson) to reconsider this system of taxing northern benefits as part of tax reform. This petition is signed by people from Thompson, Wabowden, Lynn Lake, Leaf Rapids, Flin Flon and The Pas, Manitoba.

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Dan Heap (Spadina): Mr. Speaker, it my honour and pleasure to present a petition from more than 400 Canadians from places such as Toronto, Whitehorse, Vancouver and other parts of British Columbia, Alberta, Winnipeg, Windsor, Smith's Falls, Perth, London, Ontario, Kelowna, Halifax and Ottawa.

• (1120)

The petitioners are very concerned for the many people who are driven by persecution to seek safety in Canada and for the breakdown of the previous system of refugee determination.

They support the proposal put forward by the Standing Committee on Labour, Employment and Immigration a year and a half ago, which had all-Party support and was also endorsed by the Canadian Council of Churches, many members of the Bar Association, the Canadian Jewish Congress, and others.

They urge that Parliament enact legislation which will embody the principles of fair and quick oral hearings for refugee claimants before a refugee board independent of the Immigration Commission, universal access to such hearings for

every claimant in Canada, and adequate opportunity to arrive in Canada to make this claim.

I also have a petition signed by more than 600 Canadians from all over the country—Toronto, Ottawa, Vancouver, other parts of British Columbia, Newfoundland, and Alberta. They point out that the Government's proposed legislation, Bill C-55, fails to meet the demands of the public and the recommendations of the Standing Committee on Labour, Employment and Immigration.

Therefore they urge Parliament to ensure that Bill C-55 will be withdrawn and to substitute therefor legislation embodying the principles of fair and quick oral hearings of claims of refugee claimants before a refugee board independent of the Immigration Commission, universal access to such hearings for every applicant in Canada, and the right of appeal on the basis of fact.

[*Translation*]

REQUEST FOR REVIEW BY THE CCN OF RENTAL INCREASES FOR LA MAISON D'AMITIÉ

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, once again, it is my duty to table some twelve petitions signed by people from my riding who wish the House would be kind enough to help *La Maison d'Amitié*, a francophone non-profit organization which looks after women and children in distress.

Mr. Speaker, those people are presenting a petition in which they humbly state that according to a report made public by the Canadian Advisory Council on the Status of Women, one woman out of eight is subjected to psychological, economic, sexual or verbal violence by her spouse; that at a time when the Government should act instead of cracking down, the National Capital Commission intends to raise the rent for *La Maison d'Amitié*, the only non-profit francophone organization for women and children in distress, by more than 3,000 per cent; that the Prime Minister himself stated recently in the House that the problem of battered women is one of the most serious social and legal challenges facing us today; therefore, the petitioners humbly pray and call upon Parliament to urge the National Capital Commission to reverse its decision to raise the rent and to continue, as in the past, charging the symbolic sum of one dollar.

[*English*]

OPPOSITION TO NEW SYSTEM OF TAXATION OF NORTHERN BENEFITS

Mr. Jim Fulton (Skeena): Mr. Speaker, I am pleased to table today a petition signed by northerners who are concerned that the new system of tax deductions for northern residents has been unfairly applied, that the taxing of northern benefits is heavy-handed and complicated, and that it taxes away benefits intended to compensate northerners.

OPPOSITION TO CHANGES TO PATENT ACT

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, I have upwards to 100 petitions which I would like to table today, signed by residents from Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland, Quebec, Ontario, Saskatchewan, Manitoba, Alberta, British Columbia, and the Northwest Territories.

The proposed changes to the Patent Act will directly affect all Canadians who are not protected by private or government medical programs.

Whereas the federal Government's proposals will raise the already high cost of provincial health care programs; whereas the monopoly granted to innovative pharmaceutical companies will prevent competition from generic companies, will result in an increase of drug costs and prices, and will severely restrict the ability of average Canadians to buy necessary prescription drugs; and whereas the proposed changes to the Patent Act are another example of the Canadian Government's concession in the free trade negotiations with the United States at the expense of every day Canadians, the petitioners call upon the Government of Canada to reject these proposals with regard to the amendments to the Patent Act which will inevitably increase prescription drug prices for all Canadians.

OPPOSITION TO NEW SYSTEM OF TAXATION OF NORTHERN BENEFITS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is my pleasure to present a petition on behalf of a number of northern Canadians, pursuant to Standing Order 106, who are of the opinion that the new system of tax deductions for northern Canadian residents have been applied in an unfair way and leave out many communities which ought to be included in terms of being able to take advantage of special northern deductions.

They believe that the northern benefits system is heavy-handed and complicated and taxes away existing benefits which were in fact intended to compensate employees working in northern Canada because of the loss of amenities they experience.

They ask the House of Commons to direct the Minister of Finance (Mr. Wilson) to reconsider the system of tax measures when the tax reform study takes place, since he promised to do so in the 1987 Budget.

SUPPORT FOR THE REINSTATEMENT OF CAPITAL PUNISHMENT

Mr. Sid Fraleigh (Lambton—Middlesex): Mr. Speaker, I am pleased to present on behalf of citizens of Ontario and Canadians from across the country 1,425 signatures calling upon Parliament to pass a motion favouring the return of capital punishment in Canada.

These signatures, which now total 29,904, represent the strong will of Canadian people on this important issue.

Mr. Patrick Crofton (Esquimalt—Saanich): Mr. Speaker, I have the honour to present a petition signed by 1,043 Canadians from across the country, urging Members of the House to

support the motion before it calling for the restoration of capital punishment.

Mr. Bill Gottselig (Moose Jaw): Mr. Speaker, I am pleased to present on behalf of citizens from across Canada 1,014 signatures calling upon Parliament to pass a motion favouring the return of capital punishment in Canada.

The signatures, which now total 31,961, represent the strong will of Canadian people on this important issue.

Mrs. Mary Collins (Capilano): Mr. Speaker, I have the honour to present petitions on behalf of citizens of British Columbia and other Canadians from across the country including 1,000 signatures. They call upon Parliament to pass a motion favouring the return of capital punishment in Canada.

These signatures, which now total 32,961, represent the strong views of the Canadians who signed these petitions on this important issue.

Mr. Paul Gagnon (Calgary North): Mr. Speaker, I am pleased to present on behalf of citizens of Nova Scotia, British Columbia, Ontario, and Alberta—Canadians from across Canada—1,255 signatures calling upon Parliament to pass the motion favouring the return of capital punishment.

These signatures, which now total 34,216, represent the strong will of the Canadian people on this important issue.

Mr. Alex Kindy (Calgary East): Mr. Speaker, it is a pleasure to present, pursuant to Standing Order 106, a petition signed by 3,493 people from my riding and elsewhere in Alberta, asking Parliament to vote at one o'clock tomorrow morning in favour of capital punishment.

Mr. Bill Domm (Peterborough): Mr. Speaker, I am pleased to present to the House of Commons the final number of petitions which have been received by various Members of Parliament, bringing the total, despite temporary disruptions in the postal service, to 39,256 persons from across Canada. They urge Parliament to support the reinstatement of capital punishment at the appropriate time during our vote at one o'clock tomorrow morning.

These signatures were collected by the Canadian National Police Association, the Ontario Provincial Police Associations, the Victims of Crime, Citizens Responding to You, and Citizens United for Safety and Justice.

They urge Parliament to vote in support of a return to capital punishment in Canada for certain acts of planned, deliberate murder, and the killing of police officers and prison guards.

Message from the Senate

QUESTIONS ON THE ORDER PAPER

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I would ask that all questions be allowed to stand.

Mr. Speaker: Shall all questions be allowed to stand?

Some Hon. Members: Agreed.

Miss Nicholson (Trinity): Mr. Speaker, I rise on a point of order in response to what the Hon. Parliamentary Secretary has just said. May I just point out that I have had a question on the Order Paper since February 20. It really seems a long time, and I wonder if the Parliamentary Secretary might have an answer tomorrow, if not today.

• (1130)

Mr. Lewis: Mr. Speaker, with respect, I believe, to Question No. 85, we have made inquiries and I was promised last week that we would have an answer before the end of the session. I will reiterate that request and see if I can get it.

* * *

ELECTORAL BOUNDARIES READJUSTMENT ACT

TABLING OF SUPPLEMENTARY REPORT OF THE COMMISSION—SASKATCHEWAN, 1987

Mr. Speaker: It is my duty pursuant to the provisions of the Representation Act, 1985, to lay upon the Table a certified copy of a supplementary report of the Electoral Boundaries Commission of the 1987 report for the Province of Saskatchewan.

* * *

[*Translation*]

MESSAGE FROM THE SENATE

Mr. Speaker: I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed Bill C-259, to extend the term of a patent relating to a certain food additive, with an amendment to which the concurrence of this House is desired.

[*English*]

CAPITAL PUNISHMENT

MOTION THAT DEBATE BE NOT FURTHER ADJOURNED

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I move, seconded by the Hon. Minister of Agriculture (Mr. Wise):

That the debate on the motion in the name of the Deputy Prime Minister and President of the Privy Council (Government Business No. 5) respecting capital punishment and any amendments thereto, shall not be further adjourned.

[*Translation*]

Mr. Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Speaker: All those in favour will please say yea.

Some Hon. Members: Yea.

Mr. Speaker: All those against will please say nay.

Some Hon. Members: Nay.

Mr. Speaker: In my opinion the yeas have it.

And more that five Members having risen:

Mr. Speaker: Call in the members.

The House divided on the motion, which was agreed to on the following division:

• (1140)

(*Division No. 220*)

YEAS

Members

Andre
Attewell
Belsher
Bernier
Bissonnette
Blais
Blenkarn
Blouin
Bourgault
Boyer
Brightwell
Cadieux
Caldwell
Charest
Chartrand
Collins
Comeau
Cook
Cooper
Corbett
Cossitt
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Darling
Della Noce
Desjardins
Domm
Duguay
Edwards
Ellis
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gagnon
Gass
Gérin
Gervais
Girard
Gottselig
Graham
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Gustafson
Halliday
Hamelin
Hamilton
Hardey
Hawkes
Hees
Hicks
Holtmann
Howie
James
Jardine
Jelinek
Jepson
Joncas
Jourdenais
Kelleher
Kempling
Kindy
King
Ladouceur
Lanthier
Lawrence
Leblanc
Lesick
Lewis
MacKay
Mantha
Marin
Martin
Mazankowski
McCain
McCrossan
McCuish
McDermid
McInnes
McKenzie
Minaker
Mitges
Nicholson
(Niagara Falls)
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Pennock
Pietz
Porter
Price
Reimer
Ricard
St. Germain
St-Julien
Scott
(Victoria—Haliburton)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Speyer
Stackhouse
Stewart
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Turner
(Ottawa—Carleton)
Van De Walle
Wilson
(Swift Current
—Maple Creek)
Winegard
Wise
Witer—119

NAYS

Members

Allmand
Althouse
Angus
Axworthy
Baker
Benjamin
Berger
Blackburn
(Brant)
Blais-Grenier
Boudria
Broadbent
Caccia
Cassidy
Copps
de Corneille
de Jong
Dingwall
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Frith
Fulton
Gagliano
Garneau
Gauthier
Gray
(Windsor West)
Grondin
Guilbault
(Saint-Jacques)
Heap
Henderson
Hopkins
Hovdebo
Johnston
(Saint-Henri—
Westmount)
Keeper
Langdon
Lapierre
Mailly
McCurdy
Murphy
Murta
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Parry
Penner
Pépin
Prud'homme
Redway
Riis
Robichaud
Robinson
Rodriguez
Rossi
Skelly
Tobin
Toupin
Waddell—59

• (1210)

[*English*]

Mr. Speaker: I declare the motion carried.

Mr. Gauthier: Mr. Speaker, although I regret the closure procedure, I think, as you said this morning, it is quite within our rules. I wonder if the Government and other Members of the House would give unanimous consent to sit through lunch hour to allow some of our Members who have not spoken a chance to speak, perhaps, in that additional hour?

Mr. Speaker: The House has heard the suggestion. Is there unanimous consent?

Some Hon. Members: Agreed.

Mr. Gray (Windsor West): Mr. Speaker, I want the record to show very clearly that even with the hour that will be given to us by sitting through lunch hour, we still would not have the opportunity to hear all those who want to be heard on this subject because of the closure motion which was just adopted.

Mr. Riis: Mr. Speaker, on behalf of my Party, I want to say as well that because of the fact that 82 Members of Parliament have yet to have an opportunity to speak on this issue, we certainly would like to at least take advantage of the one hour extension.

Mr. Domm: Mr. Speaker, I rise on the same point of order raised by the spokesman for the Official Opposition. I would like to point out that opportunity was given to his Party when it turned down the opportunity to sit all weekend and speak.

Mr. Prud'homme: Mr. Speaker, I am not clear whether consent was given to sit during the lunch hour or not.

Mr. Speaker: The Chair took it that there was consent. There were some points of order following in order for Members to make their positions clear, but I took it as consent.

GOVERNMENT ORDERS

[*English*]

CAPITAL PUNISHMENT

ESTABLISHMENT OF SPECIAL COMMITTEE ON REINSTATEMENT

The House resumed from Thursday, June 25, consideration of the motion of Mr. Mazankowski:

That this House supports, in principle, the reinstatement of capital punishment and directs that a special committee on reinstatement, composed of 15 members, be established, hold hearings and make its final report to the House no later than three (3) months following the adoption of this motion, such report to provide recommendations on:

(a) which offence or offences should carry the death penalty, and in what circumstances;

(b) which method or methods should be used to carry out the penalty of death, and in what circumstances;

That, pursuant to Standing Order 107(1), this special committee be hereby appointed as a committee to prepare and bring in a bill no later than three months following the adoption of this motion, founded on the committee's recommendations on (a) and (b) above; such a bill shall be the object of a separate and distinct report of the special committee, and such a report shall be its final report;

That such bill, when reported from such special committee to the House, be deemed pursuant to Standing Order 107(1) to have been introduced and stand on the Order Paper, in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business"; and that, when the said bill has been read a second time, it shall stand referred to a Legislative Committee;

That the Striking Committee be empowered to name the Members of the special committee, provided that once the Striking Committee report is laid upon the Table, it shall be deemed concurred in;

That the special committee have the power to sit while the House is sitting and during periods when the House stands adjourned;

That the special committee be empowered to report from time to time and send for persons and papers, and to print such papers and evidence from time to time as may be ordered by the committee and to retain the services of expert, technical, professional and clerical staff;

That the special committee be empowered to adjourn from place to place inside Canada and that, when deemed necessary, the appropriate staff accompany the committee;

That a quorum of the special committee be eight (8) members for any vote, resolution or other decision; and that the chairman be authorized to hold meetings to receive evidence and authorize the printing thereof whenever six (6) members are present;

That any substitution of membership on the special committee be made pursuant to Standing Order 94(4); and

That, notwithstanding the usual practices of this House, if the House is not sitting when the special committee is ready to issue its final report and the said bill, the special committee shall present its report and the bill to the House by filing them with the Clerk of the House provided that the report shall then be deemed to have been laid upon the Table, and the bill shall then be deemed, pursuant to Standing Order 107(1), to have been introduced at the first sitting of the House thereafter and to stand on the Order Paper in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business".

And on the amendment of Mr. Nystrom (p. 7307)

Mr. Rob Nicholson (Niagara Falls): Mr. Speaker, the question of capital punishment has been a very difficult one for me these past few weeks. I am, as you can see, Sir, speaking near the end of the debate. I followed very closely the comments made on both sides of the subject before making up my mind.

As you know, Sir, this is the first of two possible questions which will be put before Parliament. The first is whether this House will support capital punishment in principle. If the resolution is passed, the second question would ask Parliament to consider specific amendments to the Criminal Code. Both are intended to be free votes, that is, those votes on which a Member can follow his own conscience. With that I agree.

During the election campaign of 1984 I indicated to the voters of Niagara Falls that the Progressive Conservative Party was committed to a free vote in the House of Commons on this subject. I thought it was a good idea then and I still do. At the time I indicated to the voters of Niagara Falls that I would vote in favour of capital punishment. It was not an easy decision to make then and it certainly has become more difficult as we approach the time of vote.

I would like to say a few words about the preliminary issues concerning this topic. Something which has been discussed many times in Parliament and in the media is the responsibility of the Member of Parliament on difficult subjects such as this. There are those who say that a Member of Parliament should in most cases reflect the views of his constituents. On the other side, many would argue that a Member of Parliament should always follow his own conscience even if his views differ from those of his constituents.

I do not believe that the role of a Member of Parliament is as clear cut as those two options would seem to indicate. I think every Member of Parliament has a duty to do whatever he can to seek out the opinions of his constituents so that he can be as fully informed on a particular subject as possible.

I have received many letters on both sides of the issue of capital punishment. I have read them all and have tried to give them all due consideration. They have been very helpful. Most public opinion polls tell us that capital punishment is supported by a majority of Canadians. I would guess that while there is still a majority, it is not as overwhelming as it was a year or so ago.

Why do I say that? Because for me and all other individuals who think carefully on this, it is very difficult subject and certainly one which tears people apart. But at the same time, it is a question society must decide. I have an obligation to inform myself as to the thoughts and opinions of my constituents. I must weigh them carefully, but I believe that in the end I must act in a way responsible to myself and in the best interest of the people I represent.

I would like to say a few words about the conduct of this debate. I said earlier that questions such as this tear people apart. That is most unfortunate. I have noted in some of the speeches on this subject an excess of rhetoric on both sides. One of the most unfortunate facets of the debate is the imputation of wrong or bad motives by one side to the other. For instance, I disagree with those retentionists who characterize abolitionists as "bleeding hearts" who would wreck the criminal justice system and let killers out on the street. That has not been helpful. On the other hand, I disagree with those abolitionists who question the sincerity of those who would support the motion. It is wrong to suggest that their decision is based on a whim or that they are just simply rubber-stamping the uninformed views of their constituents. I am sure that most Members like myself have spent many hours thinking about this subject with a view to doing what is best for our country.

For those who support the motion and for those who oppose it, the subject of deterrence is always raised. I have heard and read a plethora of statistics, all attempting to either prove or disprove on the basis of statistics that capital punishment does or does not deter individuals from murdering other individuals. I reject that kind of analysis. I would guess that the statistical base in Canada is too small and our history too short to prove anything one way or the other.

In addition, trying to compare American States which have capital punishment with those which do not, is like comparing apples and oranges. There are just too many factors to make the analysis simple or reliable. To prove complex human behaviour on the basis of such statistics is chancy and something I will not even attempt. At the same time, it has been widely suggested that sanctions, penalties or punishment itself is a deterrent to certain behaviour. Whether the gravity of the punishment is a deterrent is another question. I would guess that the kind of individual who is prepared to murder another individual is not going to be deterred by the threat of capital punishment, but there may be exceptions.

One of my colleagues pointed out that in the Emanuel Jacques murder in Toronto, the case of a 12 year old boy being systematically abused and then murdered by several individuals, one of the killers indicated that if he thought he might himself be executed he would not have carried out the gruesome act. God only knows if that is true. Therefore, I must look at other arguments put forward as to why capital punishment should be returned.

One argument that I think has been made effectively is that capital punishment is necessary to restore public respect for the criminal justice system. I am sympathetic with those who believe that respect for the criminal justice system in Canada is declining. I think, as well, that the consequences of that can be devastating if people come to the conclusion that penalties for breaking the law bear no relation to the crime.

• (1220)

Respect for our court system is what separates us from those countries where law and order has broken down completely. The rise in vigilantism on this continent is an alarming trend. The growing belief that the criminal justice system does not protect individuals is perhaps the most serious question we face in the criminal justice field. When people decide that they will take the law into their own hands, we are heading for chaos. We must do what we can to restore respect for our system of justice and to convince people that it works on their behalf as well as on behalf of the accused.

I believe for a majority of Canadians having the option of capital punishment would help to restore their faith in the criminal justice system. But that alone would not be enough to convince me of the need for capital punishment. I argue that the protection of the public from individuals who consistently demonstrate a disregard for the life of others is the only reason upon which this issue should be decided. I will give you certain examples, Madam Speaker.

It has been said in the House of Commons and elsewhere that there are 14 individuals who once having been convicted of one murder have committed another while still in prison or after their release. For those individuals who commit multiple murders capital punishment should be an option. Certainly, on balance, we owe more to prospective victims than we do to those who refuse to live by society's laws.

I am reminded of the contract killer, the individual who was described in a recent trial in St. Catharines as being ready and willing to kill anyone for the sum of $10,000. I ask the House this. How do we adequately protect ourselves against that kind of individual? It is too easy to say that rehabilitation is the answer when a person has consistently acted in a way that shows he is not prepared to live within society's laws and will continue to endanger innocent victims.

In the cases I have described we would have removed doubt as to the possibility of executing an innocent individual through the multi-layered process by which the courts review each case before sending the matter to the Cabinet and the Prime Minister for possible commutation. There is no doubt in my mind that on the narrow ground which I have described

only a guilty person would be the recipient of the ultimate penalty.

Finally, there are those who say that the state has no right to take the life of another individual. I suggest that the state has always had the right to involve us in questions of this type. Surely, when the decision was made for Canada to go to war there was always the question of life and death. On the subject of abortion, Parliament has decided that a foetus or an unborn child can be aborted. That, too, is a question of life and death.

This has been a long and difficult debate for all Members of Parliament. My decision, and I know the decision of others in this Chamber, is bound to disappoint those who take an opposite view. That is one of the realities of public life. In the end, I have to make the decision. I do so on the narrow ground upon which I have indicated. If the motion is carried, I will have to assess the committee's recommendation and again decide whether it meets those criteria upon which I base this decision.

Mr. Nelson A. Riis (Kamloops—Shuswap): Madam Speaker, I must say that I rise on this very important day with little enthusiasm, recognizing that as I speak less than 19 per cent of the Members of the House of Commons have had an opportunity to speak on this issue and, at the end of closure today, the overwhelming majority of the House of Commons will not have had the opportunity to put on the record an explanation for the way they will vote on this critical issue of capital punishment.

I am less enthusiastic as well because, if this particular motion passes, the very grisly task of the committee will be to tour the country to determine the appropriate way to kill certain criminals. Once that is completed by the end of the summer we will then spend weeks and perhaps months debating the Bill that will flow out of that committee at a cost of millions and millions of dollars.

Quite frankly, I simply do not consider this to be the nation's priority. We should be spending the time of the House of Commons, our energy, our talents and our expertise—indeed, the finances of the House of Commons—on questions dealing with the unemployed, the resource industry, small business problems, problems facing the farm community, issues concerning young people, how to improve our hospitals and schools and the like. But, no, this is a priority that the Government has identified. I, quite frankly, feel it is a misplaced priority.

One thing that concerns me greatly is that Canada is recognized as a peaceful, law-abiding and non-aggressive nation. When we consider that hundreds of thousands of people attempt to enter Canada every year they do so because of the reputation that Canada has. Canada is seen throughout the world as a leader in the field of progressive rights and freedoms. By reinstating the death penalty Canada would, I believe, be taking a backward step and would be abrogating its international commitments to these standards.

Canada is a party to the Universal Declaration of Human Rights. Canada has incorporated the same values into its Charter of Rights and Freedoms. Section 12 of the Charter states that everyone has the right not to be subjected to any cruel and unusual treatment or punishment.

Canada also participates in the international community through the United Nations. The General Assembly reaffirmed on December 8, 1977, Resolution 3262 which states that the main objective to be pursued in the field of capital punishment is that of progressively restricting the number of offences for which the death penalty may be imposed with a view to the desirability of abolishing this form of punishment.

I do not have to remind you, Madam Speaker, since I know you are aware that Canada is also a party to the International Covenant on Civil and Political Rights. Article 6 of that Covenant states that every human being has the inherent right to life, that this right shall be protected by law, and no one shall be arbitrarily deprived of his life. Nothing in this Article shall be invoked to delay or prevent the abolition of capital punishment by any state party to the present Covenant".

For many years we have all recognized that people are known by the friends they keep. The fact is that in 1976 Canada abolished the death penalty. In doing so we joined with many very progressive nations around the world, largely western nations, among them Australia, Austria, Denmark, Finland, the Federal Republic of Germany, France, the Holy See, Ireland, Iceland, Italy, Israel, Luxembourg, New Zealand, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, the United Kingdom and many others.

If we were to vote for the reinstatement of capital punishment we would be joining only two other western nations that consider it; one is Turkey and the other being a number of states in the United States—not the entire country but a number of states. We would be joining other, if you like, communist countries, military dictatorships, tinpot dictatorships, countries such as Iran and Iraq, South Africa, the Soviet Union, Chile, Libya, and Cambodia.

Quite frankly, I think the question that Canadians must ask is this. Which set of countries do we wish to be associated with, those progressive western nations or those, as I say, which are a variety of communist and military dictatorships, with the exception of Turkey and some of the states of the U.S.? I feel that the answer to that is obvious.

I want to say that the issue of capital punishment first came into my life as a discussion way back in 1953 when the Joint Committee of the Senate and House of Commons was established to study the whole matter of capital punishment. I was only 11 years old at the time, but I remember discussing with my father this issue and seeking his views and guidance and direction on this very critical and important moral issue facing the country at that time, as it faces us today.

At the time it was just after Easter. He drew this to my attention. He explained that we had just again recognized

through our church service the fact that Jesus had been hung on the cross, the ultimate form of capital punishment, in terms of promoting suffering and pain. For days and days people hung on crosses until they expired. Jesus was also tortured while he was hanging on the cross. My father said to me at that time, "Son, what was the response of Jesus to those who were doing this to him? Father, forgive them for they know not what they do". To this day that has stuck with me. Over the years it has assisted me in maintaining my position on capital punishment, which has always been as an abolitionist.

• (1230)

It is not as though my constituents are surprised, because in 1980, and again in 1984, during the federal election campaigns, my position on capital punishment was made clear. It has been made clear at every public meeting at which it has been raised. Every letter, every telegram, every postcard, every phone call I have received on the subject have had an immediate response, with my position on capital punishment stated very clearly.

Given all of that, I do not believe that the electorate in my constituency are surprised that once again, after examining the pros and cons on the issue, the arguments made on the issue, I maintain my position as an abolitionist on this very critical issue.

The remark made by Edmund Burke more than two centuries ago holds true today; "Your representative owes you, not his industry only but his judgment, and he betrays instead of serving you if he sacrifices it to your opinion".

I realize that many Members of Parliament have decided to hold polls on this issue, either straw polls or commissioned polls conducted by various polling companies. In that way they gain an appreciation of the various views of their constituents, and in many cases the majority has come down on the side of the reinstatement of capital punishment.

The trouble with that line of reasoning is that it leads to government by opinion poll. Instead of electing Nelson Riis as the Member of Parliament for Kamloops—Shuswap, the voters, if they use this approach to important decision-making, might just as well use a polling firm to conduct polls on critical issues, as opposed to having a Member of Parliament apply his or her judgment to the issue.

The assumption behind this type of polling contradicts the whole theory of representative democracy. The electorate sends people to the Parliament of Canada to exercise judgment on their behalf. As Edmund Burke put it two centuries ago, Parliament is not a congress of ambassadors but a deliberative assembly of one nation whose job it is to discuss and arrive at what is good for the whole country.

One chooses a Member of Parliament, Madam Speaker, as the first area of responsibility for that individual. The Member of Parliament who uses methods such as polling, in my opinion, belittles himself or herself in substituting the mechanical operation of a poll for individual conscience and judgment.

I know that on some occasions Members of Parliament have had to cast their ballots on the side of an issue that went contrary to the public opinion of the day. I refer to my colleagues of the New Democratic Party at the time of the imposition of the War Measures Act, and earlier than that, members of the CCF Party in respect of the relocation of the Japanese during World War II.

At the time of the imposition of the War Measures Act, the popular view in the country was that the Prime Minister was right to introduce the War Measures Act; yet, members of the New Democratic Party stood up and voted against it, against popular opinion, feeling at the time that it was wrong.

In retrospect, in hindsight, we see now that that was the appropriate position to take on the part of the New Democratic Party members; that the imposition of the War Measures Act was an inappropriate measure to take in the circumstances.

To go back to one of the more dastardly historic initiatives taken by Parliament, the decision to relocate, by force, the people of Japanese heritage from the West Coast into the interior parts of Canada, again my colleagues in the CCF voted against that measure, as popular as it was at the time. Hindsight being 20/20, we realize again that the decision to oppose was a correct one.

It is in that same mode that I shall be casting my ballot later today against the reinstatement of capital punishment.

When it comes to this issue, I think we are all agreed that there are significant changes that must be made to our judicial system, our corrections system, and our parole system. I believe that Canadians see the system not working as they perceive it should. Consequently, Canadians are looking for some way to improve the system, to bring justice back into our judicial system. People are of the opinion that, by having capital punishment on the books, this will lead to a more equitable and judicial system.

Unfortunately, such is not the case. Ample evidence exists now to prove that the reimposition of capital punishment would not fulfil some of the more obvious requirements that people ask of us. For example, when it comes to the whole matter of capital punishment, a lot of people believe that it acts as a deterrent; that the fact of having capital punishment on the books will lead to fewer murders. The facts simply disprove that.

In 1975, prior to the total abolition of capital punishment, there were 701 homicides in Canada, for a rate of 3.09 per 100,000 people. In 1980, long after the abolition of capital punishment, the number of homicides totalled 593, for a rate of 2.47 per 100,000. In 1985, there were 686 homicides, for a rate of 2.78 per 100,000; and in 1986, the most recent year for which we have statistics, there were 561 homicides, the lowest since 1973.

So, looking at the number of murders in this country, one finds that in fact the rate has decreased since capital punishment was removed as a reality in Canada. Again, seeing capital punishment as a deterrent, obviously, is inappropriate.

If all punishment has a deterrent effect, then the value of capital punishment must lie only in its marginal deterrence. The question is one of the extent to which it deters more than would a prison sentence.

Deterrence is a concept based on the assumption that crime follows the calculation of an individual's advantage. Legislators, relying on deterrence as a strategy to control crime, may increase the severity of penalties in the belief that this will increase the individual's fear of punishment, thus decreasing the incidence of crime. The question is whether sufficient knowledge is available to justify such an approach.

The validity of the literature supporting the deterrence effect of punishment has been questioned on the basis that deterrence has been used in too broad a sense to be very meaningful at all. If one looks at the facts, it is indicated very clearly that the deterrence aspect is an inappropriate justification for capital punishment.

The other issue, of course, is the risk to the innocent. Perhaps the most forceful argument against capital punishment is the danger that an innocent person may be put to death. There is no system that can ensure the infallibility of judgment. In the past, there have been cases of mistaken execution. Even with all of the safeguards in the modern context, that risk still exists.

In 1982, Donald Marshall, wrongly convicted of murder, was released from the penitentiary in New Brunswick after serving 11 years.

Aside from the possibility of false evidence in a murder trial, the crime, by its very nature, arouses emotions that carry with them the risk of incurring failures of perception in those making the decision. It has been reported, Madam Speaker, that 343 persons were wrongly convicted of murder in the United States. Again, the matter of risk is involved.

As many speakers earlier have indicated, where capital punishment is available, a jury can be very reluctant to bring in a guilty verdict, knowing that that will be the ultimate result. The fact is, where capital punishment exists, a jury will often free the accused, rather than bring in a guilty verdict which could attract the death penalty.

So, if we are interested in protecting society from dangerous criminals, from murderers, again, the evidence would indicate that capital punishment is an inappropriate approach to take.

Another reason for voting against the reinstatement of the death penalty is the inequality of justice as it is applied today. I think it is fair to say that the death penalty, in practice, is not administered with equality. Those who are executed are, for the most part, from the disadvantaged, the uneducated, or minority groups.

In the United States, where the most statistics on this issue exist, it has been found that the poor, the black, the ignorant are the most likely to be executed. Those with money or influence usually avoid the death penalty.

Incidentally, the existence of the death penalty also encourages inequality in the application of justice in the political context. There is a danger of its use under the guise of treason in the event of a dictatorship ever coming to power.

When we look at our own situation, Madam Speaker, today, while we speak, there are 12,122 people serving time in federal prisons in Canada. When one looks at the population within those prisons, one finds that 9.1 per cent are native people, who constitute only 2 per cent of the Canadian population. In other words, one in ten prison inmates is native, whereas in society they represent one in fifty.

That indicates, again, a very racial bias in our judicial system, given the significantly higher proportion of native people in our prisons than exists in our society generally.

As a New Democrat, I feel strongly that those people who will be eventually executed, if the death penalty is reinstated, are those who are poor, those who have come from a disadvantaged background and who do not have the resources to hire the best lawyers in the country. It is those who are at the mercy of the injustices of our judicial system.

• (1240)

I have deep concerns regarding the reinstatement of capital punishment. I want to talk about the immorality of reinstating the death penalty. The taking of human life is morally wrong for the state as well as wrong for the individual. The state should set an example by recognizing the sanctity of human life in all cases.

The international conference on the abolition of the death penalty, which concluded with the Declaration of Stockholm reaffirming that it was the duty of the state to protect the life of all persons within its jurisdiction, ought to be the rule of the day. It called upon all nations to abolish capital punishment.

The death penalty is fundamentally dehumanizing, proclaiming the worthlessness of the offender's life. It eliminates one of the three main purposes of punishment—rehabilitation. Those who choose alternatives to capital punishment support respect for all human life and make possible efforts by society to reform and rehabilitate the offenders. Philosophers such as Plato, Hobbes, and Rousseau have supported the view that virtue can be taught and punishment should be directed toward the correction of the offender. The aim should be to reform and deter criminals and to maintain public peace.

Let us consider the coalition which has come together in opposition to the initiative to reinstate capital punishment. It includes all main line churches in Canada. The Pope has indicated his position against capital punishment. The three political Leaders in Canada have indicated their abolitionist position, as have, which is interesting, the three leaders of the

youth wings of the three national political Parties. On behalf of young Progressive Conservatives, Liberals, and New Democrats, they have voted and indicated their position against the reinstatement of capital punishment, to say nothing of the respect we have for the Minister of Justice (Mr. Hnatyshyn) who has indicated that he is against the reinstatement of capital punishment, as well as the former Prime Minister, the Right Hon. Member for Yellowhead (Mr. Clark).

The Canadian Civil Liberties Association, the Criminal Lawyers Association, the Salvation Army, Elizabeth Fry, and the John Howard Society have indicated that they are against the reinstatement of capital punishment. I could refer to a very long list of organizations, associations, and groups which we respect in terms of their thoughtful and progressive views, each one of which is against the reinstatement of capital punishment in Canada.

I could also refer to such groups as the Canadian Jewish Congress, the Canadian Conference of Catholic Bishops, the Anglican Church, the United Church, the Baptist Convention of Ontario and Quebec, the Canadian Unitarian Council, the Evangelical Lutheran Church, the Mennonite Central Committee, the Reformed Church of America, and the Religious Society of Friends, which officially support the continued abolition of the death penalty.

One might ask why. Some capital punishment proponents argue that the death penalty is necessary to convey society's abhorrence of murder and thereby affirm life's sacredness. The religious communities recognize the tragedy of murder and reach out in sympathy to those who have been deeply hurt by criminal activity. They do not believe, however, that the death penalty effectively addresses the needs of the victims of violence or those of Canadian society as a whole.

I would like to refer to a letter which I received from the parent of a daughter who was abducted and murdered just last July. In her final paragraph, she wrote:

> I do not want to be part of a society that brings up future generations with the belief that killing can be legitimized under certain circumstances. Let the message be clear and unconditional: human life is sacred; killing is always wrong.

I have another letter which I received from a person who in fact was a hangman years ago in Canada. His final paragraph reads:

> I abhor murder and feel deeply for its victims. I do not, however, want the society in which I live to be so full of hate and revenge, so unimaginative in its response to violence, that it should behave collectively no better than does the murderer among us whom we condemn. Capital punishment makes premeditated murderers of us all.

In conclusion, I simply say that I will be voting against this particular motion. For the sake of Canada and for the sake of future generations of Canadians, I hope we maintain our present progressive position on the issue.

• (1250)

[*Translation*]

Mr. Charles Hamelin (Charlevoix): Madam Speaker, today we address the subject of capital punishment, and to me, this debate is also about freedom and responsibility. Capital punishment, as I see it, is a matter of self-defence for the people of this country.

Madam Speaker, this evening I intend to vote in favour of reinstating capital punishment in this country. I see it as my duty to take this position, and in the next few minutes I intend to argue my case as strongly and as convincingly as I can.

First I want to deal with the need for having this debate and with the commitment made by the Prime Minister (Mr. Mulroney) and this political party. I will then describe the kind of society we want for all Canadians, and finally, I will address capital punishment itself and the foundation on which it rests.

Madam Speaker, the past weeks' debate in the House of Commons on the issue of maintaining the abolition of capital punishment or reinstating the death penalty would seem to be a sign of political maturity. Actually, unlike what is being said by some so-called progressive intellectuals, the controversial issue of reinstating capital punishment is now more than ever before a question of the utmost urgency. Does wanting to review a decision that was made in 1976 with a slim majority of only five or six votes mean turning the clock back? Does it really mean the return, in force, of a group of people who are out of touch with Canadian reality? Does it mean the return of ghosts from the past, of a few dinosaurs who want to talk about the need for reinstating capital punishment in Canada? I don't think so. I believe that it is an excellent idea to review decisions made by Parliament with such a meagre consensus. I do, because refusing to re-examine our dicisions and our behaviour from time to time is refusal to change. Today, we often refuse to be eveluated because we do not want to change.

I would like to emphasize the Prime Minister's commitment to holding a free wote on this question. I see this as a commitment by this party and this Government. I would also like to stress the excellence of the Prime Minister's speech in which he gave us his views as an abolitionist. He did so with conviction, although I do not share his position.

Madam Speaker, the issue of capital punishement challenges the innermost values of each and everyone of us. Capital punishment also confronts us with another, very basic question, which is the kind of society we want in this wonderful country of ours. I will get back to that later, Madam Speaker.

When I was younger in years though hardly in stature, in my case so in my formative years, I had parents, a father and a mother, whose behaviour was described with a great deal of humour and wit by one of our Quebec humorists, the actor Yvon Deschamps. Whenever I had been up to no good, my mother's reaction was what you would call very decisive, while my father was more apt to lecture me when I misbehaved.

In simple terms, as Yvon Deschamps would say, my mother was decisive, in other words, she gave me a good hiding, while my father, who was more the lecturing kind, would sit me down and talk to me for hours on end. He would talk to me about maturity and responsibility. My father developed with strength and relevancy such basic notions as human freedom and responsibility. He was always emphasizing the need to measure the final consequences of one's actions. My father told me about fundamental justice and reminded me that each one of us must pay the price or reap the rewards for our actions. For him, freedom and responsibility were impossible to separate. For him, these principles were the living proof of maturity. For him, freedom and responsibility were the very basis of our family unit and the cornerstone of this country. Madam Speaker, it is in fact because of these two inseparable notions of freedom and responsibility that I consider reinstatement of the death penalty essential in this country.

Naturally, Madam Speaker, I have looked carefully at the statistical arguments of the abolitionists. Some of these arguments have a certain value, and it is true that the deterrent effect of capital punishment is not a valid argument, that the threat of having their own life taken away does not prevent criminals from committing crimes. The death penalty scares only people like you and me, Madam Speaker, it scares only law-abiding citizens, not the criminals. The criminals think about it only later, not before, unlike our policemen, who have to ask questions to the criminals before, even though the answer they might receive could be a bullet in the head.

It is also true that the argument of using the death penalty as an example cannot be supported and that the bloody spectacle of hanging, electrocution or other means of execution is more an act of savagery and voyeurism than anything else. As for me, I believe that it would be too much of an honour for the criminals to give them the front page of our newspapers or a chance to appear on television. They do not deserve that much. They do not even deserve our scorn. If the motion is adopted this evening, I would be satisfied if we used a small injection or a glass of water and a pill to rid us of those who no longer deserve the right to live.

Madam Speaker, I have also listened to the argument to the effect that we must respect human life. Is is not strange, Madam Speaker, and I would like to have some statistics about this, that the most ardent abolitionists are often those who are most in favour of abortion on demand! Such incongruous contrasts can only occur in politics. On the one hand, criminals should be protected because we must respect human life, but there is no problem in promoting the killing of new life. As for me, Madame Speaker, in all conscience, I cannot accept that a murderer should go unpunished, I cannot understand that someone who would stab an 80-year-old man 50 times to rob him of $50, or someone who raped a young girl in a moment of mental aberration should go unpunished. "Sorry, Your Honour, it was a moment of mental aberration." Then, realizing what he had done in a moment of aberration, as he realized that his victim might denounce him, he killed her. I find it incredible that we should accept such situations, even though the figures tell us that they do in fact exist. Are we going to base our justice system on statistics? Is this a society founded only on statistics?

People have always tried to establish a direct relationship between the crime committed and the penalty which should be imposed. And we would now refuse to apply the same principles to the capital crime, which this time would not deserve capital punishment! We have established in our courts of justice a code that states that for robbery X or Y, for a criminal act of such or such a type there shall be such or such a penalty. But when it comes to the capital crime, oh no! we won't apply capital punishment.

If we take the view that criminals and crime are a permanent illness in our society that absolve the authors of any responsibility, if we become supporters of Jean-Jacques Rousseau who taught that any man is good and society corrupts him, what the heck are we doing with our courts of justice? At the limit, let us empty prisons and accelerate what is now going on. At the limit, let us be consistant. Just the same, they allow self defence apparently. Even abolitionists say: In self-defence, it is absolutely normal that one defends oneself and kills one's aggressor, if it comes to that. But society as such has no right to self-defence against those who committed murders against its members? It is funny how we get ourselves an army, with instruments of death. We get ourselves an army with instruments of death to protect our sovereignty, to protect the collective vitality of Canadians on our soil. We get ourselves instruments of death and we say that in case of war it is normal to shoot at the enemy, to kill the enemy. And as Canada itself assumes the right to kill its external enemies—to kill even the enemies of its allies—and has done so in the past, when it comes to its domestic allies, its own community, it deprives itself of that right. That is utterly inconsistent in my view. You must be consistently wrong, my math teacher used to say. I had the wrong answer but was consistent in my error, but on this issue we are not consistent, and this seems illogical to me.

Therefore, Madam Speaker, it is my view that capital punishment is self-defence, defending honest citizens in this country. And there can be no claim to consistency if in the final analysis there is no possibility, in exceptional, unjustifiable circumstances, when people no longer deserve the right to live, when they are unamendable as they themselves proved it, I believe that we must at least give ourselves that possibility. I for one completely trust judges and jurys to decide in the best circumstances. This country gave itself a Charter of Rights and Freedoms. Unfortunately, and this may be a reflection on the times, not many countries gave themselves a Charter of Rights, Freedoms and Responsibilities. Apparently there is more emphasis on the rights of criminals than on the rights of victims. We couldn't care less about victims finally. It is unbelievable that mental suffering is not assessed in courts of justice. That is not recognized. It is unbelievable. Recently,

someone defended himself with a firearm against a criminal, and he had to spend eight months in court to defend himself . . .

Mr. Kindy: With a lot of money!

Mr. Hamelin: With a lot of money. That is unbelievable. It is topsy-turvidom!

Do I want a society based on statistics? Because robbery exists, robbery is normal? At the limit, let us encourage robbery. Many of those sociological considerations are mad. I often have the feeling that our society is bent on false progress. Is removing capital punishment really moving forward? Because in Canada any clot will come here to get impunity. Why not! Welcome! We do not kill, we are a civilized country. We will accomodate your fits of confusion. They also come up with the argument of miscarriages of justice. I would like to know how many times our policemen have failed to get criminals convicted through some faulty procedure in court or otherwise. How many times have crimes escaped punishment due to some faulty procedure, or the absence of a last minute witness?

And when the Parole Board makes a mistake, when it releases someone who commits another criminal act, does it not also bear a very heavy responsibility?

Mr. Kindy: It is negligence!

Mr. Hamelin: Is it not an amazing lack of courage?

Madam Speaker, I too want this society to be tolerant, to be respectful of our differences, but that tolerance must stop somewhere in the end, otherwise the whole system is going to collapse. In fact, it is already collapsing! There is a vital need to reform our whole penitentiary system, to review our justice system, to review the whole sentencing system. We should bring a lot of energy into that whole process, otherwise I think everything will collapse.

I am therefore going to vote with my heart tonight, Madam Speaker, in favour of setting up that Committee which will examine the best methods to carry out this ultimate penalty in the case of those who do not deserve the right to live and those who have used their freedom to deprive others of their own freedom forever. Of course, Madam Speaker, I could elaborate at lenght on the amazing problem of victims who no longer have the right to speak, who no longer have any right at all. And I think this country should at least keep this ultimate lever and not pretend that we are civilized people because we have lost that sense of responsibility and accountability. Such is my deep conviction, and it is widely shared by a vast majority of my fellow citizens. As a free man who loves this country, I want the citizens of this country, men and women, to respect as a whole the rules of the game, and my freedom should not entitle me to take other people's lives. However, ultimately in this society, it is my legitimate defense, my ultimate defense, and I have been denied that defense for 20 years.

I feel that something is wrong, that things are deteriorating, that this situation is inconsistent and unacceptable, and that is why I deeply feel, Madam Speaker, that we should at least avail ourselves of that tool of justice which is not an easy one to apply, which is a difficult one, but which bolsters our democratic system of responsibility and freedom.

• (1300)

[*English*]

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Madam Speaker, before I start my speech on capital punishment, I want to reply in part to the statements made by the Conservative government House Leader. He has stated that closure has been necessary because the Official Liberal Opposition and the New Democrats would not agree to the shortening of speeches and hence to a time frame. Everyone knows that 75 per cent of the Members of the House sit on government benches and only 25 per cent sit on opposition benches. This makes a farce of his excuse for bringing in closure on this debate.

Mr. Turner (Ottawa—Carleton): That's irrelevant.

Mr. Hopkins: The truth of the matter is that the Government wants to get this motion off the Order Paper—

Mr. Turner (Ottawa—Carleton): Where was Herb Gray?

Mr. Hopkins: The fact that government Members are now shouting at me for bringing out the truth of the matter indicates that it is really hitting home. People will not be surprised by this motion for closure backed up by that weak excuse because the public no longer has any faith in this Government.

It is indeed with mixed feelings that I rise to participate in this debate on the resolution to reinstate capital punishment. This will be the fifth time that I will have voted—

Mr. Hawkes: Madam Speaker, I rise on a point of order. The Hon. Member wanted to lay the truth on the Chamber but he forgot the part about the amendments members of the Opposition were moving so that they could speak in an infinite fashion.

The Acting Speaker (Mrs. Champagne): The question raised by the Hon. Member is not a point of order but more a point of debate.

Mr. Hopkins: Madam Speaker, I hope that that non-intervention will not be deducted from my time.

As I was saying, this will be the fifth time that I will have voted on this issue since first coming to the House of Commons as the Member for the original riding of Renfrew North which has since enlarged threefold and become the riding of Renfrew—Nipissing—Pembroke. I have voted for retention on all four previous occasions dating back to 1966.

Such votes as these are called free votes but, in my opinion, there is nothing free about them at all. The entire onus for such decisions rests on the shoulders and the personal judgments of individual Members of Parliament. Each Member of the House cannot look to Party policy as a guide in voting, nor indeed as a means of justifying the decision he or she makes. One must stand on his or her own judgment after considering and stating the merits of one's case.

There are many people who are telling us to vote for abolition. There are many people who are telling us to vote for the reinstatement of the death penalty for first-degree murder. It is my firm conviction that most of the people who are demanding the return of the death penalty are doing so because they are frustrated with the perceived or real view that the administration of justice as it pertains to first-degree murder is not being carried out to their satisfaction.

During the last debate on this issue, after which I voted for retention, we were told that a life sentence would mean 25 years without parole. That has not been the case. Many people across the country feel that prison life is too soft for the convicted and that they are out on the streets and in the countryside too soon. They are telling us that if the Government is not willing to tighten up the system and make the law mean what it says, then they want the death penalty reinstated because they see it as the only other alternative.

I have told abolitionists time and time again that if they win this vote tonight by defeating the resolution before us, they will rejoice, but it will be an incomplete victory. It will be an incomplete victory because the Government, through this inadequate resolution which is before us, has totally failed to attack and to correct the real problem facing the administration of criminal justice in Canada, which is the need for tightening up the procedures dealing with the incarceration and administration of procedures relating to first-degree murderers. If this action is not taken it will only be a matter of time before this very same issue will once again be back before Parliament. Therefore, the onus is on every Member of this House to ensure that we take action, regardless of how the vote turns out tonight, so that the administration of justice pertaining to first degree murder is carried out and means what it says.

• (1310)

All it will take is another serious case of murder to start off the demand once again for the reinstatement of the death penalty. All it will take is another serious parole issue to condemn the present system further and convince people that the system is not working or protecting Canadian citizens.

If those who support the reinstatement of the death penalty win the vote tonight a 15-person committee will be set up to decide which types of first degree murder will warrant the death penalty and what the method of death will be. This may satisfy the strong capital punishment supporters, but it will not solve the problem because the system is not being repaired by this resolution. I am certain that if the death penalty is reinstated tonight no Government will allow a death penalty to be carried out. That is the crux of this whole debate.

Let us consider that point very seriously because it is the basis of my thesis. There are three political Party Leaders in this Parliament, all of whom are very strongly confirmed abolitionists. I cannot see any one of them leading a Government which would allow a death sentence to be carried out. The Prime Minister of Canada (Mr. Mulroney) and his Cabinet have the constitutional right to commute a death sentence to life imprisonment.

As I said, I have voted for retention four times since coming into this House. The first vote retained the death penalty and the next two retained the death penalty for the murder of police officers and prison guards. However, I emphasize very strongly that no one has been put to death for murder in this country since 1962. That backs up the statements I have just made.

I have voted retention on this issue every time it has come up in the last 21 years. I remember the vote to abolish capital punishment which took place in Parliament shortly after I arrived here. That Bill was defeated on a free vote. The Solicitor General of the day was the Hon. Larry Pennell. I remember how terribly disappointed he was at that time. He then introduced a Bill for the reinstatement of the death penalty in cases of murder of police officers and prison guards. I supported that compromise measure and it was passed. I point out again, however, that no one was ever put to death under this legislation. Death sentences were commuted.

I am convinced that those who believe they will have won a victory if capital punishment is reinstated tonight will learn that they have not won a victory at all because the present Government and any future Government will commute death sentences. I will be surprised if anything different happens.

What is this debate all about then, Madam Speaker? Are we to vote for something if we believe it will never happen? I think I would be somewhat insincere if I did that. Or are we to vote against it and ensure that a life sentence means what it says, that the work ethic be upgraded in our prisons in order that first degree murderers, among others, must do useful and productive work to help pay for their expenses? If we consider it cruel for a prisoner to do an honest hard day's work in prison to pay for his or her keep, then we are being cruel to every Canadian citizen we expect to get up every morning and go to work.

I have attempted to formulate an amendment to this Bill which would provide for a 15-member special parliamentary committee to be appointed. Such a committee would proceed with an in-depth review of the parole system, the work ethic in our prisons, the so-called rights and privileges of first degree murderers in prison, and all other procedures related thereto. Such a committee would be charged with the responsibility of making a report recommending tougher provisions for the

improvement of this particular area of the administration of criminal justice in Canada.

This must be done if we are to build respect into the criminal justice system. We need fewer bleeding hearts and more realists. I believe most retentionists and indeed most abolitionists would agree with this move. Unfortunately, the Government has not seen fit to initiate such an all-encompassing and effective review of the system, although I believe we have a parliamentary committee which is beginning to aim at that process. The Prime Minister should have made that point in his speech last week.

I want to appeal to the Government to either make a commitment or amend the present resolution accordingly before it goes to a vote. The Government still has time to make this a useful exercise, to prove to the people of Canada that the Government is prepared to repair the system.

As I have said, this is a very moving and serious speech for me in that it explains my reasons for not voting for this resolution to reinstate the death penalty in Canada because this entire debate does not attack the problem. If the death penalty is reinstated and not acted upon, this whole debate will only be looked upon as a charade. Nothing will happen. The Prime Minister will say that he brought the issue before the House and it will look as though he kept one promise. However, the fact is that it is not a serious one because, as we have seen, it is a wide open vote and the Government itself has not taken a stand on the system of justice.

The fact that this resolution puts the onus and responsibility on Parliament and the 15-member parliamentary committee which will be formed, instead of on the Government, shows how vacillating this Government really is. At the same time the Prime Minister is trying to slough off the pro-reinstatement Members on his own benches. He is, in fact, taking them for another political ride.

Some of the most hardened criminals have admitted that they would consider 25 years in prison to be tougher punishment than the death penalty. Perhaps then, for some, the death penalty is too kind. We know that child murderers and murderers of women have to be segregated in prisons because some of the other prisoners have no respect for them and their lives are in danger. These prisoners should never be let off lightly and do not deserve privileges of any kind.

A Conservative back-bench Member of Parliament asked the Solicitor General of Canada (Mr. Kelleher) a question the other day about the parole system. The Solicitor General said that he was looking into it and attempting to implement measures. We want to know precisely what the Solicitor General has done and what commitment he will make in Parliament by way of improving the procedures of handling first degree murderers.

• (1320)

It is important to note how attitudes and outlooks change over the years. At the time of Confederation, the death penalty was imposed in cases of murder, treason and rape. Several Bills to abolish capital punishment were introduced up to 1950, but none were successful.

In 1953, following the introduction and withdrawal of a similar Bill for abolition, a Joint Committee of the Senate and House of Commons was established to study three topics, which should be noted by the House. They were capital punishment, corporal punishment, and lotteries. Thirty-four years ago, lotteries in Canada were put in the same category as capital punishment and corporal punishment.

Imagine that today, lotteries are big business in Canada, corporal punishment has disappeared, and we are still debating capital punishment.

In 1953, the joint committee of both Houses of Parliament in Canada considered the feasibility of abolishing capital punishment. Its final report in 1956 recommended the retention of the death penalty for murder, except in the case of children under 18. It further recommended that capital punishment be reviewed periodically by Parliament, and the method of execution be changed. Various Bills continued to be discussed in Parliament right up until the present time.

According to the polls, Canadian public opinion also changed over the years from a clear majority in support of the death penalty in 1943 and 1953, to a bare majority of 51 per cent in favour in 1960. By 1975, approximately seven out of every ten Canadians favoured the death penalty. That has not changed a great deal over the years.

I am convinced that if administration procedures surrounding first degree murderers are tightened, Canadians would support that because they could visibly see sound improvements being made.

Much has been stated in this debate about those great, brave words of Edmund Burke uttered to his electors in Bristol when he said:

> Your representative owes you not his industry only but his judgment; and he betrays instead of serving you if he sacrifices it to your opinion.

While these sound like great, brave words, one must also check the facts. Edmund Burke did not run for re-election after he said those words, but chose to stand down.

I find it rather cynical that Edmund Burke is used as an example in this debate because I believe that only those Members of Parliament who are willing to stand up and be counted in this debate and put their sincere views on the record, then go back to face the electorate, are the ones who have the back bone to make such decisions on the criminal justice system in Canada.

I am absolutely firm in my intention to attack the system as it now exists. I want improvements to the system. I want it tightened up in order to bring back some respect for the

criminal justice system in Canada. I want some realistic people administering that new system.

I say to all Members of the House that if we do not take the bull by the horns and use this common sense approach, we will be back in the House in the near future debating the same topic all over again. It will be a never ending debate that will arise every time there is a murdered policeman or rape and murder.

In the meantime, a life sentence must mean a life sentence and must include no privileges for those people during those 25 years; they must do hard work during that time. The system must be tightened up to show that Parliament has the will and desire to put respect back into the criminal justice system in this country.

Mrs. Claudy Mailly (Parliamentary Secretary to Minister of Communications): Madam Speaker, it is with a very heavy heart today that I stand to speak in this debate. The thought that this dreadful motion would pass and that this barbaric practice would be reinstated was so appalling to me that today, for the first time, I voted against my Government in following a procedure in the House. The reason I did so was that I did not want to do even the smallest thing to help this motion pass.

If the motion does pass, I will mourn for my sweet country. I will mourn for my young son because he will have been robbed of one of the very basic reasons why he can be proud to be a Canadian. This country has recognized that killing even by the state is unacceptable.

I ran for office because of our constitutional situation. I feared that I would hand over to my son a country divided by civil war.

He was three years old in 1970, during the October crisis in Quebec. I feared so much that this division on our constitutional question would tear my country apart and leave my child growing up in a torn country that I became involved in politics.

It was a very difficult decision. I did not like what I had seen happening in public life and did not want to be part of it. But I was so concerned that this very important question of our unity would be used for political gains, by a party that wanted to maintain itself in power by using division to do so, that I ran for office. It was a difficult election and I did not win the first time I ran. However, I won in 1984.

It was such a joy for me when Quebec finally accepted to come back into the Canadian family. However, what will all this be worth if I am faced with having to hand over to my son a country that will have been diminished again?

[*Translation*]

Madam Speaker, in a comment I made to one of my colleagues who advocates the death penalty I drew a parallel between the abolition of slavery and the reinstatement of capital punishment. My colleague responded gently but with deep conviction that I was mixing two elements which did not have anything in common.

And yet, Madam Speaker, both have a lot in common. In April 1966, the Right Hon. John Diefenbaker stated in this House:

> Canadians conceal their pride in their country. We do not boast about it. How many of us pridefully point out that it was here in Canada that slavery was abolished for the first time in all the western world in 1803? It is an amazing record. It was 40 years before it was abolished in the United Kingdom and many more years before it was abolished in the United States. The argument that slavery was divinely appointed was still used in the days of Webster, Choate, and the other giants of the 1830's and 1840's.

The Right Hon. John Diefenbaker therefore considered that our having been pioneers with respect to the abolition of slavery was one of the glorious pages of our history.

In support of the parallel I make with the death penalty I should like to put on the record the opinion of Secretary Jean-Claude Bernheim responsible for prison matters at the International Federation for the Rights of Man and coordinator of the board of inmates' rights. He says, and I quote:

> In future, how will Canada be able to pride itself on being the defender of rights and freedoms before international authorities, particularly the United Nations Human Rights Commission, if it demonstrates so clearly that it could not care less about its commitments and its signature? Its credibility might easily be questioned, and its action against apartheid, among other things, will lose all its value.

Then there is an article entitled "Maintain the abolition of capital punishment. Canada must keep its credibility with respect to rights and freedoms."

He went on to say:

> South Africa is already making the most of our racism concerning native people. What will Canada do after executing one of them—indeed, members of minority groups and the poor are most likely to be executed—and in turn South Africa hangs a black? Will it be in a position to voice its indignation?
>
> Not only will the restoration of capital punishmenmt make us lose credibility with respect to rights and freedoms, but it may also signal the reinstatement of the death penalty in other countries. As a society, can we assume such a responsibility?

As the Right Hon. John Diefenbaker told us in 1966, there is a very obvious link between the abolition of slavery, a black mark against our civilization, and the death penalty.

I would also like to quote journalist Gwynne Dyer who wrote this in the *Whig Standard* of April 18, 1987:

• (1330)

[*English*]

> Ten years ago, virtually the only countries that were still killing criminals were South Africa, most of the Communist countries and a few other nations in the Third World. But now the United States is executing people again too, and Canada will shortly decide whether it will follow suit. Yet the death penalty probably makes not the slightest difference to the murder rate.

[*Translation*]

Indeed, our colleague from Charlevoix said so a moment ago. He favours restoring the death penalty, but he emphasized that capital punishment does not deter criminals from killing other human beings.

Mr. Dyer added:

[*English*]

Northern Ireland had a population of about 1.5 million people, and so has the City of Detroit. In Northern Ireland, in addition to the normal quota of murders committed by frightened thieves and angry spouses, there is a terrorist war in which Catholic and Protestant gunmen murder each other, members of the police and army, and innocent civilians. And there is no death penalty.

In Detroit, where there are no terrorists and where the death penalty does exist, there were 10 times as many murders last year (646) as there were in Northern Ireland. The murder rate in a particular society seems to be determined far more by the political and cultural traditions of the people and the availability of firearms than by the presence or absence of the death penalty.

[*Translation*]

On February 18, 1960, famed criminal lawyer Arthur Maloney, then a Member of the House, speaking against the reinstatement of capital punishment, against the imposition of capital punishment, quoted the words of a great writer, Anatole France. Madam Speaker, he quoted him with irony and said:

Anatole France once said that the law had a majestic equality. The law equally forbids the rich and the poor from doing the following things: from sleeping under bridges, from begging alms on the street and from stealing a loaf of bread. That may be the only thing he ever said that I will ever agree with—

—said Mr. Maloney—

but it is a statement that causes one to sit back and to think. As legislators we should ponder less about the need for the penalty of death, and we should ponder more about co-operating with government to eradicate some of the roots from which crime stems; help clear up the slums in co-operation with provinces or municipalities; help build recreational centres to which underpriviliged boys and girls can come to find opportunity that they are denied at home, to find friendship and affection that they are denied at home. Those are the sorts of things we should all be doing. We should be placing emphasis on prisons; we should be encouraging a continuance of the development of the present policy to modernize and humanize those places, places in which the emphasis will be upon the reformation and the reclamation of the people who live within them, places from which the graduates will leave restored to dignity and prepared to take their place in society.

My colleague, the Hon. Member for Charlevoix (Mr. Hamelin), mentioned a while ago "these unpunished crimes", the criminal who finds himself back on the street because a police officer has been unable to make a case stick and who ends up killing this same police officer. But he did not say that it was because of the flaws in the prison system. The death penalty is not going to eliminate these flaws, far from it! He mentioned also that a great many countries had not adopted a charter of rights and freedoms, and he was proud to say that we had such a Charter in Canada. But the Charter of Rights and Freedom forbids cruel and unusual punishment. I feel, therefore, that he should try to be consistent in his remarks. He mentioned finally the need to respect the rules of the game. That is why he said he was for capital punishment: A person who does not respect the rules of the game has to face capital punishment. Madam Speaker, I feel that life and death are not a game. How can anybody talk about the rules of the game when a human life is involved?

According to many newspaper clippings and articles, recent studies have shown just how discriminatory capital punishment is against the poor and the visible minorities. That is something very serious to take into account.

In an editorial published in *Le Devoir* newspaper on May the 1st, Pierre Tremblay stated:

Bury this pointless debate

What is more, society has duties towards all its members, including helping those who misbehave mend their ways. Capital punishment does not rectify anything; it is a refusal to face a problem by eliminating it. It is a sign of immaturity and irresponsibility.

How strange, Madam Speaker, that Mr. Tremblay and I should reach conclusions which are exactly the opposite of those reached by the Hon. Member for Charlevoix. He insisted on the need to reinstate capital punishment to show responsibility and maturity. Yet, this is the way a great many people feel—they are not intellectuals who are anxious to find something to say, as he claimed—who, like I do, love very much this country which is doing its utmost to be civilized, who love also their children very much and want to leave them a country which is better than the one they inherited. And here is what Mr. Pierre Tremblay said in another editorial:

Popular pressure. There is no mistake about it; scientific opinion polls tell us rather bluntly that a convincing majority of Canadians are in favour of reinstating capital punishment. A "convincing majority": the phrase is appropriately used in marketing, but does it define the real mission of legislators? No. Opinion polls are anonymous; they give us a picture of the average constituent who may express his deeper feelings or, alternately, simply voice his superficial prejudices. We expect from members of Parliament a more responsible conduct.

Under the circumstances, Madam Speaker, I found it gruesomly fascinating to note that according to a poll on the preferred means to execute criminels if capital punishment is reinstated, the most popular method was an injection given to the criminal so that he can die peacefully without screaming or struggling as if for example he was suffering from a fatal disease and that he was merely being given a painkiller.

When we looked at that poll, it made us shudder, Madam Speaker, because here is what it said:

• (1340)

[*English*]

"Most Canadians want lethal injection to replace noose."

[*Translation*]

If we consider the totals, those who were undecided were some 18 per cent. Those against the death penalty in that poll taken in March 1987 were some 20 per cent. Those who were in favour of an execution before a firing squad were about 1 per cent. Those in favour of the gas chamber were some 3 per cent. However, those who were in favour of that gentle and easy method were about 50 per cent. With that gentle injection, nobody will hear him scream and realize that he has died. There was a 19 per cent support for electrocution and less than 10 per cent for hanging. Therefore, as we are often told, the execution performed at early hours when nobody is around, is apparently what the people have in mind when they think about capital punishment. We are told why it is so.

[*English*]

"Why is it wrong to restore hanging" asks a *Toronto Star* article. As I said before, the death penalty is biased against the poor and the visible minorities.

"Whether somebody received the death penalty very often seemed to be a function of the quality of their lawyers," wrote Clifford Sloan, a former clerk at the U.S. Supreme Court . . . "By and large, the people who receive the death penalty are dirt poor."

The death penalty is irreversible. Since our justice system is run by human beings it is subject to human error, that is, we sometimes convict the wrong man. If we then hang him there is no turning back. Imagine if Donald Marshall, the Micmac Indian wrongfully convicted of murder in Nova Scotia, had been sentenced to death. It is bad enough that he served 11 years for a crime he did not commit.

[*Translation*]

My colleague for Charlevoix said earlier: "Let us trust our judicial system; I have every confidence in our legal system; I have confidence in the jury; we are acting like mature people by condemning someone to death for making a mistake." However, mistakes can also be made by condemning innocent people.

[*English*]

The death penalty is barbaric. Most western industrial nations, including even France—

[*Translation*]

—which was the country of the guillotine—

[*English*]

—have abolished it. The major exception is the United States, home of the Saturday night special. Other nations where it is still in practice include Iran, South Africa, and the Soviet Union, whose examples we do not normally follow.

The death penalty places an immense strain on our institutions. If it is reinstated, all death sentences will, as a matter of course, be appealed to the Supreme Court and, thence, to the Cabinet. The nine justices and 40 Ministers had better be prepared to devote extraordinary amounts of time to each and every case. If they did not, they would not be fulfilling their duties.

[*Translation*]

The advocates of the death penalty are therefore supporting a system of social values which can be termed moral order. This concept is often closely related to the reason of state, and involved as a kind of eraser for all political ills. At times, moral order is uncompromising towards those who go against its dictates. At others, it turns a blind eye to breaches of the most basic moral standards. Moral order is a part-time moralizer—

—according to lawyer Jean Fortin, of the Pepper & Associates law firm.

This is therefore a moral debate, Madam Speaker, where we have to ask ourselves these questions: What kind of country do we want to leave our children and grandchildren? What kind of country could we take pride in? What kind of country could we hold as an example to others? Finally, as parliamentarians, at the end of this mandate, and in the expectation of being given a second one, would we be preparing a better Canada for our children if we voted to reinstate the death penalty? I firmly believe that we would not, Madam Speaker.

[*English*]

Mr. John Parry (Kenora—Rainy River): Madam Speaker, it is with profoundly mixed emotions that I rise to make my contribution to this debate which I think all who participate in it, whether it be for or against, must view as historic. Like the Hon. Member for Gatineau (Mrs. Mailly), I too was first elected to this place in 1984.

In facing the question of the possible reintroduction of capital punishment in Canada I feel somewhat like the pilgrim in *Pilgrim's Progress*. "Though with great difficulty I am got hither, yet now I do not repent me of all the trouble I have been at to arrive . . . " While I have that profound sense of sadness that this debate should ever be necessary in a society that proclaims itself or believes itself civilized, I have a pride and a profound sense of the personal privilege that is granted to me in allowing me to be part of this debate and allowing me to have my say against the possible reintroduction of capital punishment.

There has never been an execution in Canada in the 17 years that I have had the privilege of living in this country, and for eight years before that. The effects of demographics, of immigration, mean that over one-half of Canadians cannot claim to have the slightest personal memory of an execution ever having taken place in this country. They literally cannot remember the time that this was carried out in our country.

In entering this debate I would like to salute those who I see as the heroines and heroes of this debate, those who, like my hon. friends from Bourassa and Saint-Michel—Ahuntsic, have had the courage to change their views in the course of the debate as they listened to the arguments. I salute also those on the government side who, in the face of an overwhelming majority of their colleagues, have clung to, propounded and proclaimed their own faith that this is a measure that would be a stain on the country of Canada and a stain on the Government of which they are part.

I would like, too, to nail a lie that has been put about, that there has been discipline exercised within the New Democratic Party to have everybody oppose this resolution. That is absolutely false. There has never been the hint that it might be used. It is totally unnecessary. We are of one mind. That is a reason we are, after all, in the same Party.

Why the debate? I understand the reasons why, and I do not want to make cheap political points out of them. I understand that as part of the election campaign the Prime Minister (Mr. Mulroney) promised a free vote. I do not judge on his now fulfilling that promise. Yet, having listened very carefully to his speech, I see a man who is torn between the promise and his principles. I can only say that I am glad that this does not

weigh upon my conscience as it must surely weigh upon the conscience of the Prime Minister.

Closure has now been introduced, depriving a large number of Members of this House the opportunity to speak their views on the question of capital punishment. As I do so I will not go the route of an extensive citation or exegesis of scripture, or I hope too extensive a quotation from other authorities.

• (1350)

Virtually every authority that I am familiar with has been cited already, and been cited by people who have a better knowledge, a better understanding, and a better ability to present those authorities than I do.

I should not pretend to be profoundly acquainted with the scriptures, and certainly not as profoundly as one who proclaims a Christian faith should be; nor should I claim that I am aware of the other non-Christian authorities on the subject. But, I shall hinge my argument on four quotations from scripture that speak powerfully to me in judging this question. They are, an eye for an eye, thou shalt not kill, vengeance is mine sayeth the Lord, and, behold, I give you a new law.

It is no accident, Madam Speaker, that *ojo por ojo*, an eye for an eye, is the name of the most dreaded death squad in El Salvador, because that is the law of vengeance.

Those who cite the New Testament in support of their argument cannot overcome the authority of the commandment "Thou shalt not kill" no matter how hard they try, because there are no qualifiers; there is nothing appended or added to that commandment. It say, and it says simply, "Thou shalt not kill."

"Vengeance is mine", sayeth the Lord, and that places in the status of blasphemer everybody who would abrogate unto themselves, or unto any organization in which they may take part, the ability to exercise vengeance.

And finally, the words of the Saviour, "Behold, I give you a new law", and indeed he did, and that law was to love.

The significance of the Bible usage and citation on the pro side of this question, I think, is unarguable. They depend far too heavily on the Old Testament over the New Testament, and they can produce only the most tangential relevance and connection between any words of the Saviour and the position that they seek to propound in this debate. They use scripture, as it was once said a drunk uses a lamp-post, not for illumination, but for support. They use scripture, citing always the authority, but not touching or yielding to the inspiration, which is after all the central difference between Christian scriptures and the scriptures of other religions. The significant difference is that the Bible is not merely a codification of the rules under which we should live, but an inspiration above all; it is a source of inspiration for those who believe, and the aspect of authority is, I believe, undeniably secondary.

Some people have said, Madam Speaker, that elected representatives are duty-bound to support measures such as the reintroduction of state killing because the majority of Canadians appears to favour it. To me, it is not the role of the Member of Parliament to become merely a mechanical device for producing, regurgitating, and onward transmission of the views of constituents. I know, and I know full well, that such a system would repel and would deter three-quarters of the Hon. Members of this House from taking up a duty under conditions which they could not exercise the moral judgment that they possess as free beings.

I believe, of course, that it is my duty to seriously consider the representations of all of my constituents, but they must be honoured in a way that reflects not only their need to be heard but the fact that they elected me to judge, to apply my own conscience, to weigh in the balance the arguments, and to make decisions.

Our country is a representative democracy. It is not a direct democracy like an early New England village or ancient Greek town, where, of course, slaves and women were excluded from consideration. While the ordinary citizen in a representative democracy may in some way feel disenfranchised on some issues, in a direct democracy they are completely at the mercy of those who put the question. Plebiscites and referenda are the traditional tools of the demagogue, the tyrant, and the skilled authoritarian, and they have no place in our parliamentary system.

In the 1979, 1980 and 1984 election campaigns, I—and the same is true of the gentleman I replaced—consistently stated my opposition to capital punishment. Even though some of my constituents may disagree with my stand on this issue, I believe they expect, above all, that I will be true to the positions I adopted during those election campaigns.

The power of this debate is such, Madam Speaker, that during its course, and before it got started, we have seen a gradual shift, not only in the mood of the Members of this House, but in the country. We have seen support for capital punishment slipping away. The surveys, one after the other, of Members of Parliament have consistently shown an increase in the forces of support for abolition and a decrease in those who seek to kill.

Capital punishment, as an act of revenge, is morally unjustifiable. All of Canada's major churches have spoken out against it. Theologians, who after all are the most expert interpreters of scriptural authorities, are almost unanimously against it.

Our justice system cannot be based on a simple retributive equity, measure for measure. We do not steal from thieves; we do not rape rapists. I do not believe that vengeance can play any part in a civilized system of criminal justice. The compassion of those who have seen their own relatives victimized by murder and who yet speak out against capital punishment cries out to be honoured in the record of this nation.

Capital punishment can never restore the life lost; it can only degrade us as a nation. It is not a deterrent. Surely the comparative experience in the United States proves that. Surely the views of the former President of the Canadian Association of Chiefs of Police should be considered. He said:

—it is futile to base an argument on reinstatement of capital punishment on the grounds of deterrence.

Surely that view should be listened to, as should the words of the Hon. Minister of Justice (Mr. Hnatyshyn) who said:

Where you have a penalty it should be demonstrated to be a deterrent with respect to the activity for which it is a penalty.

Because I learned history in the United Kingdom, Madam Speaker, I think of the experience there. I think of how, back in the 17th and 18th centuries, a whole panoply, a gamut of crimes were punishable by the ultimate sentence, and how gradually penal reform reduced that number and how there was in fact a reduction in crime that went hand in hand with that reform.

We are no longer in the age of Dickens, when a person could be hanged for picking a pocket. And we know that even for that trivial crime, capital punishment was not a deterrent. We have more than one authority citing the fact of the widespread pick-pocketing that took place at public executions. That is an antithesis that the "pro" forces are incapable of resolving.

Far from reducing violent crime, the facts support the view that the death penalty is part of the cycle of violence and does not address the public's need for protection.

Depending upon the base year and depending upon the use of statistics, it is very easily possible to show that murder in Canada has fallen since the death penalty was abolished.

The death penalty means that even the innocent can be executed. Miscarriages of justice have been documented in this society, in the United States, and in Great Britain. It has been reported that 343 persons have been wrongly convicted of capital offences in the past 200 years in the United States.

The death penalty is discriminatory. Those who die are, overwhelmingly, the poor, the illiterate, the uneducated, the native people, identifiable racial minorities.

The Assembly of First Nations has petitioned this Government, based on a study entitled "The Quality of Mercy", to block the reinstatement of capital punishment on the ground that if it were reintroduced, it would again fall upon members of the groups which it represents.

As the late Supreme Court Justice of the United States, Justice William O. Douglas, noted: "One searches our chronicles in vain for the execution of any member of the affluent strata of society."

May I call it two o'clock, Mr. Speaker.

• (1400)

STATEMENTS PURSUANT TO S. O. 21

[*English*]

CAPITAL PUNISHMENT

CLOSURE OF DEBATE

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, today is a day of infamy. The Tories have once again broken their promise, this time about a matter of life and death.

Today the Government has shocked and outraged Members of the House by invoking closure in the capital punishment debate. I believe that most Members of the House, regardless of party affiliation, shared the views of the Deputy Prime Minister (Mr. Mazankowski) when he stated in the House on February 13, 1987:

The Government wishes to have a frank debate, a full debate, and a constructive debate.

Given this statement, it is indeed hard to understand why the Government is in such a hurry to curtail debate on this serious issue before all Members of the House have been able to voice their views.

I want to point out—and I hope the Speaker will take note as well—that this debate is different from all other debates. This is not a debate between Parties. It is a debate where each Member of Parliament has views to present, and the Speaker must consider that in this circumstance each of us has an equal right to be heard—

Mr. Speaker: I regret that the Hon. Member's time has expired.

* * *

OATH OF ALLEGIANCE

CITIZENSHIP COURT CEREMONY

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, recently the constituency of Scarborough West was honoured to host the largest citizenship court ever convened when 400 Canadians of Greek origin became citizens of this, their chosen country.

It was an inspiration to witness these people, in the presence of the Secretary of State (Mr. Crombie) and Citizenship Judge Suzanne Warren, take their oath of allegiance to Her Majesty The Queen of Canada as this country's head of state.

Afterwards the judicial character of the evening was happily replaced by a party spirit when ethnic dancing and singing took over the proceedings.

It was thus a visible demonstration of today's and tomorrow's Canada—many cultural traditions united around one national allegiance.

* * *

CANADA POST CORPORATION

LETTER CARRIERS' STRIKE—REPORTED USE OF STRIKE-BREAKERS DURING MEDIATION PROCESS

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, we welcome the appointment of a mediator in the postal dispute, and we hope this means a change of heart on the part of the Government to a policy of negotiation rather than confrontation.

However, I have received a disturbing report from Montreal that in fact the Post Office is continuing to use strike-breakers for security in the delivery of mail.

We call upon the Government and the Post Office to live up to their commitment that they would withdraw all strike-breakers during the period of mediation.

The annual report of the Post Office has shown that the deficit is well in hand. It has dropped over the last year by $81 million. This excuse for confrontation with the postal unions is simply that—an excuse. The conciliator's report pointed out that the impasse in the negotiations was caused by the Government's post office plan and by its short deadline to reach financial self-sufficiency. We hope—

Mr. Speaker: I regret the Hon. Member's time has expired.

* * *

CAPITAL PUNISHMENT

PETITIONS SUPPORTING REINSTATEMENT

Mr. Bill Domm (Peterborough): Mr. Speaker, I rise to give notice to the House of a number of petitions I have received in my office over the past few days and weeks. As you know, representation through petitions has culminated in over 39,000 people across Canada expressing their views in support of a return to capital punishment.

Also I would like to advise the House that, in addition to these 39,256 names, I have also received another 5,827 signatures which, for technical reasons, do not conform to House rules for presentation of petitions. When included, these signatures now total over 45,000 Canadians.

Let me express my sincere thanks to groups such as CRY, Citizens Responding to You; Citizens United for Safety and Justice; Citizens for Capital Punishment and Justice; Victims of Violence; Army, Air Force and Navy Veterans; New Brunswick Police Chiefs Association; RCMP Divisional Staff Representatives; Canadian Association of Chiefs of Police; Canadian Police Association, and the Ontario Provincial Police Association. These groups worked very hard in circulating these petitions and deserve the thanks of many Members of the House.

I would also like to point out that the Ontario youth wing of the PC Party totally endorses and supports a return to capital punishment.

* * *

[*Translation*]

ENVIRONMENTAL AFFAIRS

SAINT-MAURICE RIVER—PROBLEM CAUSED BY LOGGING OPERATIONS

Mr. Gilles Grondin (Saint-Maurice): Mr. Speaker, my statement today concerns the problems caused by log drives on the longest river used for that purpose in Canada, the Saint-Maurice. As you know, the river runs through vast tracts of land in the Mauricie region, from La Tuque to Trois-Rivières.

The log drive has for many years caused serious problems, both for residents on the banks of the Saint-Maurice and for the rest of the population in this region. The pollution caused by the drive has reached alarming levels, according to a brochure published by the Quebec Department of the Environment, under the title: *La Saint-Maurice, une rivière en danger*. The brochure says, on page 17: "The log drives carried out for many years on this waterway have had a harmful impact on aquatic life and water quality. The floating logs, with the bark and the logs that sink and accumulate on the river bottom, release harmful substances, some at levels that are toxic to aquatic life". And a little further: "The floating logs continue to have a devastating impact as far as the St. Lawrence River."

This is a complex problem, since stopping the log drive would cost considerable economic problems in the region owing to the high cost of shipping the logs over land.

In April 1986, an agreement in principle to control log drives was reached. However, it seems the anticipated results have yet to materialize.

That is why I ask that all parties involved, including the federal Department of the Environment, the companies concerned, and other federal, provincial and municipal authorities, meet as soon as possible in order to find a feasible solution to this very serious problem in short order.

[*English*]

TOURISM

ALBERTA SUMMER GAMES—INVITATION TO ATTEND

Mr. Walter Van De Walle (Pembina): Mr. Speaker, tourism is a $22 billion industry in Canada—a vital part of our economy. Some 600,000 Canadians in over 60,000 businesses, many independently owned, owe their livelihood to our tourist industry. In the Province of Alberta the annual value from tourism is $2.5 billion. Who can resist the breathtaking beauty of the Canadian Rockies and our national parks?

This year the County of Strathcona in my riding of Pembina is hosting the Alberta Summer Games, to be held August 5, 6, 7, and 8. Some 4,000 athletes will gather in Strathcona to compete in 30 sporting events, complemented by a major cultural festival. More than 3,000 volunteers have devoted their time.

I extend a warm invitation to everyone to come to Pembina for the Alberta Summer Games. I can assure them of a hearty western welcome.

As we say in Alberta, "Smile, you're a tourist attraction".

* * *

CANADIAN NATIONAL RAILWAYS

WESTERN REGIONAL HEADQUARTERS

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, rumours are abounding again about CN's plans to centralize its corporate structure, and CN President Lawless has been quick to deny any plan to close its regional headquarter offices in western Canada. At least, he has not confirmed the rumours.

However, we in Winnipeg are familiar with the process. We remember the denials of 1985, that the prairie region headquarters was not going to disappear, and along with it all kinds of senior jobs to Edmonton, and all the while it was actually happening. That was eventually stopped, but I am told that the jobs continue to bleed away to Edmonton in a much less controversial fashion.

I call upon Manitoba Tory Members of Parliament and all western Tories to defend western Canada, both Winnipeg and Edmonton, against any possible centralization of this sort.

While I am at it, I call upon the Minister of National Health and Welfare (Mr. Epp) to make good on the work he is doing to bring the new centre for viral disease control to Winnipeg as a complement to the excellent health sciences sector which already exists in Winnipeg. If Winnipeg were to get this very worth-while project, it would certainly go some way toward alleviating the sting of the CF-18.

[*Translation*]

SPORTS

TWENTY-THIRD ANNUAL QUEBEC GAMES AT VAL-D'OR

Mr. Guy St. Julien (Abitibi): Mr. Speaker, Val d'Or is preparing for the Twenty-third annual Quebec Games, from August 7 to 16, a commitment it intends to meet out with its usual flair. The people of Val d'Or have adopted the slogan: A Heart of Gold, and they intend to live up to their legendary reputation for hospitality when they receive Quebec's young people this summer.

On this occasion, more than 4,000 participants, including athletes, group leaders and officials from eighteen sports-loving regions in Quebec, as well as thousands of local volunteers and thousands of spectators and visitors, will experience the excitement of this unique event. Twelve sports disciplines are slated for the 23rd annual Games. Competitive activities will be divided into two blocks of four days each. From August 8 to August 11, there will be track and field, bicycle racing, diving, softball, sailing and water-polo, and from August 12 to 15, baseball, swimming, pétanque, water-skiing, soccer and tennis. More than just a sports event, the Quebec annual Games at Val d'Or are a unique opportunity for Quebecers to make friends, celebrate, and discover and share new experiences. Mr. Speaker, the Twenty-third annual Quebec Games at Val d'Or will be the amateur sports event in Quebec *par excellence*.

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OFFICIAL LANGUAGES

PIQUETTE AFFAIR—ALBERTA LEGISLATIVE ASSEMBLY RESOLUTION—POSITION OF NEW DEMOCRATIC PARTY

Mr. Robert Toupin (Terrebonne): Mr. Speaker, I was dismayed to learn about the resolution adopted by the majority of the Conservative Members of a committee of the Alberta Legislative Assembly censoring Alberta NDP Member Léo Piquette for asking a question in French, and blaming the daily *Edmonton Journal* for supporting the NDP Member and the French fact in Alberta.

This attitude on the part of the Conservative Members attests to their political immaturity, and constitutes an insult to and an unacceptable intolerance of Alberta francophones. The attitude of these Conservative Members shows disrespect for the freedom of the press.

On behalf of my Party and of all Quebecers, again I extend my support to the NDP Member, Léo Piquette, for his display of courage and to all Alberta francophones.

S. O. 21

TAX REFORM

IMPACT ON FAMILIES

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, each passing days sheds more light on the tax reform announced by the Conservative Government. The conclusion is that Canadian families stand to lose as a result of this exercise.

Mr. Speaker, my interpretation of the documents which were tabled is that there will no longer be an exemption for dependent children over 18 who are still attending school.

Second, a woman who is divorced, separated or widowed and whose child of 18 or more is still attending school will not be allowed either to benefit from a dependent child exemption nor to consider such child as a spouse for income tax purposes.

Third, in the case of an average income family, say $30,000, the $65 child tax credit for children under 18 does not replace the tax value of the exemption which was $710 in 1986. In fact this family will lose $120.

Finally, two families with a similar income, say $25,000, one with two children 18 or more and still attending school, the other childless, will pay the same amount of taxes.

I think that is unfair, and the President of the National Action Committee on the Status of Women was quite right to describe this reform as being scandalous.

* * *

• (1410)

[*English*]

MUNICIPAL AFFAIRS

MUNICIPALITY OF WEST VANCOUVER—SEVENTY-FIFTH ANNIVERSARY

Mrs. Mary Collins (Capilano): Mr. Speaker, on Wednesday Canadians celebrate the one hundred and twentieth anniversary of Canada. Out on the West Coast we celebrate the seventy-fifth anniversary of the Municipality of West Vancouver in the constituency of Capilano.

Members of the House have heard me extol the virtues of West Vancouver before. Certainly its physical beauty of snow-capped mountains and spectacular ocean vistas is unsurpassed anywhere in the country. But it is the people who have made this community truly outstanding.

The early pioneers included sawmill operators who established their businesses along the northern shores of Burrard Inlet, and community leaders such as John Lawson.

They were followed by the summer cottagers, and then with the construction of the Lions Gate Bridge in the late 1930s by growing numbers of permanent residents who gave rise to the development of the gracious homes, parks and community facilities which we enjoy today. Communities such as Horseshoe Bay, Caulfeild, Dundarave, Ambleside and Park Royal all contribute their own unique ambience to West Vancouver.

So in this time of celebration, to a community of beauty and sanctuary, a community of truly committed citizens, a community which I am proud to represent, may I send my best wishes for a happy seventy-fifth, West Vancouver.

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MUNICIPAL AFFAIRS

CITY OF TIMMINS—SEVENTY-FIFTH ANNIVERSARY

Mr. Aurèle Gervais (Timmins—Chapleau): Mr. Speaker, I stand today to invite all my fellow Members of the House of Commons, members of the Senate, and their constituents to visit the City of Timmins during the remainder of 1987 because we are celebrating our seventy-fifth anniversary. In particular, I would like to see them come to Timmins during the period of July 23 to August 5.

Two event-filled weeks await both residents and visitors alike, from culture lovers to sports fans plus all of the folks who just want to be happy and have fun. Visitors will be able to choose from many pieces of our birthday cake.

More than 12 ethnic groups have contributed with fine traditions and hard work to make our community a better place in which to live.

[*Translation*]

Mr. Speaker, it should be noted that Timmins is made up of some 47 per cent of francophones. The other 53 per cent is made up of anglophones and 12 English-speaking ethnic groups so that Timmins is an exemplary town.

[*English*]

Since the discovery of gold in 1909, Timmins has grown to become the largest gold mining municipality in the world. A community with a modern airport and a heart of gold, Timmins is a blend of the past and present, the old and new, and it wants everyone to share the special spirit which has made it world famous.

The theme for our seventy-fifth anniversary is precious memories and, Mr. Speaker, I personally guarantee wonderful memories to anyone who visits Timmins.

Mr. Speaker: I regret that the Hon. Member's time has expired.

[*Translation*]

CANADA POST CORPORATION

OPPOSITION TO EMPLOYMENT OF STRIKE-BREAKERS

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, the Prime Minister said last week that he would not cross picket lines. It is easy to say so. The Prime Minister may not cross picket lines himself, but he does worse, he pays people to do it for him.

[*English*]

The man who hires a paid assassin can be charged with murder. The Prime Minister (Mr. Mulroney) hires people to cross picket lines. How does he expect not to be guilty of crossing those same picket lines?

[*Translation*]

The NDP members find that their conscience is troubling them. They hesitate. They do not dare to blame the government. Mr. Speaker, it is time to understand that the Conservative party and the NDP change their mind with the weather. The hiring of strike-breakers by a Crown Corporation is unacceptable today.

* * *

[*English*]

AGRICULTURE

GRAIN TRANSPORTATION—REDUCTION IN NUMBER OF PRODUCER CARS

Mr. Gordon Taylor (Bow River): Mr. Speaker, producer cars were once entrenched in the Canada Grains Act and there were no limits on the number of producer cars. But this right of farmers has been eroded until last year when farmers were only permitted 10 per cent of the cars allotted for non-board grains. That was bad enough, but now that amount is being reduced to 5 per cent. If this reduction keeps on, we will soon have no cars and that will please the big grain companies that want to hog it all.

If there are difficulties at the ports, or if the problem arises because three bodies allocate cars, then deal with the items causing the problem, but certainly do not do it by reducing the number of producer cars. Producer cars are a free enterprise technique and it induces efficiency.

The Government wants our farmers to be efficient, and here we have a commission placing a roadblock that prevents an efficient operation. The use of producer cars is efficient and enables farmers to use the futures market and avoid the elevator system.

I urge the Government to insist on retaining at least the 10 per cent of cars in effect last year.

S. O. 21

LABOUR RELATIONS

STRIKE AT DE HAVILLAND AIRCRAFT PLANT

Hon. Bob Kaplan (York Centre): Mr. Speaker, last week 4,100 production, technical and clerical workers went on strike at the de Havilland aircraft plant which is located in my riding of York Centre. The workers rejected the latest offer from de Havilland, which is owned by Boeing Corporation of Seattle, Washington, and walked off the job just 10 hours after their contract expired. There are a number of issues relating to job security about which the workers are concerned.

Unfortunately, a long and painful strike is being predicted, one which will damage the aerospace industry in Canada. The union is accusing Boeing of trying to impose U.S.-style labour relations on the Canadian plant, and Boeing claims that its contract offer is a result of the need to make the plant more efficient.

The strike must be resolved, Mr. Speaker. De Havilland has a long and proud history in the aerospace industry. Its expertise is admired and respected throughout the world, and the Dash-8 commuter plane is world market leader.

A strike is a very stressful time for management, workers, their families, and the affected communities. I urge both sides to get together to try to resolve this strike.

* * *

WAR CRIMINALS

EXPEDITIOUS PASSAGE OF LEGISLATION URGED

Mr. Bill Attewell (Don Valley East): Mr. Speaker, while it was late, 40 years late, our Government had the moral courage and the political will to present enabling legislation to prosecute war criminals caught here in Canada.

After a thorough and sensitive study by a commission chaired by Mr. Justice Deschênes, the Government responded to the recommendations with a made-in-Canada solution. One of the obstacles was the need to amend the Criminal Code. However, the necessary legislation was tabled in this House last week.

The legislation will permit federal authorities to prosecute persons who have committed war crimes outside Canada against non-Canadians. The legislation also prevents anyone reasonably believed to have committed war crimes from seeking a safe haven here in Canada.

From the initiating of the Deschênes Commission by the Prime Minister (Mr. Mulroney) to the drafting and the tabling of the required legislation by the Minister of Justice (Mr. Hnatyshyn), this has been a very difficult process, due in large part to the acute risk of divisiveness within communities. I want to commend the Minister of Justice for his sensitivity and understanding of this most delicate issue.

I urge the Government and both opposition Parties to deal with Bill C-71 as expeditiously as possible.

ORAL QUESTION PERIOD

[*English*]

TAX REFORM

WHITE PAPER—EFFECT ON FAMILIES

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, in the absence of the Minister of Finance I will direct my question to the Minister of National Health and Welfare. It concerns tax reform which, in reality, is turning out to be just another Tory tax grab from middle-income families.

Last week the Tory chairman of the Finance Committee warned Canadians that the middle class would be hit hard by this Tory tax reform package. We learned over the weekend that even the Minister of National Health and Welfare had to speak to the Minister about this unfair attack on more than one million Canadian families caused by cuts in the child tax benefits. Why is the Tory tax reform so unfair? Why did the Minister not look after his own affairs and advise the Minister of Finance on the unjust decision he made affecting Canadian families?

• (1420)

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, most of those allegations turn on the question of the child tax credit. The Hon. Members know that below the threshold of $24,500 families with children are ahead as a result of the changes we have made. Right above the tax threshold there is a slight change, but if that is put together with the reduction in taxes because of lower marginal rates, families with children are ahead and the Hon. Member knows that.

[*Translation*]

ELIMINATION OF $1,420 EXEMPTION FOR STUDENTS 18 YEARS AND OLDER—GOVERNMENT POSITION

Mr. Raymond Garneau (Laval-des-Rapides): If I choose to return to this injustice, Mr. Speaker, it is because I feel the Minister has failed to understand the importance of this issue, and I urge him to read the documents carefully. Because this reform he has introduced will affect over a million families who will lose in whole or in part the fiscal value of the dependent child exemption which they could claim before.

I ask the Minister: Does he feel it is fair to cut this $1,420 exemption which families could claim in respect of students who are 18 years of age or over? That is the age where children cost the most. At a time when the birth rate is dropping in Canada, does the Minister feel it is fair to eliminate this $1,420 exemption in respect of children over 18 years of age who are still attending school without replacing it with a tax credit?

[*English*]

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I am concerned that the Hon. Member has not read the total tax reform document. If he had read it, he would know that the tuition tax credit is now transferable. Under previous Governments, the deduction for tuition always had to be taken by the student who had a very low income which was rarely ever taxable. Now that is transferable to a parent or a grandparent. That is an important advance not only for students but, I would suggest, for post-secondary education as well.

[*Translation*]

QUERY WHETHER TAX CREDIT WILL COMPENSATE FOR FINANCIAL LOSS

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, the Minister of State (Finance) refuses to recognize the fact that there will be no exemption for dependent children 18 years of age or over, that there will be no tax credit and that, also, a woman who is separated, divorced or widowed who has a dependent child 18 years of age or over still attending school will not be able to claim this child as a spouse for tax purposes. Therefore, I ask the Minister: Does his Government intend to change the relevant provision to reinstate the exemption for dependent children 18 years of age or over who are still attending school, or at least to include a tax credit to compensate for the significant tax loss middle income families will experience?

[*English*]

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, the Hon. Member can get himself stirred up by looking at two parts of the over-all package. If he were to look at the over-all package, he would find that the taxpayer he describes is way ahead. There are lower marginal rates at all levels. That plus the tuition credits to which I have referred add up to a much better situation in the specific example he just described.

TELECOMMUNICATIONS TAX

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, when it comes to imposing taxes on Canadians, the Government does not care whom it taxes or where it goes to get the taxes. First, children's snack food, and paint, and wallpaper, and now a 10 per cent tax on long-distance phone calls and cable TV. The Government twisted the Bell telephone ad. It now reads: "Reach out and tax someone".

My question is for the Minister of State for Finance. For millions of rural Canadians there is no difference between a local and a long-distance telephone call. Is it not true that the Government will tax all Canadians for every call made to their doctors, their dentists, and their children? Is this what is called fairhandedness?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, the tax on telecommunications was very carefully

crafted to make sure that the first telephone in a home and local calls will be exempt. This is an extension of the Government's view that the average Canadian deserves that exemption, and he will have it after tax reform.

MINISTER'S POSITION

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, this is not tax reform, this is a tax disgrace. The Minister's new 10 per cent telecommunications tax will bring $1 billion into his coffers, a cost of $1 billion to the Canadian who has a second phone in his home and who wants to phone his mother, his cousin, his friend overseas, people next door, his doctor or his dentist. How can the Minister justify this new tax which is nothing more than a tax on talking?

Some Hon. Members: Oh, oh!

Hon. Tom Hockin (Minister of State (Finance)): After listening to the Hon. Member, perhaps we should consider a tax on talking.

Some Hon. Members: Hear, hear!

Mr. Hockin: The Hon. Member knows, and I will repeat again, that the poor, the elderly and the disadvantaged Canadians in society will be insulated from the tax on long-distance rates by the increase in the sales tax credit. That is the basis of this reform. It is to ensure that the disadvantaged do not suffer from this tax.

WHITE PAPER—EFFECT ON CHILD BENEFITS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, in the absence of the Minister of Finance I would like to address my question to the Prime Minister who himself is a family man with four children. Would the Prime Minister confirm that, as a result of the changes proposed in the Minister of Finance's White Paper, a $30,000 per year family with two children will actually get $430 less in child benefits than it would have if the Government had left the system alone?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, that calculation, like calculations that were raised in the House last week, can be disputed depending upon the specific case that is being made. The Hon. Member knows that he has to look at all deductions and all clarifications. The key part of the example he gives is that the over-all rate of tax is much lower so the taxpayer is still further ahead.

GOVERNMENT POLICY

Hon. Edward Broadbent (Oshawa): Mr. Speaker, Canadians know that the over-all changes the Government has introduced punish Canadian families and the Minister knows that.

Considering that the current tax system punishes people who smoke cigarettes and drink alcoholic beverages, why has the Government felt obliged to put children in the same category under the tax system?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, the Hon. Member knows that that is just sheer empty hyperbole. He knows that almost nine out of 10 Canadians over the age of 65 will benefit from tax reform.

As far as families go, eight out of 10 Canadian households will benefit from tax reform. Even more important, for eight out of 10 taxpayers with incomes between $30,000 and $50,000 per year, personal taxes will fall by an average of $460. That is in the documents and is not disputed.

Finally, it is so important for the Hon. Member to realize that federal personal income tax will be reduced to zero for 860,000 Canadians.

Some Hon. Members: Hear, hear!

EFFECT ON FAMILY BENEFITS

Hon. Edward Broadbent (Oshawa): And, Mr. Speaker, Canadians know that since the Government came to office, 850,000 people have been added to the tax rolls and increased—

Some Hon. Members: Oh, oh!

Mr. Lewis: They got a job.

Mr. Broadbent: Joe is having trouble again.

Mr. Clark (Yellowhead): Try to be honest, Ed.

Mr. Broadbent: Taxes on the average family have been increased by some $1,300. That is what Canadians know.

Will the Minister agree that, as a result of the changes the Government has introduced, a $30,000 per year family with two children will be getting $430 less in family benefits from the Government than it would if the system had been left alone? That is the question.

• (1430)

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, the reason 840,000 more people paid tax in the past year than before is because we found jobs for them.

Some Hon. Members: Hear, hear!

Mr. Gauthier: Nonsense.

Mr. Hockin: Not only that, but eight out of ten Canadian households benefit from tax reform including all families with two children and so on. There may be a few exceptions, but generally eight out of ten families benefit.

Mr. Gray (Windsor West): A few million exceptions.

SALES TAX—EFFECT ON LOW-INCOME TAXPAYERS

Miss Aideen Nicholson (Trinity): Mr. Speaker, my question is for the Minister of Finance whose so-called tax reform includes yet more sales tax increases before any attempt at

reform of the sales tax which the Minister himself has called "inefficient" and "a silent job killer".

The Government has raised sales taxes and broadened the sales tax base four times thus far, with new increases on food coming into effect July 1.

Will the Minister tell the House why the Government continues to depend so heavily on a form of tax which directly attacks low and middle-income Canadians with young children?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, the Hon. Member knows that it is through the federal sales tax credit that the Government is ensuring that the average Canadian is not hurt by increases in sales tax. This is never mentioned by the hon. lady. That is a very important part of the whole federal sales tax reform. When we bring in sales tax reform we will extend the credit still further.

MINISTER'S POSITION

Miss Aideen Nicholson (Trinity): Mr. Speaker, the Minister of Finance broke his promise of comprehensive tax reform when he backed away from dealing with the sales tax system. Until the Government makes its intentions clear, it should be qualifying its statements about the merits of the partial package it brought forward.

The sales tax credit, which the Minister referred to, is not indexed. It will lose value as inflation increases, thereby pushing low and middle-income families further down the income ladder. Does the Minister not realize this?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I do not know what the hon. lady wants. Does she want a federal sales tax credit or not? In her first question she took one position and in the second she took another.

Miss Nicholson: Index it.

Mr. de Jong: Tom, tell us about indexing.

Mr. Hockin: It is very clear in the White Paper on tax reform that the broader the base the lower the rate can be, the more exemptions the lower the credit. Those are the questions we wanted to put before the Canadian people. We also wanted to discuss it with the provinces to find out whether we could have a national approach.

The previous Government would probably have unilaterally decided on how to do this without consultation. Our approach is to consult ordinary Canadians as well as the provinces.

[*Translation*]

TRADE

FREE TRADE NEGOTIATIONS—PRIME MINISTER'S POSITION

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, my question is directed to the Prime Minister. The Minister of International Trade blamed Ambassador Reisman for wanting to give too much to the Americans in the free trade negotiations. Who enjoys the Prime Minister's confidence, the Minister of Trade or Mr. Reisman?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I find it amazing that a Member of the Socialist Party would raise those concerns regarding alleged attacks against Ambassador Reisman. You have done nothing but attack him non stop for a year now, without any explanation, and now the socialists are defending Ambassador Reisman. When I call him to tell him that, he certainly will be relieved.

As far as the Minister's comments are concerned, she expressed a view on an aspect of a matter that is very complex. The Ambassador, the head negotiator, retains all the Government's and my confidence, as does the Minister.

[*English*]

REQUEST THAT MINISTER AND AMBASSADOR BE DISMISSED

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, the Minister's criticism is quite severe. She said that she has had to keep the Ambassador reined in "so he doesn't give away the bath water before we've even had a chance to sip it".

How is it possible for the country to trust who speaks for the Government on U.S. trade issues when there is this kind of public disagreement and criticism? Is it not time for both the Minister and Mr. Reisman to be fired?

Mr. Riis: Joe, have you been drinking the bath water again?

Mr. Blackburn (Brant): Let them drink champagne.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, we have now heard from the populist Party, the New Democrats. They want the Government to drink champagne.

Mr. Riis: It's better than bath water. That's the problem.

Mr. Axworthy: Actually hemlock is what was suggested.

Mr. Clark (Yellowhead): I want to make the point on behalf of the Niagara Peninsula that it is Canadian bath water.

Some Hon. Members: Oh, oh!

Mr. Clark (Yellowhead): Mr. Speaker, the serious point about this exchange is that it has become clear since the beginning of the negotiations and the discussions on the negotiations that the New Democratic Party was prepared to resort to any tactic and any argument it could to try to subvert the possibility of Canada improving our trade situation in the

world through successful trade negotiations with the United States. We do not accept the idea that we should not be entering into negotiations to try to improve the lot of Canadian workers and the Canadian economy.

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CANADIAN NATIONAL RAILWAYS

WESTERN REGIONAL HEADQUARTERS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, in the absence of the Minister of Transport I will direct my question to the Prime Minister. Over the weekend it was confirmed that at the last board meeting of the CNR a major plan of reorganization was considered which would result in substantially reducing senior management personnel responsibilities in the cities of Winnipeg and Edmonton.

As 70 per cent of CN's operations take place in western Canada, this would be another major blow to a part of the country which is already frustrated by the actions of the Government.

Can the Prime Minister give assurances that CN will not be allowed to switch any senior personnel under its reorganization plans, or downgrade or downsize the management responsibilities which are presently located in western Canada?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, CN has in fact denied such speculative reports. A press release was issued which states:

> Ron Lawless, the company's president and chief executive officer, said that regional offices in Moncton, Montreal, Toronto, Winnipeg and Edmonton will remain.

It continues:

> Nor will there be any relocation of company personnel, including senior officers, from the regions to corporate headquarters in Montreal," he said.
>
> "On the contrary, CN will maintain—and in some respects likely enhance—its regional presence, particularly in Western Canada where 70 per cent of our business is generated"—

Mr. Axworthy: Mr. Speaker, I remind the Deputy Prime Minister that the speculative report came from a member of his own caucus, the Member for Edmonton South.

Mr. Clark (Yellowhead): That's not true.

CORPORATION'S REORGANIZATION PLAN

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, the fact of the matter is that western Canadians have experienced two and a half years of broken promises by the CN.

Can we get an assurance that before any final decisions are made the proposed reorganization plan will be made public and that Members of Parliament from both the Alberta and Manitoba regions, plus the mayors of the cities there and the Premiers of those provinces, will be given the opportunity to look at that plan, comment upon it, and determine whether the impact will be what Mr. Lawless says it will be or what we have seen in the last two and a half years, that is, CN withdrawing from western Canada?

• (1440)

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I am not sure what the Hon. Member wants. The speculation was escalated by a Liberal mayor who found it convenient to seize upon the opportunity. No decision of such a nature has been made and I simply quote the president, Ron Lawless, who was very clear and categorical. There is no need for me to reinforce that assurance. Clearly, the release speaks for itself.

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ABORIGINAL RIGHTS

CONSTITUTIONAL ENTRENCHMENT

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, my question is directed to the Right Hon. Prime Minister. After the First Ministers' Conference I asked the Prime Minister what the Government would do to ease the burden of failure upon Canada's first peoples. Since then the Prime Minister has taken credit for the Meech Lake Accord which, despite its qualities, ignores and therefore insults aboriginal people. Will the Prime Minister at least tell the House when he will propose a schedule for continuing constitutional discussions aimed at entrenching the aboriginal peoples' right to self-government in the Constitution of Canada?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I did not take any credit for the Meech Lake Accord. The Leader of the New Democratic Party was kind enough to give a little to me, and I thank him for that. It was not a partisan gesture, nor is it being construed across the country in that regard.

Inasmuch as my hon. friend raises the question of aboriginal rights and concerns, I am sure he would be well acquainted with the vigorous effort of the Government of Canada and myself in trying to bring about a degree of justice in favour of the aboriginal peoples of Canada at the two aboriginal conferences which I had the honour of chairing. We were unsuccessful for reasons that are well known to my hon. friend.

I indicated at that time that once we got through the important negotiations which turned out to be successful in regard to the Province of Quebec, the Parliament of Canada and the Government of Canada ought vigorously to turn their attention again to securing a degree of justice for native peoples of Canada and that is what this Government proposes to do.

FEDERAL FUNDING OF CONSTITUTIONAL RESEARCH

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, the Prime Minister knows that constitutional research financing for the national aboriginal groups expires tomorrow. He also knows that without such funding they will have to break up their teams of constitutional experts.

As a sign of the Government's commitment to ongoing constitutional participation by the national aboriginal organizations, will the Prime Minister authorize supplementary funding so they are able to keep up their efforts?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, may I say, in fairness to the Government and predecessor Governments, that no one would accuse a Parliament of Canada of having lacked in generosity in regard to the funding of constitutional research and preparation required by native groups, which is the way it ought to be. Quite properly, substantial amounts of public funds have been allocated to this purpose over the last number of years.

I would be happy to review the point raised by my hon. friend because it would be quite important and consistent that native groups have the necessary funds to make their case effectively and well.

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TAX REFORM

WHITE PAPER—EFFECT OF SALES TAX

Mr. George Baker (Gander—Twillingate): Mr. Speaker, the Acting Minister of Finance said a few moments ago that there would be a lump sum payment given by the Government to the working poor and those people on fixed incomes, to make up for the huge sales tax increases to be implemented by the Government. Upon examination, we find that the lump sum payment is not even enough to buy a good lumpfish in Newfoundland.

Does he not realize that the new sales tax increases are going to add an additional burden on these people throughout the year? How does he expect them to live under new sales taxes when they cannot even make it today? They are used to getting hammered and nailed by the Government, but this is a sledgehammer, and they are getting the shaft.

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, it is easy to tell the Hon. Member how I expect that to occur. First, the federal sales tax credit which will be generous, the child tax credit, and the lower rate of tax throughout our White Paper reforms will produce far more income at that level than presently exists.

GOVERNMENT POLICY

Mr. George Baker (Gander—Twillingate): Mr. Speaker, the sneaky summer snack attack starts in two days. There is a tax on potato chips, popcorn, and popsicles. On January 1 everything will be taxed in the household, including the kitchen sink. We hear the phrase: "Reach out and touch someone". The Minister is reaching out already and has his hands in everyone's pocket. Why does the Government want to worry the people further by saying it may now tax their food in the grocery store, the clothing on their backs, their heating fuel and their electricity?

The Minister of Finance said that all of this is to replace "this crazy quilt of taxation". Does the Minister not realize that the crazy quilt will now be replaced by a crazy carpet? The Government is on it, and they are both headed downhill.

Some Hon. Members: Oh, oh!

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, the reason we are bringing in the federal sales tax reduction is to lower the cost of sales tax charges on the truck that delivers his popsicles, to lower the level of tax on the fuel that goes into the truck that delivers his popsicles, and to lower the federal sales tax which right now is between 11 per cent and 12 per cent on kitchen sinks.

Some Hon. Members: Hear, hear!

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[*Translation*]

YOUTH

GOVERNMENT POLICY

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, my question is directed to the so-called youth spokesperson, the Minister of State for Youth, and it is very simple. Where is his program, his youth policy he promised on a number of occasions since he was appointed a year ago?

Hon. Jean J. Charest (Minister of State (Youth)): Mr. Speaker, the Hon. Member for Windsor—Walkerville is no doubt aware that for approximately a year, the Minister of State (Youth) has been operating within the Department of Employment and Immigration, that since that time the Canadian Government has been using 25 per cent of its *Youth Innovation Program*—that a $10 million initiative was announced with Canada's YMCA's, $4 million for *Youth Employment Skills of Canada*, that approximately half of the total Job Strategy budget—something like over $700 million are going to youth, and that moreover, youth unemployment in Canada declined 4.3 per cent since we came to power.

[*English*]

COMPREHENSIVE PROGRAM QUERY

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, my supplementary question is directed to the Prime Minister. All of that sounds kind of sweet, but it does not answer the question. On March 3, March 11, and March 26,

1986, the Prime Minister promised a comprehensive program for youth in that fiscal year. Is this to be another of the Prime Minister's typical promises, one which will lose the Government yet more credibility?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I know that my hon. friend is having difficulty absorbing the reality just set out that since September 17, 1984, youth unemployment has dropped by 4.3 per cent or 4.4 per cent; that some 840,000 new jobs have been created—

Mr. McCurdy: Where is the program?

Mr. Mulroney: Hundreds of millions of dollars are being expended specifically on programs devised by the Minister. There is hope, progress, and prosperity returning for the first time. Consider that there is more than a 4 per cent reduction in unemployment. The Hon. Member ought to be very proud of that on the one hand, and congratulating a remarkable young Minister of Youth on the other.

Some Hon. Members: Hear, hear!

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EXTERNAL AFFAIRS

POLAND—FAMILY REUNIFICATION—ISSUANCE OF EXIT VISAS

Mr. Bill Attewell (Don Valley East): Mr. Speaker, my question is directed to the Secretary of State for External Affairs. Last week the Hon. Member for Parkdale—High Park and I met with Mr. Tadeusz Mlynczak, Deputy Chairman of the Polish People's Republic. We discussed such subjects as how cultural ties could be strengthened between Canadians of Polish heritage and the citizens of Poland. The main subject discussed was the problem of exit visas and family reunification.

The Secretary of State was in Warsaw last month. How can relations between Canada and Poland be improved while, at the same time, bringing some pressure on the Polish Government to grant exit visas more quickly so that families can be reunited here in Canada?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I thank the Member for his question and for his interest in family reunification. I discussed that matter when I was in Warsaw. There are officials of the Government of Canada now in Poland discussing the conclusion of a consular agreement that would allow us to make more regular progress on family reunification questions. That is a priority of the Government which I know is shared by Members of the House.

• (1450)

CANADIAN SECURITY INTELLIGENCE SERVICE

REVIEW COMMITTEE'S RECOMMENDATIONS

Mr. John Nunziata (York South—Weston): Mr. Speaker, my question is directed to the Solicitor General. It concerns the annual report of the Security Intelligence Review Committee which was tabled today and which was extremely critical of the Security Intelligence Service and, in particular, the Counter-Subversion Branch.

The report states that too many Canadians are targeted for investigation by the Counter-Subversion Branch. The Security Intelligence Service has over 600,000 files on Canadians, over 30,000 in the counter-subversion area alone.

The report states that personal freedoms and privacy are seriously threatened. Rather than taking immediate action to protect the rights of innocent Canadians, the Minister is now proposing that another review to review the work of the review committee be implemented.

Would the Minister tell us whether he is prepared to take immediate action to adopt the recommendations of the report of the Security Intelligence Review Committee immediately in order to ensure that the rights and freedoms of individual Canadians are maintained?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, it is quite obvious I agree with the recommendations of the SIRC report. I think they have done an excellent job for myself and for all Canadians. That is why I announced this morning the establishment of an independent review team to take a look at the recommendations contained in the SIRC report, and CSIS management and policies, with particular emphasis on the civilianization and counter-subversion concerns raised in that report.

Mr. Nunziata: Mr. Speaker, we do not need another review. We need action by this particular Minister.

Mr. Gauthier: Right.

Mr. Nunziata: It is obvious that this particular Minister is afraid to take action. He appears to be Ted Finn's puppet.

MINISTER'S POSITION

Mr. John Nunziata (York South—Weston): The report states, and I quote from page 37:

> —CSIS is expending money and effort on too many counter-subversion targets and it is intruding on the lives and activities of too many Canadians—

It is intruding on the lives and activities of too many Canadians.

Some Hon. Members: Question.

Mr. Nunziata: That is the report. The review committee makes recommendations.

Some Hon. Members: Question.

Mr. Nunziata: In view of the serious nature of the problem and in view of the excellent nature of the recommendations of the review committee, rather than again reviewing that particular area will the Solicitor General take immediate action to implement the recommendations of the review committee? I should add—

Some Hon. Members: Order.

Mr. Nunziata: —that the review committee took over a year to review the counter-subversion area of the Security Intelligence Service.

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, it is quite obvious I have taken action, and very speedy action, by announcing the formation of this team to implement the recommendations contained in the report. If I may quote from the report itself, on page 3 the SIRC committee stated that CSIS:

—is an important national institution worthy of continued public support.

The dedication and professionalism of CSIS employees is impressed upon us anew at every contact we have with them from one end of the country to the other.

And I agree with them.

MANDATE OF INTELLIGENCE SERVICE

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, my question is also directed to the Solicitor General. The report of the Security Intelligence Review Committee tabled today states that CSIS has found that a non-violent attack on U.S. foreign policy is a threat to the security of Canada. Does the Minister not recognize that the report by SIRC constitutes a very serious and damning criticism of CSIS's operations, of its failure to distinguish between subversion and dissent?

Will the Minister immediately instruct Ted Finn, the Director of CSIS, to stop spying on law-abiding Canadians who happen to disagree with United States foreign policy? Will the Minister tell him to stick to the mandate of CSIS?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, with the greatest respect, there is no evidence whatsoever in the report that we are spying on people outside the mandate of CSIS. I can assure the Hon. Member and all Members of the House that CSIS acts within its mandate as contained in Section 2 of the Act. Mr. Atkey, the chairman of SIRC, in response to a question this morning, said he found no evidence whatsoever of any warrants being issued with respect to subversive activities contrary to its mandate.

Mr. Shields: Don't let that stop you, Svend.

Mr. Robinson: Perhaps the Minister should understand that you don't even need a warrant to spy on the kinds of agencies about which SIRC expressed concern. The Minister should be aware of that.

[*Translation*]

INFILTRATION OF UNION MOVEMENT

Mr. Svend J. Robinson (Burnaby): My supplementary is this, Mr. Speaker. Can the Minister confirm whether a certain Marc Boivin, of the CSIS, has infiltrated the union movement in Quebec, more specifically the CSN, and in the affirmative, how can the Minister justify such an attack against a democratic organization in Quebec? How can he justify such an unacceptable attack in a free society?

[*English*]

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, as the Hon. Member well knows, CSIS, for security reasons, never identifies publicly who its sources are. But I can assure the Hon. Member that CSIS would not target a labour union because it is a labour union. That would be improper and illegal under Section 2 of the Act. It is not within its mandate and there is no evidence it has acted outside its mandate.

* * *

COINAGE

INTRODUCTION OF NEW DOLLAR COIN

Mrs. Mary Collins (Capilano): Mr. Speaker, my question is directed to the Minister of Supply and Services. On November 16, 1984, I asked the Minister's predecessor in the House if the Government would proceed with plans to produce a new Canadian one dollar coin. My request was granted and tomorrow that Canadian one dollar coin is being introduced.

Some Hon. Members: Oh, oh!

An Hon. Member: That's how it works, you guys.

Mrs. Collins: That's right. Considering the problems which have—

Some Hon. Members: Oh, oh!

An Hon. Member: Take your time, Mary.

Mr. Speaker: The Hon. Member will put her question.

Mrs. Collins: Considering the problems which have plagued the introduction of such coins in the United Kingdom and the United States, can the Minister assure the House and advise us that she is making adequate plans to ensure a successful launch of the new coin and that it will be well accepted by all Canadians?

[*Translation*]

Hon. Monique Vézina (Minister of Supply and Services): Mr. Speaker, the media publicized the decision concerning this new coin extensively. Canadians have welcomed this initiative

of our Government. Most of them are impatient for this very beautiful coin to become generally available.

We have prepared a promotion campaign in cooperation with the financial institutions and this coin will be put in circulation as early as tomorrow.

I am convinced that all the Hon. Members will applaud this Government initiative.

* * *

[*English*]

ENVIRONMENTAL AFFAIRS

BILL C-74—SIZE OF GOVERNMENT FUNDING

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, in the absence of the Minister of the Environment my question is directed to the Minister of National Health and Welfare. The Minister of the Environment last Friday introduced with great fanfare the new Environment Protection Bill. But if one looks at the money the Government has allocated to the Bill, one finds only $37 million divided amongst three Departments over a period of five years. Why so little money? Why not give teeth to this very important measure?

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, the Environmental Protection Act is an Act which the Hon. Member has encouraged the Minister of the Environment to bring forward. He has done that with the co-operation of the Cabinet. The Prime Minister had environmental protection in the Throne Speech. I would think the Hon. Member would have wanted to commend the Minister of the Environment for an Act which the Hon. Member, as the former Minister, was unable to get through his own Government.

Mr. Speaker: The Hon. Member for Davenport, a short supplementary, please.

Mr. Caccia: I would do that if this were not a form of window-dressing.

REDUCTION IN PERSON-YEARS WITHIN DEPARTMENTS

Hon. Chas. L. Caccia (Davenport): In order to be enforced this Bill needs teeth. In order to have teeth it needs funds. Does the Minister not realize that his own Department is losing 22 person-years in the Health Protection Branch this year and the Minister of the Environment is losing 103 person-years this year? How can the Department charge and collect the fines this Bill is supposed to impose on the polluters?

Mr. Guilbault (Saint-Jacques): It is just window-dressing.

• (1500)

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, the Hon. Member says that it is window-dressing. He was not even given any building materials when he was Minister.

This Government has brought forward the Environmental Protection Act. We know that within the three Departments we can handle the Act. We also know that on the legislative basis in the Act we will go after polluters.

The question now is whether the Hon. Member will be true to his words of the past when he said that he would support the type of legislation that has been introduce. Or will he simply be against it? He always seems to have this type of knee-jerk reaction. If this Government brings in good legislation he has to be against it because it was this Government that brought it in in the first place.

* * *

BANKS AND BANKING

CHARTERED BANKS—REPORTED OVERCHARGING ON LOANS TO FARMERS

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, my question is for the Minister of State for Finance who on March 20 assured me that he was conducting an inquiry into possible interest overcharges on farm accounts by the banks. He assured the Hon. Member for Algoma on June 8 that he would table a report or have a report that week. What has happened to this report? Does the great length of time that seems to have elapsed since the study by the Inspector General indicate that the overcharges were even greater than we had first feared?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I am pleased to have this question from the Hon. Member. The report was submitted to me last week. I have examined it. It is clear from the number of instances that this particular matter is best handled by the courts.

We have had one case in which the banks were found out of step. We have found three cases before the courts where the banks were found to be correct in what they did. Therefore each particular case seems to be individual and distinct. It seems to me best that this matter be handled by the courts.

REQUEST THAT MINISTER INTERVENE

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, will the Minister tell us whether he expects to change that stance given the fact that there seems to be several hundreds cases now being prepared to be put before the courts? Rather than tie the courts up, will he not change his stance and perhaps intervene if it appears that the courts are beginning to rule with more consistency down the line?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I do not know how one could change one's stance. One simply lets these cases, as serious as they are, proceed

before the courts. If there were a consistent pattern of judgments in favour, for example, of farmers against the banks, then it seems to me that that would strengthen their case against the banks, and government intervention would be unnecessary. I do not see how government intervention would help at all in this instance.

* * *

THE COMMONWEALTH

FIJI ISLANDS—SITUATION FOLLOWING MAY COUP

Mr. Barry Turner (Ottawa—Carleton): Mr. Speaker, my question is addressed to the Secretary of State for External Affairs. As a member of the Commonwealth of Nations Canada continues to play a vital leadership role in that august body. A member of that body, the Fiji Islands, recently underwent significant turmoil.

Will the Minister advise the House of developments in Fiji subsequent to the May 14 coup? Does he believe it is safe for Canadians to travel to the Fiji Islands on business or pleasure?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I had the opportunity last week to meet with a representative of the Governor General of Fiji who outlined to me the plans being undertaken by the Governor General to restore both a sense of national reconciliation and functioning parliamentary democracy in Fiji. In our judgment those plans have a good prospect of success. I am pleased to take this opportunity to indicate the full support of Canada for those plans by the Governor General.

With regard to the safety of Canadians, I have looked into the matter. I see no reason at all for any Canadian to have any concern about travelling to Fiji.

Mr. Speaker: The last question will be by the Hon. Member for Notre-Dame-de-Grâce—Lachine East.

* * *

EXTERNAL AFFAIRS

NICARAGUA—CONTRA ATTACK ON CANADIAN AID PROJECT

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, my question is for the Secretary of State for External Affairs. On June 1 I asked the Minister to protest the attack by the U.S.-backed Contras on the Canadian Farmers for Peace project in Nicaragua and to facilitate a resolution in the House demanding a stop to attacks on civilian development projects. Now that the Minister has met with U.S. Secretary Shultz on this matter is he willing to introduce the appropriate resolution today or tomorrow?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, as I indicated I would in response to questions in the House, I raised that matter specifically with Mr. Shultz when we met in Reykjavik. I have asked for and have not yet seen details which the Secretary of State of the United States undertook to give me with respect to information as they have it regarding that particular attack.

I will not be in a position to accede to the Hon. Member's request today or tomorrow, and at least not before I have had an opportunity to see for myself the evidence that is promised to be forthcoming.

ATTACKS ON AGRICULTURAL CO-OPERATIVES

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, as the Minister knows, the situation has not improved in Nicaragua. Last week two more agricultural co-ops were attacked. The peace talks proposed by President Arias of Costa Rica were cancelled due to pressure from the United States. Cannot the Government and this Parliament do more to stop the shameful and cruel interventions in that little country?

Some Hon. Members: Hear, hear!

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, it is true that the next step in the Arias proposals has at least been delayed. I do not think the cause of that delay is as clear as the Hon. Member suggests.

My view has been, and remains, that it is important for us as the Government of Canada to focus upon actual things that we can do rather than loud protests that we might raise. That is why we have worked as hard as we have through the Contadora process.

However, I must say that I was shocked by the attack upon a Canadian aid project that involved, among other things, the loss of life of children. There should be no doubt in the minds of the United States Government about the abhorrence on the part of Canadians of actions of that kind.

Mr. Waddell: Short supplementary, Mr. Speaker.

Mr. Speaker: I am sorry, the time for Question Period has expired.

I wish to advise the House that I have received a notice of a question of privilege from the Hon. Member for Skeena which I will hear. The Hon. Member for Hamilton East will be raising a point of order following that. I will then be giving a ruling on a matter that arose several weeks ago.

PRIVILEGE

UNANIMOUS REQUEST BY STANDING COMMITTEE

Mr. Jim Fulton (Skeena): Mr. Speaker, my question of privilege arises out of a motion passed by the Standing Committee on Environment and Forestry on January 22 of this year. Evidence was given more than a year ago by the Nishga Tribal Council. There was an interdepartmental subcommittee struck involving a number of Ministers in the House and their deputies. A number of recommendations came from that.

On January 22 of this year the Nishga Tribal Council appeared again as requested as witnesses before the Standing Committee on Environment and Forestry. As a result of the evidence the committee unanimously passed the following motion:

On motion of Jim Fulton, it was agreed—That the Standing Committee on Environment and Forestry have established a committee at the Deputy Minister level to report no later than June 15, 1987 with the specific objective of obtaining funds for the Nisga'a people to purchase, develop and operate a tree farm license tenure in the Nass Valley; and that letters be sent from this Committee to the Minister of State for Forestry and the Ministers of Indian Affairs, Fisheries and Oceans, Regional Industrial Expansion, the Environment and Employment and Immigration to direct their Deputies to achieve these objectives.

On motion of John MacDougall, it was agreed—That in relation to this Deputy Ministerial Committee's investigation, Bob Brisco and Jim Fulton be offered the opportunity to accompany officials to the Nass Valley.

I finally got the letters that I required from the Clerk of the Standing Committee on Friday, which was June 26, some 11 days after the committee had directed that the interdepartmental committee report back to the committee. But June 15 came and went without a report from such a committee.

The Hon. Benoît Bouchard wrote to the committee and said:

I would be most happy to appoint Mr. Gaetan Lussier to set up a departmental sub-committee.

• (1510)

The Hon. Tom Siddon, on May 29, 1987, wrote:

I am of the opinion that my Department should not participate in the review.

The Hon. Michel Côté wrote, and again I will quote—

Mr. Speaker: Order. I think it would be more appropriate were the Hon. Member to refer to the Ministers by their Ministry.

Mr. Fulton: Yes, Mr. Speaker. The Hon. Minister of Regional Industrial Expansion (Mr. Côté) wrote:

Regarding your Standing Committee's proposal to set up a new sub-committee, I would be happy to assign representatives from my Department.

The Minister for the Environment (Mr. McMillan) wrote, on June 18:

[*Translation*]

"As you know, the former Interdepartmental Sub-Committee was presided by a representative from the Ministry of Forestry and Mines. These last few months, officials from this department have taken part in the discussions between the Tribal Council and the Department of Forests of British Columbia. It seems that progress has been made in meeting the claims of the Council.

I have asked the Environment Canada officials responsible for this matter to monitor the situation closely and to be available for sitting on the new committee if it is established."

[*English*]

The Minister of Forestry (Mr. Merrithew) wrote:

I would like to suggest to the Standing Committee that, given these developments, it would be premature to reconvene the inter-departmental group.

And I attach the full letter.

The Minister for Indian Affairs and Northern Development (Mr. McKnight) never even bothered to write back to the committee, after five months.

When a standing committee takes a vote, Mr. Speaker—which, in this case, was unanimous, with all Parties represented—on a motion, surely there is some parliamentary value to it.

In this case, not a single Minister, not a single Deputy Minister in five months, bothered to convene the requested interdepartmental committee. In the case of the Minister of Indian Affairs, he contemptuously refused to even respond to the committee.

In this situation, I feel that my ability to carry on my duties as a Member of Parliament have been thwarted, and my constituents in this case have been treated, at best, undemocratically.

This matter surely should be directed to the Standing Committee on Elections, Privileges and Procedure, where Ministers and bureaucrats can be held to task for such a blatant abuse of MPs of all Parties.

The final point, Mr. Speaker, I wish to raise is that the Nishga Tribal Council waited for one full year for the first interdepartmental deputy minister task force report. That report was incomplete. The committee then unanimously passed a vote requesting the restructuring of this subcommittee. During this period of time, the Nishga Tribal Council travelled to Montreal, where they met with Mr. George Pettie, the Chief Executive Officer of the Repap. As well, they have had meetings in Victoria, with the provincial Minister of Forests, and a whole variety of meetings related to financing the acquisition of the Nass Valley portion of Tree Farm Licence No. 1.

To be slapped in the face in this way, by five Ministries and by the Deputy Ministers involved, clearly constitutes a question of privilege. It is the kind of matter that should be referred to the Standing Committee on Elections, Privileges and Procedure, so that we can hear from the Ministers or the Deputy Ministers, who do not even reply to the correspondence and the unanimous vote of the standing committee. I think it constitutes a very serious threat to the reforms of this House

and to the ability of any Member to carry out work on behalf of his or her constituents.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I will make a very short procedural argument only. I refer the Chair, as we have on many occasions, to Beauchesne, Article 76, where we have the following:

> Breaches of privileges in committee may be dealt with only by the House itself on report from the committee.

I refer you to the decision, on December 4, 1973, of Mr. Speaker Lamoureux. The issue in that particular case was, can the conduct of committee chairman be referred to the Standing Committee on Elections, Privileges and Procedure as a question of privilege? The answer was that it could not. I quote from the reasons:

> It is well-established practice that committee proceedings cannot be brought into consideration or debate in the House except by way of a report from the committee . . . Finally, there are doubts as to the advisability of having proceedings of one committee investigated by another committee of the House.

I also refer you to the decision of Mr. Speaker Lamoureux of May 10, 1972. I am looking at the reasons given by the Speaker for finding that there was not a question of privilege in relation to the issue then raised. He said:

> There is a long-established rule, and it is a tradition of the House, that matters before a committee are dealt with by that committee, and if any difficulty arises during the course of the proceedings of any hearings held by the committee, this should be indicated either in the committee's report or in the course of the debate in the House on the report submitted.

My first point, Mr. Speaker, is that there has been no report from the committee to the House which could have been concurred in by the House of Commons.

The second point upon which the Hon. Member's question of privilege fails is the matter of whether or not the Standing Committee on Elections, Privileges and Procedure should sit in judgment of what has been done, or not done, in another committee.

I refer you to the decision of Mr. Speaker Lamoureux on May 8, 1974. The issue in this case was, can the proceedings of a committee be the subject-matter of a question of privilege? Can the conduct of a witness before a committee be examined by the House as a question of privilege?

Again, it was decided in the negative. I quote from the reasons given:

> —it might be very unwise for the House to decide that proceedings in one committee be investigated by another committee. It is not procedurally acceptable to raise a proceeding of a standing committee in the House under the heading of privilege except as a report.

And on May 26, 1975—and I believe this was a ruling by Mr. Speaker Jerome—we had yet another question of privilege in relation to proceedings in a committee turned down. Again, I quote from the reasons:

> There is a well-established practice that the Chair ought not to sit as a court of appeal in respect to the proceedings in a standing committee . . . In that case the procedure would be to either appeal the chairman's ruling to the committee as a whole, or to raise a debate on a motion of censure by a Member. The Committee on Privileges and Elections should not be allowed to become a court of appeal for the proceedings of other standing committees.

While I may sympathize with my colleague in his frustration in not being able to get the committee to act, I submit his question of privilege fails on the grounds that, number one, there has not been a report submitted by that committee to the House; and number two, even if that were to happen, we still have the issue as to whether or not the Standing Committee on Elections, Privileges and Procedure should sit in judgment of the proceedings, or non-proceedings, of another committee.

Mr. Fulton: Mr. Speaker, I know my hon. friend was trying to be helpful, but all three of the rulings he cited, the two by Mr. Speaker Lamoureux and the one by Mr. Speaker Jerome, were on matters related to the proceedings in a committee.

If the point being raised were in relation to that, I would agree. I looked at Beauchesne and at some of the previous rulings. The point I am raising is that the committee conducted two years of intensive hearings. The Parliamentary Secretary to the Minister of State for Forestry and Mines (Mr. Greenaway) is here. He knows that we investigated the matter of the tree farm licence more carefully than it has ever been investigated by this House or by a committee of this House. As well, it has been investigated by the ombudsman, by lawyers—it has been investigated to death.

What I am saying, Mr. Speaker, is that the committee, quite properly, had a Deputy Ministers' group from five different departments struck 18 months ago, which group conducted a process which was found to be incomplete by members of the committee and by the Nishga Tribal Council. We recalled the witnesses from British Columbia. They came before the committee and gave another day's evidence. At the end of the evidence, we then voted unanimously that those five Ministries instruct the Deputy Ministers to reconstitute the committee and, between January 22 and June 15, re-evaluate the Tree Farm Licence No. 1 proposal and come up with a funding proposal to allow the project to proceed.

What in fact has happened is that one Minister chose not to even respond; one on May 29, decided that he did not want to participate; and—

Mr. Speaker: I might be able to save the Hon. Member some time. I think the Hon. Member made his point extremely well in his original intervention. I have the distinction that the Hon. Member is putting forward, and I will consider it.

I am always reluctant to close off interventions on an important matter, as this obviously is, but I am mindful of the other debate that is going on in this place, and I am wondering whether Hon. Members can accept that I have the point, and I will bring it back to the Chamber before we adjourn tomorrow.

The Hon. Member for Hamilton East (Ms. Copps), on a point of order.

• (1520)

POINT OF ORDER

EXCELLENCE OF CANADIAN WINES

Ms. Sheila Copps (Hamilton East): Mr. Speaker, yesterday I was in the great riding of Niagara Falls where I had the pleasure of enjoying some beautiful Canadian champagne. Imagine, Mr. Speaker, my surprise when today, in response to a question, I heard the Hon. Member for Yellowhead (Mr. Clark) referring to Canadian wine from the Niagara Peninsula as "Canadian bath water".

I believe it is an indication of the Government's attitude. I am not surprised that the Minister, after having been lobbied vigorously by the Niagara Grape Growers Action Committee to at start at least getting Canadian wine into Canadian embassies, has failed to do so. Quite obviously his elitist Gucci taste does not include drinking the great wine of the Niagara Peninsula.

I see that the Minister is back in his place. I would like to hear him respond. I hope silent members on the Conservative side representing the Niagara Peninsula will also add their voices in concern to set the Minister straight on the beautiful nature of Canadian champagne.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, this is not a point of order, as you will undoubtedly rule, but let me take the opportunity to indicate that the use by the Department of External Affairs at home and abroad of Canadian wine has increased dramatically since the election of the Progressive Conservative Government. Its use is considerably more extensive than it was when the country was unfortunately in the hands of the Liberal Government with its Gucci and French wine tastes.

Mr. Speaker: The Chair can completely understand why any Hon. Member who comes from a wine producing part of the country would seek zealously to affirm the fine reputation of Canadian wines.

The Right Hon. Secretary of State for External Affairs (Mr. Clark) has indeed indicated in his response that the fine reputation of Canadian wines is accepted by his own Department and that Canadian wines are being used to a greater extent than at some other time.

I think the Right Hon. Secretary of State for External Affairs and the Hon. Member for Hamilton East (Ms. Copps) would both agree that this is an interesting matter of information for Members and of debate, but not a point of order.

Ms. Copps: Mr. Speaker, I rise very briefly on a separate point of order.

I accept Your Honour's ruling that this is not a point of order, but you will understand that this debate will be fermenting for many months to come.

Mr. Speaker: I might indicate that the Chair has already had a taste of it.

* * *

PRIVILEGE

ALLEGED FAILURE TO COMPLY WITH STANDING ORDER 99(2)—MR. SPEAKER'S RULING

Mr. Speaker: I have a ruling of interest to the Hon. Member for Nickel Belt (Mr. Rodriguez) and some other Hon. Members.

[*Translation*]

I am now ready to rule on the question of privilege raised on May 26 by the Hon. Member for Nickel Belt (Mr. Rodriguez) about the Government's response to a committee report. This is not the first such complaint, and while it does not come under the heading of privilege itself, I thought it appropriate to have this matter fully aired. The Hon. Member for Nickel Belt was not alone in feeling injured and the taking of firm positions on this matter was not restricted to a single party, as shown by the intervention of the Hon. Member for La Prairie (Mr. Jourdenais).

[*English*]

The issue, while it cannot be classed as one of privilege, constitutes a valid point of order as it calls for an interpretation of a standing order. Standing Order 99(2) reads:

> Within 150 days of the presentation of a report from a standing or special committee, the government shall, upon the request of the committee, table a comprehensive response thereto.

The Hon. Member for Nickel Belt claimed that the Government had failed to provide a comprehensive response to the report concerned, and his case appeared to hinge on the interpretation of the word "comprehensive", which he described as the operative word.

[*Translation*]

I mentioned the statement made by the Minister of Employment and Immigration (Mr. Bouchard) on May 15. We concluded in these terms, and I quote:

> Mr. Speaker, I would like to take this opportunity to thank each member of the Standing Committee on Labour, Employment and Immigration for their work on the Unemployment Insurance Program.
>
> Their report was most helpful in our consideration of not only the current program but the other proposals for reform we received. The committee suggested we consider its recommendations as a package and we have done so.
>
> I am tabling today a letter to the Chairman of the Standing Committee reflecting the contents of my statement which will serve as the Government's response to the Report in accordance with the Standing Orders.

It seems that those paragraphs and the letter tabled in this House were the response of the Government to the Committee report.

[*English*]

This is the point at which the Chair finds itself in some difficulty. It is not for the Chair to determine what constitutes a comprehensive response as this would be tantamount to judging the acceptability of the response. Clearly the Chair could not examine every committee report and every government response in order to make this determination. The nature of the response must be left to the discretion of the Government and, if Hon. Members are dissatisfied, there are avenues available through which they can pursue the matter.

A similar point of order was raised on April 18, 1986, and Mr. Speaker Bosley, in his ruling of April 22, indicated as I have just done, "that the Chair would be in a very difficult position were it called upon to rule on the quality of government responses".

[*Translation*]

After having simply expressed their dissatisfaction, the Hon. Members for Nickel Belt and La Prairie may very possibly still feel that their grievance is well-founded. It is certainly possible for them, thanks to the parliamentary reform which has extended the powers of the standing committees, to raise this issue at the Standing Committee on Employment and Immigration, which is empowered to examine such a grievance.

[*English*]

Members are entitled to express dissatisfaction with government responses to committee reports, as with ministerial answers to questions, but such complaints can only be pursued through the political process. They should definitely not be raised as questions of privilege and, even when raised as points of order, there is little that the Chair can do except allow the matter to be brought to the attention of the House. This has been done, the complaint has been aired with considerable eloquence, and it could be further pursued by the committee should it see fit.

Having said that, I would point out that obviously the rule must have had some meaning. When Hon. Members feel that that meaning has not been met, then I point out that time is taken in this place because Hon. Members may feel that they have no other place to go but to air their grievance before the Chair.

As I have indicated, the committee has other ways to pursue this, but I also point out that there ought to be in my view every effort made to try to follow the plain meaning of the wording of a rule.

POINT OF ORDER

INDIAN ACT, 1985—FILING OF REPORT BY MINISTER—MR. SPEAKER'S RULING

Mr. Speaker: I shall now deal with the point of order raised on June 26 by the Hon. Member for Cochrane—Superior (Mr. Penner), since it concerns a related although not identical matter. He argued that the report to Parliament tabled by the Hon. Minister of Indian Affairs and Northern Development (Mr. McKnight) on the implementation of the 1985 changes to the Indian Act failed to meet the requirements of the statute on two counts. He claimed that it did not provide the complete response required by the statute and that the standing committee of this House to which the report was referred is not the appropriate committee.

I will deal with the second point first. The Act refers to a committee of Parliament, and the Hon. Member contends that this can only mean a special joint committee of both House appointed *ad hoc* to consider the report.

While the interpretation of statutes is not a function of the Chair, I think it can be said that any committee of this House or of the other place, or a joint committee, must be a committee of Parliament. Therefore I can find no procedural violation in the reference of the report to the Standing Committee on Aboriginal Affairs and Northern Development pursuant to Standing Order 67(4).

I would suggest, however, that the committee has a clear duty to examine the report to enable the Hon. Member for Cochrane—Superior and other members of the committee to express any concerns they may have in the light of the report.

• (1530)

As to the adequacy or inadequacy of the response provided by the report, I can only repeat what I said earlier in ruling on the question of privilege of the Hon. Member for Nickel Belt (Mr. Rodriguez). The Chair cannot pass judgment on the contents of any document tabled in this House. It cannot determine the adequacy of a report tabled pursuant to an Act of Parliament any more than it can determine whether or not a government response to a report of a parliamentary committee is comprehensive. Such complaints can only be pursued through the political process. Nevertheless, as I think I have indicated earlier in this judgment, I recognize that it is very important that they should be pursued, and in this case the appropriate forum in which to do so is the Standing Committee on Aboriginal Affairs and Northern Development to which the report stands deferred.

I think I can add this, that rules have to have some meaning. While it is certainly true and procedurally correct, it is not the place for the Chair to interpret all the words in every rule that we have. It would be very helpful for the business of this place if all Hon. Members try to put as reasonable an interpretation on those words as is possible.

I thank Hon. Members for their interventions.

GOVERNMENT ORDERS

[*English*]

CAPITAL PUNISHMENT

ESTABLISHMENT OF SPECIAL COMMITTEE ON REINSTATEMENT

The House resumed consideration of the motion of Mr. Mazankowski:

That this House supports, in principle, the reinstatement of capital punishment and directs that a special committee on reinstatement, composed of 15 members, be established, hold hearings and make its final report to the House no later than three (3) months following the adoption of this motion, such report to provide recommendations on:

(a) which offence or offences should carry the death penalty, and in what circumstances;

(b) which method or methods should be used to carry out the penalty of death, and in what circumstances;

That, pursuant to Standing Order 107(1), this special committee be hereby appointed as a committee to prepare and bring in a bill no later than three months following the adoption of this motion, founded on the committee's recommendations on (a) and (b) above; such a bill shall be the object of a separate and distinct report of the special committee, and such a report shall be its final report;

That such bill, when reported from such special committee to the House, be deemed pursuant to Standing Order 107(1) to have been introduced and stand on the Order Paper, in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business"; and that, when the said bill has been read a second time, it shall stand referred to a Legislative Committee;

That the Striking Committee be empowered to name the Members of the special committee, provided that once the Striking Committee report is laid upon the Table, it shall be deemed concurred in;

That the special committee have the power to sit while the House is sitting and during periods when the House stands adjourned;

That the special committee be empowered to report from time to time and send for persons and papers, and to print such papers and evidence from time to time as may be ordered by the committee and to retain the services of expert, technical, professional and clerical staff;

That the special committee be empowered to adjourn from place to place inside Canada and that, when deemed necessary, the appropriate staff accompany the committee;

That a quorum of the special committee be eight (8) members for any vote, resolution or other decision; and that the chairman be authorized to hold meetings to receive evidence and authorize the printing thereof whenever six (6) members are present;

That any substitution of membership on the special committee be made pursuant to Standing Order 94(4); and

That, notwithstanding the usual practices of this House, if the House is not sitting when the special committee is ready to issue its final report and the said bill, the special committee shall present its report and the bill to the House by filing them with the Clerk of the House provided that the report shall then be deemed to have been laid upon the Table, and the bill shall then be deemed, pursuant to Standing Order 107(1), to have been introduced at the first sitting of the House thereafter and to stand on the Order Paper in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business".

And on the amendment of Mr. Nystrom (p. 7307)

The Acting Speaker (Mrs. Champagne): At two o'clock two minutes were left in the time allowed for the speech of the Hon. Member for Kenora—Rainy River (Mr. Parry). The Hon. Member.

Mr. John Parry (Kenora—Rainy River): Madam Speaker, the death penalty makes it harder to convict murderers. Capital punishment will make the streets more dangerous because juries are reluctant to convict if death is the penalty. A Department of the Solicitor General Saskatchewan Government study showed that from 1960 to 1974, when capital punishment was still on the books, the over-all rate of conviction was 10 per cent. From 1976 to 1982 that rate rose to 20 per cent.

Carrying out the death penalty will cost the taxpayers more than keeping a murderer in prison because when capital punishment is enforced the legal appeal process is exhausted to the limit, all the costs are borne by the taxpayer and the costs of social disruption is borne by all of us.

Some people feel that the death penalty is needed to protect police and prison guards, but more police were killed on duty in Canada when capital punishment existed. It is important to note that other occupations are at a far greater risk of death, including construction, fishing, forestry—at 50 times the risk— and mining. Instead of adopting the death penalty we should have adopted as a collective and personal responsibility of all individuals and society as a whole, the safety of all workers, including police and prison guards.

Countries with the death penalty have the worst human rights violations. Iran, Iraq, Chile, China, South Africa and the Soviet Union all resort to capital punishment. The rate in the United States, the only western country with the death penalty, is eight times that of England, six times that of New Zealand and triple that of Canada. In capital punishment countries other violence, a cycle of violence, is the order of the day. We find the profound barbarism, enforced abortions, public executions, the horrors of the Gulag, executions for holding the Baha'i faith, torture, imprisonment of children, death squads, amputations of limbs for theft offences, Saturday night specials, lynch mobs and the Ku Klux Klan. By executing murderers we do not say that "life is not cheap here", we identify Canada with the countries where life truly is cheap.

The campaign for the death penalty, Madam Speaker, ignores the real problems. It ignores the inequities, the inconsistencies and the loopholes in the criminal justice, the parole and penal systems. The death penalty ignores serious action against violent crime, the roots of which can be found in the vicious cycles of poverty and alienation. As a society, we must devote far more of our resources to education, treatment and direct attack on the cause rather than the results. We must improve treatment facilities, emphasize and promote faith as the basis for life, support crime prevention weeks and crime prevention measures, interpret and use the studies of criminogenesis which we have. We must campaign against crime not only as a problem but as a symptom.

Capital punishment is an anecdotal, cathartic, irrational, institutionalized response to a systemic, institutionalized malaise. The death penalty is a profoundly defective instrument, as either punishment or sanction. It is irrevocable, irrecompensible and is biased. It is socially divisive and it is ultimately self defeating in that it equates the punisher with the punished. The issue is not whether the cold-blooded murderer deserves to die; it is not that the punishment should fit the crime. The issue is that the treatment must respond to the problem, and the major question is, of course, should the state kill? By killing deliberately the state proclaims itself inerrant, but it degrades itself to the offender's level. It denies the possibility of rehabilitation. It commits itself to divide itself against itself. It raises itself above the moral law. It sends its servants to kill deliberately; minutely, systematically, planning to commit the very crime it pretends to rebuke.

[*Translation*]

Madam Speaker, capital punishment is not a path leading to the future but a detour to an atavistic past without hope. The fact that we have yet to achieve civilization should never be an excuse for reverting to barbarism.

[*English*]

Mr. Bob Pennock (Etobicoke North): Madam Speaker, this is a debate in which I would prefer not to participate; I wish there weren't a need, but there is a need. I have a social responsibility, a responsibility to my constituents and a responsibility to myself to speak out on this very important issue. Briefly I will be covering the following: why I have solicited the views of my constituents, my personal opinion on this subject, the question of deterrence, the concern about our judicial system, the area of innocent victims and the ambiguity of religious arguments.

It is rather ironic that we might not be here debating this subject if, in fact, the last vote which was held in 1976 had been truly a free vote. This brings me to outline why I have elected to vote on this issue according to the wishes of my constituents. Frankly, they felt cheated in 1976 because the Bill passed by only a mere six votes. Had there not been the pressure on government Members to vote according to their leader, then in all probability the Bill would have been defeated, and today it would have been the abolitionists pushing to debate this important issue.

As I indicated a few moments ago, I will be voting according to the wishes of my constituents. I do not consider this abdicating my responsibility as a Member of Parliament.

Prior to the election the feeling about which I have just spoken surfaced. Many of my constituents approached me and wanted to know how I would vote on the issue. During the election campaign I made a promise to both the abolitionists and the retentionists that, regardless of my own personal feelings on the subject of capital punishment, I would vote according to their wishes. Frankly, this is an election promise I intend to fulfil without reservation.

I have had numerous personal conversations, have conducted two surveys, had live phone-in shows and town hall meetings on the subject, and there is no question that by far the largest majority of the constituents in my riding of Etobicoke North, from youth to seniors, want this Parliament to re-examine the reinstatement of capital punishment. I can honestly say that at no time did I get the feeling from these people that they were revengeful, rather they are citizens concerned about our justice system. They were concerned about the potential innocent victim of the serial killer or the terrorist.

Before the election I made my views known to both the abolitionists and retentionists that I favoured the reinstatement of capital punishment for some specific crimes. Although I intend to honour my election promise, I have, as a concerned citizen and as a Member of Parliament, listened to the arguments with an open mind. I must state now that I still hold to my original view. My personal position is clear. It is taken out of a concern for the sons and daughters of those who might become victims of serial killers, out of a conviction that I personally feel that when someone elects to take a life, the punishment should fit the crime.

• (1540)

I clearly support the reinstatement of capital punishment for a certain specified and narrow range of crimes. These include the most heinous type of first-degree murder, such as serial killing, contract killing, rape-killing and murdering in cold blood during a terrorist act. I am not, and I repeat not, in support of capital punishment for murder resulting from emotional situations like domestic quarrels known as crimes of passion. Nor am I in favour of capital punishment for those who are convicted on circumstantial evidence only. I will touch on this a little later.

A number of abolitionists attempted to focus on and draw a parallel between the debate we are having here and the recent debate carried out in the British Parliament. One thing which has not been clearly brought to the attention of the Canadian public is that the British vote was on the reinstatement of capital punishment for murder, period. I consider that to be too broad and would have had difficulty supporting it.

I now wish to address the issue of deterrence. I will not dwell on it but I would like to make a couple of comments. It has been clearly brought forth in this debate that each side can support its argument pro or con, depending on the time frame selected to draw figures from. Therefore, I honestly do not think that there is a definitive answer for the question of whether or not capital punishment is a deterrent. I will not waste my time in a statistical battle because, quite frankly, I doubt that even if capital punishment were to be proven to be a deterrent, any of the abolitionists would change their views.

Earlier I spoke of being in favour of capital punishment for serial killers and I spoke of potential innocent victims. I would, however, like to stress that capital punishment would certainly have been a deterrent to Allan Sweeney in the killing of Celia

Ruygrok. It would have been the ultimate deterrent, not only in this case but in the eight other recent cases of repeat killers.

My colleague, the Hon. Member for Simcoe South (Mr. Stewart), sent a questionnaire to 1,231 individuals serving life terms for murder in federal penitentiaries. Of the 303 responses he received on the question of whether capital punishment would have acted as a deterrent, 37 said yes. That means that 37 people would be alive today if there was capital punishment.

I would like to read a letter from one of my constituents dealing with brutal murderers like Sweeney and Olson. He wrote:

> With every right goes an obligation. It's society's preoccupation with "rights" divorced from "obligations" that is giving us a warped view of justice. The Government has a clear duty to govern and keep society safe from those who take life for their own ends rather than defend life and the right to life of all—

I would like now to turn for a moment to the concerns I have heard expressed during this debate about our justice system. In my view, and in the view of most Canadians, our system is in need of serious reform and certainly needs a bit more common sense. A life sentence of 25 years does not mean that any longer.

During this debate, I have heard a number of Hon. Members address the specific subject of justice reform. However, these same Hon. Members were with the Government that brought us mandatory supervision, something which this Government had to return last summer to toughen up. These Hon. Members were with the Government that gave us the Young Offenders Act, another piece of legislation that had to be toughened by this Government. These were pieces of legislation which made our justice system more lenient for the convicted.

The reason for my reservation is that I genuinely do not know at this point in time whether or not the view expressed on this subject by those Hon. Members who are mainly abolitionists is a commitment today because of a belief or rather because of convenience. I sincerely hope it is the former, particularly if this motion should be defeated.

Earlier I indicated I would address the matter of the innocent victim, but I consider this matter to be twofold. There is the possibility of the innocent being convicted and as well there are the innocent relatives of the murdered who are left with grief for the rest of their lives. If I personally were to pick anything to which I have given the greatest profound thought, it would be this subject.

We cannot be certain that the system will not at some point allow an innocent person to be convicted. To minimize the possibility of this, I do not support capital punishment for those who are convicted purely on circumstantial evidence. As well, I support the idea of a double jury vote. The jury would vote once to determine guilt or innocence and a second time to determine whether or not to recommend a capital sentence.

Earlier I referred to eight victims of serial killers. Frankly, I would not want to trade the lives of these eight innocent victims on the chance that one day our justice system might make one mistake.

I want to turn for a moment to the tragic side of this issue that we all too often hastily dismiss and that is the situation of the families of victims of murder. They are truly victims because they live with their grief for the rest of their lives.

A great deal of attention has been paid to the letter written by the mother of Alison Parrot, but I would like to read a letter I received from Mr. Donald Sullivan of Ajax whose daughter was brutally murdered. He said:

> It has been said that execution will not help the victim, well my family are victims also. When my daughter's killer himself was killed we felt not joy, not satisfaction, but relief. Why relief? We sat in court in Whitby, Ontario and heard doctors say that Shannon is the type of killer who, once he kills will kill again given the chance. We now know this will not happen to another young girl in the future. For this reason we felt relief.

The final topic I want to discuss is that of religion. This is somewhat like the deterrence debate, because each side can use biblical quotations to support their cases. The question I have had to answer personally is why am I at odds with my own church.

I do not necessarily think that the belief in God of the leaders of my church or of any other church, synagogue or temple is necessarily any stronger than mine or than that of any other Member of the House. I do not think that their being leaders of a church gives them a particular divine guidance on this moral issue, and I think that many church leaders are finding themselves at odds with the vast majority of their thoughtful and religious members.

I would like to take a moment to read a letter written by a member of the Second Christian Reform Church in Etobicoke. The letter reads:

> The average person does not have the money to produce slick brochures nor the chance to wrap their personal opinions with the names of committees and church agencies, but I would urge you to listen, please, to the voice of the long-suffering Canadian public, the majority of whom want capital punishment restored. We have confidence that the courts and Government will act with utmost restraint in this matter to ensure that justice is done by meting out capital punishment with due care.

As a member of the United Church, I have a great deal of difficulty reconciling the church's stand on the abortion issue with its stand on the capital punishment issue. This was brought to the forefront when I received a letter from the Reverend Robin Smith on May 8 in which the United Church's stand on the abortion issue was outlined. He wrote:

> While life is sacred, it is not as many of our national policies and practices illustrate, of absolute value.

• (1550)

It seems to me that my church is saying that the life of an innocent unborn baby is not of absolute value whereas the life of a convicted murderer, rapist, or serial killer is. To me this is unacceptable.

Maybe some day our justice system for murderers will mean incarceration for life, maybe our prisons will become escape-proof, maybe medical science will be able to guarantee rehabilitation of the hardened killer. Then, and only then, will I probably become an abolitionist. Until then I will think of the innocent victims; I will think of those young girls brutally raped and murdered. Until then, I think the punishment should fit the crime.

For those and other reasons, Madam Speaker, I intend to vote for the motion.

[*Translation*]

Mr. Gilles Grondin (Saint-Maurice): Madam Speaker, I welcome this opportunity today to take part in this very important debate.

To me, it is a debate that will have far-reaching consequences, and I think the Canadian people have a right to expect the same attitude of all Members of this House.

I hope that each and everyone of us is conscious of the major impact the outcome of this debate will have on our country's judicial system.

There is no room for uncertainty in this debate. We must decide whether the State shall or shall not end the lives of those who are convicted of murdering an individual. This is not just another measure that can be reversed even after our decision has been made. Once that decision has been made by us all, and once judges and juries decide in favour of an execution sentence, and when finally, the murderers are executed, the decision is final and irreversible.

Today, a tremendous responsibility is put on our shoulders. This is more than just another legislative measure. It challenges the whole philosophy of our judiciary system. It is also a study of the moral values that we, as parliamentarians, should convey to all Canadians and especially to Canadian youth.

In Canada, capital punishment has been the subject of more or less heated debate for the past seventy years. And I imagine the question will be reviewed regularly in this House for many more years, whatever the outcome of the present debate may be.

This realization, however, should not minimize the importance we should give today to this issue. We are a society in constant evolution. Step by step, most of the time forward but sometimes also backward, we are constantly moving towards higher ideals. Our decision concerning capital punishment is part of this slow process. This time, are we going to take a step forward towards a legal system stamped with justice and concerned as much about respecting the right to live as protecting individuals? A legal system which through research and new experiences will compensate for the flaws which exist in the current system?

That is what I hope for very strongly and from the bottom of my heart, Madam Speaker.

I, for one, am far from having lost all hope of finding a human, yet practical, solution to this vital problem. For this reason, I will vote against reinstating capital punishment.

Our society is quite justified in wondering about the causes and effects of crime, as well as the ways to remedy them. It has every reason to consider that 630 murders a year warrant the improvement of prevention, protection, and compensation measures.

But for anyone to brandish capital punishment as the sole remedy to all our ills is immoral, useless and demagogic. On the moral level, it is not less justifiable for the state to take life than it is for individual citizens. To give the state the mandate to take away life is the same thing as killing somebody for personal vengeance. Some people have a tendency to forget this and find comfortable solace in the thought that a legislation exists to that effect.

Let us make no mistake about it—capital punishment is legal murder, nothing less!

Whatever the terms used by speakers to socially justify capital punishment, the outcome is the same. They are after the blood of those who killed.

It is not surprising then that more and more Canadians are wondering if capital punishment is indeed a solution or rather a pretence to turn attention away from the inefficiency of the correctional system in rehabilitating violent inmates.

I would be curious to know how far supporters of reinstating capital punishment would go to defend their choice.

Will you be a volunteer to serve as hangman? To introduce the poison syringe into a vein? To turn on the power to the neuron burning electric chair?

Before taking a position, this is what we should be ready to ask ourselves.

In another line of thought, we cannot accept that Canadian society meet violence with violence. The State should set an example by recognizing the sanctity of human life in all cases. Meeting violence with violence is only legitimizing the latter.

Capital punishment is still viewed by some as an effective deterrent to prevent crime and maintain law and order.

But the experience in western countries shows the best bulwark against violence is social and economic progress and the development of human rights.

As far as capital punishment is concerned, it only adds to individual violence another kind of violence—state violence.

We all feel a sense of horror and repulsion about the taking of human life. Some foul crimes are particularly more repugnant to us. That is why we want justice to be done and the authors of such crimes to be punished.

However, we must not forget that one of the main objectives of justice if to rehabilitate rather than eliminate a person. The

hope of rehabilitation is not to have pity, but rather to respect human life.

The death penalty does not get to the causes, the roots of human misery, only its effects. It liberates people with good conscience from the obligation of pursuing further research and action for the improvement of the quality of life for all citizens.

Many of those who use violence had and unhappy childhood which prevented them from becoming responsible citizens.

The first thing is to try to understand, even though it is sometimes difficult.

As many other members, I received a letter in which Mrs. Lesley G. Parrot, of Summerhill Avenue, in Toronto, urged us to take her deep conviction into consideration and refuse reinstatement of capital punishment.

If it is painful for each of us to learn through the newspapers or television about the murder of a child, older people or a police officer, try to imagine what must be the reaction of a parent, a brother, a sister or a friend of the victim.

We would find it easy to understand at first if a desire for revenge lingered against the murderer.

That is why it is so touching and so convincing when you receive a message from the mother of a murdered 11-year-old girl rejecting categorically the reinstatement of capital punishment.

Like my colleague for Saint-Michel—Ahuntsic (Mrs. Killens), I would like to quote Mrs. Parrott:

> I do not want to be part of a society that brings up future generations with the belief that killing can be legitimized under certain circumstances. Let the message be clear and unconditional: human life is sacred; killing is always wrong.

I wish to thank sincerely Mrs. Parrott for enlightening us with her testimony.

I was saying that when a murder is committed, the first thing to do is to try and understand, even if it is difficult at times.

Very often violence comes out of emotional wounds, psychiatric troubles or inadequate moral development.

• (1600)

Once we have understood, we can first try to prevent and then to protect, by ensuring that the person involved does not do it again, by acting on the causes at the root of the problem.

This is how, ultimately, we will perfect our prison system and avoid the use of a punishment as cruel as the death penalty which, in the end, does not prevent in any way the perpetration of violent crimes.

On the contrary, capital punishment favors spontaneous reaction and fuels the most primitive expression, the principle of an eye for eye, to the exclusion of some reflection on the causes of this violence, on preventative and social protection measures, and on reform of the prison system.

Remember these words from the famous Soviet dissident, Andrei Sakharov, a man in a good position to know about human suffering: "I view the death penalty as a barbaric and immoral institution which undermines the conscience and the legal foundations of a society. I reject the contention that the death penalty has a deterrent effect on potential murderers. In fact, I strongly contend that the opposite is true and that brutality only leads to more brutality".

On a different perspective, it is important to know that public opinion widely overestimates the phenomenon of violence within our society. According to a Gallup poll taken in 1982, some 75 per cent of the respondents believed that more than 50 per cent of crimes imply violent actions, whereas violent crime only represents 8 per cent of all known crimes.

Two thirds of the people believe that the number of murderers has increased since 1976, while it has in fact remained relatively stable.

The more uncommon an act is, as in the case of a murder, the greater its visibility when it happens.

It is therefore no surprise that for want of adequate information, people try to relieve their feeling of insecurity by calling for harsher penalties including the reinstatement of death penalty.

People are also very misinformed on the circumstances of murders and on their authors. Few people know that about three victims out of four are killed by someone they know; instead of that, people tend to think that it happens between people who are total strangers.

On the other hand, it should be noted that 61,8 per cent of murderers are serving a first jail term.

When those people who are found guilty are paroled, very few of them commit a second crime: there have been less than six such cases since 1963. In short, the murderer who kills just anyone for no special reason is an exception, contrary to popular belief.

As public opinion is so distorted, I find it difficult to understand how some Members of this House can, with a clear conscience, use surveys carried out in their own constituency to justify their position about capital punishment.

A Member of this House recently expressed his views in these terms in a Montreal area newspaper: "I believe that my first duty is to express the will of those who have elected me as their representative in Parliament and to give a voice to their opinions."

While I respect the views of this Member and of all those who have used this argument in the House, I find it would be much too easy to invoke public opinion to avoid taking a stand ourselves and analyzing carefully all the arguments in our own minds.

We have not been elected to this House to act as puppets, but because the people of our constituencies trusted us to make decisions on their behalf.

Naturally, the opinion of those we represent is very important and constitutes a major argument in this debate, but it must not be the basis of a decision which we must make following our own conscience.

Another argument which is often used by the advocates of the death penalty is that justice should be done and that murderers should receive a punishment commensurate with their crime.

In 1962, when we had the last execution in Canada, two men were hanged in the Don prison in Toronto.

However, that same year, 40 people had been officially condemned to the death penalty. Two out of these 40 were executed. Why do you think these two individuals were executed, but not the other 38 who were on death row? The answer is obvious: our judiciary system is such that the various social classes make individual inequalities even more apparent. The poor and the destitute are definitely at a disadvantage when they seek to defend themselves before our courts. Such flaws in our judiciary system take awesome proportions when a human life is at stake.

How can we, in the name of justice, claim a murderer's life when knowing full well there is blatant discrimination against the poor and the destitute? Similar injustices are sometimes done at other levels, true enough, but let us not lose sight of the fact that we are talking about the death penalty, which is both discriminatory and irrevocable. The possibility of error is undeniable. How would we react were we to discover that an innocent man, one of our fellow citizens, has been unjustly murdered by the state we represent? There are no two ways about this, it is bound to happen sooner or later if we restore capital punishment. We would all be somewhat responsible for this. Let us reflect seriously before seeking justice through shed blood. Violence begets nothing but violence.

In a recent article published in *La Presse* the President of Quebec's Association professionnelle des criminologues made a statement on capital punishment in the name of his association. Here are is concluding remarks:

> To reinstate the death penalty in Canada would, to us, mean that society would be abdicating its responsibility to deal with crime and criminals. In our view, the death penalty is the easy way out from the thorough soul-searching we should engage in whith respect to the phenomen of crime. It is too easy to let a few scapegoats take the blame for all our social ills. Quite frankly, our cirme rates reflect the kink of society we are and show how far we are still removed a better world.

I believe that coming from an organization with its level of expertise, this is a very important statement and reflects a great sense of moral duty.

Today, in all countries in Western Europe, the death penalty no longer exists. Other countries such as Nicaragua, Argentina, Brazil and Uruguay have recently abolished the death penalty.

Personally, I would rather not think what the impact of reinstating the death penalty in Canada would be on the international community, at a time when other countries are abolishing the death penalty in far more dramatic circumstances. All these decisions to abolish the death penalty are part of a general movement towards a new judicial policy that makes the State responsible for protecting the individual and guaranteeing the human values recognized by the community of civilized nations.

There may still be some fluctuation, but the end result of this movement is not in doubts, and all enlightened individuals have a duty to encourage this development by speaking out against the reinstatement of this unjust, crual and useless punishment.

Mr. Jean-Luc Joncas (Matapédia—Matane): Madam Speaker, because of my profound respect for human life, whatever the circumstances, I am radically and fundamentally opposed to the motion before the House today for reinstatement of capital punishment in Canada. My motives for a toal rejection of the death penalty are probably the same as those of many people who, in arguing their case, try to make a distinction between the concepts of right to life, right to justice, right to retribution, and so forth. There are no cut and dried truths or absolute dictates on a subject as sensitive and serious as capital punishment.

Madam Speaker, my philosophy is as follows: If no one has the right to voluntarily kill someone, can we, in the name of justice, and with a clear conscience, afford to execute someone as though we had some divine right to do so?

• (1610)

At a time of general concern about human rights, the question arises whether the right to life should not be considered as sacred and as a right to be respected by the legislator. In that case, it should be proclaimed that the State shall not have the right of life and death over its citizens and that society shall not have the right to dispose of the lives of its members.

Whatever people may say, the purpose of the death penalty is basically to do away with a human being. In fact, the State should set an example by recognizing that human life is sacred and that killing is wrong. By doing away with a citizen, the State does not get rid of crime, it merely perpetuates it.

Madam Speaker, in most countries where the death penalty exists, the primacy of the State over the individual is practically a dogma. By denying some of their citizens their absolute right to the respect for human life, these countries are implicitly setting a very relative value on the individual. Implicitly, they give society, or rather to State, the supreme right to dispose of human life.

Madam Speaker, increasing fear owing to crime, hostage takings and political terrorism, is not conducive to a more considerate relationship between the individual and the State.

On the contrary, fear generates a desire for revenge, a desire to kill, and increasingly we are seeing a kind of vigilantism trying to replace the authority of the State.

Madam Speaker, the death penalty is essentially degrading for the individual, since it brands the life of the guilty party as useless. It also exlcudes one of the main purposes of punishment which is rehabilitation. People who opt for alternatives to capital punishment are those who have a respect for all human life and urge society to rehabilitate and reform the offender. Therefore, any civilized society has a duty to impose sanctions that encourage rehabilitation.

We should ask ourselves the following question. Can we, in the guise of meeting out justice, take an attitude that is strangely similar to the desire for revenge? I think this attitude is indefensible and absurd. A death sentence might be useful if it would bring the victime back to life, but I don't think we have reached that stage yet.

The anger of the victims' families is, of course, legitimate and their desire for retribution may be understandable, but suffering does not necessarily give wise counsel. In my opinion, resorting to capital punishment is merely a confession of weakness and perhaps even of society's cowardly reluctance to deal with a problem that should be approached with imagination and intelligence.

Madam Speaker, what about the risk of executing an innocent man? Unlike other sanctions, capital punishement is irrepairable, of course. Judicial errors may not abound, but they do occur, and this alone says it all. No matter what guarantees our contemporary court system may provide, there is always an element of risk. The case of Donald Marshall springs to mind, wrongly convicted of murder as he was, and then released after spending 11 years in a New Brunswick penitentiary. There is no other conclusive evidence that somebody was erroneously executed in Canada, but it did happen in Great Britain, France and the United States.

Though the death penalty is punishment meted out to the criminal, it also has an impact on the relatives: all members of his family have to live with the stigma of infamy. The parents of the condemned man have to face the reality of an ordeal which punishes them beyond any kind of retribution. In addition, in certain cases justice may be thwarted when jurors envision the death penalty. For example, faced with the seriousness of capital punishment, jurors entertaining the slightest doubt may very well be tempted to bring in a not-guilty verdict. With full knowledge they may indeed prefer risking the release of a criminal rather than send an innocent man to the gallows.

From a social perspective, Madam Speaker, death penalty restoration advocates affirm that it is a effective means of intimidating or dissuading, hence a way to protect society against criminals. As it happens, there is no absolute proof that capital punishment has a deterrent effect on potential murderers.

Most of the studies which have been carried out conclude that capital punishment is not a deterrent when it comes to committing murder, or that there is no direct link between the death penalty and the murder rate. These studies seem to indicate that at best punitive verdicts play only a very secondary role in mechanisms which lead to criminal or non-criminal behaviour. It would be a lot more logical to suggest, for instance, that such factors as religious beliefs, upbringing, parental education and the influence of a given neighbourhood are much more likely to prevent or encourage someone to commit murder. Capital punishment does not prevent crime. Most murders are committed in a moment of passion or excessive fright. Some would even say in a moment of aberration.

Even if those responsible for these murders were aware of the probable consequences of their actions, these consequences would undoubtedly have only a secondary importance compared with psychological and sociological factors. Generally speaking, the criminal does not think about the penalty he might have to pay. He focuses on how to commit his crime without being caught. The famous writer Albert Camus, winner of the 1957 Nobel Prize, said the following:

> If, indeed, the fear of death is a certain fact, another certain fact is that, however great this fear might be, it has never been enough to discourage human passions. Man's instincts, which are always in conflict, are not, as our laws would have it, constant forces in a state of balance. They are everchanging forces which rise and fall successively and whose ups and downs feed the life of the spirit.

This is why, Madam Speaker, the risks taken by criminals, of whatever type, do not prevent them from committing a crime. We have the case of hardened criminals who consider the risks and come to the conclusion that their crimes have a very good chance of going unpunished. Capital punishment would not change their minds. Death does not scare criminals. For them, it is mostly a matter of their ability not to get caught, and the most cunning killers plan their murders. It is by examining the crime itself that it becomes possible to differentiate between the clumsy murderer, who leaves traces of his actions, and the cunning murderer, who eliminates all the clues. The first risks being executed as premeditation can be proven, while the second, more cunning killer could easily avoid execution.

In addition, Madam Speaker, many comparative scientific studies have shown that abolition of the death penalty does not result in an increase in the number of homicides. On the contrary, most of these studies show that, in countries where the death penalty has been abolished, abolition has frequently been followed by a decrease in the number of homicides. In Canada, for instance, criminologist Ezzat Abdel Fattah published about 15 years ago a study on the deterrent effect of capital punishment, which clearly concluded that there was no cause and effect relationship between the increase in the number of murders and the abolition of the death penalty in this country.

His study also showed that the increase in the murder rate between 1962 and 1970 was simply a component of the general

increase in the rate of violent crimes, which increase was due to a whole series of social, cultural and economic factors, and not to the partial abolition of the death penalty. Nevertheless, the statistics show that the rate of first and second degree murders has varied very little in the last 25 years in Canada, going from 1.01 per 100,000 of population in 1961 to 2. per 100,000 of population in 1986. What has significantly increased is the number of criminal offences with violence, such as hold-ups, assaults, and so on.

Madam Speaker, if society wants to protect itself, it has to prevent crime by making the necessary socio-economic adjustments.

Even if it wanted to avoid the cost of making such an adjustment, it could not do so at the same time as ensuring adequate protection as its sanctions and penalties do not have the intimidating effect it might wish. In a sense, this is true for all penalties imposed, and not only for capital punishment.

Madam Speaker, we must now be creative and imaginative if we want to fight effectively against crime, and we must rid ourselves of our old ideas and methods for dealing with those we view as criminals. To fight against murder, we must not simply apply to murderers their own methods or moral standards.

Madam Speaker, in the name of which infallible principles or imperatives should we bring back the death penalty? Is it just because some of us want to give in to the basic instinct of revenge? Is it the only way of seeing justice done with any certainty?

Madam Speaker, is there no other means for those who seek justice and are trying to obtain redress?

Personally I think there is, Madame Speaker. There is admittedly no easy and ready made formula. However, I am sincerely convinced that through a sustained effort, a common will using the strength and imagination of man, it is surely possible to do justice in our society by resorting to means primasily based on a sacrosanct principle, the inviolability of the human being.

Before concluding, Madam Speaker, I should like to quote the comments of a French cardinal, cardinal Marty who said the following:

> If a man does no longer act like a man, the community must refrain from following him. Each time a human being is treated as a non human being, the entire human being is threatened. Any individual who commits an act of violence against another individual is degrading mankind. If we want to safeguard the concept of human being now threatened, we must resist the temptation of retributive anger.

I end with a double question that is worth pondering:

> Can man, that imperfect being, be expected to render perfect justice? In that respect, could capital punishment give a notion of perfection to the justice of human beings?

The answer belongs to us.

• (1620)

[*English*]

Mr. Albert Cooper (Peace River): Madam Speaker, I am pleased to have this opportunity to participate in this debate which is so important to our constituents and certainly to each of us as Members of Parliament.

As I enter into the debate today I would like to express my thoughts by looking at six different areas which I think come into play with respect to this particular subject. The first area which I want to talk about is in terms of the issue we are debating today. Second, I wish to talk about the role of the state. Third, I wish to consider the reasons for having the vote which we will have this evening. Fourth, I wish to consider the responsibility of a Member of Parliament on an issue such as this. Fifth, I want to look at the reasons for my own vote and how I will vote this evening. Finally, I want to look briefly at what I see as some of the results of the return to capital punishment in Canada.

I wish to begin by looking first at the type of issue that we are dealing with here in the House of Commons this afternoon. This is clearly an issue of conscience. It is clearly a moral decision. As with any moral decision, it makes for difficult debate and difficult decision-making. It is a difficult question for us all.

This is an issue which reflects very much on the view that we have of mankind, of the people with whom we share this country. As well, it reflects on our view of right and of wrong. It reflects on the way that we view the responsibilities of the state in a country such as Canada with the system of democracy and Parliament such as we have.

I now wish to move to the second area of my comments which deals with the role of the state. I believe very strongly that in a democracy, in a parliamentary tradition such as we have in Canada, individuals collectively take their rights and give a certain amount of those rights to the state. They give those rights to the state to do things that they as individuals cannot do. This includes the area of delivering programs that would be impossible for us as individuals to accomplish. For example, we take individual concerns and pass them on to the state.

Of course, the alternative to that is twofold. The first is to have absolute anarchy wherein every individual citizen of a country does as he or she pleases with respect to any given issue. Of course, what would then flow out of that is the whole concept of vigilante-ism. We are already beginning to see some of that demonstrated in Canada. We have seen individuals starting to act on their own, which creates difficult problems for our country. Recently, in Calgary, a man took justice into his own hands and shot someone who was attempting to rob his store. We saw a much publicized story in the United States of a man who took justice into his own hands and attacked four young men in the subway of his city.

That is one alternative of how to handle justice in society. But the reality is that in a democracy and in a parliamentary system such as we have we do not advocate that individuals take on those responsibilities and act out their own forms of justice. Instead, as individuals, collectively, we take those responsibilities and give them to the state. We ask the state to act on our behalf. This process can only work when society is satisfied that the state is acting out the kind of wishes, desires and needs that those individuals feel they want to see demonstrated in the method of handling justice. That is why I wish to move on to my third point.

The third point I have is with respect to the reasoning behind why we should have a vote this evening. I have talked about what I see as being the role of the state, which is that collectivity it comes from individuals asking the state to behave or to act in a certain way.

• (1630)

What is happening in Canada today very much brings us to a point where we, as Members of Parliament, must vote on an issue as the one we are facing today. What I am seeing out there on the streets is that Canadian society is restless, it is angry, it is frustrated. There is a sense that criminals have more rights than their victims; there is a sense that someone can commit a terrible crime and not be afraid of the punishment. The punishment does not match the crime in this country.

There is a fear among Canadians that there is an apparent increase in violence in our country.

As a result of each of these things, we find within Canada, I think, a growing sense of fear among the Canadian population: a fear that they are not being protected; a fear that the laws of the land are not delivering the kind of security and the kind of protection that the Canadian public believes it has the right to expect. Canadians, as a result of this fear, are demanding that this particular vote be taken by the House of Commons.

It is not a question of whether the Government, headed by the Prime Minister (Mr. Mulroney), chooses to proceed with this vote; it is not a question of whether we, collectively, as Members of Parliament, want to see this vote proceeded with. It is very much a response to the Canadian public asking that this question be opened up and that this question be addressed in the House of Commons.

I would argue that, in view of my attitude as to what the state is in terms of collective/individual rights, that those people who make up that collective group have every right to demand that we as Members of Parliament take that vote.

The state, I believe, in these circumstances, must be responsive. It must respond to those needs of the Canadian people.

I also believe that any attempt to filibuster with the goal of preventing a decision, preventing this issue from coming to a vote, is wrong. We, as Members of Parliament, do not have the right to say that the issue cannot be decided; we have the right only to decide and to reflect our specific viewpoints on that particular issue.

I know there has been criticism here in the House of Commons because we have had to invoke closure on this motion, rather than to have it naturally flow towards a decision and a vote. The reality, Madam Speaker, as you know, and as Members of the House will know, is that there have been several attempts to come to an agreement that would have allowed week-end sittings, extended hours. There have been any number of options considered to allow all Members of Parliament to get their voices on the record in respect of this question, always bearing in mind that the question had to come to a conclusion.

The only conclusion I can come to, after all of those options were presented and still refused, is that there are those in this House who would prefer that the vote never be taken.

I would argue that that is wrong. That is not what we have a responsibility to do. I believe that Canadian society has the right to demand that vote, and I would say that all Members of Parliament are well aware of the desire on the part of the Canadian public to see this issue addressed in this institution.

If one looks only at the polls, one will see a very clear indication that Canadians want this issue addressed. If we look at our mail, we will know that Canadians want to see this issue addressed. Just going by the conversations one has with the various people one runs into in the streets of our respective constituencies, we know that Canadians want to see this issue addressed.

The fourth area I wish to touch upon is that of the role of a Member of Parliament when he or she is faced with a vote of conscience, a vote that is difficult, and a vote that really is based on moral considerations.

I would guess, Madam Speaker, after my earlier comments, that you would expect that I would argue that the responsibility of a Member of Parliament is simply to reflect the viewpoints of his or her constituents. That is not the case. I am with Burke. I firmly believe that we, as Members of Parliament, owe to our constituents, not only the ability to reflect the concerns that they have on any number of issues, to try to reflect the kinds of desires and aspirations that they have, but also to provide leadership.

When we get into an issue such as the one we are debating today, an issue of conscience which calls for a vote of conscience, we, as Members of Parliament, are very much obligated to vote as our conscience dictates that we vote.

If we were to fail to do so on such a serious issue as this, an issue that is moral in nature, an issue that really goes to the nub of what we believe, think and feel, it would mean that we should allow this country to be run by Gallup poll. All Members of Parliament should be sent home. It would be cheaper and more efficient—and, as everybody can well attest, it would be easier on Members of Parliament. But the reality,

Madam Speaker, is that that is not what we have been elected to do. We do have a responsibility as individuals to vote our conscience on issues such as this.

Our responsibility as Members of Parliament can be embodied in four points, four things that we have to do. First, we have to lay out our reasons for our particular position on an issue of conscience.

We can do that in a variety of ways. I am engaged in one at the moment by speaking here in the House of Commons on this issue.

Another is one that all of us have used, and that is the sending of letters to our constituents. As well, we have our conversations over the telephone and on talk-line shows. There is any number of ways that are available to us as Members of Parliament to permit us to lay out our positions, our concerns, and where we want to go with this particular issue.

The second point is that it is very important that we as Members of Parliament do not hide from issues such as this. To hide from this issue would be the ultimate form of cowardice, in my opinion. It would demonstrate absolute irresponsibility, and certainly it would not be demonstrating leadership, which is what I think we are called upon to provide when we are elected to this House of Commons.

Flowing out of that, the third thing we have to do is to vote, and we have to vote our principles and our own beliefs.

The fourth and final point that I think we as Members of Parliament have in terms of our obligations is to be accountable for that vote. In other words, when Albert Cooper stands in this Chamber and votes as his conscience dictates, he must be prepared to accept the consequences of that vote. If my people at home are not satisfied with the way in which I vote, they have every right to reject me at the next opportunity, and I accept their right to do that.

I wish to touch briefly on my own reasons for my vote this evening. I shall be voting this evening in favour of capital punishment, and in favour of the motion before us.

I think each of us, in coming to grips with an issue such as this, set out for ourselves a set of standards, some sort of moral guidelines that we feel are essential and which we use in coming to a decision or conclusion.

For me, the standard of values that I have used is the Bible. I am not about to go into a great theological sermon—first of all because I am not qualified; and secondly, I do not think anybody would be particularly interested in what I might say. But I do want to make a couple of points that I think reflect why I have come to the conclusion that I have in supporting this motion.

First of all, I think the Old Testament is very clear. It calls for, and condones, capital punishment. I do not think there would be much dispute among Members of Parliament on that particular issue. Where the dispute would arise is when we start to look at the New Testament, because there, of course, it is not so specific. But I believe that the New Testament is consistent with the Old; therefore, what is condoned in the Old Testament is also considered acceptable in the New Testament.

• (1640)

I have often found it intriguing that Jesus Christ who knew that one day he would be a victim of capital punishment never took it upon himself to talk about the state's right to inflict that punishment. I wanted to place those two brief arguments before the House.

Also I want to say that I reject, as part of my decision-making process, the arguments of deterrence and revenge. Even though they may well be justification for capital punishment, they are not reasons upon which one can base his or her decision to reinstate capital punishment.

I believe we need a system of justice, a system where the punishment fits the crime. I believe that we as individuals are responsible and accountable for our own actions. If we take a specific action, we must be prepared to pay the price of that activity. I also believe that the state has a right to go to war to protect its soil and its citizens and that when the state goes to war it has the right to kill if necessary to provide protection of its people. I further believe that the state has the right to take life as punishment for a crime should the state decide that it would be proper punishment.

I support capital punishment for professional killers, for multiple murderers, for those involved in sex and torture murders, for the killers of prison guards and police officers, and for terrorists. I support capital punishment where there is no doubt of the crime. If after the due process of law an individual is found guilty of the crime, I believe the state has the right to give him or her the ultimate penalty of capital punishment.

The sixth point upon which I wanted to touch very briefly is what will happen as a result of the potential return of capital punishment in Canada. I have heard the argument made by many legal friends that more juries will acquit rather than convict someone and that as a result more murderers would get off from their crimes. I would say so be it, that does not bother me particularly, because one of the beauties of our process of law is that in terms of a crime, such as one which calls for capital punishment, the individual faced with the charges has the right to a process that calls for a jury or judgment by his or her peers. It is that group which has the option, when the crime is considered horrendous enough, to require the ultimate punishment.

I see that my time has almost expired. In conclusion let me say that the last few weeks have been very difficult for a number of my colleagues. I mention this because it is important for the Canadian public to understand. It is difficult for my colleagues and friends who do not support the majority opinion of their constituents. It has been difficult because they

have had to stand and be counted on this issue. For many of them it has been a difficult, frustrating, and tense time.

I admire my friends who have stood in the House knowing full well that their constituents and many other people in the country would not support them. I see them as men and women of leadership and courage. Many of them will be facing constituents who are angry and frustrated with them. I would ask those constituents to keep in mind the fact that the very people who had the courage to stand in the House and make speeches which were not in the majority opinion are the kind of people we should have in the House of Commons.

The next time we face a moral issue I may well not be in the majority position. However, I hope I have the same kind of courage as many of my friends have had.

Mr. Dave Dingwall (Cape Breton—East Richmond): Madam Speaker, I begin by saying that I am not in favour of capital punishment and that I will not be supporting the resolution brought forth by the Deputy Prime Minister (Mr. Mazankowski) and seconded by his Parliamentary Secretary.

At the outset I want to say that this debate is important to all Canadians from coast to coast and to various interest groups with varying opinions on the subject matter. However, it is somewhat sad that we as parliamentarians, who happen to represent Canadians in the highest court in the land, will not have sufficient or additional time to debate the substance of the reinstatement of capital punishment.

A few Members have spoken and a few more will speak in the remaining hours, but it goes without saying that a majority of Members would like to participate, but the Government's closure motion precludes a free and open debate on a very important subject matter.

I have profound respect for Hon. Members opposite who have an opposing view to mine because they have been true to their convictions, as has the Hon. Member who has just spoken. I would not at any time want to question, nor to put in doubt, his integrity or judgment on the subject matter. Equally important, I hope Hon. Members opposite who share a different view on this important matter will not question my integrity or my convictions with regard to the reinstatement of capital punishment.

I begin this debate by going back to the comments of Edmund Burke who has been referred to many times in this great Chamber by members of all political Parties. To paraphrase Edmund Burke, he said that we owe our judgment to our constituents. It is my view that the majority in my constituency is perhaps in favour of reinstating capital punishment. However, I was not elected to the Parliament of Canada to be a rubber stamp. I was sent here by my constituents for a variety of reasons, one of which I believe in deeply and profoundly, that is, that I was sent here to exercise my judgment on their behalf.

Intellectually, I cannot morally accept the arguments in favour of reinstating capital punishment. Politically, it may not be feasible to be against the reinstatement of capital punishment. I say to those across the land who want to use this issue for political purposes to defeat Members of Parliament who are against the reinstatement of capital punishment that I am prepared for the fight, no matter what is the fight.

This is a debate which ought to occupy the minds of all Canadians and all Members of Parliament. In order to exercise our judgment, it only seems appropriate, logical, and inevitable that the governing Party would want to give ample opportunity to all parliamentarians to address the substance of the reinstatement of capital punishment.

• (1650)

What have the experts said? What have we heard in this great Chamber with regard to the pros and cons of the reinstatement of capital punishment? I want to talk about those experts, Madam Speaker. I will conclude my remarks about a real life situation in my constituency, in my province, affecting constituents and Canadians in that region of Canada. What of the experts? I go back some years ago when I had an opportunity as a student of law to hear some great orators. One of the best was the former President of the Conservative Party of Canada who came to Dalhousie Law School. I was the chairman of the speaker's committee. Arthur Maloney gave a speech before a body of young men and women who had differing views regarding the reinstatement of capital punishment. He said, as only Arthur Maloney could say, "Have you ever walked with a client to the gallows? Have you ever held the hand of a man or a woman who has been sentenced to have their life done away with?" That ought to go to the moral fibre of every Member of Parliament in this House.

It is one thing to say in the halls of Parliament or in the coffee shop that intellectually, yes, there are probably some reasons for which we ought to favour the reinstatement of capital punishment. But the question must remain. With the reinstatement of capital punishment, will it achieve the objectives of the previous Hon. Member in deterring homicides in Canada? Will it achieve the objectives of the Hon. Member who is leading the charge in this House for the reinstatement of capital punishment to prevent crimes against victims? The answer, and I say it with great respect to those Members, is no.

What of the experts, Madam Speaker? In the June edition of *Psychology Today*, Dan Archer, who has studied the subject matter of capital punishment and its effects for some 14 years and has surveyed in excess of 80 different nations, asked: "Does the death penalty deter potential killers?" In his judgment the answer is no, it does not. The death penalty does not deter homicidal criminals. When a nation does violence to human beings by conducting wars and executing criminals, it incites citizens to more criminal violence than they would otherwise commit, so the state can make violence the coin of its realm.

It is interesting to note that in examining the surveys conducted in the United States and of the various states in the United States only one that I can come across, only one, would hold a differing view. I wish to read into the record Isaac Ehrlich, a professor of economics at the State University of New York at Buffalo, who has claimed to have found evidence that the death penalty deters killers. That is the only one, Madam Speaker. Archer goes on to say in his article, and I point out for Members opposite:

—not one of the other 50 odd U.S. studies of the deterrence hypothesis has produced evidence that the death penalty deters murderers. "In a mature social science you don't draw conclusions from a single study because that study could be fatally flawed for any one of a host of reasons. Instead you should draw your conclusions from the preponderance of evidence. And in my view, the overwhelming pattern in deterrence research shows that the death penalty has no effect on the homicide rate".

That is the view of an expert on a study done in the international community on capital punishment with 14 years of research, not three days and three nights, but 14 years with untold hundreds of thousands of dollars spent.

I do not want to go into the litany of information that is available to all Members of Parliament with regard to what happened in that particular state and how the death rate has gone up. I do not want to get into those arguments because I think we miss the principle when we start getting into small, isolated statistics. But they are important nevertheless, both intellectually and from a practical perspective.

The arguments of the experts that I have had an opportunity to read and peruse have all come down on the side that the death penalty or the reinstatement of the death penalty does not deter homicide. I have failed to find in my research and I have asked law professors, students of law, sociologists and others, to provide me with opposing arguments. Perhaps that shows a flaw in my character or, indeed, in my legal training, that of trying to come to my conclusion by obtaining facts and information on both sides of the argument. I have not been able to find those.

In this empty Chamber today, and I wish those in favour of the reinstatement of capital punishment were here in larger numbers because I want to relate for their benefit a true but yet an ever sad story of the Canadian justice system.

In the early 1970s in a community just outside of Sydney, my home, a young man by the name of Sandy Seale was murdered in a park. Sandy Seal lived several miles from my home. He was a young coloured man, an athlete. I remember this just as though it were yesterday. The tensions in that community, the rumblings and the rumours were rampant. As a young Canadian I was scared, scared of what was going to happen. If you only knew the geography of that area of Canada, Madam Speaker, you would understand why. But they found someone to lay a charge against. He was not the son of a prominent doctor, he was not the son of a prominent lawyer. He was a native, and I am speaking of Donald Marshall. An elderly man was subsequently charged with the death of Sandy Seale, some 11 or 12 years later. As young people, we used to go to the rink and pass this elderly gentleman all the time. But because in 1971 the criminal justice system was flawed, a young Canadian had to spend not one, not two, not three but 11 years of his life behind bars. Do you know what it is like, Madam Speaker, to spend even three hours behind bars?

• (1700)

We hear Hon. Members in this Chamber say with conviction and sincerity: "Well, you know, got to have it, never mind the fact that it does not deter anyone, but we still got to have it". I say that that is one living example of why this great Parliament ought not to reinstate capital punishment.

One would be surprised by the number of Canadians who have been charged and convicted for crimes they have not committed, not because our police officers, our judges or our prosecutors are bad but because of the theory of innocent mistake. There have been many theories about why the Donald Marshall case happened as it did, but let the fact remain clear to each and every Member of the House that an innocent man spent 11 years of his life behind bars, institutionalized for a crime he did not commit.

I cannot in good conscience vote for this motion. I cannot intellectually accept or consent to having someone die at the hands of the state. Some will say that there are other cases where guilt is clear-cut. Is it really clear-cut? Is that the kind of society we as Canadians wish to have, a society that kills, that commits homicide. Because that is what it is. Hon. Members can play with the etymology of words to say that it is not really homicide, it is revenge. However, it is homicide and we ought to remember that.

I would urge the House to look at the facts. There is no deterrence attached to the reinstatement of capital punishment. Yes, there are numerous cases, far too many to mention, of the state making a mistake by convicting an innocent man for a very serious crime.

I will conclude by again referring to the Donald Marshall case. What a tragedy it has been for him and for his family, but also what a tragedy it has been for our criminal justice system! An innocent Canadian was behind bars for 11 years of his life for a crime he did not commit.

Finally, I would paraphrase the words of Edmund Burke. For evil to prevail, all that is required is that good men do nothing. I would hope that good men and good women will vote against the reinstatement of capital punishment.

Mr. Bill Tupper (Nepean—Carleton): Madam Speaker, I value the opportunity to rise to share with you some thoughts on why I find myself unable to support the motion before the House. I have given this matter a great deal of thought. I cannot recall exactly when I became an abolitionist, exactly when I felt that capital punishment should not be a part of Canadian society, but I have been one for a long time.

This matter was raised seriously with me when I was seeking the candidacy for my Party in Nepean—Carleton. There were candidates who presented themselves for nomination who supported capital punishment. Members of my Party decided on balance on a candidate who had other views, all the while knowing where I stood on the issue.

At every turn during the 1984 election campaign, at every all candidates' meeting and at hundreds and hundreds of doors at which I presented myself, I was asked where I stand on capital punishment. With all the truthfulness I could muster, I shared the fact that I was not a supporter of capital punishment.

I want to share with you as well, Madam Speaker, the fact that my community is no different from any other community. From the enormous amount of correspondence, telephone calls and times it has been raised in town hall meetings, I suspect that the feelings of the residents of Nepean—Carleton are no different on balance than the feelings of those from other places in Canada.

Superimposed upon that, of course, is the fact that my community has lost one police officer in the last five years and saw two others seriously wounded in the line of duty. That of course tends to deepen and, I think, magnify the concern over capital punishment.

I need to share with my colleagues the fact that I have probably spent more time researching this issue, the aspects of deterrence and vengeance, than I have on any other issue since I became a parliamentarian. When I talk to people who are either supportive of capital punishment or opposed to it, I find that the roots of their feelings run deep, that there are philosophical differences that are complex and sometimes contradictory and at other times difficult to understand. However, regardless of which side of the argument they are on, when I talk to people, I find that they have common concerns. They are deeply concerned about violence in our community. They are deeply concerned about the judicial system. They are deeply concerned about the parole system. They are deeply concerned about a tax on police officers.

So we all agree, I believe, on the cause. What we disagree on is the solution.

Looking across Canada to see who commits murders or homicides, we find that 40 per cent of all murders occur within family units and with people being intimately known to one another. Between 70 per cent and 80 per cent of all homicides are committed by people who are acquainted with their victims. These acts of violence are sometimes acts of persons who are emotionally disturbed. Sometimes they occur during an emotional outbreak, a family quarrel of one sort or another. Sometimes they are carefully planned by professional criminals who probably have no fear of getting caught. Other times they may be an act of panic during another crime.

• (1710)

If you look at them carefully you will see that many of them relate to people who grew up in situations of poverty. They involve young people who are among the disadvantaged in our communities, the underprivileged. Some of them may relate to alcoholism and drug abuse. However, none are happy situations.

I would like to share with you something which happened when I was a young person growing up in Nova Scotia. Through the press I followed the case history of a murder which occurred in a small community there. A person was ultimately charged with the crime and the trial was reported in great detail in the local press. Every person in that community seemed to become a member of the jury. In that public jury there was no unanimous conclusion. One could walk the streets of small towns in that vicinity or go into any dance hall or beer parlour and find divided opinions. Yet, the jury of the day convicted that person.

I recall the appeals that were launched. I recall the plea for leniency that went out. I recall the community waiting for a message from the Prime Minister of the day that the sentence be commuted. That message never came. There was no joy in the community, there were only sobs.

I have spent a considerable amount of time talking to as many cabinet Ministers as possible who were involved in the last public hangings in Canada, those being two in 1962. Of course, I was unable to speak with all the cabinet Ministers who were involved in the process. However, I asked those to whom I was able to speak what kind of discussions went on within the cabinet chamber. I asked what kind of dialogue went on among the Ministers and the Prime Minister. Colleagues, my feeling is that that situation left a mark on the conscience of every one of those persons with whom I chatted. Every one of them recalled those moments in 1962 with a great deal of clarity and a great deal of concern.

As a result of those discussions I have reached the conclusion that I do not want my Prime Minister ever to be put in such a position. I do not want my colleagues in the Cabinet ever to be put in such a position. I do not want future Prime Ministers or future cabinet Ministers to be put in such a position either, a position in which they must decide between life and death, between right and wrong. I do not want to be part of a Parliament which endorses the restoration of capital punishment.

We are really talking about something far deeper than capital punishment. We are talking about the kind of society we want to have in Canada, the kind of environment we want our young people to grow up in and our grandchildren to be part of. Do we want a violent society? Do we want to reward and counteract violence with more violence? I do not want to build that kind of Canada and I do not want to be part of a Parliament which does that. I do not want Canada to be associated with countries such as Iran, South Africa, Saudi Arabia or the U.S.S.R., and I could list many others. I want to

build a society which is warm and generous. I want people from outside of Canada to look upon us in a certain light.

In any discussion about capital punishment there is always the aspect of deterrence. We can never discuss this issue without talking about deterrence. On both logical and statistical grounds the argument is difficult to support. Studies in Canada, the United States, Great Britain, Holland and 30 or 40 other jurisdictions around the world, done by people from different political systems and different religions and races, inescapably conclude that capital punishment has no apparent influence on the homicide rate.

In Canada, for instance, homicide rates have decreased since the abolition of the death penalty. In 1975, there were 3.09 homicides per 100,000 of population. In 1985, the rate was 2.6 per 100,000, and in 1986 the rate was 2.1 per 100,000. The rates have actually fallen over the last ten years.

Those who advocate the return of capital punishment have an enormous responsibility on their shoulders. I will return to that in a moment. However, very few supporters of capital punishment believe any longer that it is a deterrent. They now raise their arguments on other issues.

Colleagues, there is the aspect of vengeance. Most active homicides are too terrible to describe and too terrible to tolerate. I understand that. One can understand how, in the moments of grief which follow such gruesome situations, families and friends can experience vengefulness, a rage, or ill will toward an individual or society. However, revenge does not right a wrong, it does not break the cycle, it does not heal the basic hurt, and it does not solve the problem.

In addition to the aspect of deterrence and revenge one must also ask oneself about equality in our justice system. How fair is it? How consistent is it? I have talked to many lawyers about this. They tell me that some Crown attorneys and some defence lawyers are better than others, that juries are not always predictable, and that more convictions involve the poor and the underprivileged. There are fewer convictions of the rich. Furthermore, the attitudes of trial judges differ a great deal across Canada.

Trial lawyers point out that it is impossible to guarantee consistency. It is impossible to have a system that is infallible. If you come to the conclusion that it is impossible to have an infallible system, the responsibility of those who want a return to capital punishment is enormous because the act of capital punishment, the death penalty, is so final and irreversible. How do we respond if we make a mistake?

In this century, 343 people in the United States have been wrongly convicted of crimes punishable by death. Twenty-five of them have actually been executed. Can we afford that? I suggest that we cannot.

• (1720)

Of all the parameters in this debate about which I have been anguished the most, it is probably that relating to police officers and prison guards, particularly in relation to my community. They are the front line individuals in the defence of our society. They are the enforcers of our values. If there is one group in our community that is to be given any benefit of the doubt, I suggest it is they.

Professor Waller of the University of Ottawa points out that a policeman's job in comparative terms is not particularly risky. There are jobs such as those involving miners, loggers, and oil rig workers which are ten times more dangerous. However, that is not the point. Policemen and prison guards lay their lives on the line for the safety of you and me every day and every night. Police officers received calls at unknown and unpredictable times to go into unpredictable situations in which their lives may have been in danger. I have witnessed such situations personally.

Let us look carefully at the analysis of police homicides in Canada over the last 24 years, from 1962 to 1986, the last year for which we have available statistics. Apart from some small aberrations, the homicide rate among police officers has been fairly constant at a time when the population has been growing dramatically and when violence and drug and alcohol abuse in Canada have been growing as well. There is no evidence in those statistics that can lead one to the conclusion that capital punishment provides safety for the life of police officers or acts as a deterrent in those particular cases.

Perhaps there are a number of alternatives that should be considered. Clearly, we can take steps to improve our judicial system to make sure that sentencing is more consistent and relates more equally to the crime involved.

I have absolutely no doubt that the parole system in Canada can be strengthened. It is appalling to read in the newspapers about someone who has been convicted of the type of crime with which we are concerned being told in the same breath that this person will be eligible for parole in just seven years, as so many are.

We can probably do much more in the area of gun control. Professor Waller of the University of Ottawa contends that the gun control legislation we enacted in 1976, ten years ago, has saved some 500 lives in Canada in that period. Gun control legislation is one vehicle by which we can help protect the lives of police officers and ordinary citizens.

We must also be concerned with the whole area of family violence. It is one situation in which many homicides occur. There are many things we can do to reduce and control family violence. One solution is to find the causes of family violence and unhappiness. A family disturbance is one of the situations most feared by police officers.

The crime rates across Canada reveal that many of those involved in crime are young people. I believe we can do much to help them by improving our education system, providing better recreational facilities, helping them to develop careers and helping to solve the problem of school drop-outs.

In closing, I repeat that I am unable to support the motion before us today. I do not want to be part of a House of Commons that supports capital punishment. I want to build a better society for Canada because life is precious and sacred. I want to be part of a community which cares infinitely for each individual.

In the course of the weeks and months that lie ahead, I will use whatever strength and skill I have to improve our judicial system, our penal system, all those things associated with the criminal justice system.

I want to leave the House with this final thought from Jeremy Bentham who said:

> The state affects the conduct and actions of its own citizens more by the standard of its own behaviour than by the penalty it inflicts on others.

Mr. Les Benjamin (Regina West): Madam Speaker, I believe this is the fourth occasion since 1968 that I have risen in the House of Commons to speak to this subject. It is a subject that none of us relish but one with which either society has demanded or Members of Parliament have decided we must deal.

I am indebted to my colleague and friend, the Member for St. Catharines (Mr. Reid), who sent a letter he received to Members of Parliament. It is dated May 11 and states:

> Mr. Reid, I am a resident of your riding, I am a police officer with the Ontario Provincial Police, and I am also against the restoration of the death penalty.
>
> Those people that speak on behalf of the law enforcement community concerning the death penalty, do not speak for the silent majority of police officers.

We are also indebted to my colleague, the Member for Prince Albert (Mr. Hovdebo), who sent all Members of this place a letter from a man who is now a resident of Saskatoon. He said on April 9:

> In April, 1965, I was the Chief Keeper (Director) of Saskatchewan's only prison with a gallows. In that prison was a man who had been convicted of murder and sentenced to die by hanging. My job was, among other things, to ensure the condemned man was kept in good health and did not take his own life. It seemed society was not so much interested in his death as it was in killing him.
>
> I was, in fact, a paid employee of the state, required by law to participate in the ritual killing of a human being.

I believe that what we do is what we are. The test of civilization in any society is how it treats its sick and poor, its disadvantaged, and yes, even its offenders, both civil and criminal.

This motion fulfils a commitment by the Prime Minister (Mr. Mulroney) to a free vote on the issue of the death penalty. He made that commitment during the 1984 election campaign. I fully appreciate that it is a commitment he is honouring, but I submit that it is a commitment that was, at that time, designed to pacify and satisfy the large element in his Party and among the public who understandably wanted to lash out for an ultimate solution to the worst offenders of all, those who murdered.

• (1730)

Surely the Prime Minister must know by now that the attempt to be all things to all people sadly weakened his own stand and that of many others, including those of the churches. He should know by now that the matter is not just political, but moral. His excellent speech on this matter illustrated that. But he has allowed his Government to function in a manner which sadly belies and denigrates the excellent case he made against the death penalty.

If my memory serves me correctly, he implied that all Members should have a chance to speak and vote on the death penalty. His Government's action in cutting off debate just denigrates the arguments he so ably put forth, because only about 100 out of 279 Members will have an opportunity to speak on either side of the argument.

I do not relish singling out the Prime Minister on this matter. In fact, I congratulated him on his speech. But if, as the Leader of our country, he really believes what he says, and I think he does, he should not have allowed the procedural process outlined by his Deputy Prime Minister (Mr. Mazankowski), to have taken place.

As my colleague, the Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie), put it so aptly, in Canada we are not a violent people. I was saddened to hear two or three Hon. Members in this House, two Members to my left and one Member to my right, speak up when my colleague, the Hon. Member for Yorkton—Melville (Mr. Nystrom), called for volunteers to be the executioners. Two or three government Members readily volunteered. I invite those hon. gentlemen to apply for the executioner's job in a place like Russia, Chile or any other totalitarian nation where, I am sure, they would be welcome.

The motion itself, and the way in which it was presented under the rules of this House, makes it a palpable farce since the Leaders of the three Parties are all opposed to capital punishment. But because the Leader of the government Party proposed a free vote, we are now faced with this farce. If it passes, a committee will be established to travel about the country on a ghoulish investigation into which way is the best way to put someone to death, and for what reasons. No matter what the committee comes up with in three months or six months from now, I doubt very much whether its report will ever see the light of day in this Parliament or in the next one, no matter who is governing.

While this country has a million people unemployed, hundreds of thousands going to food banks, which is a nice word for soup kitchens, when we need housing and a host of things to reduce the causes of crime, we must deal with this matter. I think that it does not speak well for the priorities of this Parliament and the Hon. Members in it.

Crime rises in direct proportion to the number of unemployed, to the increased numbers in poverty to an increase of those who are functionally illiterate, to the number of those

who have been short-changed by our society because they are poor, natives or are of some minor ethnic origin. These people do not happen to fit in with the mores and practices of a western, white, Anglo-Saxon, Protestant society. Those who did not receive an equal opportunity for an education, those who grew up in a violent home and those who have been so short-changed by society, know not what they do. There is no sure cure unless we do more, much more to destroy the causes of crime of all kinds.

It does not matter whether we pass or defeat this motion, murders will still occur in lesser numbers, the same number or larger numbers. Surely this Parliament should be directing its attention to reducing the causes of crime. We fail to provide conditions to reduce crime and murders. Our police forces are under-manned and under-financed. I speak as one who represents the home of the RCMP. We used to train 400 excellent officers. Two years ago we were down to 40. We are now starting to climb back up. But the Royal Canadian Mounted Police have a lot of catching up to do and they are forced to do that in the name of reducing a deficit, in the name of cutting back on government expenditures. The police forces of our provinces and municipalities are held back. Their capability to do a better job is reduced because of cut-backs, restraint, and the elimination of funding for churches, for volunteer organizations, for parole officers, and for education and training, all in the name of restraint. The same applies to how families live. Our schools and universities could do better with each student. The system breeds the vigilante syndrome, the Texas cowboy practice of the immediate and irrevocable penalty, hanging. As the former Prime Minister, the Right Hon. Member for Prince Albert, said: "They have not hanged a rich man yet".

While we discuss the death penalty in this Parliament, hundreds of thousands line up at food banks, the modern day version of soup kitchens. We have a million more Canadians living below the poverty line than we did just a few years ago. Tens of thousands are either homeless, jobless or otherwise disadvantaged. We have driven them to the last resort. We have driven them to desperation. Some murders are committed by those who are mentally deranged, but most crimes are committed by those who were not born that way but were brought up in an environment which took them down that path. Those who turn to crime are those who have been short-changed in a society which puts a priority on greed and selfishness: "What is in it for me? And the hell with everybody else. It is a state of mind which flies in the face of everything that is decent in each and every one of us. The clamour for the death penalty is nothing more than an appeal to the worst in all of us. And all of us have some bad in us. For Christians, it flies in the face of the teachings of Christ.

• (1740)

We create criminals and murderers, they were not born that way. This motion is before us because of that crass appeal to so-called initiative, self-reliance and to apply the same standards to people who are left out of conditions and opportunities to grow, prosper and exercise their initiatives and their self-reliance in an egalitarian society.

I wish to say to my friend, the Hon. Member for Peterborough (Mr. Domm), that a Member of Parliament has to be more than a one or two-issue MP. Is all he has to talk about death and metric?

If the Hon. Member can no more than subscribe to whatever is the majority view of his constituents, or what he perceives to be the majority view, on a couple of his own pet peeves, it seems to me that that kind of representation in Parliament is one of those basic appeals to the worst in all of us—greed, selfishness and revenge. It is the urge to feel better if someone gets hung. It is some sort of vicarious and puerile peeping Tom satisfaction when some murderer goes to what they call their "just desserts"—death.

I will not be party to that, no matter what, no matter which way the majority of my constituents feel. If it is logical to take a poll of constituents on capital punishment, and every Member of Parliament votes exactly that way, then it is equally logical that we take a poll on every issue that confronts the Government and this Parliament.

In that event, it follows, quite logically, that MPs would then vote according to those wishes of a given day in any given year on any given issue according to the views of the majority of their constituents. If we are to do that, then what do we need Members of Parliament for? With our technological capacity today we can specially equip every telephone and television set in Canada and let the voters have their say from one day to the next on one issue to the next. Then you, Madam Speaker, and the Clerks at the Table and the Governor General could tally up the results and sign new laws.

Surely, in the evolution of society Members from all Parties now oppose the death penalty. Some 10, 15, 20 years ago that was unthinkable, just as many other matters that we now have in place in society were unthinkable. Now, more and more Canadians want a society that is more tolerant, more compassionate and more understanding of the causes of crime. There is more determination and commitment to eliminate those causes, eliminate those conditions which drive people to do the terrible things which they do.

I would rather that a thousand proven murderers spent the rest of their lives in jail than to run the possibility, no matter how remote, of any one innocent person being put to death. We are not from the bygone ages of the Old Testament, or even from the ages of the New Testament. Those were the Scriptures of those times. Men and women—civilization—has grown. We are of a new age, of a new testament, a new testament to decency, humanity and civilized behaviour. We must oppose even the countenancing of the death penalty in our society.

I pray that our children and our children's children will perpetuate that and enhance the condition of all our citizens so

that the things that cause crime and criminal behaviour will be substantially eliminated.

Mr. Bob Horner (Mississauga North): Madam Speaker, I rise to speak on the motion to reinstate capital punishment. There is no joy in having to vote on this issue. I respect the opinions and the way every Member of this House will vote. However, I made a commitment during the last election, when asked on approximately 600 occasions, that I would vote for the return of capital punishment when the free vote was held.

I really wish that our country had grown, that our society had grown to the point at which we did not need to have this vote. However, I feel it is now absolutely essential.

I can tell Hon. Members that 31 years ago as a young policeman I spent six years with the Royal Canadian Mounted Police. Three Members of this House, the Hon. Member for Bourassa (Mr. Rossi), the Hon. Member for Mission—Port Moody (Mr. St. Germain) and myself are all former policemen. Some 31 years ago in northern New Brunswick I was called out in the middle of the night to search for a 14-year old girl who was missing. I found that girl, raped and murdered. I did not sleep that night, nor did I sleep the next night. I firmly believe that capital punishment is a deterrent to murder.

I do not believe it is a dereliction of my duty to have conducted a survey. Some time ago I conducted a survey within the riding of Mississauga North. I received 9,000 replies. Of those 9,000 replies 81.3 per cent of the respondents told me that they were in favour of the return of capital punishment as an option. I believe that figure may have changed slightly. There may now be a lessening of that number. We are told that 68 per cent to 74 per cent of the people across Canada want the protection of capital punishment on the books to be used with discretion. I believe that we need to have this.

I have had meetings with priests and ministers in my area. I have talked and told them my reasoning. I have been on open-line shows for two and a half hours at a time. On these shows 74 per cent of the callers were in favour of the reinstatement of capital punishment. I have met with Amnesty International. Believe me, I can listen to their arguments. I have listened to the arguments of the Hon. Member for Regina West (Mr. Benjamin) who spoke a few moments ago. He stated that the poor and the disadvantaged would be the ones who would be most affected.

I refer Hon. Members to a black Senator from Missouri who in 1971 when he was asked to vote for a moratorium against the death penalty said: "I realize that most of the people executed will be poor and black and helpless. But I also realize that the victims are poor and black and dead". He was speaking the truth, Madam Speaker. We have to protect our society.

• (1750)

Next, let me deal with the deterrence aspect. Is capital punishment a deterrent? We can use statistics any way we want. Statistics can show that the murder rate in Florida is higher than the murder rate in Wisconsin. It does not mean very much. There has been a steady growth in murders over the years.

From the year 1867 to 1949, there were 1,100 convicted murderers in Canada, 55 per cent of whom were executed. From 1949 on, there was a gradual decline, with the percentage executed going down to 30 per cent, to 20 per cent, and to 10 per cent. In 1962, we had the last execution in Canada.

In 1976, on July 14, this House voted to abolish capital punishment; but its gradual decline had been going on for a long time. From 1914 to 1976, a period of 62 years, there were five votes, with the country ultimately deciding to abolish capital punishment in 1976. But we have had some brutal murders in this country since then.

People talked about the possibility of erroneous execution. Frankly, that frightens me. But I have enough faith in our criminal justice system to overcome that. I believe that the appeals process will provide every opportunity to the person being tried to prove his innocence. I do not believe much chance is given to the victim.

I have with me a list of premeditated murders that I would consider might be included in any Bill that might come forward calling for the reinstatement of capital punishment in this country, and they are: serial murders, contract killings, hostage killings, kidnap victim killings, and the killings of police officers and prison guards. We must protect our peace officers.

Capital punishment is not punishment but justice; it is not vengeance but protection—and the people demand protection.

On the subject of protection, we are not adequately protected under our present system. The killer who is jailed for life has one option to prison, and that is to escape. He has nothing to lose in killing again. Anyone who comes into his path during an escape attempt is vulnerable.

And even if that inmate is not interested in escape, what does he have to lose if he kills a guard or another inmate?

If policemen are expected to be in the front line, they must be given all of the protection society can offer. They say we are failing to protect them. I have a brief here from the Canadian Association of Chiefs of Police. It is a brief that solidly supports the reinstatement of capital punishment. It is a very informative brief, and it is one that I have read three times. I hope other Members have read it.

To quote Mr. Paul Walter, President of the Metro Toronto Police Association, the recent killings of law enforcement officers "reinforces what we've been telling the public and the legislators for a very long time: the criminal element has little

respect for anything, but he does have a natural instinct to survive".

It is imperative that we address the subject of capital punishment in detail as a possible option of protection for society. We owe it to our citizens and the law enforcement people who are responsible for protecting them.

I should like to say a few words on the sanctity of life, Madam Speaker. Great discussions have taken place in this House on this subject.

Capital punishment puts the ultimate value on human life. Because each citizen's life is precious, the state puts the ultimate premium on it. A country that puts murderers to death is telling the world that life is not cheap in that country.

If the penalty for rape were lowered, clearly it would signal a lessened regard for the victim's suffering and personal integrity. It would cheapen their horrible experience.

Consequently, when we lower the penalty for cold-blooded murder, it signals a lessened regard for the value of the victim's life.

It is by exacting the highest penalty for the taking of a human life that we affirm the highest value of human life.

I said at the outset, Madam Speaker, that there was no joy in having to vote for the reinstatement of capital punishment; but I believe that after this vote is taken, we will have come to the realization that we must do something with our criminal justice system.

If the motion calling for the reinstatement of capital punishment, in principle, passes, then a parliamentary committee will consider the types of murder for which one may be subject to execution, and the method of execution.

While that may be ghoulish, it is something that the citizens of this country demand.

If the motion is defeated, it will be the duty of the Standing Committee on Justice and Solicitor General to study our criminal justice system, with a view to ensuring that those who give up their right to live in our society by virtue of their behaviour should be held properly accountable.

During the spring break I had brought to my attention the fact that an individual who, in 1974, had raped and murdered two young girls, and who had been sentenced to three 20-year terms, was out on unescorted day passes 11 years later.

When this type of thing can happen, there is something wrong. The protection of the people is of paramount importance.

I think the lines are clearly drawn for tonight's vote. I do not expect that anyone will be swayed by listening to anything I might have to say, any more than they were swayed by the statements of the former speaker. But I want to go on record as stating that we must protect the public, and I believe that this is one way in which we can make a clear statement to the Canadian people that this Government stands for justice, and justice is what counts.

Tonight I will be voting in favour of the return of capital punishment, Madam Speaker, as an option.

The Acting Speaker (Mrs. Champagne): Will the House allow me to call it six o'clock?

Some Hon. Members: Six o'clock.

The Acting Speaker (Mrs. Champagne): The Hon. Member for Egmont (Mr. Henderson) will be the first to be recognized once we resume the debate on this motion.

[*Translation*]

It being 6 o'clock p.m., pursuant to Standing Order 13(5), the House will now proceed to the taking of the deferred divisions on the motions for third reading of Bills C-21 and C-42.

* * *

SHIPPING CONFERENCES EXEMPTION ACT, 1986

MEASURE TO ENACT

The House resumed from Friday, June 26, consideration of the motion of Mr. Crosbie (St. John's West) that Bill C-21, an Act to exempt certian shipping conference practices from the provisions of the Competition Act, to repeal the Shipping Conferences Exemption Act, 1979 and to amend other Acts in consequence thereof, be read the third time and passed.

The Acting Speaker (Mrs. Champagne): Call in the Members.

The House divided on the motion (Mr. Crosbie (St. John's West)) which was agreed to on the following division:

• (1800)

(Division No. 221)

YEAS

Members

Allmand	Chartrand	Desjardins
Attewell	Clark	Domm
Axworthy	(Brandon—Souris)	Dorin
Belsher	Clinch	Duguay
Bernier	Cochrane	Edwards
Bertrand	Collins	Ellis
Binns	Comeau	Epp
Blais	Cook	(Provencher)
Blais-Grenier	Cooper	Fennell
Blenkarn	Copps	Ferland
Bosley	Corbett	Finestone
Boudria	Cossitt	Fontaine
Bourgault	Crofton	Forrestall
Boyer	Crosby	Foster
Brightwell	(Halifax West)	Fraleigh
Cadieux	Darling	Fretz
Caldwell	Daubney	Friesen
Charest	de Corneille	Gagliano

Gagnon
Garneau
Gass
Gauthier
Gérin
Gervais
Girard
Gormley
Gottselig
Gravel
Gray
(Windsor West)
Greenaway
Grisé
Grondin
Guilbault
(Saint-Jacques)
Gustafson
Halliday
Hamilton
Hardey
Hawkes
Henderson
Hicks
Hnatyshyn
Holtmann
Horner
Howie
Hudon
Isabelle
James
Jardine
Jelinek
Jepson
Johnston
(Saint-Henri—
Westmount)
Jourdenais
Kelleher
Kempling
Killens
Kindy
King
Ladouceur
Landry
Lanthier
Lapierre
Lawrence
Layton
Leblanc
Lesick
Lewis
Lopez
Mailly
Malépart
Malone
Mantha
Marin
Martin
Mazankowski
McCain
McCrossan
McCuish
McDermid
McInnes
McKenzie
McKinnon
Minaker
Mitges
Nicholson
(Trinity)
Nicholson
(Niagara Falls)
Nickerson
Nowlan
Nunziata
Oberle
O'Neil
Oostrom
Ouellet
Penner
Pennock
Pépin
Peterson
Pietz
Plamondon
Plourde
Porter
Price
Prud'homme
Ravis
Redway
Reimer
Ricard
Roman
Rossi
St. Germain
St-Julien
Scott
(Victoria—Haliburton)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Stackhouse
Stevens
Stewart
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tupper
Turner
(Ottawa—Carleton)
Van De Walle
Vankoughnet
Vézina
Vincent
Wenman
White
Wilson
(Swift Current
—Maple Creek)
Winegard
Wise
Witer—168

NAYS

Members

Althouse
Angus
Benjamin
Blackburn
(Brant)
Blaikie
de Jong
Epp
(Thunder Bay—
Nipigon)
Fulton
Heap
Jewett
Keeper
Langdon
McCurdy
Mitchell
Murphy
Nystrom
Orlikow
Parry
Riis
Robinson
Rodriguez
Skelly
Waddell
Young—24

● (1820)

[*English*]

The Acting Speaker (Mrs. Champagne): I declare the motion carried.

Bill read the third time and passed.

[*Translation*]

FINANCIAL INSTITUTIONS AND DEPOSIT INSURANCE SYSTEM AMENDMENT ACT

MEASURE TO AMEND

The House resumed from Friday, June 26, consideration of the motion of Mr. Hockin that Bill C-42, an Act respecting financial institutions and the deposit insurance system, be read the third time and passed.

The Acting Speaker (Mrs. Champagne): Call in the Members.

The House divided on the motion (Mr. Hockin) which was agreed to on the following division:

(*Division No. 222*)

YEAS

Members

Allmand
Attewell
Axworthy
Belsher
Bernier
Bertrand
Binns
Blais
Blais-Grenier
Blenkarn
Boudria
Bourgault
Boyer
Brightwell
Cadieux
Caldwell
Charest
Chartrand
Clark
(Brandon—Souris)
Clinch
Cochrane
Collins
Comeau
Cook
Cooper
Copps
Corbett
Cossitt
Crofton
Crosby
(Halifax West)
Darling
Daubney
de Corneille
Desjardins
Domm
Dorin
Duguay
Edwards
Ellis
Epp
(Provencher)
Fennell
Ferland
Finestone
Fontaine
Forrestall
Foster
Fraleigh
Fretz
Friesen
Gagliano
Gagnon
Garneau
Gass
Gauthier
Gérin
Gervais
Girard
Gormley
Gottselig
Gravel
Gray
(Windsor West)
Greenaway
Grisé
Grondin
Guilbault
(Saint-Jacques)
Gustafson
Halliday
Hamilton
Hardey
Hawkes
Henderson
Hicks
Hnatyshyn
Holtmann
Horner
Howie
Hudon
Isabelle
James
Jardine
Jelinek
Jepson
Johnston
(Saint-Henri—
Westmount)
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Ladouceur
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Nicholson
(Trinity)
Nicholson
(Niagara Falls)
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Oberle
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Pennock
Pépin
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Pietz
Plamondon
Plourde
Porter
Price
Prud'homme
Ravis
Redway
Reimer
Ricard
Rossi
St. Germain

St-Julien
Scott
(Victoria—Haliburton)
Scott
(Hamilton—Wentworth)
Scowen
Shields
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Stackhouse
Stevens
Stewart
Tardif
(Charlesbourg)
Taylor
Thacker
Towers
Tremblay
(Québec-Est)
Tupper
Turner
(Ottawa—Carleton)
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(Swift Current
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NAYS

Members

Althouse
Angus
Benjamin
Blackburn
(Brant)
Blaikie
de Jong
Epp
(Thunder Bay—
Nipigon)
Fulton
Heap
Jewett
Keeper
Langdon
McCurdy
Mitchell
Murphy
Nystrom
Orlikow
Parry
Riis
Robinson
Rodriguez
Skelly
Waddell
Young—24

The Acting Speaker (Mrs. Champagne): I declare the motion carried.

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

• (1830)

[*English*]

The Acting Speaker (Mrs. Champagne: Pursuant to order made Friday, June 12, 1987, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

Mr. Nelson A. Riis (Kamloops—Shuswap): Madam Speaker, I rise on a point of order.

The Acting Speaker (Mrs. Champagne): Order, order! The Hon. Member for Kamloops—Shuswap (Mr. Riis) has risen on a point of order. The Chair would appreciate hearing what he has to say.

Mr. Riis: Thank you, Madam Speaker. Last week when we had a vote which infringed on the hour set aside for Private Members' Business there was unanimous consent of the House not to see the clock and to consider Private Members' Business for a full hour. I wonder if you would seek the unanimous consent of the House to do the same on this important Private Members' Business?

The Acting Speaker (Mrs. Champagne): Is there unanimous consent that Private Members' Business should be considered for a full hour?

Some Hon. Members: Agreed.

An Hon. Member: No.

The Acting Speaker (Mrs. Champagne): I do not have unanimous consent.

Mr. Bob Corbett (Fundy—Royal): Madam Speaker, I appreciate the efforts of my hon. colleague across the way. As it is my motion which is before the House, I appreciate his assistance and the initiative he has taken in asking that this very important matter be given the full consideration which it deserves. I, therefore, support my hon. friend's suggestion that we seek unanimous consent to consider Private Members' Business for a full hour.

Mr. Gauthier: It has been done.

The Acting Speaker (Mrs. Champagne): In all justice, the Chair will ask the question once more. The first time I did not receive unanimous consent. It may be that after hearing the interventions of the Hon. Member some Members may wish to change their opinion on the subject. Is there unanimous consent that Private Members' Business be considered for a full hour?

Some Hon. Members: Agreed.

Mr. Boyer: No.

The Acting Speaker (Mrs. Champagne): I do not have unanimous consent.

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*English*]

TRADE

ADVISABILITY OF ELIMINATING SOFTWOOD LUMBER TAX

Mr. Bob Corbett (Fundy—Royal) moved:

That, in the opinion of this House, the government should consider the advisability of instating an exclusion from the 15% export duty on softwood lumber for all Maritime-produced lumber exported to the United States, and of effecting an increase in the stumpage fees charged by British Columbia, Alberta, Ontario and Quebec thereby eliminating the need for the 15% export tax on softwood lumber.

He said: Madam Speaker, may I inquire whether there was unanimous consent for the—

Some Hon. Members: No.

Mr. Corbett: I think it is indeed unfortunate, Madam Speaker, that there are some Members of the House of Commons who do not consider this motion, which seriously affects the softwood lumber industry in the maritime provinces so significantly, to be of sufficient importance to merit debate for a full hour. I am absolutely amazed that there are some Members who do not appreciate the very dire circumstances which this issue could cause in the maritime region.

• (1840)

Mr. Riis: Madam Speaker, since the House has decided in its wisdom not to set aside the full hour, and recognizing that the Standing Orders provide the Hon. Member with 20

minutes in which to make his presentation, I wonder if we could at least have the understanding of the Hon. Member to take less than 20 minutes in order to allow some time for opposition Parties to lend their support to the Hon. Member's initiative. I know there are others who would like to support him in his initiative.

Mr. Corbett: Madam Speaker, I will do my best to capsulize my comments and leave some time. The Hon. Member will be aware that I have spent some time preparing this, since it is on my initiative that this motion comes before the House.

The motion I have presented to the House calls for the Government to redress an unfair situation that exists in legislation for many softwood lumber producers in the maritime provinces.

The December 30 decision taken by the Government of Canada imposes a 15 per cent surtax unilaterally across Canada. Twenty companies across Canada have been exempted from this surtax and five of those were in New Brunswick.

The Acting Speaker (Mrs. Champagne): I am terribly sorry to have to interrupt the Hon. Member. We have 20 minutes to listen to a Private Member's Bill. I think each and every Member of the House should extend the courtesy of allowing him to present his Bill and allowing the Chair to hear him.

Mr. Corbett: Thank you, Madam Speaker. The 20 firms that have been excluded from the 15 per cent export tax were previously excluded from the U.S. countervail action and have maintained their exemption from this export tax.

The decision to impose a national export duty crippled the competitive position of maritime softwood exporters as they are now required to pay not only the highest stumpage fees in the country, but an additional penalty of a 15 per cent export tax. Maritime softwood producers do not feel that this situation is equitable, nor do I. It is their position, and rightly so, that as the highest stumpage fee payers in the country, they are being unfairly penalized by a decision to rectify a problem that they were not part of and certainly did not create.

The U.S. countervail action specifically stated that: "Provincial softwood stumpage programs in Ontario, Quebec, British Columbia and Alberta are subsidies". At no time during the countervail proceedings were the maritime provinces ever mentioned as being part of the problem or a concern by either the U.S. wood producers or the U.S. Department of Commerce.

It is a general consensus among maritime producers that, indeed, the Americans would have been agreeable to an exemption for maritime softwood producers under the countervailing duty action or, indeed, by a negotiated agreement. It is generally agreed that the Memorandum of Understanding that was signed on December 30 is the best possible solution under a very desperate and extremely difficult set of circumstances. Maritime softwood producers have honoured and respected the agreement and acted in accordance with its obligations.

Nonetheless, there is a very real concern that the inclusion of all maritime lumber producers but five could have a considerable negative effect on the maritime lumber industry. The effect of the 15 per cent export surcharge to date has been minimal, but that is because the present strength of the domestic market has allowed these producers to sell their product within the country. Unfortunately, it is anticipated that this will not be a long-term endowment and that they will encounter difficulties in the not too distant future.

There are 123 mills in Nova Scotia and 93 mills in New Brunswick. Some 22,000 people are directly and indirectly employed in sawmills in the maritime provinces and 6,000 are directly employed in New Brunswick. There is a great concern among maritime lumber producers that many of the smaller sawmills, 40 of which are the only serious industry in their communities, will face serious economic threats to their very survival as a result of the tax. Some 11,000 maritimers are employed by these mills.

I have a case study that has been provided to me by the New Brunswick Government. It is an impact study of the Juniper Lumber Mill of New Brunswick and the Canadian economy should the mill be closed down. That company employs about 400 people, and the residents of Juniper and the surrounding areas obviously rely very heavily on the continual operation of the Juniper Lumber Company.

If this mill were to shut down, it could result in the loss of 1,000 indirect jobs, for a total loss of 1,400 jobs in a market that only comprises a total of 1,685 jobs. The cost to the provincial Government for a two-year period as a result of this shutdown would be estimated at $2.4 million. It would cost an additional $6.7 million to the federal Government in the same period. It is a clear indication of the very real impact that any closure in the small communities would have on the area.

We believe that the maritime lumber yards that were not included in the exemption are no longer shipping to the United States. Fortunately, the local market has been able to absorb their goods, but this is not expected to last.

Industry predictions calculate that if the maritime softwood lumber is not provided with a blanket exemption from the export tax, some 4,000 jobs could be lost in the region. This region is currently struggling to create jobs and build a strong economic base. It is an area that is economically handicapped at best. We anticipate that the export tax will have several long-term debilitating effects on the sector. First, of course, the unexempted softwood lumber producers have already lost their American market because the tax effectively eliminates their profits.

We are concerned that when the domestic market is no longer strong enough to absorb all the products currently being supplied by those producers which previously shipped to the United States, there will be an influx of products from markets

west of the New Brunswick and maritime borders. Local markets for maritime producers will be swallowed by western imports—I am speaking of everything from Quebec west—and to add insult to injury, those western imports will be subsidized by transportation subsidies.

The maritime saw-log market for private woodlot owners, which number some 66,000, is obviously threatened by cheaper domestic imports. In a letter of concern to the Prime Minister (Mr. Mulroney), I wrote:

> The Government of Canada is sympathetic to the economic and job-creation difficulties of the Atlantic region and have led the way to enacting programs and policies to help New Brunswick and the other Atlantic provinces more fully realize its potential.
>
> However, to place our softwood industries in a position where we lose a favourable competitive advantage, thereby forcing shut-downs and increased unemployment, are not the economic rewards that this Government is committed to achieve.

I submit that thousands of jobs in the Maritimes are dependent upon a healthy and competitive lumber industry. We must ensure we put in place policies that are going to result not in job losses but in job increases. The loss of a competitive position and continued regional disparity is just not acceptable.

• (1850)

The Senate committee has called for a revision to Bill C-37. The legislative committee which studied the Bill has called for a revision to Bill C-37. There are numerous provisions in place in the Memorandum of Understanding which would allow the Government to move at this particular time to negotiate with its American counterparts. I would like to refer briefly to some of the measures which are related to in that Memorandum of Understanding under "Replacement Measures".

The Government of Canada may reduce or eliminate the export charge on the basis of increased stumpage or other charges by provinces on softwood lumber producers. The Government of Canada and the Government of the United States of America will consult semi-annually and otherwise at the request of either Government regarding any matter concerning this understanding, and six months from the effective date of this understanding, the two Governments will consult regarding the information exchange under the understanding. The date of the Memorandum of Understanding, Madam Speaker, is December 30.

It now becomes quite obvious that the Government is in a position to renegotiate this agreement. I would suggest that the Maritimes should now press on through the Government to claim exemption exclusion from the export tax, based on the conditions I have just related from the Memorandum of Understanding.

I note the Minister, when I introduced the motion, recognized my concerns. I want to assure her that the people of New Brunswick are grateful that five New Brunswick softwood producers have been exempted, and they represent a substantial 92 per cent of the market which is exported to the United States. But that does not alleviate the situation of those other 40 small producers which are seriously threatened when the local market dries up by the importation into the maritime area from west of our borders, as I have previously stated.

It is my position, and the position of my colleagues and the workers in the area, whose livelihoods and economic futures depend on a strong competitive position and equal access to the huge American market, that all maritime softwood producers be given the competitive footing they are rightly entitled to receive.

As so often has been stated by the maritime softwood lumber producers: "The Maritime Producers are not part of the problem, we should not be part of the solution". I would like to complete my remarks there, Madam Speaker, in order to give my colleagues an opportunity to address this important issue as well.

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Madam Speaker, I am certainly aware of the clock and I want to leave a few minutes for my colleague from the New Democratic Party who would like to comment on this very interesting proposition with which, of course, we are in total sympathy. I would ask the Hon. Member for Fundy Royal (Mr. Corbett) where was he when we presented amendments in committee asking for this very same thing and his colleagues in the Conservative caucus voted against us to a man? Where was he in the House of Commons when these very measures were brought forward and his colleagues, to a man, voted against them?

We have seen hypocrisy in the House of Commons before, almost daily from the other side of the House, but now a member of the Conservative caucus stands up and says it is time we did something about an exemption for the maritime lumber producers, when he and his colleagues were responsible for the Bill in the first place, and were responsible for voting down the amendments and were responsible for turning down any effort to make any redemption.

Mr. Corbett: I was responsible for this motion. Where were you when I was looking for your support?

Mr. Axworthy: Let me quote the Cabinet colleague of the Conservative Member from New Brunswick, the Minister of State for Forestry (Mr. Merrithew). I quote from the Moncton *Telegraph Journal*: "New Brunswick wins big, Merrithew says of Accord".

Mr. Corbett: Where is your motion, Lloyd?

Mr. Axworthy: I would suggest to the Hon. Member that he may want to talk to his colleague from New Brunswick, who is in Cabinet, who supported this agreement, who was the initiator of it. He now has the gall to stand up and say: "My colleagues and I think it is a good idea we get an exemption". Certainly one of his colleagues does not think so. The Minister of State for Forestry does not think that is the answer. He was the one who put this agreement in place right from the start.

We know that the trade agreement on softwood lumber is probably the worst trade agreement this country has ever made with another country. It is not just the people in the Maritimes who are suffering. People in British Columbia, Manitoba and Alberta have had no answers whatsoever to their problems. Our lumber industry is facing an additional 15 per cent in costs, amounting to $600 million. We have inequity after inequity. We have created the worst possible conditions for ourselves. We agreed to the definition of a subsidy on the grounds that the Minister for International Trade (Miss Carney) and the Minister of State for Forestry said this will provide for our protection against future action.

Now we have Congressman after Congressman introducing amendments in Congress to provide further restrictions on Canadian resources based upon the softwood lumber agreement this Government signed, because we capitulated and agreed it was the proper definition that when we provide a stumpage fee rate, that is an unfair practice. So the Government signed that agreement. This Government brought in the legislation. Now we have a Conservative Member of Parliament saying it is no good.

I would simply say to that Member of Parliament that he had many opportunities in the past to make his voice known, to make his case known, and it seems to me it is now a little after the fact. While we are very happy to support his motion, I would ask him why he did not support what we were doing in committee when we brought in amendments of this kind? Why did he not support us in the House and why did he not vote against the Bill, as he should have and as all Members on that side should have, and say to Canadians from the Maritimes—

Mr. McCain: Cheap politics.

Mr. Axworthy: The Hon. Member talks about cheap politics. The cheapest politics going on in this House right now are Members of Parliament on the Conservative side who voted with their Government against their constituents when this Bill was brought forth. That is the cheapest kind of politics.

Mr. Jim Fulton (Skeena): Madam Speaker, I have long supported the Maritime exclusion, but I join with my colleague, the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy), in pointing out the hypocrisy on the other side of the House. I do not think any maritimer should be sucked in by this. The Hon. Member for Winnipeg—Fort Garry and I sat on that committee for weeks and weeks listening to witnesses from the Maritimes.

Mr. Corbett: We were all listening.

Mr. Fulton: And that Member for one was not one of the ones who came and sat regularly on that committee. He happens to be one of the Members of this House who did not support the maritime exclusion when the amendment was brought before the committee, nor did he support it here in the House. He voted in favour of the legislation without there being a maritime exemption.

Let me read what the Minister of State for Forestry from the Maritimes had to say. The article in the Moncton *Telegraph Journal* is headed: "New Brunswick wins big, Merrithew says of Accord", and I quote:

> Merrithew said Canadians scored wins in six areas—including the exemptions from the tax for 20 Canadian companies, five of them from New Brunswick. The companies were also exempted from a preliminary ruling on a proposed U.S. duty that sparked the negotiations that led to the tax.
>
> "New Brunswick wins big" an exhausted Merrithew told a news conference upon his return to his Saint John riding yesterday. "The five companies exempted in the agreement account for more than 80 per cent of the lumber this province exports to the U.S.
>
> He identified the five as J. D. Irving Ltd., Fraser Inc., Dead River Ltd., Fawcett Lumber Co. Ltd. and Devon Lumber Co.

That is the Minister of State for Forestry. He is a Conservative Minister from the Maritimes and he said: "New Brunswick wins big". He said that the five big companies got off the hook, they get the exemption. It is all the little guys. The Hon. Member is pretending. He is going to go back to the Maritimes and say: "Oh, I had a Private Member's Bill. I was out there fighting for you. I was fighting for the exemption". He never raised his voice in this House. He never raised his voice in the committee. He never came to support the Maritimes when they were there to be heard on this issue. The record speaks for itself. That Member and his Conservative colleagues from the Maritimes—

The Acting Speaker (Mrs. Champagne): Order.

Mr. Taylor: Madam Speaker, I rise on a point of order. I would like to move that the debate continue for another 25 minutes. That is not the same as the last motion. I think it is a shame that we cannot have this full debate. I move we debate it for another 25 minutes. I ask unanimous consent for that.

The Acting Speaker (Mrs. Champagne): The Chair did ask earlier tonight that by unanimous consent the Bill be given the full one hour. I did not have unanimous consent. Therefore I cannot come back on that decision of the House.

• (1900)

Mr. Taylor: Madam Speaker, I rise on a point of order. The motion was for one hour. My motion is for less than one hour. But it will allow the debate to continue a little bit longer for a very worthy subject. My motion is for 25 minutes, which is still less than one hour.

The Acting Speaker (Mrs. Champagne): The Chair would very much like the House to understand that the Chair is very conscious of the extreme importance of the subject matter being discussed. The Chair does not mean in any way to dismiss the request of the Hon. Member for Bow River (Mr. Taylor). However, the question was asked earlier and there was not unanimous consent. Therefore at seven o'clock the time expired.

Mr. Fulton: On the same point of order—

The Acting Speaker (Mrs. Champagne): The hour provided for the consideration of Private Members' Business—

Mr. McCain: Madam Speaker, I rise on a point of order. In view of the fact that all Members involved in this debate were done with their remarks prior to seven o'clock by about one minute or one minute and a half, in connection with direct debate on the subject matter, is the motion then deemed to have been accepted by the House or rejected by the House?

The Acting Speaker (Mrs. Champagne): I rose to interrupt the Hon. Member for Skeena (Mr. Fulton) because the time had expired. Hon. Members will find from looking through *Hansard* or consulting the televised portion of the proceedings that the Hon. Member for Skeena's speech was interrupted because the Chair rose.

Mr. Corbett: Madam Speaker, I rise on a point of order. Am I to take your interpretation of the course of events, then, that the Hon. Member for Skeena (Mr. Fulton), a member of the New Democratic Party, talked out this motion and did not allow it to pass, a motion which would have greatly assisted the softwood lumber producers in the Maritime region of Atlantic Canada?

Mr. Fulton: Madam Speaker, I rise on a point of order. As the Chair knows, I had only two minutes to speak. Ordinarily, Members have 20 minutes to speak. The Hon. Member is just diddling around.

The Acting Speaker (Mrs. Champagne): Order, please. The time for Private Members' Business has now expired. Pursuant to Standing Order 42(1) the order is dropped from the Order Paper.

GOVERNMENT ORDERS

[*English*]

CAPITAL PUNISHMENT

ESTABLISHMENT OF SPECIAL COMMITTEE ON REINSTATEMENT

The House resumed consideration of the motion of Mr. Mazankowski:

That this House supports, in principle, the reinstatement of capital punishment and directs that a special committee on reinstatement, composed of 15 members, be established, hold hearings and make its final report to the House no later than three (3) months following the adoption of this motion, such report to provide recommendations on:

(a) which offence or offences should carry the death penalty, and in what circumstances;

(b) which method or methods should be used to carry out the penalty of death, and in what circumstances;

That, pursuant to Standing Order 107(1), this special committee be hereby appointed as a committee to prepare and bring in a bill no later than three months following the adoption of this motion, founded on the committee's recommendations on (a) and (b) above; such a bill shall be the object of a separate and distinct report of the special committee, and such a report shall be its final report;

That such bill, when reported from such special committee to the House, be deemed pursuant to Standing Order 107(1) to have been introduced and stand on the Order Paper, in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business"; and that, when the said bill has been read a second time, it shall stand referred to a Legislative Committee;

That the Striking Committee be empowered to name the Members of the special committee, provided that once the Striking Committee report is laid upon the Table, it shall be deemed concurred in;

That the special committee have the power to sit while the House is sitting and during periods when the House stands adjourned;

That the special committee be empowered to report from time to time and send for persons and papers, and to print such papers and evidence from time to time as may be ordered by the committee and to retain the services of expert, technical, professional and clerical staff;

That the special committee be empowered to adjourn from place to place inside Canada and that, when deemed necessary, the appropriate staff accompany the committee;

That a quorum of the special committee be eight (8) members for any vote, resolution or other decision; and that the chairman be authorized to hold meetings to receive evidence and authorize the printing thereof whenever six (6) members are present;

That any substitution of membership on the special committee be made pursuant to Standing Order 94(4); and

That, notwithstanding the usual practices of this House, if the House is not sitting when the special committee is ready to issue its final report and the said bill, the special committee shall present its report and the bill to the House by filing them with the Clerk of the House provided that the report shall then be deemed to have been laid upon the Table, and the bill shall then be deemed, pursuant to Standing Order 107(1), to have been introduced at the first sitting of the House thereafter and to stand on the Order Paper in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business".

And on the amendment of Mr. Nystrom (p. 7307).

Mr. George Henderson (Egmont): Madam Speaker, I rise today to lend my voice in resolute opposition to the reinstatement of capital punishment. Though it is always a privilege to speak to the nation and to my constituents in this Chamber, it is with sadness that I am now compelled to do so on this issue.

It is a tragedy that the ugly issue of state execution should once again be brought before this House. It is obvious that the Government has taken this opportunity to use this debate in an attempt to distract attention from the great many problems facing Canadians as a result of the Government's incompetence.

It is my feeling that the call for the reinstatement of capital punishment is an understandable but illogical reaction to the brutality that we see all too often in Canada. I am certain that every Canadian is enraged and disgusted at the thought of criminals such as Clifford Olson and the horrible acts he has committed. It is in reaction to big headlines that people's attitudes toward crime are formed. Their fears are understandable, but I believe somewhat exaggerated.

According to a 1982 study carried out by the University of Toronto's Centre of Criminology, almost 75 per cent of Canadians believe that violent crimes make up about one-third of all crimes committed. The reality is that violent crimes account for only 5.7 per cent of the total. Moreover, almost two-thirds of Canadians believe that the murder rate has increased since the abolition of capital punishment in 1976. However, a report from the Solicitor General's department has shown that the rate has reflected no significant changes. The Prime Minister (Mr. Mulroney), when he spoke the other night, reinforced that argument.

In the year prior to the complete abolition of capital punishment there were 701 homicides in Canada, a rate of 3.09 per 100,000 citizens. In 1986 that rate had dropped to 2.87. Obviously, misinformation has created a great deal of panic in the population.

It is the duty of every Member of this House to speak clearly and directly to Canadians. I am sure that as people follow this debate it will become abundantly clear that capital punishment is both unnecessary and unjustifiable. Much will be said about the responsibilities of Members of this House to their constituents, to the nation as a whole, and, indeed, to their own consciences. It is my belief that the needs of my constituents is the most important concern I have to address. It is the needs of one's constituents that must take priority.

However, it is important to separate what is needed from what is merely desired. We have all seen polls, and Members who spoke prior to me mentioned this, that indicate that a majority of Canadians want to return to capital punishment. Since the public has been misinformed, it is not our duty here to follow the demands of the public. On the contrary, it is our responsibility to make use of this debate to try to educate the public and to show rational and moral leadership in maintaining the abolition of capital punishment. We must assume the confidence of our constituents and move forward according to our judgment. If this is not done and Members of the House turn instead to vote in a manner designed only to meet the demands of the polls, then Parliament will have dealt a great blow to the progress of the country. The cycle of revenge will have begun.

It is the tradition of our justice system to provide three functions in its work. Punishment must be a deterrent. It must be a form of retribution and it must encourage rehabilitation. Capital punishment falls hopelessly short of meeting any of those three required principles. The evidence and statistics relating to the death penalty as a deterrent are completely clear—capital punishment is not a deterrent.

I fail to see what overwhelming deterrent effect can be created by institutionalized killings. What example can be achieved? Are we showing people what to expect if they take another's life, or are we setting an example of how to react when one is wronged? State executions of criminals hardly seem like an effective method to show how wrong it is to kill.

It is hard to argue that the death penalty is not a decisive form of retribution. Some will claim it is the ultimate retribution. The problem here is that dead criminals cannot be rehabilitated. Since there is no rehabilitation, the entire society loses something. A lost life will never again contribute to society. The execution of a criminal has never brought a victim back to life. Capital punishment can add nothing but revenge to society. Under any careful examination there is no way to interpret it as a positive step.

When I was born in Freeland, Prince Edward Island, I was immediately given and privileged with all the rights, freedoms and liberties to which the citizens of this great country of ours are entitled. Of course, I was also instantly subject to the laws of the nation.

• (1910)

No one would dispute the right of the Government to remove a person's right to freedom within a society if that person has committed a crime. Prison sentences remove the criminal element of society. These people have forfeited rights they once held. However, the right to life is something that no government can logically or morally take away. Simply put, the Government cannot take what it has not given.

I cannot hold myself, as others have, as a leader in morality on this issue. Instead, I follow the initiative and concern expressed to me over the last few months by at least 30 different religious bodies, ranging from national organizations to tiny church groups.

I should like to thank these groups for their guidance in this most difficult issue that this Parliament is faced with. These people believe, as do I, and as do, I believe, all Canadians, in the sanctity of each and every human life.

The Canadian justice system cannot, and should not, be used by the Government as the arbiter of death. The possibilities of error are endless; and once an error is committed in this context it cannot be undone. There have been many cases in our legal history where people who were hanged were later found to be innocent, or at the very least convicted on false evidence.

We have, of course, as has been cited by many Members of Parliament, the Donald Marshall case and the John Wildman case, both of which remind us that while we do have a good justice system, it is not an infallible justice system. Other problems could and would arise within the justice system as a result of the implementation of capital punishment.

It is widely believed that jurors trying murder cases, given the choice between bringing down a verdict of guilty with a death penalty and a not guilty verdict, come down on the side of a not guilty verdict. As former Crown counsel Alan Cooper explained: "If you talk to the average guy on the street, he talks tough. But when it actually comes down to his making the decision, he won't do it."

When a jury has the opportunity to hang a man, they rarely do it; and because they do not want death sentences, the possibility—and I emphasize "the possibility"—is that some of the guilty will go free. There is always a threat with jury trials of wide-ranging inequities in terms of who is sentenced to death and who lives. Studies have shown that the death penalty has traditionally been used more frequently in cases involving racial minorities and the poor. That is something that has been brought out by other Hon. Members during the course of this debate. And this is another sad irony, because, as we have seen, it is the same people who suffer most in our society.

The death penalty is, and has been, a measure that is used to attack a symptom rather than the cause of the problems in this country. Desperation is at the root of a great deal of crime, and we should be attacking the cause. Instead, we are focusing our attention today in this Parliament on the effects of these crimes of desperation.

Certainly there are criminal acts, as we have seen, that are both horrible and unexplainable; but, these are the exception rather than the rule. It would be impossible to expect that our justice system could completely and unerringly separate the criminal monsters from those who are nothing more than sad tragedies. If one innocent person is to die unnecessarily, as would surely happen, then we are, each and every one of us in this Chamber, to blame, and we will have lost one more precious life in the name of blind justice.

Let us hope that neither Hon. Members of this House nor the public at large have any doubts about the result of the return to capital punishment. The fact is, some people will die: people who may have been falsely convicted; people who are consumed with guilt and who long for repentance; people who are, and who were at the time of their crime, without any control of their minds. In fact, who can say that any man who kills another in a civilized world is not insane?

There will also, undoubtedly, be people who die who could have enriched us, helped us, and even taught us many things, after a sufficient time of imprisonment, leading to repentance and rehabilitation. History is full of great men and women who spent a part or even much of their lives imprisoned, only to return as functioning and contributing members of society.

In our own nation, we have the example of Roger Caron, a man referred to by his fellow prisoners as "mad dog", who returned to society to educate and warn our youth and to advocate fair treatment of the inmates of our prisons. I ask Hon. Members, are we really so morally bankrupt as a nation, so resigned to our inability to rehabilitate people and so thirsty for revenge and spectacle that we should return to the death penalty? I certainly hope not. As a nation, we have traditionally strived to better the fate of our fellow human beings. We are recognized as a world leader in the fight for human rights.

We certainly have nothing to gain in joining such countries as South Africa and Chile, which have institutionalized and advocated capital punishment as a practical measure to curb unrest in their societies.

The problems of this country have always been solved through knowledge, hard work, and compassion. It is our duty to help the victims of crime in as many ways as possible; but it is also our duty to punish and rehabilitate the criminals themselves. It may well be that we need judicial reform. I, for one, would advocate stronger judicial reform. It is difficult to see a person who has been charged and convicted of first-degree murder out on parole after only a very few short years.

This Parliament, before going to capital punishment, the taking of the life of an individual, should try at least one other method, that being a stronger and more effective sentencing regime. We certainly do not need a justice system based on revenge.

It will be said in this House that we should return to the death penalty as a measure of government cost-saving. We hear that argument being put forth by people across this country. People say that it costs a great deal of money to keep these people incarcerated. This argument is also false. As well, it is disturbing. A study by the State of New York has shown that there is no money to be saved by executing criminals. The long line of appeals that accompany a death sentence more than offsets the money spent on the incarceration of the criminal. Quite apart from that, it is revolting to think that we could consider killing people in order to save relatively tiny sums of money; or, for that matter, any sum of money.

Perhaps those who use this argument would consider letting people starve to death—another good way of saving dollars. The Government would be better using this precious time, I believe, to implement a fairer tax system, if money is the main issue.

In closing, I should like to urge Hon. Members to look deep into their hearts to find their position on this grave issue. I think the immorality of the death penalty will be easy to see. I urge Hon. Members to feel the weight of their consciences, as I have. If we reinstate capital punishment, we will be doing so on behalf of all Canadians, and any executions which follow will be carried out in the names of a people who deeply believe in the sanctity of life.

I urge Hon. Members to think of the logic being applied here. Does it make any sense to kill to show the wrongness of killing? I do not think so.

I will be voting against the motion, and I will be doing so with a clear mind and a hopeful heart.

I should like to conclude with a quote from a letter I received from one of my concerned constituents, a Mr. Carroll Kadey, from Ellerslie, P.E.I., who has mindfully stated the truth of this issue. I quote:

> For one human being to take the life of another is a great tragedy.
>
> For society to execute a human being is barbarity.

I have stood for Parliament in two elections, 1980 and 1984, Mr. Speaker. When asked my position on capital punishment, when asked whether I would vote for the return of the death

penalty in Canada, I said, on the occasion of both campaigns, that I could not.

• (1920)

Last evening I attended a state dinner in Charlottetown, Prince Edward Island, which was hosted by one of our cabinet Ministers, the Hon. Minister of the Environment (Mr. McMillan), and had an opportunity to have a long chat with the former Member for Egmont, the Hon. David MacDonald, who is now Canada's Ambassador to Ethiopia. My position has been clear for many years, and it was reinforced when a poll was taken on who would vote for and who would vote against the reinstatement of capital punishment. Mr. MacDonald said that he was glad to see me voting against the reinstatement of capital punishment. He said that he had done the same on many occasions, and that previous Members of Parliament for Egmont were also abolitionists. I informed him that I had read his speeches in *Hansard*, which he gave over the years with great consideration and care, and that I took much from them.

As did other Hon. Members, I asked the following question in my householder: "Are you for or are you against capital punishment". In my riding of Egmont I sent out 18,000 householders, and I received back something less than 200. The breakdown was something like 102 against reinstatement of capital punishment and 96 for its reinstatement.

I understand that Members of Parliament are really very concerned politically and otherwise, but there are times when we must show moral leadership. We must live with our own consciences. While we work very hard as Members of Parliament in every way we can to help our ridings and our constituents, there are some issues—and this is one of them for myself; I am also a pro-lifer—on which we must vote with our consciences. I must live with my conscience, and I hope all my constituents will understand and respect me for it.

Mr. Simon de Jong (Regina East): Mr. Speaker, it is a pleasure to participate in the debate. I suspect that for many Members of Parliament it is one of the most difficult debates which we have faced in our careers as parliamentarians and as elected leaders in our respective communities. It is not an easy debate; it is not an easy subject.

It deals with very deep-felt emotions which we experience as human beings living in this day and age. It deals with various intellectual arguments relating to something about which we as members of the human community feel very strongly, that is, our collective security or ability as individual human beings to live our lives in a society free from random violence and death. It deals with a question which affects each of us to the core regardless of political or religious beliefs, regardless of all things which separate us as human beings. This debate touches us in terms of what we share as human beings.

I am referring to the question of what we do with those in our midst who commit what is surely the most awful crime of all, that is, the taking of the life of another human being. How do we prevent that? How do we minimize it? How do we treat those who have committed that crime? These are the questions in this debate. These are the questions which individual Members of Parliament have attempted to answer.

I should like to deal with some of the intellectual questions dealing with the logical side of the issue. Some of those who call for the restoration of capital punishment use the argument that it is a deterrent, that the state being able to put to death a murderer will deter such crime.

The truth of the matter is that that logical assertion cannot be proven. Most intelligent and reasonable people would admit that there are no statistics whatsoever to support the contention that capital punishment is a deterrent. As various speakers during the debate have pointed out, in many instances we could almost make the opposite assertion. In certain jurisdictions which have done away with capital punishment the homicide rate in fact has declined over the last number of years. The argument that it is a deterrent is not a valid one.

Another argument is that it protects society and that society needs this protection. Logically I do not think that argument holds water. Quite often, as the Law Society pointed out, the opposite can occur and the courts would be loath to convict someone of such an offence if it meant his or her execution. In certain instances a court will in fact adjudge manslaughter rather than first degree murder. Along with the notion that restoring death penalty protects society, one could also make the case that it endangers society by allowing people out who should not be allowed out.

I think the most important argument by those who want to see a return to the death penalty is the retributive justice argument, in other words, vengeance or revenge, that a member of our human family has committed such a horrifying act or acts that he or she deserves to be killed. This is perhaps the most potent of all arguments used, and I also reject it.

There is no doubt that when we read gruesome details of mass murderers like Clifford Olson that there is a certain sense of deep-rooted revulsion which we all feel, a sense of wanting to put the SOB out of his misery. We feel a sense of anger that such an awful act has been committed, that young, innocent children, at the stage of beginning to live or to discover life, have been killed by a demented animal who is a human being, a member of the human species. I think we all feel that we just want to kill the person. That part of our nature as a human being comes out, the one that wants revenge, that response of anger.

• (1930)

I understand that because I feel it myself. Any member of our human family will feel it. It is normal. Yet there is another part of us that calls out and helps us rise above that feeling of anger and wanting to kill for revenge. Surely that part of us that calls out is the better part of our nature. It looks at events in terms of cause and effect, of nature and seeks to understand and put reason where there was anger and pure emotion. It is that part of us that wants to make certain such things never

happen again and realizes that in order to do we must understand. That is what this debate is about, not only how we as individuals react but how we as a collective society, as a civilization, act. What part of our nature will we call forth as a community, as civilization?

In many ways this debate is a debate about how consciously leaders of our community decide what type of a civilization we will have. I submit that feeding emotion tonight will be an affirmation that the community called Canada tries to achieve a higher level of civilization, a higher level of conduct, one more motivated by attempting to understand rather than one of pure emotional reaction. That in large part is what this debate is about. How do we see ourselves as a community, as a society? How do we see ourselves as individual members of that society?

I have heard arguments that what we have to do is vote according to the wishes of our constituents. That is compelling. Practically speaking, we are all politicians and we all want to get re-elected. There is that part, of course, but there is a loftier part as well which has some validity. One attempts as a representative of the people of one's constituency to reflect the people's desires and wishes so that this, indeed, is a representative democracy. That is understandable, Mr. Speaker. But very often we have to forget that from time to time. A few weeks ago I was engaged in a radio debate over the telephone with my colleague from Saskatoon East. The Hon. Member for Saskatoon East (Mr. Ravis) stated that he would support capital punishment because that is what his constituents wanted. He had done his poll, and had the responses to his householders, and had decided what he was going to do.

Let me tell you about Saskatoon East, Mr. Speaker. It is a seat which the New Democratic Party represented in the previous Parliament and we will probably represent again in the next Parliament. The polls seem to indicate that the constituents in Saskatoon East want a change in their representative. I posed a question to my colleague from Saskatoon East. If I went into his riding, conducted a poll and was able to demonstrate to him that the majority of his constituents wanted him either to change Parties or resign and allow somebody else to run, would he do so. He was not quite into doing that. I told him that in a poll I would probably be able to demonstrate that the majority of his constituents were against Bill C-22, while he voted in favour of it.

I asked him would he consider, using that same argument that he was using to support capital punishment, and now vote against Bill C-22. Of course, he was not quite prepared to do that either. Our system of Government and Parliament operates in a certain way. Yes, as practical politicians and politicians wanting to represent our constituents we try to stay in tune with the desires of our constituents. We have to do more than that because there is more than that to this job. Otherwise our system of government just would not work. I suggest that the argument that you have to do what your constituents ask you to do is not a valid one.

What is it that our constituents are asking us to do? Yes, public opinion polls have shown that a 60 per cent range of the Canadian public want us to restore capital punishment. Apparently the polls also indicate people do not feel quite that strongly about it. I have detected an amazing change of mood over the last number of years.

When I fought my first election in 1972, capital punishment was a question I was asked about quite often on the doorsteps. Yet the mail I have received is by far from those who are opposed to returning capital punishment. I suspect that people are not as convinced that capital punishment is going to be the answer. I certainly feel in terms of the public impression that I get from my constituents that they are not as concerned and not as adamant now as they were before.

I suspect that most of my constituents, even those who favour restoring capital punishment, would not look kindly on me if I happened to vote according to how they want. I suspect that I will gain more support by standing here and stating what I deeply believe than if I were to change. I think our Canadian electorate is mature. I think people respect the consciousness of Members of Parliament more than they would respect one Member who would just vote according to what some poll indicated as to how he or she should vote.

The one other area on which I wish to touch is how can we make our society more secure? After all, those who want to see capital punishment restored and those who are opposed to it all agree on one thing. We want to see a safer and more secure society. We want to live our own lives with our loved ones, dependants and so forth in a more secure community. By rejecting capital punishment, it will force us to look more into the causes of violence. By not restoring capital punishment we close the door to the easy way out. We must begin to recognize the conditions that produce sick people. We must begin to examine very carefully our justice system that allows, in some cases, people who are sick to be at liberty and to commit heinous crimes again.

I remember the case of a demented person killing nurses in Saskatoon in the late 1970s. This person had a history of mental illness and sickness. He had killed farm animals and had done sick things. Yet we have devised no way as a society to keep tabs on these people, to treat these types of people, to treat them and make certain that they are never in a position to inflict harm and horror again..

• (1940)

Again, in the case of Clifford Olson, he was a sick person who fell between the slats of provincial and federal jurisdiction, the bureaucracy. We must examine that but we must also examine the roots of violence.

We must accept that we are living in a day and age of horrendous social, psychological, economical and technological change. Individual human lives are in freefall. Many children are being raised by single parents who are poor and have to work, come home, fix supper, change diapers and simply

physically do not have the emotional and physical strength to give love, attention, concern and all those things that make us normal human beings. A breeding ground for psychopaths is surely one way of describing the wasteland of our civilization and culture today.

Then, of course, there is the influence of the mass media and the violence and number of deaths portrayed hour after hour. Children are brought up on television, the biggest babysitter and biggest source of information right there in front of them. It gives them violence, violence, violence. Is it any wonder we produce violent people? Does anyone think that killing those violent people will solve the problem of violence? No, it will just feed on it and more violence will beget more violence.

If we are really concerned about stopping violence, we must address the question of how we can maintain individual freedom of expression and still cut down on the amount of violence to which our youngsters are exposed. By saying no to the question of capital punishment, we force ourselves to address the real causes and will hopefully achieve some solution so that we can live in a safer and sound world.

Mr. Geoff Scott (Hamilton—Wentworth): Mr. Speaker, I have been waiting and in a sense dreading this moment for 11 years. Ever since I witnessed the last debate on capital punishment in 1976, I have wanted to place my views on the record in the House of Commons and cast my vote on this critically important albeit wrenching issue. This is the most difficult speech I have ever had to make. However, when the free vote is recorded later this day, I will vote in favour of the motion to reinstate capital punishment in principle.

I may, however, be voting from a perspective not shared by other colleagues on all sides of the House. My gut feeling tells me that we should put the death penalty back on the statute books at once. My head tells me that this country will never again see another person executed even if we do restore capital punishment in principle later tonight. Let me explain my reasons for obeying my gut instinct rather than my realistic rationale.

Eleven years ago, I sat up there in the Parliamentary Press Gallery, the third-floor balcony overlooking this place, and I listened carefully to many stirring speeches through countless hours of debate on the abolition of capital punishment. Incidentally, there were stirring speeches in 1976 but there have been very stirring speeches in 1987 as well. I commend many of my colleagues on both sides of the House for some of the profound and in some cases moving speeches that they have made.

As a television journalist for some 22 individual stations across Canada, I had to monitor the proceedings carefully. I provided filmed interviews with Members of Parliament to their hometown television channels along with commentaries reflecting the views of MPs on both sides of the death penalty issue from all sides of the House. I was exposed to all the arguments that we have been hearing during this debate and, I will confess, as an objective journalist I felt comfortable in my officially neutral role. Still, I held the personal view that the death penalty was considered a mere formality on the statute books, a provision that no Government had used since 1962. It was certainly an ultimate solution that no Liberal administration had contemplated, nor would the Trudeau Government of the day do anything but commute any death sentence coming before it.

Back in July of 1976, the conventional wisdom in the Liberal Government and in the media of the day was that the abolitionists would almost certainly carry the vote and it turned out to be an extremely close vote, as I predict it will be tonight. However, it was anything but free back in 1976. Mr. Trudeau's Whips were on with a vengeance and all kinds of carrots were being dangled before government MPs immediately prior to the 1976 roll call on capital punishment. That brings us to the present debate and the conduct of the present Prime Minister (Mr. Mulroney).

I want to put on record that I can rarely recall hearing a more powerful and persuasive speech made by any Prime Minister than the one delivered by the Right Hon. Member for Manicouagan here in the House one week ago tonight. His thoughtful and obviously deeply felt address on capital punishment ranks with those contributions of Arthur Maloney and the Right Hon. John Diefenbaker. I believe history will applaud the Right Hon. Prime Minister's speech regardless of the outcome of the vote tonight.

The fact that I am allowed to stand here in my place and disagree philosophically with my leader says something else about this Prime Minister. Soon after I became a Member of Parliament, I got used to hearing former Prime Minister Pierre Trudeau say that he would see to it that the issue of capital punishment would never again come before Parliament as long as he was in charge. Well, Pierre Trudeau is mercifully no longer in charge of this Parliament, not on the government side in any event, and that is another reason that I have a towering respect for this Prime Minister. He keeps his word. The capital punishment issue is indeed before Parliament. The matter will be dealt with one way or another during this Session. This highly controversial and intensely personal matter will be allowed to come to a truly free vote later tonight.

I might point out that the Right Hon. Member for Yellowhead (Mr. Clark), a former Prime Minister, also promised from 1976 onward that there would be a free vote in this House. He too will be able to participate in that vote tonight.

In any event, my own personal view back in 1976 was that capital punishment was abolished for political reasons and with the political clout of the Government of the day. My personal view in 1987 is that this House should restore the death penalty in principle but that while this Prime Minister is exerting no political pressure on his Progressive Conservative colleagues, I still have a journalist's sense of scepticism and

perhaps realism that this Government and any future Government many years down the road will not likely resort to the ultimate penalty even if the House of Commons does approve the motion in principle tonight.

Let me answer the obvious question which is: "If you think that this or any future Government will automatically commute any death sentence that comes before it, why in heaven's name don't you vote for continued abolition? Wouldn't that be more realistic?" The answer is no on two counts. First, it is because of my duty to my constituents which I consider extremely important and second, my personal responsibilities and my conscience.

To vote against this resolution would be a betrayal of the constituents of Hamilton—Wentworth. Through four successful federal election campaigns and following extensive polling of my riding recently, I am convinced that my gut feeling is totally in tune with the vast majority of the people I have the honour to represent. Just as an example of that, last fall on CHML Radio's open-line show, Mr. John Hardy got in touch with five or six Members of Parliament from the greater Hamilton-Burlington area. We were all on an open-line program where we received calls from listeners. Present were the Hon. Members for Lincoln (Mrs. Martin), Burlington (Mr. Kempling), Hamilton West (Mr. Peterson), Hamilton East (Ms. Copps), and in the absence of a Member of Parliament for Hamilton—Mountain, I represented that constituency along with Hamilton—Wentworth. The results of that poll were 75 per cent in favour of the restoration of the death penalty and 25 per cent against. I communicated those results immediately after the radio program.

• (1950)

Some of the arguments put forward were interesting. They included the following: "We have to consider the families of the victims, the survivors", "Capital Punishment is a deterrent", "Life does not mean life, it is only 25 years. This punishment is not severe enough". I am quoting directly from some of the people who called in on that program. Others said: "The prisons are too lax, they're too soft, they're too comfortable".

The comment of one caller in particular got to me. He was a police officer who referred to the Prime Minister's comments last fall that "emotions are too high now to have a free vote on capital punishment". Immediately after that police officer was murdered, when emotions were running so high in the House of Commons, was possibly not the time to have a free vote on capital punishment. However, the officer made the point that police officers continue to be murdered and there is no time in between these deaths to cool off.

The concerns of the people of the greater Hamilton—Wentworth region are much like mine and can best be expressed in the words of the Right Hon. John Diefenbaker. Here is what Canada's thirteenth Prime Minister, a long-time abolitionist, wrote in his book, *One Canada*:

> Society must be protected from those who kill for profit or who regard murder as an occupational hazard in the commission of robberies or kidnappings.

The people of Hamilton—Wentworth and I worry about the fact that society treats the killers better than we do the victims' relatives. I can say as a former newsman that it certainly seems as though we give people who have gunned down Popes, presidents and policemen more publicity and more consideration.

There is an overwhelming impression in my part of the country that people who have murdered before are quite likely to murder again while on parole. There is a fear in my community about how people can be properly advised when these killers are back out on the street. The solution, they say, is surely not after the fact—the solution is before the fact.

My first reason for voting for this motion tonight is that I have great respect for my constituents and for their views. When we are asked to pass judgment on an issue as complex and important as this one, I have absolutely no hesitation whatsoever in asking for and relying on the guidance and advice of the people of Hamilton—Wentworth.

My personal reasons for supporting the motion do not stem from the point of view of bloody-minded revenge and retribution, although denying the "eye-for-an-eye" approach to the capital punishment question seems to mean that it is all right for a criminal to give someone the death penalty but in fact society—you or I—cannot render the same death penalty to the criminal.

Let us face it, Mr. Speaker, a great many Canadians approach this issue out of a deep-seated revenge on behalf of relatives who sorrow for the rest of their lives as a result of deliberate acts of violence against society such as blowing up an airplane, smuggling in guns to blow away prison guards, beating to death convenience store employees, gunning down policemen, shooting up banks, or bombing embassies. It is not difficult for many people to give vent to such an "eye-for-an-eye" emotion and philosophy. From those outraged by such grizzly offences you often hear: "Hanging is too good for them".

What is more difficult to accept, however, are the dispassionate, legalistic and selected biblical arguments and passages used by some organized churches, many academics, many criminal science specialists, many media people, and others who completely ignore the peoples' views on this life and death issue.

Just as I am not quoting statistics at length in these remarks—for I think statistics can be proved to use anything and manipulate any argument, as we have seen during this debate—neither will I quote the Bible to Hon. Members because the Bible can also be quoted to prove anything if you are prepared to lift the text out of context.

I am, however, a Presbyterian by upbringing and the Judaeo-Christian tradition is the major source and the wellspring of western civilization. The recent *Maclean's*

Decima poll on how Canadians feel about capital punishment specifically points out that religion does have a bearing on attitudes about the death penalty with Protestants in general, and Anglicans in particular, more likely to lean toward capital punishment while Catholics tend to lean toward the abolitionist point of view.

According to Michael M. Ferguson of Moncton: "The orthodox Christian tradition has generally emphasized three key points: First, the state has in principle the right, within limits and for good cause, to take life. Second, it is a question of prudence when and where the state should, if at all, exercise that right. Third, there is no definitive Christian position on the matter, and the individual, if properly informed, is free to make up his or her mind. The Jewish tradition does not appear to me to take a materially different position than orthodox Christianity, and in our own time the State of Israel retains the death penalty".

This is all to demonstrate that my own upbringing has contributed to a personal philosophy which is not out of line with my countrymen of similar backgrounds. This is not to say, as a Member of Parliament, that I cannot also demonstrate leadership and use my conscience and intelligence to operate independently from my traditional upbringing. My parents will confirm that I have gone that route many times before. This is, as many of my colleagues have expressed eloquently during this debate, a matter of conscience, a moral question, and I have analysed it in the way I have described.

My reason for supporting the motion tonight, while a "gut feeling" and a responsibility to my constituents, also amounts to something else, something far more immediate and urgent than the prospects of this country actually returning to executing people which, as I have already pointed out, will not likely happen.

My vote will be cast as a plea to this and future Governments to dramatically tighten up our parole system and our sentencing procedures. My Winnipeg friend, Frank Crockett, was quoted in *Maclean's* as saying, "If I had some assurance that a 25-year sentence meant 25 years, then I'd have no hesitation in saying, 'Don't bring back the death penalty'". Well, I am not as lenient as Mr. Crockett, but he does express the frustration of many of my constituents.

There is something fundamentally wrong with a system which allows a confessed murderer back out on the streets 24 or 30 months or three or five years after sentencing. As my mother said to me just this afternoon on the phone from Vancouver, "They're out in no time flat". A life sentence is a joke, Mr. Speaker. If we are not going to have capital punishment, we must build into the system a deterrent so the sentences given out for premeditated murder and the killers of police and prison guards and terrorists must be respected. We have heard during this debate that there are murderers in penal institutions who will kill again because they have nothing to lose. There are statistics to show that killers on parole will kill again.

It is my firmly-held belief that if this motion is defeated—and at this hour it could be even by the slimmest razor-thin margin—abolitionists will heave a sigh of relief and society will revert to the status quo. Canada's parole system will continue to make a mockery out of the administration of justice where first degree murderers are concerned. My view, my preference, is that with the death penalty once again on the statute books the sentencing of killers of police, prison guards, children, terrorists—whomever the committee selects to qualify for capital punishment—will have their sentences commuted to life imprisonment. Then a Government will be compelled to justify to the Canadian people that the lesser life sentence is respect and if not, why not.

• (2000)

Even if this motion is lost this evening, whichever way it goes, we as parliamentarians have a duty to ensure that one way or another we will bring an end to open season on those who protect society. In the interest of law and order, and as a grim and forceful reminder to would-be killers that the ultimate penalty is once again on Canada's statute books, I will be rising in my place later tonight to vote for the motion in principle to reinstate capital punishment.

Mr. David Berger (Laurier): Mr. Speaker, I listened with interest to the speech by the Hon. Member for Hamilton—Wentworth (Mr. Scott). I could not help but grimace somewhat at what I think are flaws in his logic. At the conclusion of his speech he said that he felt we should be tightening the parole system and sentencing and that he would be against the death penalty if we did so.

Mr. Scott (Hamilton—Wentworth): I did not say that.

Mr. Berger: He said that his vote was a signal to the powers that be that we should be tightening the parole system and sentencing. I would ask him, therefore, why are we debating capital punishment? Why not debate the issues that he says are the real problem with our criminal justice system?

He seemed to be very concerned about recidivism, the number of convicted murderers who will be let out of prison because of eligibility for parole and may kill again.

I was not aware that there was a very high rate of recidivism among convicted murderers. I suggest that he put any facts he has on the record because he did not do so during his speech.

Indeed, I have a concern about the parole system and sentencing which I will address during the course of my remarks. The particular case that I plan to talk about did not apply to a convicted murderer. This was a person who murdered, and one of the contributing factors may indeed have been the leniency or some of the anomalies in our present prison system. The person about whom I will talk is someone, according to his record, who had committed a series of crimes, but none of which were violent. This raises a problem of how one deals with a person who could potentially become a murderer.

Capital Punishment

Mr. Clark (Brandon—Souris): Mr. Speaker, I rise on a point of order. I thought there was no longer any opportunity for questions and answers.

The Acting Speaker (Mr. Paproski): There are no questions and comments. All speeches are 20 minutes.

[*Translation*]

Mr. David Berger (Laurier): Mr. Speaker, from the outset I should like to say that I do not agree with the restoration of capital punishment, and even less with this resolution. I would also express my regret that this debate should even be taking place. I have no praise for the Prime Minister. The Hon. Member for Hamilton—Wentworth (Mr. Scott) who has just spoken commended the Prime Minister for allowing a free vote on this issue. But why this vote? Why take up the time of the House for this useless debate? If, as suggested by the Hon. Member for Hamilton—Wentworth, we are not going to reinstate the death penalty, then why not instead debate the real and serious issues facing our society today?

Mr. Speaker, had we devoted as much effort to study the sources of violence in our society, we would be further ahead.

Here are some of the questions which deserve our attention. What should we do to improve our penitentiaries? What should we do to have better control over firearms? I have yet to see this Government take the lead in this respect. How can we reduce the violence we see on television every day? What can we do to gain better insight into family quarrels, alcohol and drug abuse?

These are questions we ought to debate, these are the kinds of problems whose solutions might help us reduce violence in our society.

At the beginning of my remarks I should like to thank all my constituents, particularly those who wrote to me about this mater. I received about ten personal letters and more than 150 postcards, all of them against capital punishment.

Therefore I think I can safely say that I share the views of at least some of the residents of my riding of Laurier.

[*English*]

I want to deal briefly with the question of public opinion. This question was addressed by a professor of criminal law at McGill University in an article published today in *The Gazette*.

I addressed the question of public opinion several weeks ago when I spoke to Bill C-55 dealing with the determination of refugees in Canada. In my speech on second reading I pointed out that the very first argument the Minister brought to bear in support of Bill C-55 was that public opinion supports Bill C-55. As Professor Sklar asked in *The Gazette* today: "How many have read Bill C-55? How many understand it?" While the legal community is unanimous about some of the provisions, their views widely contradict the views expressed by the Minister.

How many have carefully considered the arguments about the value of the death penalty as a deterrent? How many have reflected on the U.S. experience that the death penalty is applied in a disproportionate manner to minorities and the poor? What if public opinion changes? Do we invoke the death penalty one day and revoke it the next if the public's view changes?

I would also point out that majorities in Canada supported the internment of Japanese Canadians during the war. The majority of public opinion presumably supported keeping Jews out of Canada in the 1930s and 1940s, and presumably supports keeping out refugees today if one can believe the polls that have been published lately.

The real question is whether the public's views are the right answers to these questions, or do Members of Parliament have a different duty in dealing with these questions as part of our responsibility to the people who vote for us? In that respect, I would simply quote what Professor Sklar said about elected representatives in the last sentence of his article:

> What we need, ultimately, is that they protect us from our prejudices, not legislate them.

In supporting the abolition of capital punishment in his speech to the House on June 15, 1976, Prime Minister Trudeau argued that the only basis to justify capital punishment is on its value as a deterrent. He said:

> The crux of the question before us is whether execution is an effective and therefore justifiable weapon for the state to use in order to deter potential murderers.

• (2010)

In other words, is hanging a good way for society to defend itself? It may surprise some people in the House or the public to know that the Right Hon. Pierre Trudeau said that capital punishment could be justified if there were evidence that executions were likely to deter other murders. This would ensure that a human life was not being taken capriciously. In other words, it would ensure that state-sanctioned killing would accomplish some worth-while social purpose. There was no such evidence in 1976 and there is no such evidence in 1987. Indeed, all the evidence is to the contrary.

As the Leader of our Party, the Hon. Member for Vancouver Quadra (Mr. Turner) said in his speech on April 27, even the Canadian Association of Chiefs of Police no longer argues that capital punishment is the only effective deterrent. In the civilized world there is no evidence to show that capital punishment has had any significant impact on the murder rate. At 2.1 murders per 100,000 people, last year's homicides rate in Canada was the lowest in the past 15 years. It was 2.9 murders per 100,000 people in 1976 when capital punishment was abolished. If we look at the United States, we see its statistics show that those states which imposed the death penalty report a higher number of homicides than do other states where it has been abolished.

Like other Members of this House, I have had contact with the families of murder victims. One of the most difficult things I have had to do as a Member of Parliament was to meet with a certain Anibal Tavares, the father of a nineteen-year old student by the name of Emmanuel who was murdered in March, 1985 while resisting an armed robbery in the family's *dépanneur* or convenience store in my constituency. This young man worked for me in the last election campaign. I went door to door with him.

The murderer in that case pleaded guilty and was sentenced to life imprisonment. He will be eligible for parole in 10 years. I met with the Crown prosecutor after having met with the father on a few occasions and asked him a number of questions the father had put to me. He discussed with me the difficulties he faced in obtaining a conviction.

There was no witness to the crime. In the words of the Crown prosecutor, it was a perfect crime. However, the murderer talked to others who provided information to the police which led to his arrest. There was some question in the Crown prosecutor's mind whether this evidence would lead to a conviction. He was not sure whether the persons whom the murderer had talked to would turn up at the trial. They were not exactly reputable persons and there was no guarantee they would turn up. He also was not sure whether their testimony would hold up under cross-examination. His main objective was to get a murder conviction. He had to weigh the possibility of going to trial and not obtaining a guilty verdict because of the risky nature of that procedure versus obtaining a guilty plea by the accused prior to trial.

I met with Mr. Tavares, the father, on a number of occasions since his son's murder, as I explained. As can be expected, this man was absolutely shattered by his son's death. His anguish and his views have been reported several times by the city columnist of the Montreal *Gazette* who reported that Mr. Tavares lamented the death of moral principles, the death of justice in our society, and claimed that the state was responsible for his son's murder. The laws of the land, he argued, border on complicity, and the rules of evidence favour criminals. I guess I should not have to point out that Mr. Tavares also favours the death penalty. His views partially stem from the fact that his son's murderer was a person who had a lengthy criminal record. From 1980 to 1983, he had eight convictions from assault to break and enter and possession of stolen goods. As a young man he was convicted and sentenced to probation. His sentences increased to six months, nine months and 12 months in prison.

Mr. Tavares, in my mind, is fully justified in asking why this individual was on the street in a position to be able to murder his son. I believe that the previous record of this murderer testifies really to the failure of our criminal justice system. I do not mean to absolve this individual from responsibility for his actions. However, I think we have to recognize that prisons very often do not rehabilitate criminals. The prison system, on the contrary, probably often hardens criminals. A young man convicted of a relatively minor offence comes into contact with hardened criminals and upon leaving prison perhaps is involved in a criminal world which leads to further and more serious crimes.

Prisoners, I am convinced, are often ill-prepared to return to society. I have met some convicts who have been released from prison and who have come to see me in my constituency office. They go on welfare because they have no training and very few support systems outside the prison world to help them to become independent again in our society. The care and attention which is given to victims of violence is undoubtedly inadequate.

Another question I could mention is that our criminal system, as was mentioned by the previous speaker, has undoubted weaknesses. There are many problems. Sentences are not proportional to offences. Punishment is not certain. We imprison far too many people, indeed, a much higher proportion than in other countries.

I do not know, Mr. Speaker, if you followed a seminar which was organized for parliamentarians about two months ago which dealt with many of these problems in our criminal justice system. Unfortunately, that seminar was very poorly attended. I think there were only about five or six Members of Parliament who attended that particular seminar. Capital punishment will not solve these kinds of problems. Capital punishment, in my mind, is too simple an answer. It is an admission of failure. I have faith in the human spirit. I have confidence in our ability to take positive steps to protect human life and to reduce violence. I would suggest to Members of the House who may be wavering, if indeed there are any Members who are still wavering, that they consider the problems which have been raised in this debate. Yes, there is a need to reduce violence in our society, but I believe that if they reflect carefully on many of the difficulties we face in our prison system, and if they reflect carefully on the many types of things we could do to reduce violence, they must come to the conclusion that those alternatives are far better than returning to capital punishment and reinstituting a system under which violence can only beget further violence.

In conclusion, I would like to quote indirectly the parish priest in the Portuguese community in my constituency who spoke at the funeral of young Emmanuel Tavares. He stated that it was in the hands of young people in particular to do something about it, not to waste his life but to make it into something positive, to do something to prevent this kind of tragedy from happening again.

I am firmly convinced that it is in our hands. It is within our power and it is within the ken of Canadian society to deal with these issues and minimize violence in our society so that we see those kinds tragedies happen less often than they do at the present time.

• (2020)

[*Translation*]

Mr. François Gérin (Parliamentary Secretary to Minister of Justice and Attorney General of Canada): Mr. Speaker, first of all, I want to say that my position on capital punishment was taken long ago and it is well-known to those who have known me since my early youth. It may be a matter of family upbringing or religious upbringing. It may be the kind of education I had in various classical colleges in Quebec. It may be the fact that I have been a member of the Bar since 1969 and have acted as defence counsel in criminal court for fifteen years, until my election as a Member of the House of Commons. In any case, it means that today, I cannot speak out in favour of this motion and will vote, without any reservations, against the motion and against capital punishment.

Mr. Speaker, from the very outset, I have tried to explain, without ever trying to hide them, my own views on capital punishment to my constituents. I asked them to write and tell me why they were for or against reinstatement of capital punishment—not that they would influence my own position, which was pretty firmly anchored, although you never know—to find out what their arguments were and to be able to give them the real facts. Many times in conversations with friends, associates, lawyers and some of my constituents, I realized that their opinions were based on facts that were inaccurate. And after our discussions, they would start wondering, and after a while, they would reverse their views.

I therefore asked my constituents to write to me. I received several hundred letters, and 820 or 86 per cent of my correspondents were against capital punishment, mostly for religious reasons. I told them I would send them a copy of the speech I would make today and some material we were sent by various agencies across Canada. I wrote to the others, who gave me their opinion based on facts that were often incomplete. Many wrote to me later to thank me for sending the material, and some actually changed their minds. That is one reason why in voting on this important issue, a Member should not be guided by the polls alone.

A poll is an attempt to find out what people think at a given moment, without providing information or making distinctions. We had 75 per cent of Canadians in favour of capital punishment only a few months ago, but this percentage has been coming down gradually, so that today, there would be 61 per cent. In Quebec, the last poll showed that a majority of Quebecers are now against capital punishment, probably because of the public debate that has taken place. If there had been a real referendum, if every Canadian citizen in each province had been able to vote personally for or against capital punishment, that citizen should have done what every Member has done, and that is, get the information, study the facts, read all the documents available, form an opinion and then vote. We would then have the real, enlightened view of Canadians. But since that process would have been very costly anyway and the Government chose to go through the House of Commons, which is quite appropriate, a Member of Parliament has an obligation to vote according to his conscience, after carefully going over the facts.

I therefore do not share the view that Members of Parliament should vote according to surveys. Suggesting that is a false perception, a mistaken view.

When I state I received letters from constituents I have tremendous respect for, those letters reflected the same concerns that are now expressed in various analyses, the Maclean survey for instance which just appeared in June 1987. But certain analyses we saw, as reported in that excellent study *The Death Penalty* by The Criminal Lawyers' Association of Ontario, according to people generally, the general public perception is that 50 per cent of all crimes are violent. But the facts are different. It is not true to suggest that every second crime is violent in Canada. Only 8 per cent are. Those 8 per cent are a far cry from the public perception of 50 per cent. Two Canadians out of three believe the murder rate increased. That is wrong, the murder rate did not increase. Since 1976, when capital punishment was abolished in Canada, the murder rate declined from 3.09 per 100 000 citizens to 2.78 per 100 000. The rate declined since capital punishment was abolished in Canada. Those facts are self eloquent. Therefore, it is incumbent on those who believe capital punishment is a deterrent to prove it. The Prime Minister said so. They should prove that. The onus is on supporters of capital punishment to prove it would be a significant deterrent. But the facts, statistics point to the contrary.

How many times do I hear—and I am going to refer to police officers, and I will digress in my speech to refer to police officers. I followed very closely the contribution made by the Hon. Member for Bourassa (Mr. Rossi) last Thursday. He was a police officer before he came to this House a few years ago, and he always supported capital punishment as a requisite in Canada, but now he just made a vibrant plea against reinstating capital punishment. I want to tell the Hon. Member for Bourassa that I admire his great courage. I admire his courage because personally, over these last few months, I had a number of opportunities to discuss the matter of capital punishment and I know the man's courage, his convictions. I listened to his speech, it does him honour. He will agree with me that statistics show the number of police officers killed in Canada has not increased since capital punishment was abolished.

Let us look at the years 1966 through 1975—in ten years, 38 police officers were killed in Canada. Let us now look at the ten following years: 37 were killed. So, since capital punishment was abolished, one police officer less has been killed, while the number of police officers doubled in Canada. So, abolishing capital punishment certainly has not resulted in more police officers being killed as such. Of course, police officers are there to protect our lives and property. This is why we respect and love them as such. But because he is a police officer, this is no reason to reinstate capital punishment. The rate of police officer deaths in the line of duty is far from being one of the highest in Canada. If we looked at statistics as such,

we would see that the mortality rate among police officers is in the vicinity of 9 per 100 000, as against 157 for fishermen, 119 for forestry workers, 83 in mining, 32 in the construction industry, for construction workers in our constituencies, etc.

Mr. Speaker, penalty is not a deterrent but rather the degree of certainty of being caught when committing a crime.

You are signaling that my time has almost expired. A number of Members want to speak. Well, I will skip a few things in my speech, Mr. Speaker, because I would like to refer to something of real significance to me, because of course I am directing my comments to my constituents, but also to Members in this House who might not have a firm position as yet.

Capital punishment is not the solution. The solution is to prevent second offences. The solution is to ensure criminal rehabilitation. And the solution as such is to reduce the crime rate. And how do we go about that, Mr. Speaker? By reforming sentencing. Perhaps by making sentences more severe or by amending them to find a more adequate formula. Also by amending parole. And the Law Reform Commission suggested the Government should undertake such a study immediately. And the Commons Standing Committee on Justice and the Solicitor General promised to study that as early as next fall. So it happens, Mr. Speaker, I defended people in murder cases and rape cases. I acted as consel for 74 defendants before jury in my professional life, and I can tell you that I was always surprised when a young guy 23, 24 came to my office with a record of convictions that long who just committed a robbery, and when I told him: OK, this might get you a few years in prison, his surprised look of anger shower he was thinking of seeing another lawyer.

As you know, Mr. Speaker, when you look at the record certain individuals have, you realize people do not become criminals overnight. They do not become murderers overnight. You will not find one individual who one day is pure as lamb and the next day will go and buy a gun and cartridges, load the gun, go to a bank and kill a guard or someone else. That is not the way it happens. Before that he appeared before judges. For a first offence, he raised a smile. For a second offence, he was committed to his parents. For a third offence, he was reprimended. For a fourth offence, he got a fine, then probation, then a second probation. Finally, for a seventh or eighth offence, the judge sentenced him to 60 days' prison to be done over weekends. Often this is where the young fellow is criminalized. He is simply criminalized. It is just as if as a society we put a gun in his hands.

And now you would like to hang that young fellow, you would like to send him to the electric chair. No. It is my view that there is a lot of alternatives in our society before we come to such a difficult solution. It may not solve all murders either. I hear some of my citizens suggest all murderers should be sentenced. There are crimes of passion. We know that some 80 per cent, I think it is over 80 per cent of people who commit murder as such kill someone who is close to them. A spouse, a wife, a husband, a child. A friend, a neighbour. Somebody close. It is not an implacably planned and premeditated murder. This applies to the greater majority of murders. There are a great many solutions other than capital punishment to try and reduce the homicide rate in cases of this kind.

There is also the real amateur. The amateur does not think. He reacts immediately, spontaneously, as such. And he is often found by the courts guilty not of first degree murder, but of second degree murder. Therefore, not a murder punishable by the death penalty.

We are thinking therefore only of premeditated murders as such. I challenge anybody to find someone who has been found guilty of a planned and premeditated murder and who had no previous criminal record. I think that is where the solution lies. It is by working on sentencing, on rehabilitation and parole, making its conditions more severe.

• (2030)

Mr. Speaker, Canadians just cannot understand how a criminal who has been sentenced by a judge to 12 years in prison can obtain day passes after seven or eight months or be paroled after two years. They just cannot understand that. They do not find any reason for that. Criminals should get lighter sentences, but at least they should spend in prison three quarters of their sentences.

Canadians no longer understand the justice system. They can no longer make head or tail of it. Because of that, they are asking today for something which is worse, capital punishment, as though this was the universal remedy.

Mr. Speaker, I want to conclude immediately by saying that Canada has made tremendous efforts over the past few years—I think the Secretary of State for External Affairs (Mr. Clark) who is here today could vouch for that—to serve as an example for all other countries in the world in the area of human rights. If we should reinstate capital punishment in this country, how would countries such as Iran, the U.S.S.R., all the other countries which violate human rights—I do not refer to these two countries in particular—would react when they find out that Canada had reinstated capital punishment?

Mr. Speaker, as a civilized nation, we have to be against capital punishment just as we were against flogging, quartering, against the use of the wheel and the garrotte. Mr. Speaker, an error is always possible: 79 per cent of Canadians agree that a judicial error is possible. And when we know that it would be possible to sentence to death an innocent, we should not take a chance.

Mr. Speaker, I strongly urge all my colleagues in the House to vote against reinstating capital punishment.

[*English*]

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I appreciate the opportunity to put my views with respect to the question of capital punishment on the record. And, of course, it is not the first time I have spoken on this issue, though it is

certainly the first time I have spoken in this House on the issue. I spoke in a public forum in Winnipeg with regard to capital punishment. Members from all three political Parties were asked to attend and to address the issue of capital punishment, and I accepted on behalf of my Party to attend. There was a representative from the Liberal Party in attendance. Unfortunately, in that situation there was no representative of the Progressive Conservative Party.

I welcome the opportunity this evening to address this issue. The question that I think needs to be answered is: Why is this issue before us? Is it because there is an overwhelming case in favour of capital punishment? Is it that, after weighing all of the evidence for and against capital punishment, one comes logically and without a doubt to the conclusion that capital punishment is necessary in Canada? Or is it because of politics, because of public opinion polls, because of politics at leadership conventions?

I think that, really, is the question that we need to ask ourselves. We need to ask why it is that we are voting on this issue, and why it is we are voting on it at one o'clock in the morning. Why are we debating this issue deep into the dark of the night? Why can we not face up to this issue in the full light of day?

• (2040)

I want to deal with the question of whether there is a case for capital punishment on its merits, not in terms of public opinion polls or whether or not it is popular. I would like to look at its merits from a couple of basic perspectives. Will capital punishment work? Is it the right thing to do? Is it just? Is it moral? Is it principled? Then I will close my remarks by talking about how we are dealing with the issue and how it needs to be dealt with.

First I will turn to the question of whether it will work, whether it is something that will be effective. If we in the House choose to reinstitute the policy of capital punishment, will it be effective for society? Will it work? What will it do? If there is a case for capital punishment, it must be that somehow it will protect Canadians, that it will protect society, that it will make us more secure.

I have thought about an interesting question in this regard—are Canadians, in terms of their security, any worse off since the abolition of capital punishment? The statistics demonstrate that there has been no great rise in capital crimes following the abolition of capital punishment. There has been no great increase in the number of murders in our society, if we look at the facts, the statistics. That is one crucial question which I have asked myself.

Another way of looking at the question is: if capital punishment is reinstated, do our constituents really believe that three years or four years down the road they will be better off, that they will be more secure when they walk the streets, or that they will be subject to less violence? Common sense tells us, no. It would be a very pale ending to the motion before the House if people really believed that with the reinstatement of capital punishment they would be more secure as they walked the streets of their neighbourhoods.

I return to the question of whether capital punishment will work and protect society. Will capital punishment affect the behaviour of people? Will it actually stop people from committing murder? If a punishment is to affect human behaviour, we must be certain that the punishment will be carried out consistently every time the crime is committed. A fundamental weakness with capital punishment is that it is an uncertain, indefinite, unsure, and unlikely punishment. If punishment is to affect behaviour, it must be certain.

The punishment is uncertain because juries are very reluctant to convict people of capital crimes when they know the punishment will be death. The juries, the people asked to carry out this punishment, hold back from imposing the final sentence and refuse to implement it. They convict people of lesser levels of crime. Common sense tells us that the existence of capital punishment will not provide society with greater protection.

I want to give another example of why capital punishment cannot work. Many of us are parents. Many of our constituents are parents. When we deal with children we know that they make a distinction between our words and our actions. We can tell children not to do something or we set down rules for them. However, if they do it and we turn our backs, we do not enforce the rule, they will not pay any attention to it because it does not affect their behaviour. If society establishes a rule that one who murders will be murdered and then does not carry it through, it has no impact, it does not affect behaviour, and therefore it does not protect society.

I would like to see a society in which people feel more secure when they walk the streets, are better protected, and are free from violence. Therefore, we must ask the following question: If capital punishment will not do that, are there other ways to arrive at that situation? Are there other ways to look at the question of violence in society? Are there other ways to look at the insecurity which people feel as they walk the streets?

I think there are more fundamental ways which require long-term work in order to achieve the result. Achieving a secure society in which people are free from violence is not a short-term effort. We should not be turned away by the fact that the process will be a long one.

There are things which we as a Parliament and as Canadians need to look at. We should be reviewing our policing policies. Is it effective to have police in inner cities in ridings like mine simply patrolling in automobiles? Would it make more sense and would senior citizens feel more secure if they had police on the beat, walking the streets and showing a presence? Would they feel greater security when they meet someone on the street who threatens them? We need to look at our policing patterns.

We need to look at the question of sentencing. We need a parliamentary debate in that regard. Many Canadians are alarmed when they see people convicted of brutal crimes and then hear about them walking the streets a very short period of time thereafter. We should enter into a very legitimate debate with regard to sentencing, and we could do it without going down the road of reinstating capital punishment.

We should also look at how parole is handled in society. There are policy areas which need to be examined without going down the wrong highway. At the same time, policing and sentencing do not take place in a vacuum. Certainly policing does not take place in a vacuum. I believe we need to look at our community development policies.

It is not enough to have a policeman driving a car or even walking the streets. For policing to be effective, it must take place in the context of a community. Many of our communities have been devastated by economic trends in society. We need effective community development policies so that we have genuine neighbourhoods, so that neighbours know each other, so that policing policies can operate within a community context.

We also need to look at social conditions which incubate violence. We need to look at how to eliminate poverty in society so that it does not become a breeding ground for violence. We should seek ways of building a better society. We should build a society upon co-operation rather than upon violence. I believe that the argument in favour of capital punishment falls down when we ask the question of whether it will work to protect society. We need to look at alternative ways to build a secure security in which people are free from the fear of violence.

• (2050)

I come to the next question, namely, is capital punishment the moral thing to do? Is it the right thing and the just thing to do? My answer to that is no, because fundamentally it comes down to a question of values. What value does one place on human life? It is because I believe in the sanctity of human life that I think capital punishment, the taking of human life, is wrong. All of the great religions of the world teach that the taking of human life is wrong. If we ask the question of whether capital punishment is the right thing to do, I think our answer has to be, no.

Let us look at this from another perspective. Is this the moral or the right thing to do? If society chooses to kill people, if society chooses to impose the death penalty, or if society chooses to hang people, what kind of an example are we setting for members of society? What kinds of values are we teaching? I suggest the obvious, namely, that we are teaching disrespect for human life. We are teaching violence. We are teaching revenge. These are not the values that we wish to teach if we want to build a society based on moral values.

To decide whether this is the right thing and whether capital punishment is just and moral all we have to do is to look at where we get the model for our own behaviour from. Where do we learn our own values and behaviour? Do we learn them from the great moral teachers of all time, from Jesus, from Mohammed and all of the great religious leaders? Or do we turn to a killer as the model for our own behaviour? Surely that will tell us whether capital punishment is the moral or the right thing to do.

Is capital punishment fair? Based on the statistics that exist in the United States, capital punishment is patently unfair because it falls much more heavily upon the minorities, the blacks and the visible minorities throughout the U.S. In Canada, I am not familiar with the statistics, but having checked into Canadian jails and penitentiaries, which are disproportionately filled with native people, who are a very small percentage of our society, it is clear to me that if we have capital punishment then the minorities, the native people, the blacks, and visible minorities will suffer this penalty disproportionately to those who are in the majority of society.

Another thing that concerns me is the possibility of error. Once one implements capital punishment, there is no way to reverse it. We know there are volumes of cases in the American experience in which juries and judges have made mistakes and imposed the wrong penalty. If one imposes the penalty of death, there is no way to reverse it. We already have some experience in Canada in which Canadian courts have made mistakes. Surely we do not want to fill our own volumes of books with irreversible mistakes.

Why are we dealing with this whole question of capital punishment? Is it because of the merits of the case or is it because of politics? Judging capital punishment on whether it works to protect society, capital punishment fails. I come to the conclusion that we are dealing with this question because of politics, because of the politics of a leadership convention. That was the way in which a future Prime Minister was able to get the votes in order to lead his Party. That is the politics with which we are dealing.

Mr. Clark (Yellowhead): That is a falsehood.

Mr. Keeper: We are also dealing with this matter because of the politics of polls. We have a governing Party that is at the bottom of the pit in the polls. Some Members of that Party see this matter as a way to recoup. I believe we are dealing with this issue because of politics.

How do we deal with this question? Do we deal with it as a matter of public opinion, of politics, or do we deal with it as a matter of personal conscience? I think the behaviour of juries demonstrates to us that it is a matter of personal conscience. When ordinary Canadians read about cases in newspapers, they tend to come to the conclusion that a person should be convicted. When they hear the evidence as a jury, they tend not to want to impose capital punishment. This tells me that the matter is one of conscience. Why ask Members of Parliament to do what juries will not do? Why ask Members of Parliament to do what Prime Ministers have refused to do?

This matter of capital punishment is a matter of conscience. We should deal with it accordingly and we should vote against its reinstatement.

Mr. Alex Kindy (Calgary East): Mr. Speaker, I rise to speak on the issue of capital punishment. It is a subject that has been debated now for many days. We have heard those who are for it and those who are against it. All sorts of arguments have been brought forward, arguments that are certainly valid in one instance and the other.

I listened to the speaker who preceded me who told us about the sanctity of human life. No doubt human life is extremely valuable. But because of its sanctity, nobody has the right to take it away. If a criminal kills somebody, there should be an adequate punishment for that deed. We hear the bleeding hearts saying that we should not take human life.

Mr. Orlikow: Like your Prime Minister (Mr. Mulroney).

Mr. Kindy: But the state has an obligation to preserve human life. The state does it by having a constitution. Section 7 of the Constitution tells us that we should preserve life, liberty and security of the person. For that reason, the state, as such, has an army to defend it from outside invasion to preserve democracy and it has a police force to preserve it internally. If somebody attacks the good order of government, he is violating some law. Naturally, taking somebody's life, whether it is for the state or for an individual, is a very serious offence, but the state, because it has to protect the individual, has the right to do so.

We can bring up all kinds of statistics for and against capital punishment. If I look at the year 1961, the rate of murders was 1.1 per 100,000 population. In 1962 the last execution took place. The Government gave the signal that it did not intend to apply the law. From 1962 to 1976 the rate increased to 2.81 per 100,000 population, it more than doubled.

• (2100)

The Government had given the signal that it would not apply the law of capital punishment. Once that signal was given, the number of crimes increased and we had to increase our police forces. Some minutes ago, I listened to the Hon. Member for Mégantic—Compton—Stanstead (Mr. Gérin) tell us that between 1966 and 1976, police forces had doubled. Because the crime rate increased, there was a necessity for more police forces.

The Leaders of the Conservative Party, the Liberal Party and the NDP are abolitionists. Naturally it will be extremely difficult even if the motion passes to apply the law because Cabinet as such could commute the sentences. Our debate, although it is extremely important, is one that I think will not have much consequence.

There are other arguments against capital punishment. Some argue, for instance, that it is the disadvantaged and the poor who do not have a chance in our justice system. I would like to mention two cases. Mr. Buxbaum in Ontario had the most expensive lawyer and was convicted of the first-degree murder of his wife. A politician in Saskatchewan, a former Minister of Energy in that province, was convicted of murder. I believe that that argument does not wash. It does not hold water.

Recently, on June 22 in the City of Calgary, a young girl, 17 years old, a high school graduate, was killed and her body found nude in the streets of that city. We do not talk about the victims enough. It is the victims we should consider. We should consider the sanctity of life and we should not take an innocent life.

I will vote for the reinstatement of capital punishment. I hope that most Hon. Members in this House will do the same. The feeling in Canada is that our justice system is too lenient. A person murders someone and in a couple of years is eligible for day parole and is eligible for complete release after a few more years. That is a tragedy.

I recall that a father of one of those murdered girls came before the Justice Committee to testify. He said: "I was walking down the street and who do I encounter but the murderer of my daughter. I was not even advised that he was on day parole and that was only three years after he was convicted". It is for that reason that the people of Canada want the reinstatement of capital punishment.

Those who tell us that we can reform our justice system, make it more efficient, have been saying those things for many, many years. The fact is that our justice system is deficient. There are always the bleeding hearts who will argue that the criminal is a criminal because of his upbringing, because of his family background, because he was not treated properly by society. However, this does not give him the right to take an innocent life.

Today we will vote on whether or not the state has the right to take someone's life, the life of a person who has committed a murder. I am not talking about simple murderers but about people who commit serial murders, about professional killers and about terrorists. Those are the people who, if put back into society, would repeat their acts. Therefore, we have to consider that the only solution is to bring back capital punishment.

As a physician, I had the opportunity to see people who had killed others. I remember an instance when a lady came into my office who had destroyed her youngest daughter who was seven years old. She was liberated and was walking the streets again. A year later, she committed another murder. She killed her son. One can argue that that person was mentally sick, but even if she was mentally sick, she should have been in a psychiatric hospital or in jail.

• (2110)

We must look at the consequences of giving parole to someone. Today, a life sentence is not a life sentence. People

get off much sooner than that. Even if we change the system, there will always be bleeding hearts telling us that these people should be released. For that reason and for that reason only, I believe that the state must act. Tonight, at one o'clock, the vote will take place. If you consider all the arguments which have been brought forward for and against, you cannot argue but that they are balanced. However, the will of the people should prevail. Statistics from across Canada show that 60 to 70 per cent of Canadians are in favour of the re-establishment of capital punishment. Mr. Speaker, we will vote at one o'clock.

[*Translation*]

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, I am pleased to take the floor in such an important debate, particularly after the speaker and my friend who has just explained his position in favour of restoring the death penalty.

I had drafted a few notes, but instead I will use the arguments he made to justify the reasons why we ought to reinstate capital punishment to demonstrate that these arguments should be used instead to prove that the death penalty is not the solution to the problems he raised.

I will not refer to statistical data which might indicate that the number of murders in Canada may have gone up or down because of the death penalty. I will not refer to statistics which show that the crime rate is higher in those Americans states where capital punishment is the law of the land than in the others where it has been abolished.

My hon. friend has just explained why most people, when responding to a questionnaire or a survey, are in favour of restoring capital punishment.

First he cited concrete examples of convicted murderers who have been released a few years after being so convicted. Apparently this is why so many Canadians are frustrated. The only alternative when confronted by the lack of initiative is altogether natural and normal. People react and say to themselves: Since our prison system is inefficient, since our courts are inefficient, and since there are no other solutions available, let us go for the ultimate option, hanging. Let us hang convicted murderers.

But when we get around to talking to our fellow citizens, in my riding or anywhere else in Canada, and we ask them: Do you really want the treatment an eye for an eye, a tooth for a tooth, they say no. Would it be that you seek revenge at all costs because someone has killed? Do you want to kill him too?

When debating capital punishement, we ought to keep in mind the thousands of Canadian workers who died, for instance, as a result of accidents on construction sites because the boss wanted to make money so he took a chance and did without safety scaffoldings to protect workers, so there were accidents and workers died. Are we going to hang this man who risked the lives of workers to make a few extra bucks? We see this happen in mines and in many industries. If we decide that we want an eye for an eye, we shall also have to kill employers who voluntarily decide to risk the life of their workers, whatever means of execution we choose. We would then go back to the law of the jungle, and I am convinced that my hon. friend who has just spoken and all Canadians would be against such a system.

What Canadians cannot accept, and I agree with them, is the inefficiency of our parole system. What the hon. Member clearly showed was that the father of a murdered child was not disappointed to know that the criminal who had killed his child was not dead himself, but disappointed and discouraged to see that the murderer had been set free before being convicted, and this is what the population cannot accept.

If we say that the problem is caused by our penal system and by the easy access to parole, then we should talk about that problem and take action to correct it. I find the present situation unacceptable and I can understand that the public would react spontaneously by requesting reinstatement of the death penalty. However, I cannot understand such an attitude on the part of a parliamentarian who should represent the population. Why are most retentionists in favour of reinstating the death penalty? Some say that, since our penal system is not working, we should capitulate and kill the criminals. Others say that it costs a lot of money to run our prisons. Such views are dangerous. Elected parliamentarians who judge such issues as the life of an individual on the basis of cost, if they are still here in the year 2000, might find that it costs a lot of money to keep our increasingly large ageing population in senior citizens' homes. Faced with dramatically high costs, instead of looking for new solutions, these people will capitulate as they are now doing in the case of the death penalty as they have no ideas about how to reduce the crime rate and the costs of running our prisons, and they will say: We need euthanasia to get rid of the sickest and the oldest because we have to reduce costs. This is a danger in a society if we, especially as parliamentarians, accept for monetary reasons, the idea that we can take away the life of someone else. This is very serious.

• (2120)

And the other people were saying: In my riding, most are for this. I remember that no so long ago, most people were against deindexing old age security pensions and there were not many Conservative Members who would stand up and say: Canadians are against this, Canadians are against that. People were following the leader. And now, all of a sudden, in an effort to attract attention, to justify for some reason, not to displease the Prime Minister, they come up with this argument which I feel is worthless. Because from now on, all of those who are using this argument will have to carry out surveys in their own ridings, whatever the subject matter of the debates may be. If their constituents tell them to go to the left, they will go to the left; if they tell them to go to the right, they will go to the right. This is sheer nonsense. If Canadians elected these people, especially those in the Opposition—those opposite were

elected with the wave, with the swing of the pendulum, a great many of them will leave the moment the pendulum swings the other way—it is because they felt they had leadership, they could stand up and say: You are asking for such or such thing. Let us take the case of the death penalty. I think it is the duty of each Hon. Member to tell his or her constituents: You are right to seek more severe penalties. But the more severe penalties you are seeking does not mean necessarily to go and take someone's life. And then to ask them how we are going to kill murderers I feel is going a little bit too far. Assuming most Hon. Members are in favour of reinstating capital punishment, will they accept tomorrow to become executioners? It is easy to delegate powers to others, to appoint them and say: You are going to use hanging to kill this man. It is easy to say. But when we get on an individual basis, because of my experience as a social worker in my area, working to stop juvenile delinquency . . . You know, the people who get involved with organized crime know that sooner or later they will end up in a coffin. It is as easy as this, and they know it is one of the gang who is going to do them in; this is not reason enough to stop them from getting involved with organized crime. Remember in Chicago, Al Capone, they did not stop him because of the death penalty, but they managed to destroy his empire by convicting him of income tax evasion. What I believe, and I invite the Prime Minister, before we proceed to vote—since this debate, in my mind, is pointless and people who think that it will solve the violence we have witnessed lately in convenience stores are mistaken. The death penalty will not solve that problem, it will change nothing. For those who think that this debate will solve the problem of assault and robbery on our senior citizens, I say that the death penalty is no solution. And this debate will not resolve the issue. For those who expect solutions to theft, to violence, to crime and delinquency among our youth or to drug abuse—this debate will bring no solution.

I would have liked to see the Prime Minister, in his speech, go beyond saying that he was against capital punishment and say why he was against it. I would have preferred to see the Prime Minister commit his Government—in this debate, which he allowed for political reasons, so to speak, because he was railroaded into it by two or three Members from his party and because this is what made him win the party leadership, as one NDP member has observed. But we must admit that whatever the reason for the debate, he could have committed himself and given the reasons and that he will be the one to blame if the debate on abolition of capital punishment is lost this evening. The reason is that the Prime Minister could have won over five or six Members from his party who now intend to cast their vote in favour of reestablishing capital punishment. Those MPs would have voted against the motion with assurance that, as soon as the session will resume in September, their party, their Prime Minister, their Government would put forward bills to improve the parole system, and a program or bill to stop juvenile delinquency or to improve our prison system, and programs to rehabilitate people convicted for a first occurrence of shoplifting or a first hold-up. That kind of guarantee would have given the Conservative Members confidence that the criminal justice system would be corrected. But unfortunately the Prime Minister just said, as any other parliamentarian, that he was against capital punishment. But the difference with him is that he has power. He is the Prime Minister. As for the Conservative Member who spoke before me, I just feel that he might have changed his position if he had been given the guarantee that the justice system would be corrected, that people convicted for heinous crime and sentenced for 25 years would stay in prison for 25 years. I feel that that kind of statement would have satisfied that MP and that he would have changed his vote. But that was not to be, unfortunately. I think the Prime Minister still has an opportunity to do that before the vote in order that at 1 o'clock tonight the majority of members reject the reinstatement of capital punishment.

I would like the Members to ask themselves why there is so much violence. For what reason are there so many robberies? We have to start at the root. Why is it that young people, in spite of all they read in the papers and see around them, will still go the wrong way? The reason is a lack of incentive, a lack of community organizations in most of our ridings all across the country, to help young people in trouble. I believe the Government to be somewhat responsible because programs like Katimavik were probably not the breeding ground for prime ministers but some of those young people would get an education that way, they learned how to work in teams and acquired a sense of responsibility, of respect toward their fellow human beings, a sense of sharing. However, unfortunately, the Government has failed to accomplish something for our youth and for future generations; it has done nothing to stop juvenile delinquency. What has the Government done to prevent and eliminate drug trafficking which is a primary source of violence, robberies, hold-ups, and murders? Drug trafficking is one of the major causes of what is happening in Canada. It is much more difficult to control this form of organized crime than to simply hang the poor who get caught and allow the big shots responsible for all this trafficking to key their network in operation and to cash in on it.

Why has the Government failed to bring in real measures? Instead of this debate launched in January or February in the House, where about half the Members had an opportunity to make their views heard, why has the government not develop a strategy to improve, as I was saying a while ago, our national parole system? Why are we not tougher with those who deserve it and more tolerant with those who deserve our tolerance? Also why not introduce mechanisms with appropriate financing to help those who for various reasons go astray once? It happens once, they get caught shoplifting, or being an accomplice is a hold-up and often one wonders why?

It is the lack of money, and these people are often sent to jail with other people having a lot more experience, and nothing prepares these young people to return to society when they have served their sentence, or sometimes the only persons who await them when they are out of jail are people who, under the pretext of helping them, will perhaps bring them back in a

shady environment, where they will graduate into criminality, into violence, into drug trafficking and into shylocking.

When I was working in the social field, Mr. Speaker, with the help of the Royal Bank we opened the first community branch in Canada. And it is funny to see an institution as the Royal Bank establishing itself in a 100 per cent French speaking community as the Montreal—Sainte-Marie riding and working in the social field. One of the first things we tried to do was to free people from shylocking, people who had needed say $300, a father who had wanted to do as other fathers for his daughter's first communion and who needed $300, not borrowed from the bank and to be repaid such-and-such an amount a month for a year, but to be had right away and to be repaid in full three weeks later when he got his cheque. As the banking system does not work that way, he would go to the shylock—as we say in English—and get his $300. That would cost him $25 a week, and then $50 and the like. People that do shylocking take advantage of those poor people and continue to lend them money. When those young people are unable to pay, they are told: "Well, you are working at such and such a place. If you do not want to have both legs broken, bring me some goods." They are not really thieves but they want to help their family and when they try to solve their problems, they are caught.

Mr. Speaker, I see that my time is running out. I should tell you that I have known people with records. I worked with young people and I must say that on two occasions, when I was responsible for a recreation centre where a dance was held with a minimum of discipline which was enforced, two young guys came with daggers to stab me because they did not like how I ran the place.

I had two options. I disarmed them. I was strong enough to defend myself, but the young guys thought that I would call the police to have them jailed. On the contrary, I took charge and gave them responsibilities. The delinquency among young people can be due to their family or the lack of trust at school. They cannot succeed like others. They feel ignored and I must tell you that, given my practical experience, if you trust these young people—even if they seem to be the rough and tough kind, it is very often out of defiance—if you know how to give them some responsibilities in their field, they can change, they can learn to respect others.

But, if you alienate them, they are lost; if I had called the police, these two young men would never have come back to the community centre. They would have continued to patronize the tavern. Others would have taken advantage of them and today, perhaps, they would be in a penal institution. The truth is, they have served a short time, but they are now rehabilitated. They have been educated.

Mr. Speaker, my time is up. I would like to conclude by saying to Hon. Members who are in favour of capital punishment: I strongly invite you to change your vote and join us in a campaign, the strongest campaign ever mounted in Canada, to force the Conservative Government to set up programs to make sure that people sentenced to a term in prison actually serve their term, but that those who must be withdrawn from the prison system and trained, are taken care of.

• (2130)

[*English*]

Mr. Ken James (Sarnia—Lambton): Mr. Speaker, I am honoured to rise tonight to speak in this very important debate. I am aware, as are all Hon. Members, that the entire country is watching us with interest this evening. There is no other issue before this House which has commanded such interest and concern for most Canadians. Most Canadians have knowledge of, and a real interest in, the outcome of this debate on capital punishment. Tonight we will vote on a motion proposed by the Canadian Parliament to establish a committee to examine the reinstatement of capital punishment. If this motion is passed, the committee will draw up legislation to present to this House dealing with offences punishable by the death penalty as well as the method of execution. If the motion does not pass, the subject dies with it for now.

I say "for now" because I do not believe that the question of whether or not Canada should have a death penalty will ever really be resolved. Capital punishment is not a new issue, nor do I believe it is one which will ever completely disappear. Since Confederation, Canadian legislators have been faced with a constant barrage of opinions about the death penalty. The first of many abolition Bills was introduced in the House of Commons in 1914. In 1953, another abolitionist Bill was introduced and defeated in the House. Again, in 1962, a Bill to abolish capital punishment for all offences except treason was introduced in the House of Commons. This Bill was defeated but, nevertheless, 1962 saw the practical if not legal abolishment of capital punishment. It was during this year that the last two executions were carried out in Canada.

In 1966, a multi-party Private Member's Bill calling for the abolishment of capital punishment was defeated again. However, the next year a Government Bill was passed which abolished capital punishment except in the case of murder of prison guards and policemen, for a five-year period, that is. As all Hon. Members are aware, this legislation was extended for another five years in 1973 by the Government of the day. Finally, in 1976, a Bill abolishing capital punishment was passed in the Canadian House of Commons. Since then more than 40 Private Member's Bills have been introduced calling for the reinstatement of the death penalty.

Historically, then, it would seem that this is not a subject which has any sort of easy resolution. However, the prevailing constant I have been able to find on this subject is that the majority of Canadians have traditionally supported the death penalty. Although the degree of support varies, it has not fallen below the majority in favour for all these years. There have been times of fairly significant increases in public support for capital punishment, but over-all, since before the 1976 legislation abolishing capital punishment, public support for

capital punishment has been at around 65 per cent or 70 per cent of the population.

It is significant to note that even with this constant public support for capital punishment, the Government or Governments of the day have traditionally moved in the opposite direction toward abolishing and maintaining the abolishment of capital punishment.

There is no doubt that hard choices must be made. The decision made by myself and my colleagues in the House this evening will certainly be the most difficult any of us will ever make in this House. There have been enormous pressures put upon Members of Parliament from citizens representing both sides of the issue. We are all familiar with the often quoted passage from Sir Edmund Burke concerning the role of an elected representative. Similarly, we have all heard dismayed citizens refer to the tyranny of the majority. I have been urged by many organizations and individuals to vote not with public opinion, but according to my individual conscience. Personally, I cannot accept that argument.

It is my belief that the subject of capital punishment is radically different from any of the amendable decisions a Member of Parliament is called upon to make. An understanding of the subject does not require the availability of great amounts of technical information. One does not need to be a statistician or an accountant to understand how the death penalty affects all Canadians. It is a very personal concern. It is not a technical concern. I believe that there is hardly a person in Canada who does not hold a personal and informed opinion on the subject of capital punishment.

Canadians have a great understanding of their wants and needs as they relate to their personal security and safety. I cannot and will not ignore the concerns of my constituents. Additionally, I do not buy the argument put forward by some that the Canadian public is too uninformed or emotional to decide for itself on this issue. If the people of this country cannot have their voices heard on this very important subject, then just exactly what is our system of government all about? Can we seriously justify our actions and our consciences by smugly determining that we, as legislators, know better than our constituents?

I do not believe it is my role as an elected representative to think or decide entirely for my constituents that the death penalty is or is not a valid punishment. I do not believe, and cannot accept, that on this subject I am any more informed or knowledgeable than the people of Sarnia—Lambton, the people I was elected to represent. It must be remembered that in the time of Edmund Burke, this type of sentiment perhaps had some validity. Mass communications were an unknown in Britain in 1774. Illiteracy ran at about 90 per cent. The majority of Britains were uninformed and cared little about any issues other than those of a local nature. The thrust of political philosophy in those early years of democracy was predicated on the belief that there were two classes of people, those who ruled by virtue of their higher intelligence and fine morality and those who were meant to be ruled. But this cannot hold true today. The people of Canada are among the best informed of any country in the world. We are not illiterate, nor are we ignorant.

It is the Canadian people, not Members of Parliament, who sit on juries in murder trials. It is the Canadian people who live in fear for the safety of themselves and their families. It is the Canadian people who have demanded and who deserve the right to be heard on this very important subject. It is the Canadian people who live in my constituency, those whom I was elected to represent, whose voices I carry to this House. I would not have it any other way.

• (2140)

I was most interested to discover that the illustrious and oft-quoted Sir Edmund Burke also had this to say about public opinion:

> I am not one of those who think that the people are never in the wrong. They have been so, frequently and outrageously, both in other countries and in this. But I do say, that in all disputes between them and their rulers, the presumption is at least upon a par in favour of the people.

That is the other side of the oft-quoted Sir Edmund Burke.

What has also amazed me over the years is the number of people who believe, and I must say this belief is centred exclusively around this particular subject, that to allow the will of the majority of Canadians to prevail is tantamount to tyranny of the minority by the majority. It seems that it is only on the subject of the death penalty that this sentiment is so loudly expressed. These same people do not appear to be proponents of the philosophy on any other issue.

Well, what others call the tyranny of the majority to me is democracy. It is not always perfect. Nor does it always have the desired results. But it is the best that we have to offer.

I would like to share with the House the words of Sir Winston Churchill on the subject. He said:

> Many forms of government have been tried, and will be tried in this world of sin and woe. No one pretends that democracy is perfect or all-wise. Indeed, it has been said that democracy is the worst form of government, except all those other forms, that have been tried from time to time.

Democracy provides for the will of the majority to be heard. It is through the will of the majority that I was elected in 1984; and it is this majority that I have pledged to serve.

I receive dozens of letters daily from my constituents, not only on this subject but on a multitude of concerns and issues. I respond with an in-depth analysis and highly explanatory letters on the questions which I am asked by letter, by telephone and by people who come to see me. I believe I represent my constituency to the best of my ability, with diligence and interest, with my constituents' opinions at heart.

It is certainly no different on this subject. During the 1984 election campaign I stated publicly that I was in favour of capital punishment for the unequivocally proven first degree, premeditated murder of police officers and prison guards. But

I would be more severe, or less severe, in that instance based on the dictates of my constituents. I will not retract from that pledge.

The written and verbal submissions to me from September, 1984, have indicated a strong support for the reinstatement of capital punishment among the residents of Sarnia—Lambton. Of 3,500 responses to a recent questionnaire on capital punishment, some 88 per cent of the respondents were in favour of the reinstatement of capital punishment for first degree, premeditated murder. Additionally, over 77 per cent of those who responded were also in favour of the death penalty for the killing of law enforcement officers and the murder of children. I believe that in addition to this survey the cards, letters, and telephone calls, the personal interjections that I receive supporting capital punishment, give me a mandate to vote in a positive way on the motion that is before us tonight.

If the motion passes and the legislation is tabled in the House of Commons, I have also pledged to my constituents that I will arrange for a professional survey on the acceptance of the actual Bill. The survey will be conducted in my riding of Sarnia—Lambton when and if legislation is tabled. This survey, combined with representations I expect to receive in the future, will determine how I will vote on the actual legislation if and when presented.

I have received some very disturbing letters and calls from my constituents on the death penalty issue. I have read letters from senior citizens who have broken faith with their churches over the issue. I have talked to and received submissions from families who have some very, very personal involvement in the issue. I received a heart-wrenching letter from a young boy who had a very close friend brutally murdered a few years ago in Sarnia—Lambton. I have spoken to parents afraid for their children and to other parents who feel that further violence may not be the answer, but that clearly something must be done.

It would seem to me that the majority of Canadians, whether or not they favour the death penalty, are deeply concerned about safety and security in our country. Statistics show our society has an increasing number of violent crimes. It seems to many Canadians that law and order has been suspended. Clearly, through their support for capital punishment, the majority of citizens are indicating their belief that their lives are not being afforded sufficient protection. Throughout the many letters that I receive daily are comments such as "insufficient sentences", "parole too easy to qualify for", "inadequate supervision of parolees", and the most common "what about the rights of the victims?"

It is my strong belief that the majority of Canadians deserve to be heard. We must remember that this motion could be the first step in a lengthy legislative process. Nevertheless, it is an important step in the recognition of the rights of Canadians to be represented in the Parliament of Canada.

My constituents have given me a mandate, and I intend to vote for them this evening. It is with conviction to democracy and to the recognition of the very personal issue in the minds of Canadians that I will cast my vote this evening on behalf of the residents of Canada and, in particular, the residents of Sarnia—Lambton.

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, I rise with regret, regret that as this session of Parliament closes for the summer we should have to debate and make a decision on whether or not to legislate killing when there are so many very positive reforms that we should be considering and with which we should be dealing. I regret that many parliamentarians with very firm and sincere conviction, I now, feel that we should move backward in history to restore the death penalty. Perhaps my greatest regret is that there are also parliamentarians for whom I have great respect and who, in their own conscience, perhaps are neutral or even against killing by the state but who have made a decision to vote for the reinstatement of the death penalty because of a survey of their constituents.

Perhaps a positive aspect of this debate is the change which has occurred in public opinion which seems to have resulted, I think, from Canadians having learned more about the facts. They are perhaps considering the issue somewhat more rationally as opposed to only from an emotional point of view. They have realized that killing by the state is no solution to the murders which we all deplore.

As the debate has continued and more and more Canadians have weighed all the facts and all the moral arguments, support for the death penalty has declined. Support for the death penalty is now at its lowest since its abolition in 1976. I think it is a shame that the Government is forcing an early vote on this matter since it is clear that as time goes by Members of Parliament, like all Canadians, are having an increasing number of reservations about the death penalty.

• (2150)

The recent *Maclean's*/Decima survey of 1,500 Canadians shows that, of the 61 per cent of Canadians who are in favour of capital punishment, only 36.7 per cent are convinced that Canada should bring back the death penalty, with 24 per cent only leaning toward the idea. As well, the poll indicates that 33 per cent of Canadians are not fully committed on the issue, and that over one-quarter of those, or 10 per cent of the whole population, might change their minds. So, it is evident that the population as a whole does not have a rigid position on this matter. One of the positive aspects of this debate, and one reason why we should not have had closure, is that the trend is moving toward the rejection of capital punishment.

I hope that this trend will cause those Hon. Members who took surveys of their constituents to reconsider. We all know how volatile polls are, and particularly so on such a volatile issue as the death penalty.

I am concerned that the Government has imposed closure on this debate, something which runs contrary to parliamentary reform rules, the rules for a free vote, which this is. I am

convinced that even more Canadians would have reconsidered their position on the death penalty had we proceeded in a more thorough manner, delaying further debate on the question until the fall.

In reviewing all of the information that I know we have all received on this issue, I have found that some of the most moving testimony has come from the mothers of children who have been murdered. These women have written to us, attesting to their realization that the death penalty will not bring back their children. They appeal to Members of Parliament to vote against the reinstatement of the death penalty. They do not believe in a society that supports killing, in any form.

Many of my colleagues in the New Democratic Party have presented facts as to why we unanimously oppose a return to the death penalty. The Coalition Against the Return of the Death Penalty has done a great service to our country in that it has provided documented evidence to show that we should not kill people to show that killing people is wrong.

I want to tell my own constituents this evening, and anyone else who will listen, why I personally feel so deeply in respect of this question. Coming from British Columbia, I know how very upset the people of British Columbia were following the Olson killings. In our anger and fear, we wanted retribution, and even revenge. I must confess, I felt this way myself.

But the facts show that killing a murderer will not prevent further brutal crimes from occurring. We need other measures to prevent violence and killings. As well, we need to protect the public through more effective policing and sentencing. In addition to assisting the victims of crime, society needs to take steps to rehabilitate criminals, where possible.

I am against the death penalty because I am morally against killing in any form. I agree with all three party Leaders, all of whom have said that, as a civilized nation, we must not give the power to the state to kill. The reinstatement of the death penalty could lead to the execution of an innocent person. We are all aware of Donald Marshall, who spent some 11 years in prison before being proven innocent.

We have heard many religious arguments as to why capital punishment is wrong; why it runs contrary to all Christian values. We have ample evidence that capital punishment is not a deterrent. In fact, the murder rate in U.S. states which have capital punishment has gone up, whereas it has gone down in those which do not have the death penalty.

Some people are so angered and frustrated and fearful when someone is murdered that they seek vengeance. That is understandable. But the state itself, in a civilized society, cannot practise vengeance. Violence begets violence. As Gandhi said: "The trouble with an eye for an eye is that it leaves the whole world blind." As a social worker, I know very well that sociopathic personalities can rarely be rehabilitated; but it is wrong to deny the possibility of rehabilitation to all.

History shows that where the death penalty is in place, it is the poor and members of racial minorities who are hanged or electrocuted. Rich murderers can afford the best defence, while penniless persons are condemned to death row. It is also a fact that there are fewer convictions against murderers where the death penalty exists. In that circumstance, the justice system operates differently.

Those who support the return of the death penalty want the state to have the most awesome power of all, the power to take a human life. New Democrats do not believe that the state should have this kind of power over its citizens. The death penalty has no place in a civilized democracy. With the exception of most states in the United States, western democracies have rejected the death penalty.

What kind of countries have the death penalty? Very centralized, top-heavy, undemocratic countries, often with brutal dictatorships. South Korea, South Africa, Chile, Guatemala, the Soviet bloc countries, those are the kinds of countries that have the death penalty. Those are the countries where there is legalized cold-blooded murder conducted by the state. Is that what we want in Canada?

During the course of this important debate, we have heard many compelling arguments about how inhuman and brutal the death penalty is. Disturbing accounts of past executions have been read into the record. These are accounts from our past.

I invite Hon. Members, and anyone who may be listening, to read *The Handmaid's Tale*, a novel by Margaret Atwood. I wish I had time to quote from it this evening. In that book, Margaret Atwood describes, in very dramatic terms, what can happen in the future when a state adopts a policy of "salvaging", pursuant to which people are forced to witness public executions.

Not long ago, I heard a Member of this Parliament express the opinion that women who have abortions should face the death penalty. When I heard that, I was left to wonder what we might have in store for us if we should reinstate capital punishment in Canada! The death penalty does not stop murders. Based on the U.S. experience, it appears that the death penalty does not even decrease the number of murders. There are, however, other steps that we can take which will decrease the number of killings.

Let me relate to you an example from my own riding of Vancouver East. For years the people of Vancouver East have been crying out for measures that will lead to a decrease in the number of murders in downtown Vancouver, murders in which the weapon is usually a knife. We have asked for the banning of knives in public places.

Over the years, many constituents have been murder victims at the hands of someone carrying a knife. Thus far this year, six out of twelve murders in Vancouver have involved knives, and a similar trend is reported in other cities across the country. These murders take place during moments of passion.

Often alcohol is involved. A fight takes place at a bar, or on the street; a bit of pushing takes place, and a knife is produced. In the heat of the moment, a murder takes place.

The death penalty will not stop this type of murder. Banning knives will, or it at least will decrease the number of murders. But, the people of my riding have got nowhere in their quest for action to reduce the number of murders. I call upon the Minister of Justice (Mr. Hnatyshyn), once again, to investigate this situation. I ask him to consider the request for amendments to the Criminal Code that will prohibit the carrying of dangerous knives in public places.

This is a debate about how we view ourselves as a nation. Do we want to be a nation where the state conducts cold-blooded murder? I say no: no to death and yes to life.

Citizens must be protected, and murderers must be committed—for a lifetime, if necessary; but state murder of murderers is no solution. It denigrates all of us, as we ourselves become killers. It is immoral; it is wrong.

Let's direct our energies, instead, toward working for life, for humanity, and for a better society. Let's try to reduce violence and hate on TV and in society. Let's help children to grow with love and security, and reasonable limits, such that they become socialized human beings who care about others.

• (2200)

Let's provide necessary services and guidance at an early age for those who lack inner strengths or are emotionally disturbed. Let's offer young people positive alternatives to homelessness, drugs, prostitution, crime, and a terrible incidence of suicide. Let's get on with positive programs to deal with child abuse and domestic violence which can lead to death and murders. Let's start a serious war on poverty, on unemployment, and on hopelessness which is the chronic state of far too many Canadians.

I say from my heart to all my colleagues in the House, let's be proud tonight that we have reaffirmed the importance of life while we sat in our time as Members of Parliament in the House. Let's do a noble thing together tonight. Let's refuse to go backward to reinstate the death penalty. Let's vote instead in large numbers against this motion and for a better society in the future.

[*Translation*]

Mr. André Plourde (Kamouraska—Rivière-du-Loup): Mr. Speaker, I have made a number of important speeches since I began my recent political career, but this one will be one of the most important ones, and I therefore wish to dedicate it in all sincerity, first of all to my colleagues in this House who do not share my views, then to my constituents in the riding of Kamouraska—Rivière-du-Loup and to all Canadians.

Mr. Speaker, editorial writer Carl Thériault at the weekly newspaper the *St-Laurent Echo*, who is well known in my riding, concluded an article on the death penalty in the May 7 issue this year with the following words, and I quote:

> The issue may be a very personal one for each Member of the House of Commons but it is also a refletion of how the collective attitudes of a nation have changed. A country like Canada has always been known for its balanced opinions based on facts rather than on the emotional content of certain problems.
>
> The death penalty is a good example. We can only hope that Canadian parliamentarians will continue to live up to this honourable reputation.

Mr. Speaker, my speech on this very important question will try to reflect the attitudes and purpose supported by this philosopher from my region.

From his conclusion we realize he does not side with the majority who, in my constituency as in many areas in Canada, in answer to a flat question: " Are you for or against?" have to come up with a bold answer, with no possibility of tempering their views as required by such a difficult subject, and without having had an opportunity to think the matter over before making such an outright choice, for or against.

Mr. Speaker, in support of my choice I would like to bring the view of another eminent citizen of my constituency of Kamouraska—Rivière-du-Loup, judge Jean-Paul Bérubé, the dean of Sessions Courts judges in Quebec. He summed up the matter of capital punishment a few months only before being appointed to that court. In a now defunct local newspaper called *Le Renouveau*, when the late John Diefenbaker's Conservative Government was considering indeed abolishing capital punishment, Mr. Jean-Paul Bérubé wrote, and I quote:

> Abolitionists claim that capital punishment is absurd, it prevents a criminal from redeeming himself, it repares nothing; it does not intimidate criminals, let alone detersing them; finally, what if a court error leads to an innocent being executed, that error is beyond repair, and then society as a whole is responsible.

And the lawyer concluded with a quote from a French priest, who for some time was a Member of France's Parliament, a firm abolitionist, who stated during a debate on the abolition of capital punishment, and I quote that extremely intense comment which clearly defines the challenge before this Parliament: He used to say: "Capital punishment is an illusionary and dangerous defence. It attacks the effects of crime and not its causes. It is an easy way out which excuses the legislators from addressing the real problem, that of prevention and possible rehabilitation".

Mr. Speaker, it is not the first time that we try to sum up this vital issue. The first time I remember dates back to the Diefenbaker government which had opened the debate on this issue. I had been impressed by an argument which I could not quote exactly now but which meant that capital punishment would deter neither the murderer who plans his crime because he is convinced he is clever enough to escape justice, nor the murderer acting out of passion who, in a moment of uncontrollable emotion, acts without thinking twice, nor the hired assassin who kills in cold blood for a price which has nothing to do with the risk of capital punishment. So that, in the end, the only people really intimidated by this legislation are those who will never kill.

Mr. Speaker, even if I am perfectly aware that most of my constituents would give a positive answer to the question "Are you in favour of reinstating capital punishment?", I am

convinced that this would be a quick and hasty answer, resulting from an excessive self-defence reflex, which following discussion, could be restored to more reasonablable terms. I am convinced that by meeting personally with these respondents, I could easily bring them to the positive sentiments expressed by the editor, the jurist and the theologian I quoted a while ago. In short, we should not fall into the trap of sentimentality which could distract us from the real issue, the root of crime. By approving retribution, our conscience is clear but no more. As legislators, our sense of responsibilities should carry us further.

Mr. Speaker, I always been unable to believe that capital punishment sets an example for potential criminals. As a result of what historians have told us about the death penalty as retribution and what we have seen in historic films and documents—if we go back to earlier times, we realize that there is some logic in that argument. The death penalties were publicly carried out and that was an important aspect of the example to discourage eventual criminals. However, with the development of our civilization, those public scenes of torture were disapproved and progressively, retribution by the state for even the most contemptible crimes was questioned. The executions are now carried out more secretly and less brutally. I think that this refinement was developed to make the execution easier, the previous torture being replaced by the painless execution and to observe a greater discretion, the public place being replaced by an isolated corner of the prison in the presence of a few official witnesses because the executioners were not very proud of themselves. And surely the abolitionists are not so proud either since to my knowledge those who are demanding the reinstatement of the death penalty do not complain about the effectiveness of the procedure nor about the discretion of the execution. Tell me where is the exemplarity?

Mr. Speaker, greater experts than myself on the matter have tried to prove that that penalty does not act as a deterrent, and they have succeeded in proving it since capital punishment was abolished in Canada. Others had referred to the irremediable guilt feeling owing to the concern about a possible miscarriage of justice. I agree this last argument has its merits. Novels, political writings and films have made heroes of criminals executed after being convicted of crimes for which the death penalty was given at the time, while afterwards, people started having second thoughts. I am convinced that the quality of our judiciary system, based on the presumption of innocence, has reduced this risk considerably. However, these are reasonable and genuine arguments we cannot ignore.

Mr. Speaker, I am one of those who believe that the death penalty does not protect the public against potential criminals. We have all, from time to time, read reports in the media on series of murders of policemen on duty and more recently, of convenience store owners. Executing these murderers would do nothing to protect policemen or store owners. Actually, people who rob convenience stores without killing, people who commit their crimes without killing policemen are still around and are a potential danger when we are talking about violent acts. An armed thief who commits his crime without killing a policeman or a convenience store owner is not any less dangerous than the thief who used his deadly weapon when he was caught in the act. One will be sent to jail and the other will be sentenced to be hanged. And what kind of additional protection does hanging the second criminal afford society? I don't believe in this argument, because, as I said before, the death penalty would only have a deterrent effect on someone who would be afraid to commit the crime leading to the murder. The other guy, who is involved in a crime where he will be able to escape or who is a professional criminal, is usually afraid of nothing, even if his life depends on it, whether it means being shot down by a policeman exercising his responsibility as the protector of the public or by an executioner with a legitimate mandate to do so. It doesn't make much difference to him.

Mr. Speaker, this brings me to my very real concern which is how we ought to punish acts of murder. How do we deal with this evil at the source? My answer to that is by seeking a better distribution of wealth in our country and the gradual building of a juster society. I became involved in active politics, inspired by a great Canadian who is committed to these goals, our Prime Minister (Mr. Mulroney). Since my election, I have done my best to meet these objectives, first, by being receptive to the grievances of my fellow citizens and by looking for the maximum of benefits within Government programs to meet their expectations, second, by working at developing new programs to meet this objective, and third, by supporting the major legislative proposals of our Government which I believe can contribute to this end, such as the tax reform proposal announced by the Minister of Finance (Mr. Wilson), to name but one.

Mr. Speaker, I therefore express the wish that my colleagues who advocate reinstatement of the death penalty will reflect on this more constructive approach, which they would surely be able to convince their fellow citizens to support, by taking the time necessary to reflect and argue on such a crucial issue instead of giving in to the temptation of first impression arguments steeped in feelings of revenge and especially helplessness. Indeed, I have to say that I find the attitude of the advocates of the death penalty fatalistic and steeped in a feeling of helplessness at endowing our country with more equitable social programs, and in this regard, our colleagues opposite should perhaps reflect on our expressed intention to bring about a better distribution of our social programs by giving less to the better-off and more to the poor at the risk of making certain exceptions to the universality principle.

You see, Mr. Speaker, when I read in the newspapers that two senior citizens, who have lived together for 40, 50 or 60 years and who have raised eight or ten children can feel so much hate for each other that it leads to the death of one of them, my feeling of helplessness does not make me want to punish these acts of violence by a return of the death penalty, but look for means to improve the standard of living and well-being of these victims of poverty. One of the solutions which I

still find reasonable would be to give more to senior citizens whose only income is the old age security pension and to give less or even nothing at all to those pensioners who have the good fortune of benefitting from the generosity of our system.

• (2210)

I still regret the demagogic comments of certain apologists of the universality principle who put a check on this will for greater social justice, and I find this a good opportunity to express my views even more forcefully.

Mr. Speaker, when I hear, as we often do from our media, about youths who, in a moment of despair, have killed convenience store owners or a pedestrian for a measly $100 and even less sometimes, my feeling of helplessness does not lead me to promote a return of the death penalty, but to try and find how I could promote a better distribution of our wealth to avoid such situations. Indeed, I firmly believe that no criminal is born bad. Evil, cruelty, immorality and a tendency to crime are probably weaknesses which exist in human nature, but they develop when the social environment promotes such weaknesses more pressingly than the more humane and positive feelings which must be present in all the right-thinking people that we are to speak about the right to life and death of these criminals who deserve our consideration and attention, whatever we might blame them for. None of us here can lay claim to perfection and set himself as absolute judge to decide whether they will live or die, although it may appear legitimate, because supported by the majority, that the state should impose such a penalty for the most odious crimes.

There is no doubt that this very legitimacy would result from a survey which would ask the following question: "Would you be in favour of Parliament adopting legislation to improve the lot of the disadvantaged?" by directing this question to the same people who were asked: "Do you agree that capital punishment should be reinstated?"

To conclude, Mr. Speaker, I should like to emphasize that a great many citizens who are in favour of reinstating capital punishment base their choice on the notion that it would be less expensive for the state to execute murderers than to pension them for life.

Well, I have been particularly impressed by the fact that economic analysts have shown that this popular belief is unfounded, to a large extent.

First of all, only a very small proportion of prisoners would be sentenced to death and executed. Then, what is generally meant by the expression "annual cost" of keeping a prisoner is obtained by dividing the total cost to the Canadian Penitentiary Service by the number of prisoners. Then we realize immediately that removing a few of them each year would have no more practical impact on this cost than on the total cost to the penitentiary services.

Quite the contrary, Mr. Speaker. Everything seems to indicate that a prospect of a death sentence would make procedures longer and more complex. The appeals, the pleas for clemency, and the execution process would prove still more expensive for the Canadian judiciary system.

Mr. Speaker, I am convinced that Canadians who are watching this debate will realize that reinstating capital punishment would not result in a significant reduction of the financial burden to society.

[*English*]

Mr. John Nunziata (York South—Weston): Mr. Speaker, I appreciate the opportunity to make submissions with regard to this very important issue facing the House of Commons and Canadians. Unfortunately, a great number of my colleagues will not have the opportunity to express their points of view here in the House. That is because the Prime Minister of Canada (Mr. Mulroney) decided to invoke closure this morning, notwithstanding the fact that he promised, the Deputy Prime Minister (Mr. Mazankowski) promised and other high-ranking officials in the Conservative Party promised that we would have a full and open debate on the subject.

• (2220)

We have no alternative but to vote on this motion tonight. I consider it unacceptable, given the serious nature of the issue before us, that the Government should invoke closure, thereby denying a great number of individuals an opportunity to express their points of view.

In less than three hours, the House of Commons, consisting of 279 Members at this time, will be called upon to decide whether or not capital punishment should be reinstated, whether or not the Criminal Code of Canada should be amended to provide that the death penalty be reinstated. There is no question that the vote will be a close one. It will be the closest vote there has been in the three years of this particular Parliament and it will likely be the closest vote there has been in the last number of years.

The burden of proving to the House that capital punishment should be reinstated rests on those who are in favour of reinstating capital punishment. In my submission, the advocates of capital punishment have not discharged that burden. They have not convinced Members of the House to support capital punishment. They have not provided the necessary evidence to convince Members that capital punishment is in fact a deterrent. Is it any wonder that a number of those who previously supported capital punishment no longer support it today? They have been convinced that capital punishment is not the answer.

Those who have changed their views, those who previously supported capital punishment but who will in less than three hours vote against it, ought to be commended for the position they have taken. In effect, it has been a tough decision for them. It has been somewhat tougher than it has been for those of us who have always opposed capital punishment. We as Members of Parliament should congratulate those Hon. Members for their wise judgment on this particular issue.

With regard to those who advocate capital punishment led by the Hon. Member for Peterborough (Mr. Domm), it is clear that they have lost the battle. If I were a betting person, I would bet at this point that the motion to reinstate capital punishment will be defeated. Even if it is not defeated, it is clear that the vote will be a close one. It is clear that public opinion has moved somewhat over the last number of months since this resolution was tabled in the House of Commons. Canadians in increasing numbers have been convinced that it is not the right thing to do.

When the time comes for me to cast my vote on this resolution, I intend to vote against it. I intend to vote against the reinstatement of capital punishment for a very simple reason. I will vote against it because it is wrong. It is wrong to kill a human being. Capital punishment in my view is the mark of an indecent, uncivilized and immoral society.

To reinstate capital punishment is to revert back to the law of the jungle, to the law of an eye for an eye, a tooth for a tooth. Vengeance is the only justification for the return of capital punishment. In their heart of hearts, those who argue for capital punishment know that it is not a deterrent. Later on in my comments, I will look briefly at some of the statistics to show that in fact it cannot be proven on a balance of probabilities that it is a deterrent.

To take human life is wrong. It is interesting to note that a great many of those who support the reinstatement of capital punishment are opposed to abortion. That is a somewhat hypocritical position to take. Those very Hon. Members who rose in the House of Commons and argued in favour of capital punishment rose a few short weeks ago to argue about the sanctity of life. It is somewhat strange for those Hon. Members to decide all of a sudden that human life is no longer sacred, that in certain circumstances human life can be taken. I suggest that if it is wrong to kill an innocent unborn child, it is wrong to kill a human being.

It is interesting to note as well that a few months ago, I put a question to the Hon. Member for Peterborough in committee. I asked him if he would execute Colin Thatcher, and he did not answer me. Mr. Thatcher, a former politician, a former cabinet Minister in the Saskatchewan Government, was convicted of first-degree murder. One would have thought, given the fanatic nature of the beliefs of the Hon. Member for Peterborough, that he would not have hesitated to say that indeed, Colin Thatcher ought to be executed because he was convicted of first-degree murder and the Hon. Member supports capital punishment for first-degree murder. It is strange he did not say that Colin Thatcher should be executed. I asked myself why he did not say that Colin Thatcher should be executed and it is because in his view, Colin Thatcher does not fit the mould of a convicted murderer.

It is clear that as far as the Hon. Member for Peterborough is concerned, the debate is lost. I take solace in the fact that even though the motion to put together a committee composed of 15 Members might carry, I am convinced, given the closeness of the vote, that we will never see legislation to bring back capital punishment carry in this House.

Eleven years ago, this matter was decided here in the House of Commons by a very slim margin. The arguments were made 11 years ago both in favour of and against capital punishment. Parliament, in its wisdom, decided not to restore capital punishment at that time. Why are we here again 11 years later talking about capital punishment?

We know that the Prime Minister made an election promise and we know that he has not kept too many of his election promises. However, one of the promises he made was to have an open, free vote here in the House of Commons in spite of the fact that he is opposed to capital punishment.

I commend the Prime Minister for the position he has taken. I am appreciative of the fact that he took the opportunity a few days ago to speak in the House of Commons, but it was wrong for him to make that promise. If he was in fact a true leader, if he was as principled as he says he is, he would not have allowed this matter to be debated again.

• (2230)

It is not often that I agree with the Prime Minister but I agree with the position he has taken on this issue. I agree with his words:

> —we uphold one simple principle: the inherent dignity of a human being, the inherent worth of a human life. I will resist with all my strength, all of my life, any action that would diminish that reality and would lessen that value.

A few weeks ago the Right Hon. Leader of the Opposition (Mr. Turner) said:

> I believe the state must aspire to a higher ideal than simply killing people who cannot be fitted into our scope of conduct.

The Leader of the New Democratic Party a few short weeks ago said:

> In coldly taking the life of a murderer, the state would simply compound the real unacceptability of the original violent act.

Eleven years ago former Prime Minister Pierre Elliot Trudeau said:

> Are we, as a society, so lacking in respect for ourselves, so lacking in hope for human betterment, so socially bankrupt that we are ready to accept state vengeance as our penal philosophy? To retain (capital punishment) in the Criminal Code of Canada would be to abandon reason in favour of vengeance; to abandon hope and confidence in favour of a despairing acceptance of our inability to cope with violent crime except in violence.

It is obvious that even if capital punishment were reinstated it is unlikely that any responsible Prime Minister, any reasonable, rational Prime Minister, would ever allow another human being in Canada to be executed.

Some of the advocates of capital punishment say that they must respond to their constituents. Yes, public opinion polls have been somewhat consistent over the years, although in the last number of weeks and months those in favour of capital punishment, according to the public opinion polls, are fewer in number.

Notwithstanding the public opinion polls, I firmly believe that Canadians do not support capital punishment. Why then, when asked, do they say that they support capital punishment? It seems to me that one of the reasons people indicate that they support capital punishment is their frustration with the criminal justice system.

We all know that the criminal justice system is not perfect. There is cause for concern with regard to the charging of individuals, plea-bargaining, actual criminal trials, sentencing, incarceration, parole, and mandatory supervision. The debate on capital punishment has become a lightning rod for all the disillusionment, disappointment, and disrespect which exists with regard to the criminal justice system. There is, unfortunately, cynicism developing among Canadians which must be addressed.

I am convinced that if we as parliamentarians used our collective wisdom and collective political will, we could improve the criminal justice system which is so imperfect. I believe that we as parliamentarians have a duty to study the system, to educate and sensitize people to the issues, and to seek to create a consensus with regard to specific reforms.

Some of the areas which I feel merit serious attention include sentencing, plea-bargaining in the trial process, alternatives to incarceration, the correctional system including correctional philosophy, institutional programming, inmate accommodation, prison construction, the role of the correctional investigator, release procedures involving the correctional services and the National Parole Board, post-release programs and accommodation, the role of voluntary organizations such as the John Howard Society, victims of crime including their right to information, property restitution and impact statements, the public's perception of crime including the role of the media, public legal education, the effect of the Charter of Rights, and other issues as well.

Is there any wonder that there is disrespect for the criminal justice system when a person like Allan Sweeney, who was convicted of murder, was erroneously released by the National Parole Board only to commit another murder? There are those who suggest that if he were executed the first time he would not have been released to commit the second murder.

Well, Mr. Sweeney may have committed the actual physical act, but the responsibility for the death of Celia Ruygrok is not that of Mr. Sweeney alone, but of the system. The system failed Celia Ruygrok. She could be alive today if the National Parole Board had all the information before it. It is clear that in that particular case the National Parole Board did not have the necessary information to decide whether Mr. Sweeney ought to have been released. The system failed. Rather than talking about capital punishment we should be talking about ways to improve the criminal justice system to ensure and enhance the safety of Canadians.

Those who support capital punishment make a number of arguments. The main argument they make is that capital punishment is a deterrent. As I indicated, it clearly is not. Almost all of the studies that have been conducted indicate that capital punishment is not a deterrent. It is plain and simple. Canadian statistics, as well as U.S. statistics, show that it is not. In 1975, the year before Parliament repealed the death sentence, there were 701 homicides which include murder, manslaughter and infanticide. In 1983, seven years after abolition, there were 682 homicides. A more important statistic is the rate of homicides per 100,000 of population. In 1975 Canada's homicide rate was 3.09 per 100,000. By 1983 it had fallen to 2.74 per 100,000.

Those who argue that capital punishment is necessary to protect policemen are also without supporting evidence. In the five years before abolition 19 policemen were murdered compared to 18 in the five years after abolition.

The statistics from the United States also punch big holes in the deterrence theory. Presently 38 states have the death penalty on the books. Yet, as a nation, the United States registered a homicide rate of 8.3 per 100,000 compared to our figure of 2.74 per 100,000. The Americans have capital punishment in 37 of the 50 states. Would you rather live in the United States than in Canada? I notice, Mr. Speaker, that you are shaking your head. Most Canadians would agree with you. We do not have capital punishment in Canada yet we have one of the safest societies anywhere in the world. We have probably the highest rate of incarceration anywhere in the western world, but we also have one of the lowest crime rates anywhere in the world. We ought to be proud that the rate of violent crime is so low compared to that of the United States and many other western nations.

Those who support capital punishment erroneously argue that violent crime is on the increase. The statistics dictate otherwise. In effect, violent crime has not increased. If anything, it has decreased. It is still possible in downtown Ottawa, Toronto, Edmonton, Montreal, Vancouver, or Halifax to walk down the streets late at night and feel safe that one will not be mugged, robbed, raped or in any way assaulted. One just cannot do that in Detroit, Los Angeles, New York, Chicago, or Miami. We have every reason to be proud that we have such a low crime rate.

• (2240)

There are those who argue that we should reinstate capital punishment on the basis of cost. That is the most disgusting argument one can think of. They argue that it would be cheaper to execute, to kill a human being, than to incarcerate a human being for 25, 30, or 40 years. Since when do we put a price on human life? It is wrong to suggest that if we execute individuals it may be a saving to the state. It certainly does not hold any persuasive power, yet there are those in the House who suggest that as a reason for reinstating capital punishment.

There are those in the House who support capital punishment and honestly believe that retribution, vengeance, is a reason to reinstate capital punishment. I say it is wrong to

have retribution or vengeance as the basis of our criminal justice system. If an eye for an eye, a tooth for a tooth, were the basis for our criminal justice system, why would we not cut off the hand of a thief or physically harm others who do physical harm to their victims?

You have indicated that my time has expired, Mr. Speaker. In closing I want to ask those who have not yet made up their minds, in spite of the fact that we will vote in a short period of time, to vote against the resolution that is before us. To vote for the motion would result in this country being one of the very few countries in the world that presently have capital punishment. To vote for the motion would return Canada to the law of the jungle and would return Canada to an uncivilized, indecent and immoral society.

Mr. Bill Gottselig (Moose Jaw): Mr. Speaker, I welcome the opportunity to participate in this debate on capital punishment. Let me say at the outset of my remarks that I support the re-establishment of capital punishment in Canada. I do so as the result of a personal conviction I have had all my adult life. I believe that the basic issue is protection for society. Most people will realize and agree that society is demanding more protection. There are many people in our society who resort to violence as a means of enforcing their will over others. This is evident from the large number of robberies that are reported every day in the national press. This happens not only in the large cities, but throughout Canada in the small cities, down to our small towns and villages.

I approach the re-establishment of capital punishment as a necessary step to providing society with protection.

If our system of jurisprudence is considered objectively, it will be seen that it more than adequately protects the rights of the criminal. The murderer is informed of his rights. He is given the counsel of a lawyer who protects the criminal's interests. He also has the right to appeal to a higher court. Society bends over backwards to protect the rights of the accused. This is more than a murderer gives his victim whom he deprives of the most basic right, the right to live. That victim has none of the benefits given to his killer whose act is final. That victim has no jury, no lawyer, and no appeal.

When I state that I support capital punishment, I am, of course, referring to capital punishment for first degree murder as described in the Criminal Code. Section 212 to Section 215 of the Criminal Code defines first degree murder as, first, all planned or premeditated murder, second, the killing of a police officer, third, the killing of a prison guard and, fourth, the killing of one or more persons while committing another offence such as rape or theft. I do not favour capital punishment for second degree murder or manslaughter.

I want to read into the record some comments from the June 8, 1987 edition of the *Swift Current Sun*, a newspaper published bi-weekly in Swift Current, Saskatchewan. These comments are made by a Mrs. Ruth Lee-Knight who lost a daughter last August in London, England.

She makes several points in this article that I believe are very relevant. She makes them as the mother of a victim. She states:

> I do want to raise the consciousness of people so they have a fuller picture of crime and what it does to its victims. I would ask that everyone, before coming to any conclusion about how society deals with murderers, becomes a little acquainted with what victims endure. In decision-making people should recognize the hard fact that the victim's family has a life's sentence imposed on them with no chance of parole or early release.

She goes on to make some other very valid points, particularly dealing with the increased public awareness of the sentencing and the reality of how the system works. She says:

> Hopefully this will lead to a general tightening up of bail and all forms of early release for violent offenders.
>
> Many who oppose the return of the death penalty are the same people who have lobbied so successfully over the years for the rights of offenders and they are well organized in their efforts. Many operate on government funds and our concern is that, because of their resources the Canadian public will be presented with only one side of the issue as they have in the past.

She concludes her article by again making reference to the organized groups or individuals who make statements regarding the suitable punishment for murderers. She states:

> For the most part they are far removed from knowledge of pain caused by such individuals for the lifetime of the victim's family. They are not close to a murdered victim, never knew anyone who was murdered, don't appreciate all that dies and is lost forever to the world when a special person is murdered by a criminal who has nothing to offer, yet lives. Many of these groups or individuals speak from a position of ignorance and yet are taken seriously.

I want to spend some time talking about the purposes of the remedial and corrective measures. One of the main concerns in considering the problem of abolishing or retaining capital punishment is whether or not the crime demands the penalty or whether the penalty is suitable for the crime. There is no doubt that in graduating the offences the punishment is also graduated proportionately on a reasonably equitable basis. However, the more serious the crime, the more difficult it is to evaluate the punishment inasmuch as more criteria for the evaluation of the commission of the crime enter into the picture.

In reviewing many sociological, historical, and philosophical texts, there is no doubt that the principle of punishment for an offence has never been questioned. However, there are many diverging and varying views on the nature of punishment and the intention of the punishment.

Today's permissive elements consider punishment as revenge or the paying of a debt in proportional amount to the offence committed, and feel that it is wrong. Rather, according to the soft sciences, society should try to reshape an individual or to understand the commission of the crime and to take constructive measures to rehabilitate.

● (2250)

This philosophy may be a laudable one which may work in some instances, but practical experience has shown beyond a shadow of a doubt that some people who choose to ignore the laws of society simply cannot, will not and do not want to be

rehabilitated, and the only alternative which society has openly demanded time and time again is the absolute assurance that the crime will not be repeated.

As a basic principle, an individual who will not abide by the laws of society should be removed from that society and dealt with in a proper manner. The proper manner might well vary according to the individual and the crime committed, graduating to the severest punishment for the worst offence. There is no doubt that the taking of a life is, indeed, the worst offence that can be committed. The severest punishment has traditionally been death. If one is to consider the purpose of remedial and corrective measures from the rehabilitation point of view, then death as a penalty is of little value. On this premise, some question the value of the death penalty, identify it with revenge, and say that it is hardly a corrective measure because of its finality. But the death penalty and punishment are not of their nature vengeful.

Punishment is more related to a forceful remedial action, one that will have a marked corrective effect and be so shocking to the recipient or to others that the act which merited the punishment will not be repeated if only because it attacks the self-preservation instinct and the natural desire to freedom of the offender.

Inasmuch as rehabilitation has its place where there is an assured chance of success, society has nevertheless unequivocally rejected the experimental attitude and has expressed the unqualified desire that the principle of maximum punishment, as opposed to the principle of rehabilitation, be retained so that, where applicable, the severest penalty, as a penalty will be applied.

The value of rehabilitation and punishment as separate ideas and methods in the field of corrections has long been debated. Some quarters feel that the idea of punishment as being vengeful is not proper. However, I submit that in this instance they have erred in removing punishment and substituting rehabilitation. Both have their value, but they are dependent upon the nature of the individual as well as the nature of the crime and what society expects by way of protection for itself, as a whole, as well as protection of its individuals.

This brings in the next facet in the evaluation of actual and contemplated corrective measures in rehabilitation and punishment. In either case, it is stated without argument from any quarter that the object is the prevention of crime and that the exercise or measure taken must have a deterrent quality. The quality of deterrence can be looked upon from two aspects, the first being repetition and the second being prevention. Following up on this premise, which is tenable even using the arguments of the abolitionists, the only penalty that can achieve the maximum deterrence from repetition of the crime and that would prevent crime is death. The principle of rehabilitation, so called life imprisonment or other measures, in the eyes of society, if not in the eyes of sociologists and others, has not proven adequate.

This issue of deterrence should not be decided only on the deterrent factor but must be a consideration. Nevertheless, there is much evidence to show that capital punishment is a deterrent. Paul Gascon, the executive secretary of the Public Service Alliance, which represents penitentiary guards, reported that the six guards taken hostage in the Kingston penitentiary riot in 1971 may owe their lives to the existence of capital punishment. He said: "The inmates were told that if a guard was killed, the responsible people would be hanged".

Criminal sanctions do not stop all crimes, but there is no question that the vast majority of Canadians want these sanctions and are convinced that they do deter some from committing crimes ranging from theft to murder. I believe it is imperative that our laws stress personal responsibility for one's actions. This assumption is a basic tenet of our civilization. I believe we must always take into account all factors surrounding the commission of a crime when sentencing a convicted criminal and thereby sometimes reducing a sentence. However, I do not accept the claim that every murder represents a failure of society and that society must acknowledge its guilt.

The other issue raised over and over by those supporting the abolition of capital punishment is that an innocent individual may be executed. This straw man raised by abolitionists is an illogical argument. It is probably very much less than the possibility that a criminal may commit another murder while serving a long prison term, or later when on parole. There is not one example of a person executed who was found later to have been innocent by a court or Government in Canada. However, it has been reported that convicts on parole and mandatory supervision in Canada were responsible for 41 murders and 27 manslaughter offences. One of the leading abolitionists in the United States, Adam Bedau, has stated: "It is false sentimentality to argue that the death penalty should be abolished because of the abstract possibility that an innocent person might be executed". He cites a study of the 7,000 executions in the United States from 1893 to 1971 and concludes that the record fails to show that such cases occur. The main point, however, is that if government functioned only when the possibility of error did not exist, government would not function at all. Human life deserves special protection and one of the best ways to guarantee that protection is to ensure that convicted murderers do not kill again. Only the death penalty can accomplish this end.

We have also heard over and over that juries may not want to convict someone of first degree murder. This is also a foolish argument. In trials for murder where capital punishment is the penalty for first degree murder, prospective jurors can be excused in such instances if they are opposed to capital punishment. I would like to quote from an article by the Mayor of New York, Edward Koch, on April 15, 1985 in the periodical *The New Republic*. He states:

> Everyone wants his or her rights, and will defend them jealously. Not everyone, however, wants responsibilities, especially the painful responsibilities that come with law enforcement. Twenty-three years ago a woman named Kitty Genovese was assaulted and murdered on a street in New York. Dozens of

neighbours heard her cries for help but did nothing to assist her. They didn't even call the police. In such a climate the criminal understandably grows bolder.

He went on to say:

The death of anyone—even a convicted killer—diminishes us all. But we are diminished even more by a justice system that fails to function. It is an illusion to let ourselves believe that doing away with capital punishment removes the murderer's deed from our conscience. The rights of society are paramount. When we protect guilty lives, we give up innocent lives in exchange.

When opponents of capital punishment say to the state: "I will not let you kill in my name", they are also saying to murderers: "You can kill in your own name as long as I have an excuse for not getting involved."

It is hard to imagine anything worse than being murdered while neighbours do nothing. But something worse exists. When those same neighbours shrink back from justly punishing the murderer, the victim dies twice.

Successive polls over a number of years have shown conclusively that an overwhelming majority of Canadians are demanding the return of capital punishment. I firmly believe in my heart that capital punishment is a deterrent and it does provide an element of protection for society. I have made my position on this issue very clear ever since I sought the nomination in 1984 and later during the 1984 election campaign.

In closing I would like to say again that I will be voting in favour of capital punishment for all of the above stated reasons.

• (2300)

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, this is the second time in 11 years that I have had the opportunity to participate in a debate such as this. The motion that is before us tonight poses a problem for us. Where do we want Canadian society to go? Do we want to take Canadian society back to the Dark Ages? That is what the supporters of this motion are asking us to do. They want to take us back to an uncivilized society.

It seems to me that what we ought to be doing is spending our time in building and developing a concerned society, taking a look at violence in society, whether it be violence in a dark alley, violence in the home against the wife or children, or whether it is violence on the hockey rink or on the playing fields.

How much of our resources do we put into research concerning violent behaviour? What is it that causes people to behave in a violent fashion? What identifiable tools do we have, what methods and means do we have to assist those who are involved in early childhood education to assist youngsters with respect to dealing with their feelings and expressing them in a socially acceptable way?

We can vote in favour of this motion tonight. We can take Canada back, back to a time in history when violence was the response to violent behaviour. Indeed, we think it is barbarous today the way we treat schoolchildren when they misbehave, to beat the tar out of them. We give them the strap. The strap is supposed to tell them they should not behave violently. What this motion is asking us to do is to kill people who kill people to make other people not kill. There is something missing in the logic which escapes me. It is the same with respect to the way we treat young children. We respond in a violent way to a child who does not behave in a socially acceptable fashion. We hope that that child will grow up to behave in a sensitive, loving and responsive way.

I want to tell Hon. Members that that has not worked. This motion, if passed, will not work. The supporters of this motion would have us turn back the clock on human civilization.

If the motion is passed, what will happen is an admission of defeat. That is why we have kept the strap in the schools. It is for corporal punishment, which is an admission of failure, that the only way that one can maintain order and discipline in the class-room is to have the strap handy in the drawer. The first son of a gun who steps out of line, the teacher just takes him outside and lays into him. It seems to me that that is an admission of failure. It is an admission of failure on our part. Capital punishment is an admission that society has failed and that, in fact, the murderer has won. He has reached beyond the grave and he has won. The dark side will have won.

It seems that the arguments I have heard from the supporters of this motion say somehow or other that by passing it and bringing back the rope we will create a safer society. That is a false sense of security. All the statistics and all the evidence that has been amassed and presented in the House over the last several days clearly indicates that there is no relationship between having capital punishment on the books on the one side and murder on the other.

It is a nice, easy way for parliamentarians to stand here in the wee hours of the morning and vote for this motion to bring back hanging. We can then walk out of here feeling self-righteous that we have created a safer society and we will not have anything to do anymore. We can pack up our books. We do not have to pay attention to the problem anymore.

That is the challenge for those of us who are going to vote against the motion. It means that we have to keep on seeking to find better ways of dealing with violent criminal behaviour.

I suggest that locking them up in some maximum security prison and throwing the key away is not the way either. I also suggest to Hon. Members that there is a greater challenge for us. Should this motion carry tonight, and I sincerely hope it will not, the streets of any city in Canada will not be any safer. No home in Canada will be safer. No family will be safer.

In fact, by having capital punishment on the books it may very well ensure that murderers get off because juries will be loath to convict when they know—

Mr. McCurdy: They don't want to make a mistake.

Mr. Rodriguez: That is right. The whole idea of not making a mistake remains uppermost in their minds. They may very well be hesitant to bring in a guilty verdict.

As I look back and read popular press, I ask myself who it is who is really hung for murder. It is not the rich, not at all. When a policeman carrying out his peace-keeping duties is murdered by a criminal we all correctly feel a loss because, collectively, we have experienced one.

I live in a mining community and for years and years we have known that corporations gave no concern to health and safety on the job. In fact, workers died on the job. But nobody in this country prosecuted a corporate owner of a mine.

In fact, some very interesting information was published by the Federal Law Reform Commission which issued a report last month. It stated in its report that employers who make workers risk death or serious injury should be subject to a proposed new offence of endangerment. The report also stated that as many as 3,600 Canadians die each year from cancer caused by workplace pollution. There are 175 health and safety inspectors in Labour Canada for all of Canada. But imagine 3,000 people dying in the country each year because, in fact, the environment in their job was not safe.

• (2310)

If I were to say to the movers of this motion that capital punishment should be applied to the corporate bigwigs of this country, those who turn a blind eye to the health and safety of workers on the job, they would immediately say: "Hold it; hold it. This wasn't meant for those people. Those are good citizens. Those are productive citizens. They contribute to the life of Canada." No one ever talks about that kind of white collar homicide, Mr. Speaker. It seems to me that those the movers of this motion want to hang are those who belong to minority groups, to the poor.

If this House of Commons this evening votes in favour of bringing back capital punishment, bringing back the rope, we would be accepting a culture of violence; we would be sinking into a state of barbarism. I, for one, will not cast a ballot to take Canada down to that level.

If this motion is in fact passed, a committee will be established to study the question of capital punishment. We have already spent a lot of time on this question over the last several months. That would have been time better spent in trying to find more positive and progressive ways of dealing with violent behaviour, of dealing with crime in this country.

Some of those intending to vote in favour of this motion have said that they will do so on the basis of the majority of their constituents wishing the reinstatement of capital punishment. Those constituents sent their respective Members of Parliament to Ottawa because they believed them to be intelligent and thoughtful. They considered that they had the ability to read and to draw some positive conclusions.

For those Hon. Members to say now that, while they themselves are against capital punishment, they will vote in favour of it on the basis of how their constituents feel, is an insult to their constituents. To take that position is an abrogation of the responsibility of an elected representative in a parliamentary democracy.

We are not delegates. If one were to extend that argument to its logical conclusion, we should take the same position on tax reform, and other matters. We would be mere puppets. We would turn over to the poll takers what is rightfully the responsibility of Members of Parliament, that being to deal with the issues facing society: social programs, tax reform, free trade. Truly then it could be said that the poll takers would be the legislators of the nation. I know that Percy Shelly said that poets are indeed the true legislators of the world. But to say that the poll takers should be the legislators is ridiculous. As much as we love Angus Reid these days, I would hardly want to concede to Angus Reid the responsibility of legislator of the nation.

We have a responsibility to our constituents to think a problem through. We have an obligation to read the appropriate material relative to a given issue, and then to cast an intelligent decision based on the facts that we have assimilated about it.

Indeed, our constituents are much wiser than we are. To those Hon. Members who take the position that they should vote in accordance with the view held by the majority of their constituents, I say: Be not faint of heart, you who hide behind polls. If you are thinking of re-election, the polls show that 73 per cent would not regard a vote on capital punishment contrary to how they feel about it as a reason to vote against their Member in the next election. I realize that that is only a poll, but certainly it indicates very clearly that our constituents are very wise; it indicates that they understand the process very well.

I have said that we have two choices, Mr. Speaker. As we go along the road, it forks. We can take the fork that takes us in the direction of Chile, Iran, and the Soviet Union—societies that are not noted for their human rights, societies that are not noted for progressive thinking in terms of how to deal with violent behaviour. We can go down that road. But, I am not prepared to travel down that road along with those who have proposed this motion. I am not prepared to go down that road. There is a better road, one that offers us greater security, and that is the road toward a more enlightened way of dealing with violent behaviour.

We have recently had brought down a White Paper on Defence that calls for expenditures over the next 20 years amounting to some $200 billion, and certainly the defence of our country is a legitimate undertaking. But how much are we spending to defend the country internally? How much of our Gross National Product are we prepared to commit to a study of the cause-effect relationship between poverty and violent behaviour, between unemployment and the effects of that on one's behaviour?

Are we prepared to spend a greater portion of our Gross National Product to defend the very nature of our democracy?

The answer is no. That is not something that we talk about in this place. But boy, we can sure whip off $200 billion for the military. I know that those expenditures will span 20 years, but I have yet to see a projected figure with respect to the kinds of studies in behavioural sciences that we should be engaged in, the kinds of studies that are required in the field of education. Indeed, there is a great cut-back going on in the educational field.

This is no time for governments to step back. The challenge is in this area, and we are not going to resolve it by quick fixes such as hanging. The rope is not going to resolve the problems which are connected to deep-seated human behaviour. For example, we have a housing crisis in the country, yet we seem to avoid spending and focusing on that particular problem. We have had reports on child care, one of the areas to which we should be paying very close attention. Our children should be number one.

• (2320)

I hope that my remarks will have caused those who have proposed the motion to think long and hard in these closing minutes before we vote, because to go the way of this motion is to go down that long, dark road from which there is no return.

* * *

BUSINESS OF THE HOUSE

Mr. Lewis: Mr. Speaker, there have been discussions among the Parties, and we are making excellent progress toward the completion of the legislative package with which we will deal tomorrow. I say without hesitation that it is thanks to the co-operation of the Liberal House Leader and the New Democratic Party House Leader.

I think Your Honour would find unanimous consent to put the following motion and also unanimous consent for the motion itself:

That, notwithstanding any Standing Order of this House, when the House adjourns this day, it shall stand adjourned until Tuesday, June 30, 1987 at ten o'clock a.m.;

Provided that:

At ten o'clock a.m., on that day, the House shall proceed to the consideration of "Routine Proceedings";

Upon the completion of "Routine Proceedings" the House shall proceed to Government Orders;

The House shall continue to sit between one o'clock p.m. and two o'clock p.m. to continue consideration of Government Orders;

At two o'clock p.m. for the remainder of the day's sitting, the provisions of the Standings shall be in effect; and

No later than 8 p.m. the Speaker shall suspend the sitting to the call of the Chair for the purposes of Royal Assent if necessary or adjourn the House as the case may be.

Mr. Deputy Speaker: Is there unanimous consent for the Parliamentary Secretary to introduce the motion?

Some Hon. Members: Agreed.

Mr. Gray (Windsor West): Mr. Speaker, what the Deputy Government House Leader has read out certainly reflects our discussions.

I want to make clear that what he is proposing is subject to our Standing Orders which call for us to adjourn tomorrow until the appropriate date in September.

Mr. Lewis: Yes.

Mr. Gray (Windsor West): I just wanted to make sure that there was no doubt about that.

Mr. Riis: Mr. Speaker, it is certainly our intention to facilitate the passage of a number of Bills on the last day of the session. However, I want to say to the Parliamentary Secretary to the Government House Leader that we have not had an opportunity to see those Bills including the farm Bill, the changes to the Farm Loans Act. Therefore, at this point it is difficult for us to make a determination on how we will proceed in terms of expediting the passage of that Bill or not until we have had a chance to see it.

I encourage the Parliamentary Secretary to provide us with a copy of the Bill at the earliest possible moment.

Mr. Lewis: Mr. Speaker, I appreciate that. I made no reference to what would pass or fail tomorrow. My colleague is correct. I have already discussed the matter with the Minister of Agriculture (Mr. Wise), and I believe he will be getting in touch with the spokespersons for the various Parties to look after the matter.

Mr. Deputy Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

GOVERNMENT ORDERS

[*English*]

CAPITAL PUNISHMENT

ESTABLISHMENT OF SPECIAL COMMITTEE ON REINSTATEMENT

The House resumed consideration of the motion of Mr. Mazankowski:

That this House supports, in principle, the reinstatement of capital punishment and directs that a special committee on reinstatement, composed of 15 members, be established, hold hearings and make its final report to the House no later than three (3) months following the adoption of this motion, such report to provide recommendations on:

(a) which offence or offences should carry the death penalty, and in what circumstances;

(b) which method or methods should be used to carry out the penalty of death, and in what circumstances;

That, pursuant to Standing Order 107(1), this special committee be hereby appointed as a committee to prepare and bring in a bill no later than three months following the adoption of this motion, founded on the committee's recommendations on (a) and (b) above; such a bill shall be the object of a separate and distinct report of the special committee, and such a report shall be its final report;

That such bill, when reported from such special committee to the House, be deemed pursuant to Standing Order 107(1) to have been introduced and stand on the Order Paper, in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business"; and that, when the said bill has been read a second time, it shall stand referred to a Legislative Committee;

That the Striking Committee be empowered to name the Members of the special committee, provided that once the Striking Committee report is laid upon the Table, it shall be deemed concurred in;

That the special committee have the power to sit while the House is sitting and during periods when the House stands adjourned;

That the special committee be empowered to report from time to time and send for persons and papers, and to print such papers and evidence from time to time as may be ordered by the committee and to retain the services of expert, technical, professional and clerical staff;

That the special committee be empowered to adjourn from place to place inside Canada and that, when deemed necessary, the appropriate staff accompany the committee;

That a quorum of the special committee be eight (8) members for any vote, resolution or other decision; and that the chairman be authorized to hold meetings to receive evidence and authorize the printing thereof whenever six (6) members are present;

That any substitution of membership on the special committee be made pursuant to Standing Order 94(4); and

That, notwithstanding the usual practices of this House, if the House is not sitting when the special committee is ready to issue its final report and the said bill, the special committee shall present its report and the bill to the House by filing them with the Clerk of the House provided that the report shall then be deemed to have been laid upon the Table, and the bill shall then be deemed, pursuant to Standing Order 107(1), to have been introduced at the first sitting of the House thereafter and to stand on the Order Paper in the name of the special committee chairman, for first reading at the next sitting of the House; and that subsequent House stages of the bill be considered under "Government Orders", with the bill standing under the heading "Government Business".

And on the amendment of Mr. Nystrom (p.7307).

Mr. William C. Winegard (Guelph): Mr. Speaker, the motion before the House of Commons calls for a vote in principle concerning the death penalty. In essence, what we are being asked is whether there is any crime, any combination of crimes, or any circumstance that would warrant execution of the perpetrator.

Mr. Nunziata: No.

Mr. Winegard: We are being asked if we believe it is appropriate for first degree, premeditated murder.

Mr. Nunziata: No.

Mr. Winegard: I think I can do without the Hon. Member's interjections. Most of the House was good enough to remain silent while he had his say. I think it would be appropriate for him to let the rest of us have our say.

Some Hon. Members: Hear, hear!

Mr. Winegard: Is it appropriate for treason? Is it appropriate for terrorism? Is it appropriate for killing police officers and prison guards? The motion is one of principle only with detailed committee study to follow if the motion is carried.

This is, as most Members of the House have said, a very difficult issue, not only for us but for every thinking person in our society. It pits husband against wife, brother against sister, parents against children, and it has certainly engendered hundreds and thousands of letters on each side of the issue to Members of Parliament.

I have made no secret of my wish to see the death penalty restored as a possible form of punishment for the most atrocious killings. I would include certain instances of premeditated murder. I would also include repeated incidents of killing, even though the murders were not premeditated. As well, I think the terrorist who planted the bomb on the Air India flight should be executed.

My reason is simple. I believe the taking of a human life through premeditation or repeated violence deserves a punishment that fits the crime. I would not condemn to execution in every case even those people who commit first degree murder. If they are guilty, I believe the judge and jury should be able to take into consideration all the circumstances and the background before sentencing.

I will say more about these matters later, but let me move on to some of the issues people have raised on this subject. A common statement is that the state has no right to take a life. This is a statement which I believe cannot be substantiated. The state has always had the right and responsibility to protect life, to defend individual rights, and the right of self-defence, even at the cost of taking another life if necessary. If one agrees that the state has the right to take a life, then one must also agree that such action may involve the killing of a guilty killer or an enemy.

I am unable, as others have said in the House, to find anything in our laws or moral code to substantiate the comment that the state has no right to take a life. When I was a young man it was the state which urged me to take a life if necessary to defend the country.

There are some people who recognize the right of the state to take a life but believe it is wrong to do so for any individual crime or for any series of crimes that do not jeopardize the total security of the state. That is interesting logic because it tells me that the security of the state must not be jeopardized but that the security of the individual does not rate so highly.

Capital punishment often becomes and is a moral issue. This morality is much more difficult to define. Some feel strongly that it is morally wrong to execute regardless of the crime. There are many of us who believe that it is morally correct, morally justifiable and morally responsible to execute when the crime is heinous, chances of rehabilitation are extraordinarily low and when that dangerous criminal may kill again.

• (2330)

Let me move on now to another point often made by people who support the abolitionists' position. They say that execution is anti-Christian. I do not believe that to be the case. One of my good friends, who is well versed in the New Testament, has reminded me that St. Paul in his Epistle to the Romans, namely, in Romans 13 Verses 3 and 4 talks about punishment and the ruler's right to punish offenders. I quote:

—he is God's servant for your good. But if you do wrong, be afraid, for he does not bear the sword in vain; he is the servant of God to execute his wrath on the wrong-doer.

The reference to sword indicates that Paul does not make the assumption that force is always contrary to God's will. It was John Calvin, the father of Presbyterianism, who wrote in his commentary on Romans the following interpretation:

—they armed with the sword, not for an empty show, but that they may smite evil doers.

There are many who say we should forgive even the most violent murderer. Forgiveness is something which can and should be applied in our personal lives for those who do wrong against us. It does not forego the importance, indeed the necessity, of punishment. Punishment is a necessary part of our life should we do wrong. The issue is what form that punishment should take. More of that later, Mr. Speaker.

Several speakers in the debate have made the point that many churches have publicly called for the continuance of abolition. Many church leaders say that execution is wrong. I acknowledge the right of the church to preach what it believes to be correct. It did so during the Second World War and ministers from the pulpit urged me and many others to do our duty and go forth to kill the enemy. I do not think God has changed, but somehow the message is different, depending upon the circumstances.

In the debate in this House so far, much has been focused on the fact that capital punishment is not a deterrent to murder. Some have gone so far as to say that the murder rate has decreased in Canada since capital punishment was abolished.

Those who use statistics such as the over-all murder rate do not acknowledge that figures available from Statistics Canada show that the number of people charged with first degree murder has increased substantially since 1976 while the number charged with second degree murder has decreased. But figures may be made to tell us anything we wish, and although I hold no major brief concerning the importance of capital punishment in deterring murder, I would not rule it out as a deterrent in individual cases.

I believe that murder and other crimes deserve punishment. I quote Lord Denning, master of the Roles of the Court of Appeals in England, to a British Royal Commission on Capital Punishment:

Many are inclined to test the efficacy of punishment solely by its value as a deterrent; but this is too narrow a view. Punishment is the way in which a society expresses its denunciation of wrong-doing: In order to maintain respect for the law, it is essential that the punishment inflicted for grave crimes should adequately reflect the revulsion felt by the great majority of citizens for them. It is a mistake to consider the object of punishment as being deterrent or preventative and nothing else . . . the truth is that society insists on adequate punishment because the wrong-doer deserves it, irrespective of whether it is a deterrent or not.

These are important words, because respect for the law is an important part of our society. If the law does not take into account the wishes of the vast majority, the law falls into disrepute. We come back then to the question of the form of punishment.

I have heard people say that if you wish to take a life for a life then surely you must punish by rape for a rape, et cetera. This, I believe, is not a very sound argument. In fact, Sir, it is a rather silly argument. It would imply, for example, that when you ground your children for a week because they stayed out too late with the car, the appropriate punishment would be to force them to stay out late with the car for a week, or that the appropriate punishment for failing to attend school and playing hookey, as I did so often, would be to insist that they stay away from school.

People who support capital punishment in principle are sometimes called vengeful and vindictive. We have heard these phrases in the House during this debate. When does any punishment become vengeful and vindictive as opposed to being just and appropriate to the crime? Some have said, even here, that the appropriate punishment for these kinds of murder is to keep people in jail for life with no possibility of parole. Like George Bernard Shaw, I would consider that vengeful and a form of punishment much worse than execution. To deprive someone of his or her freedom and to do it in a circumstance where the individual is without hope seems to me a protracted form of cruelty and torture, particularly in a society which values freedom so much that it sent hundreds and thousands of young men and women to face death to protect that freedom.

The question arises as to the susceptibility for error and that it might be possible to execute an innocent person. No one can deny that such a possibility exists. There are no known cases in Canada with the possible exception of Mr. Coffin, and that remains open to debate.

The case of Mr. Marshall, often quoted in this House, was not one of first degree premeditated murder and therefore, in my opinion, does not have a real place which is relevant in this debate. Nevertheless, the chance of error is a factor and one that should cause us to think long and hard about the restoration of the death penalty. To those who use this argument, may I be allowed to give the other side of the coin?

Without capital punishment, it is certain that innocent people will be killed because some people repeat violence, and there are instances of murder and manslaughter taking place while people are out on parole or after they have escaped from prison. There are also regretful instances of prison guards being cut down by people serving sentences for murder.

How can one in conscience say "Save the murderer but risk another innocent life"? I will vote for the return of the death penalty because I believe life is important and that, until we manage, as we all wish, to change society and human nature, there is a need for punishment that fits the crime.

Whatever the outcome of the vote tonight, we will all accept the decision of this House. That is what democracy is all about. But let there be no wringing of the hands on the one hand nor shaking of hands on the other. Each of us owes it to our society to find a better way to protect the life of the innocent than we have today.

Ms. Sheila Copps (Hamilton East): Mr. Speaker, I think it is fairly obvious for those people who are in the gallery tonight that most Members already have their minds made up on this issue and, in fact, those who are putting their positions for or against in many cases are putting their position for the record. It is for that reason that I would like to spend a few moments on the process, the process in particular, because we have heard the Prime Minister (Mr. Mulroney) state in this House only a few short days ago that to him the whole notion of capital punishment was "morally repugnant."

• (2340)

One would think that the notion of moral repugnance would reflect the position of the Government and how it would have treated the debate from start to finish. Yet we are aware that the same Government that claims that capital punishment is morally repugnant has in fact put a muzzle on Members of Parliament from all sides of the House who would like to speak their piece on this issue. In fact, we are faced with a closure motion which means that on my side of the House, to date only 22 Members have had an opportunity to speak. That is a little over 50 per cent of them.

I see in the Chamber here tonight the Hon. Member for York West (Mr. Marchi), for example. Has he had a chance to speak on this most important issue? No, he has not because the Prime Minister and the Deputy Prime Minister (Mr. Mazankowski) have chosen to invoke closure on an issue which they claim is morally repugnant to them. If that is so, why closure? Why the muzzle? Why the decision to curtail debate in this most insidious way? It is a guillotine motion and it is appropriate under the circumstances.

I think we must examine the process. Let us look at what we are being asked to vote on tonight. It is not simply the question of the principle of capital punishment but if this motion passes, we in the House of Commons will set up a parliamentary committee that will travel from one end of the country to the other to examine whether people should die by poison, by arsenic, by hanging or by the electric chair. The committee will determine which particular ghoulish and garish form of capital punishment is the most appropriate. If the Government and the Prime Minister were truly serious about involving Parliamentarians in this debate in an effective and complete way, they would have supported the motion which would have permitted this resolution dealing with whether or not we support the principle of capital punishment to be debated across the country.

If this motion passes tonight, we will see the ridiculous spectacle of a travelling parliamentary committee going from St. John's, Newfoundland, to British Columbia asking the people not whether or not we should invoke capital punishment but how it can be carried out. When we moved an amendment which would have permitted Canadians to have input on the question of to kill or not to kill, it was defeated by an overwhelming majority of government Members, including those who say that they are abolitionists.

We must examine the hypocrisy of the process. I for one during the last federal election knocked on doors throughout my riding and was constantly confronted with this statement: "The Conservatives will bring back the noose so I'm going to support the Conservatives". On the government side of the House, the Prime Minister has said that he personally abhors capital punishment and finds it morally repugnant. Yet he has set in motion all the wheels that will permit the return of capital punishment.

If the Government truly finds that capital punishment is morally repugnant, why has it set it up as number one on the agenda? Why has it determined that of all the problems confronting the country, the problem that deserves our attention in the House and as part of a travelling committee is the question of capital punishment? Is that moral leadership? Is that the kind of leadership we can expect from someone who made a wonderful speech last week but when it came time to show leadership and to allow Canadians themselves to have input into whether or not we should have capital punishment, he snuffed debate. He snuffed it by closure and he snuffed it by way of a resolution which asks Parliamentarians not to ask the people about the principle of capital punishment but to ask the people whether we should kill by way of poison, of the noose or of the electric chair.

So I think the process has been a sham and a farce. The senior leadership of the Government has stated that they are abolitionists, they are opposed to capital punishment. Yet at every opportunity, they brought forward instruments which aid and abet the cause of the return to the noose.

I say shame on the Prime Minister who had a chance to show moral leadership. He had a chance during the last federal election to tell the people of Canada that he does not support capital punishment and he will not assist in any way the return of capital punishment as long as he is the Prime Minister and leader of the country. That is the challenge he faced, but instead he attempted to go before the people during the election campaign and say that he will bring in a free vote and will reopen debate. He turned his back on the kind of moral leadership he should have shown. Instead, he reopened the debate which we felt had been closed many years ago.

Mr. Clark (Yellowhead): Because he believes in Parliament.

Ms. Copps: The Right Hon. Member for Yellowhead (Mr. Clark) said it is because he believes in Parliament. Last week the Prime Minister said that capital punishment was morally repugnant to him. If he is the leader of this country, he should not facilitate in Parliament the return of capital punishment, something which he claims to find morally repugnant. It is inconsistent and hypocritical.

Mr. Dick: What is your opinion?

Ms. Copps: My opinion is the same one I stated when I was out on the hustings in 1984. I did not attempt to buy votes with some kind of a phoney claim about capital punishment. I went to the people of my riding and told them that if they believed that their Member of Parliament should go to Ottawa and support capital punishment, they should not vote for me because I will never support a motion which will lead to death and murder, whether it be by poison, by the electric chair or by the noose.

Back in 1984, I stated the way I felt. I invited the voters of my riding to look at all three candidates and to make their determination. If they wanted to send to Ottawa someone who would merely be a voting machine and would merely look at the opinion polls, see that 61 per cent of the people are in favour of the death penalty and ergo must support the death penalty, then I suggested that they send another representative to Ottawa. My responsibility as a Member of Parliament is to be in a position to examine all of the ramifications. Indeed, all of those ramifications involve the question of whether or not the death penalty is a deterrent.

Even those who support the death penalty have agreed that at best, the argument of deterrence is a specious one. In the United States, the very states that have embraced and indeed encouraged active use of the death penalty by way of the electric chair are the very states in which there is the highest murder rates. I look to Louisiana, Texas and Florida where there are murder rates of over 14 per cent.

One need only look at bumper stickers in Florida reading: "Only free men carry guns" to see the violent attitude which is enshrined in their commitment to capital punishment. That translates itself into the way they live their lives on a daily basis. I cannot believe for a moment that there are Members of Parliament who would want to adopt the kind of jungle justice which unfortunately has become all too rampant in certain states in the United States.

The other question we must examine is who dies in states where capital punishment is embraced. We need only look at Amnesty International's recent report to realize that in fact it is a horrifying lottery.

• (2350)

If you happen to be black and have killed a white person, your chances of dying by the electric chair are so many times greater than if you happen to be white and have murdered a black person. If colour is an issue, as was so aptly demonstrated by Amnesty International's examination of who died in the United States, how can we, in conscience, reintroduce in Canada a system which quite clearly discriminates, potentially on the basis of gender?

We know, for example, that women are responsible for 14 per cent of violent crimes. Yet, the number of women who have died by way of the electric chair in the United States is very small because traditionally society has not sent women to the electric chair. Do we want to reintroduce a system which would discriminate on the basis of race or gender?

The Member for Guelph (Mr. Winegard) dealt with the question of the possibility of error. There have been instances of people going to the electric chair by mistake. It has been wrongly decided to send people to the electric chair.

As our constituents listen to this debate here in the Chamber tonight or in their homes across the country, they must consider the fact that they are asking us to make a decision about pressing the button, about administering the deadly chemical or, potentially, putting the rope around someone's neck. I ask them in good conscience whether, if they were put in the position in which we are tonight of having to make that decision, they would be as eager to say yes as they are to respond to the public opinion polls.

I firmly believe that when Canadians have a chance to examine this issue and consider the experience of what has happened in states in the United States in which they have continued capital punishment as compared with the states in which they have abolished it, and to study the ramifications of a system of institutionalized murder, they will start drawing back and reconsidering their views on the death penalty.

That is why I am so disturbed that the Government has invoked closure on this very important issue. That is why I am so disturbed that the Government has not permitted a parliamentary committee to examine the principle. It has asked the committee not to examine the principle but merely to look at the methodology. I believe that as Canadians have a chance to examine these issues in greater detail they will join those on all sides of the House who feel that they cannot support the reinstitution of capital punishment in Canada.

• (0000)

[*Translation*]

Mr. Speaker, I already had a few comments on the matter of the process and I am horrified the Government tonight decided to impose closure on such an important matter. I am also horrified the same Government will not let us travel across the country as a Parliamentary Committee to ask the people what they think of the principle of execution.

What they are asking us to do is simply vote on the principle tonight, and then travel from province to province examining whether we are to kill by hanging or electric chair. That is barbaric indeed, Mr. Speaker. Because I believe that when

Canadians have an opportunity to get a closer look at that, as we did as Members of Parliament, when they have an opportunity to look at the American experiences in various States where capital punishment still exists, we see that in those States, for example, murder rates are much higher than in other States where life is respected and capital punishment was abolished.

Mr. Speaker, I am wondering if all Canadians could have been here in our place tonight, whether they would be ready to press the button, to say: Yes, we will kill, we will institutionalize murder in Canada.

Because I think that when Canadians get a closer look at the American experience, the experience in other countries, as soon as Canadians see that capital punishment strikes much harder at Indians for instance, blacks, minorities and the poor, Mr. Speaker, we can see that people will not be prepared to accept surveys favouring capital punishment.

Mr. Speaker, I urge all Members in this House who have not yet made a decision, although I think most of us already made a decision, I urge them to see that such a resolution should never pass if we are to be called civilized people. Otherwise we are not civilized. We are reverting to the law of the jungle.

As far as I am concerned, as a Member of Parliament, even if that means losing this next election, I will never accept the law of the jungle because we have a civilization and we want to put an end to capital punishment.

Mr. Maurice Tremblay (Lotbinière): Mr. Speaker, at the moment when I speak and at the time it is, I will have been the Member who spoke both on the eve and on the day of the vote itself, and I think that even though all Members did not have an opportunity to rise on this issue, a fact which I deplore, I might add, the truth of the matter is that most if not all arguments have been made with respect to this motion.

I do not pretend to have anything new to add to what has already been said, let alone hope to help our few undecided colleagues make up their mind. Still I would simply and briefly express the modest inspiration I drew from this motion.

Mr. Speaker, I was anxious to have a say in this debate not only because of its unique character and because it is a non-partisan issue, but especially because of its humanitarian nature.

A non-partisan vote, a free vote, the freedom to decide whether capital punishment should be restored: the death penalty is the ultimate punishment meted out to someone who has taken somebody else's life. The basic concept which flows from this is the notion of ransom, or retribution, convince others not to do evil, separate the bad citizens from the others.

In this day and age, Mr. Speaker, I would suggest that the economy of life is somewhat deregulated, confused, just as inflationary as the life of the economy. Indeed, health and ecology have now become the haven of morality and the only consensus of so-called liberal societies, so much so, Mr. Speaker, that today smokers are confined to isolation.

Since the turn of the century we have democratized death by turning our citizens into warriors and applying the concept of war, which may have prompted Malraux to say: "A life is worth nothing, but nothing is worth a life".

The murderer does not put much value on life, so can society in turn put little value on the murderer's life?

We do not need capital punishment to render true justice, and this is indeed the basic reason why I intend to vote against the motion under consideration.

Without being history fanatics, we must however look at past experience both at home and in other democracies to find that the facts suggest imposing capital punishment is largely determined by the whims of the judicial system, for instance the inclinations and qualifications of Crown prosecutors, the capacity of the accused to retain a good lawyer, the skill or qualifications of the defence attorneys.

In the past, Mr. Speaker, capital punishment was used disproportionately and unfairly against the poor, the socially underprivileged, people from ethnic or racial minorities.

I believe, Mr. Speaker, that the State has a duty to protect the lives of all its citizens, and as the criminologist André Normandeau so aptly said in an article published in *La Presse* on March 12, 1987: "In the light of the Charter of Human Rights and Freedoms, all citizens are equal and respect for life knows no exception."

The State cannot give itself the right to kill, that would be an incroachment against human rights.

Canada is perceived internationally as a leader in the progressive area of rights and freedoms. By reinstating capital punishment, Canada would be taking a step backward, and while abrogating its international commitment to those standards, it would be imposing a clearly immoral concept and negating that sacred right to life enshrined in our Charter.

Mr. Speaker, we must aspire to a much higher ideal and, while admitting the public's legitimate concern about our criminality, I am convinced that the answer to that fear is not capital punishment. A response with an act we forbid is inconsistant to say the least. If we want to reduce or prevent murders, we must deal with deeper concerns such as economic inequities, alcohol or drug abuse, which is a major factor in road accidents, and an appalling rate of suicide including a majority of young people.

As a matter of fact, Mr. Speaker, if the rate of manslaughters reaches 2.7 in 100,000 people in Canada, it might be important to remember that the rate of suicide is 13.8 in 100,000 people also.

Nothing has shown at any rate that the demise of capital punishment in the past 10 years has resulted in an increase in the number of manslaughters. And no one has proven that

capital punishment, if it were reinstated, would have a deterrent effect here or in other countries.

In short, Mr. Speaker, this debate has taken place hundreds of times in every civilized society since the end of the Second World War. No new facts or unique discoveries have enhanced it in the past few years: in the United States, where this punishment was reinstated in several states, experts in that field have not been convinced that it had any measurable social impact.

The application of death penalty is not only discriminatory, it is irrevocable. Our justice system is human and therefore fallible. Similarly, and due to the wide range of specific circumstances surrounding an offence, individuals who commit murder are very unlikely to be deterred by the consequences of their crimes even if those consequences include the death penalty.

To be meaningful, a punishment should create a memory. A child is punished so that he will remember that a specific gesture, a specific behaviour is wrong, and he will not do it again. A punishment supposes the ability to think. There probably exists also a social memory, and even the least hardened criminals may be sensitive to the deterrent power of capital punishment, but they are not those this motion is aimed at. Again, Mr. Speaker, would it be fair to reinstate the ultimate penalty in Canada while ignoring the complex causes of crime which we must address if we want to create real justice in Canada?

In this troubled age, when our value system has been affected by many changes in the last few decades, we have the duty as individuals, as groups and as governments, to make immediately the decisions necessary to deflect, divert or channel these turbulent flows of changes.

As a Member of Parliament, I must naturally consider the requests of my constituents. However, I also have the right, the duty and the responsibility to act in their best interests by looking for effective solutions to the problems which concern them. It would be doing them a disservice to opt for a quick, ineffective and illusory solution.

Mr. Speaker, such a debate has the disadvantage on the one hand of polarizing opinions, but on the other, it also provides a great number of possibilities for effective political and social action.

If we take refuge in a low level of solutions or challenges, neither individuals nor institutions will be able to face the high diversity and fast-paced changes which must go hand in hand with evolution.

In my opinion, our only option is to vote against the motion if we want to transform our insitutions to face these new conditions. This is the price of the passport which will open up the borders of a viable and reasonably compassionate future. To cross this border, we should certainly not try to eliminate those we feel incapable of changing or view as hardened criminals, but we should instead use our imagination and our ability to prepare our own future, our future as a country and our policy for the future.

Mr. Guy St. Julien (Abitibi): Mr. Speaker, the question before the House this evening is important for Canada's future.

Many of my constituents are opposed to the reinstatement of capital punishment in Canada, and today, the debate on the death penalty is again being discussed in all the media. In 1976, the Canadian Government decided to abolish the death penalty. With many Canadians, we thought that this country had written a major page in its history that would show the world our concern for achieving a greater degree of civilization.

Today, our society can hardly backtrack and go back to a system that tries to substitute one evil for another, without undermining the very basis of its moral strength: its respect for life, for all human life. The gesture of John Paul II who forgave his aggressor helps us understand that in a society like ours, there is always room for forgiveness. Mr. Speaker, I am sure that in Canada and in this House, there are Canadians and Members who have forgiven the murderer of one of their loved ones.

I received many letters from my constituents, including a letter from Msgr. Duchemin, who said:

> The death penalty is a punishment that is unfair, unjust and above all irreversible. Its use increases contempt for human life and lends a false legitimacy to our propensity to seek revenge.

Mr. Speaker, I have to admit I also have constituents who are asking for reinstatement of the death penalty because they are convinced there is a lot of crime in this country. They see acts of violence on television and dozens of reports in the newspapers. Obviously, how to punish such crimes is one of the first things that comes to mind.

Deep inside every human being, there is a powerful instinct that drives him not only to defend himself but to seek justice. It is true that this instinct has been demonstrated in the past, through wars, slavery, torture, discrimination against race, individuals and nations. Although there are still vestiges of these cruel customs, we can say that in recent years and centuries, a better understanding has developed of the dignity of human nature.

The idea of "an eye for an eye, a tooth for a tooth" would probably come to most of us if someone attacked our nearest and dearest. Our immediate reaction would probably be to vote for the death penalty, and not necessarily an easy death. It is precisely for this reason that it is forbidden to take the law into one's own hands, that we have theoretically objective and impartial judges and jurors to make such decisions. Before restoring the concept of pure and simple vengeance in our court system, we ought to give it serious thought and consider to what extent we might stand to lose more in the long term. As punishment, Mr. Speaker, the death penalty is the most absurd option. Punishment is meted out as a corrective

measure. Attitudes can be changed, and even if our prisons often fail to rehabilitate, the system has proven successful now and then. We do not kill someone to teach him how to live. Where the debate takes a more serious turn is when we consider the protection of society and the risk presented by repeat offenders. In the majority of cases the most dangerous individuals are precisely those whom an honest judge will never sentence to death.

Mr. Speaker, I am against restoring capital punishment, but I want to make it clear to the people of Abitibi and to the Government that I look upon murder as a very serious crime and that federal and provincial government authorities must do everything possible to reduce and prevent murders, and to protect each and every one of us.

I fail to understand Canadians and Members of this House who want to reinstate capital punishment. Surely there are among them some who are so afraid of death that they would prefer a quick and sudden death to death at a set time for which we would have time to get prepared, like those who will be sentenced to hang if capital punishment is restored.

Finally, Mr. Speaker, a court system cannot be based on vengeance. And I conclude: We do not kill someone to teach him how to live. I will be voting against the reinstatement of the death penalty.

• (0010)

[*English*]

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, it is with great honour that I take part in this debate tonight. It is a crucial one in the life of this particular Parliament. It is also one which separates individual Members from their Party disciplines and policies.

When the Parliamentary Secretary introduced the motion a short three months ago, he quoted from Edmund Burke, an 18th century politician and philosopher who outlined many of the principles by which we govern today. The Leader of the Official Opposition (Mr. Turner), in his speech immediately following, also quoted the same lines, so too did my Leader, the Hon. Member for Oshawa (Mr. Broadbent) when he spoke to the House on that first day.

Last Monday night, the Prime Minister (Mr. Mulroney) used the same arguments, as did many Hon. Members throughout the course of the debate. I would like to repeat those words because I believe they describe the decision-making process we have been going through and hopefully will complete sometime within the next hour. Edmund Burke said: "Your representative owes you not his industry only but his judgment. He betrays instead of serving you if he sacrifices it to your opinion". What Mr. Burke was saying was that, as a Member of Parliament, I owe the people of Thunder Bay—Atikokan more than just my time and effort. I owe them more than just the opportunity to have their words repeated in this Chamber. I owe them my judgment and my well-thought out, reasonable conclusions. That I believe is why they elected me as a Member of Parliament in 1984. Like Edmund Burke, I believe it is up to us as parliamentarians to present the complete picture, not just opinions or gut feelings. It is my job as a Member of Parliament to listen to the voices of my constituents, weigh the facts and offer my judgment.

My job does not end there, Mr. Speaker. The scientist sees an object and ponders the obvious. The object is broken down and analysed. From the individual parts, the scientist distils the essence of that object. Therefore, the scientist presents the reality of the object and not just the immediate appearance. In this debate on the return of capital punishment, it is our job to be like the scientist.

My constituents in the riding of Thunder Bay—Atikokan, like the constituents of other Members of this House, have a problem. Murder and crimes of violence are occurring in our society. The quick solution many people see is to kill the murderers, then others will not be killed. Therefore, in their minds, the problem is solved. But the problem cannot be solved that easily. Killing one murderer does not prevent another from committing the same crime. Even Charles Dickens, citing the statistics of 167 persons who were under the sentence of death at that time, including 164 who had witnessed the public execution, had wondered whether it was a craving for notoriety which produced the incentive and impulse to commit murder.

State execution does not help the family of the murder victim come to terms with its loss. Even more important, it does not bring the victim back to life. The problem, therefore, has not been solved. As parliamentarians, as social scientists, if you will, we must distil this problem in our society beyond the obvious gut solution. We must break it down, distil its component parts and reach a final solution, one which will actually work.

Let me ask you, Mr. Speaker, what causes murderers to commit their crimes? Do we understand the pressures which result in crimes of passion, or anger, or poverty or desperation? Even in the case of those premeditated, planned murders, is death the only solution for the prevention of future murders? Can we rehabilitate? Is death the only way to protect society from a murderer repeating the crime? Instead of looking at the obvious, we should be spending our time in this Chamber looking at the parts and answering the questions I have outlined. My constituents agree. They have told me they believe it is honourable to explore the reasons for crime and the means to eliminate it beyond the obvious solutions.

Jennifer Tett of South Gillies, Ontario, said: "Why not turn our energies to confronting the causes of increased crime? Killing someone for revenge or public safety is not an answer. Eliminating the underlying reasons for the violent crime is where debate belongs". How can we as a national community create the conditions where murder is not encouraged, where it is not tolerated? How can we create a society where the taking of life is a thing of the past? Perhaps in my community we can start by taking violent newscasts from Detroit off our cable television and replacing it with those of communities to the

south of us which have a different approach, different lifestyle and different society. We can work to protect and nurture the family unit in whatever form, because for an individual without an emotional support system, and without ties of family love, murder becomes so much more casual and without implications.

Murder becomes without implication in the sense that there is no room for grief, no sorrow and no remorse. We must put in place support systems for those too mentally ill to understand or accept the gravity of the frustration and danger they carry with them. We can do more than just react. We can prevent. We must find ways to stop violent crime before it occurs. Instead of thinking about methods of execution, we should be thinking of methods of rehabilitation.

How can our prison systems rehabilitate? How can they modify behaviour? How can they instil the sanctity of life above all else? Why instead do our prisons presently breed viciousness, bitterness and hostility? Why do they further ingrain those feelings of frustration and alienation which may have promoted crime in the first place? Why are we successfully educating those convicted of minor offences so that when they are once again free in society they can read and write and will have mastered a marketable trade and skill? Do they understand how to conform to society's wishes? Do they have an understanding of their legal rights and obligations in such a way that their earlier experiences do not land them in even more trouble? Is the answer to merely confine them for a time, only to release them into a society where they perceive crime as necessary for survival or find it the only alternative to welfare or begging?

Are we to ease them out with the appropriate and real personal skills and resources which allow them to redefine their role in society? Graham Saunders, another resident of South Gillies, wrote to me telling me that the present legal system needs massive reform. He also reminded me that the reinstatement of the death penalty should not be part of that reform. I agree. Instead of thinking, let alone planning, methods of execution, we should be thinking of ways to reform our penal system. It should do more than just enforce periods of inactivity and incarceration between bigger and more severe crimes. It should assist those who begin in a disadvantaged situation, whether through poverty or emotional deprivation, to overcome their handicaps and take their rightful and productive place in society. Instead of talking about killing to avenge, why are we not talking about helping to heal?

I have often received letters from the families of those children lost to men like Clifford Olson. They cry out for relief from the pain of their loss. Some of them see this relief coming from the murder of the Olsons of this world. I cannot change those feelings. I can empathize with their hurt, but I cannot accept their solution. There are others, however, whose children have been violently and permanently taken from them who, due to their strong Christian belief, beg for forgiveness for the guilty and reject capital punishment as a solution. Yet at the very same time in very loud voices they ask—no, they demand—for changes that will reduce the dangers to other children and other humans in the years to come. They cry out for change. That, too, is my cause.

• (0020)

Something else I would like to add comes from a constituent of mine, Mrs. Mary Richardson, who lives in Thunder Bay. She said:

> A desire for revenge is indeed normal on the part of people who have been outraged by murderous acts. But let us not confuse human feelings with moral truths.

We must, as a society, work to eliminate the number of society's children who are taken from us through violent acts of other human beings. Instead of pretending to protect society from murder by institutionalizing it, we should be protecting society through a re-examination and redefinition of our justice system. Murderers, rapists and others convicted of violent crimes should not be allowed out on parole. They should not be allowed back into society until we are firmly satisfied that they understand the gravity of their wrongs and, most important, will not repeat them.

We must do more to protect society and society's keepers. One of the first steps would include a return of two person police patrols throughout this land, along with drastically increased funding for our police forces. That means a greater expenditure of tax dollars at all three levels: federal, provincial and municipal. We must put our money where our mouths have been if we truly believe in protecting our protectors. We must ensure that our prison guards are adequately trained, that there are enough of them and that they are not put in situations in which they will be weaker than those they guard. We must ensure that transition counsellors and halfway workers are not put at risk.

Celia Rygrok, the young halfway house worker recently murdered in Ottawa, should not be invoked as a reason to reinstate the death penalty. No one told the halfway house or the people who work there that the parolee who murdered her had a history of violence against women. Instead, her tragic story should eliminate a system full of cracks which allows people such as Allan Sweeney, the parolee who murdered her, to fall through.

For violent offenders, the sentences available to the judiciary and the extent to which they must be served must be, on the one hand, appropriate to the crime and, on the other hand, they must be deemed to be sufficient protection to society, especially the victim population.

Our incarceration system should have gradual levels of confinements, to return criminals to society in a supportive and watchful manner.

Mo Douglas wrote to me from Thunder Bay saying that a sentencing policy could be put into place that would "emphasize reparative rather than retributive aspects of justice, and promote responsible alternatives to the death penalty."

Can we as parliamentarians honestly say that we have examined all the pieces and that we understand all the implications of the pro-capital punishment stance? Or are we, as Burke warned us, betraying our constituents by limiting ourselves to reflecting their opinions? Even those opinions are not sending as clear a message as some would have us believe.

A recent poll, the results of which were printed in this week's *Maclean's* magazine, began by stating that 61 per cent of Canadians polled said they supported or leaned toward the death penalty. In fact, only 37 per cent of those who said they favour capital punishment were convinced that it is the best solution. A full 24 per cent were only "leaning" toward that final solution.

Also, individuals may have developed their own view on the issue only to have that belief challenged by an event or personal experience. One of my Thunder Bay constituency assistants, a good friend, Rosemary Cox, had for a long time supported the death penalty and therefore the return of it. However, this spring she was called up for jury duty in Thunder Bay. Not only was she selected but she became the foreman of the jury. As a result of that personal experience as a member of the jury and as its foreman she has changed her mind on capital punishment. She no longer supports the return of the death penalty. She said:

> As a jurist I was presented various bits and pieces of information and with them asked to construct a picture of what possibly occurred.
>
> There were conflicting bits of evidence that required a subjective decision to choose this bit and ignore that other bit. There were holes in the picture to be filled in by each jurors' subjective imagination. No one's life should depend on subjective opinions.

We owe our constituents our judgment and perception of the whole, not just the parts, and definitely not just the easy, obvious solution.

I would now like to turn to the words of our future, our young people. Last Tuesday evening as I left the House at ten o'clock I was greeted by a small group of students from Niagara-on-the-Lake. They handed me a leaflet, and this is what it states:

> What the Students from Niagara on the Lake say
>
> We are students from Niagara District Secondary School in Niagara on the Lake, and we are opposed to the re-introduction of the Death Penalty.
>
> We believe that the death penalty is barbaric, and a cruel and unusual form of punishment. We believe that the death penalty destroys life and the moral fabric of our society.
>
> We believe that it is not a deterrent to murder. We believe that the risk of error is great enough to make the death penalty an unacceptable punishment.
>
> We ask you as young people who do not have a vote, that you members in whose hands our future lies, will give us a Canada free of the death penalty; a Canada that can hold its head high among the civilized nations of the earth.

Last night, at my summer camp in Thunder Bay, there was a group of young people who were there to attend my daughter's seventh birthday. I was watching the news while they were gathering in the living-room to play cards. The item about tonight's vote came on and they asked me what my stance was. I told them that I would be speaking against the return of capital punishment and voting against it. They said that that was great. They paraphrased the phrase that a number of people have been wearing proudly on their chests. I saw some of those people in a restaurant where I was having supper tonight. They said: "Why kill people who kill people to show that killing people is wrong?"

I believe that this debate has been, on the whole, necessary and beneficial, particularly if we defeat the motion tonight. It has brought up those questions that are of a deeper nature than just capital punishment. It has put our whole penal system under the spotlight. It has forced us to take good long looks at it. It has also forced us as individuals to look at our moral commitments to our constituents.

I would like to conclude my remarks with another quote from Mrs. Richardson who said:

> Please do what you can to uphold moral decency and to prevent regression to a retributive model of justice. Also, as you have the opportunity, please point out to your parliamentary colleagues, that it is not the function of the judicial system to be the conscience of the Canadian people.
>
> The judiciary is not at fault in this regard. It is the people who must cease expecting the law to tell them what they ought to do, as well as what they ought not to do.
>
> Our country's leaders must help their constituents to understand the consequences of that most prevalent notion that 'it's wrong if you're caught, and right if you're not'.
>
> Please throw your weight in the direction of educative measures to prevent violence.

I wish to speak for an additional moment directly to those Members of the House who are legitimately undecided as to how they will vote later this morning. There are times when we know that voters go into the ballot-box or the voting booth in general elections and do not make up their mind until the last minute. But in this case Members of the House will not be choosing who sits in this place but whether or not we will return the country to a state in which we will kill those convicted of capital crimes.

If the vote is as close as people on both sides of the issue suggest it will be, it is conceivable that one of the undecided Members will actually make the decision. I wish to ask them this. If the decision goes in favour of the return to capital punishment can they in all conscience decide now in the last minute to vote in favour of it? Should they not be deciding to err on the side of life, to err on the side of caution and say no, no to the return of capital punishment?

In conclusion, to Mrs. Richardson, Mr. Saunders, Ms. Tett, the young people of Niagara-on-the-Lake, my daughter Susan and her friends, and the constituents of Thunder Bay—Atikokan and the people of Canada I would like to say one last thing.

• (0030)

I have listened to the arguments, seen the easy solution, and have rejected it. I will not support capital punishment, and I will not vote for it. I urge all Members of this House to consider their respective positions and, when called upon later

this morning to vote, to vote no, no, no on this life and death issue.

Mr. Allan Pietz (Welland): Mr. Speaker, the subject matter of the motion before the House is both complex and emotional in nature. It has aroused a great deal of emotion both here in the House and across the country. My constituents have written in great numbers on this issue, both in favour of the motion and in opposition to it. Both sides have presented extensive and well researched points of view. Some argue that capital punishment could well result in the death of an innocent person. There is no reported case of this ever having happened in Canadian history.

Early in my life, I had the experience of being the foreman of a jury in a capital crime trial. The jury process is very complete. In this particular case, the charge was reduced to manslaughter. From that experience, I can only conclude that justice is well served by our current jury system. While I have stated that there is no reported case of an innocent person having been wrongfully executed in Canada, there have been several cases where convicted murderers have killed a second time.

The question in the motion we are considering this evening is a difficult one, and one which requires Members of Parliament to study both sides carefully. I have been on record since 1984 as favouring the reinstatement of capital punishment for certain crimes. During the federal election campaign of 1984, I stated my position publicly, that position being that I would vote in favour of capital punishment for capital crimes. I took that position publicly at the time so that when the electorate went to the polls, they would know how I would vote on this important issue, as my Party had stated that there would be a free vote in Parliament.

I feel that I have given this issue careful consideration, not only in the past few months but throughout my political career, a career which has spanned more than three decades. One of the positions I held was that of a police commissioner. I also served on the Court House and Jail Committee of the Welland County Council when warden of Welland County in 1960.

I gained a great deal of respect for the work of policemen and jail guards, whose work is so often difficult, life-threatening, and thankless. The statistics gathered on capital crimes are based on police reports. I believe those reports are the best source of data we have and are as accurate as possible.

Because the death penalty has not been used since 1962, I think the best way to look at the statistics is by starting with 1962, rather than 1976, when the death penalty was formally abolished. With respect to policemen killed in the line of duty, the numbers go up and down over the years. According to the Canadian Centre for Justice Statistics, the number of policemen killed was as high in 1984 as it was in any year since 1963.

The numbers I find the most shocking are those having to do with murder in penal institutions. These figures point, unmistakably, to the inability of our prison system to deal effectively with murderers through imprisonment. The annual rate of homicide within Canadian penal institutions has risen by 400 per cent since 1976.

Since the abolition of the death penalty, we average across this country about 11 murder victims a year in our penal institutions. This compares with an average of two murders per year prior to abolition in 1976. This is appalling. It shows, quite effectively, that when murderers are given life sentences, they have nothing to lose, under current practices, by repeating their crime.

I have no intention of reciting some of the horrible, grizzly circumstances by which innocent people are cold-bloodedly killed each and every year in this country. We have heard a few already. We read the papers. We know the stories. We are all afraid, at some level of our being, that this could happen to one of us, or to one of our family, friends, or colleagues.

We "street proof" our children; we don't take unnecessary chances; and we believe in the essential good which exists as part of our human nature. But, we cannot ignore the exceptions. We cannot ignore the horrifying fact of people who have no conscience, people who will kill for money or to feed their own perversions.

Serial killers, whether they operate within the prison system, or out on our streets, must be punished. We owe it to their victims—people our system could not protect. There is no defence, no court of appeal for the innocent victim of a murderer acting with cold premeditation.

I believe the death penalty also has the potential to act as a deterrent. Not all of the time, of course, but enough of the time that I believe that we will be saving innocent lives through its reinstatement. Mr. Neal Jessop, President of the Police Association of Ontario, points out, quite truthfully, that it is impossible to prove that the death penalty is a deterrent or that it is not a deterrent.

Opponents of the death penalty often quote statistics from 1976 to 1985, when the number of murders in Canada remained virtually constant: 701 in 1976, and 704 in 1985. They will say that because there was no significant change in the number of murders during that period, capital punishment is therefore not a deterrent. However, if we examine the longer time frame, from 1962 to 1985, we can come to a much different conclusion. The last year that executions took place in Canada was 1962, and in that year there were 265 murders.

In the years between 1962 and 1976, all of the death sentences were commuted. So that while the abolition of the death penalty here in Parliament did not take place until 1976, in actual practice no executions took place in Canada during this much longer time period.

Opponents of the motion, who argue that capital punishment is not a deterrent, base their case on a selected nine-year

period between 1976 and 1985, during which period they will say the murder rate did not increase, following the enactment of the 1976 legislation abolishing capital punishment. It can also be argued that everyone knew that capital punishment would not be used during the earlier 14-year period between 1962 and 1976, and during that period the murder rate increased dramatically.

Having been in public life through those years and having served as the chairman of the Welland City Police Commission from 1965 to 1971, I well recall the broadly-felt view that the growing lack of discipline associated with the move to relax our laws was in fact contributing to the rising murder rate. Certainly, the murder rate increased coincidental with the capital punishment debate in Parliament, a debate which began here in 1966. In that year, the murder rate was 250. Over the next nine years, it increased yearly: 338, 375, 391, 467, 473, 521, 546, 600, and finally, 701 in 1976.

Murder is the unlawful killing of a human being. The death penalty is punishment for such a crime only after the full exercise of the justice system—a system in which accused murderers are given the right to counsel, to cross-examination, to a trial by an independent and impartial public jury, and to appeal. Laws have been created to protect citizens from anti-social harmful and murderous acts. Those who participate in unlawful behaviour risk punishment by a court of justice.

My position is: the death penalty where justified, that being the case of first-degree murder, where the action has been planned and premeditated. I believe that this is a just penalty for such killers, and I have confidence that this Parliament and our judicial system will ensure that such a penalty is never used indiscriminately; or, in any case, where there is any doubt of a person's innocence.

• (0040)

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, I am pleased to rise in my place to participate in this important debate this evening. I am pleased to have the opportunity to speak, but nevertheless I am not happy that such an occasion is necessary for Members of Parliament.

Let me say at the outset that as one who opposes the return of the death penalty in the country, I respect the views of all Members of Parliament who have spoken on this day and past days on the question of capital punishment. I cannot believe, after weeks and months during which the question has been before us and Members have had time to reflect upon it, that there are any in the House who may not share my view, who are for capital punishment, and who speak for it with anger in their hearts and vengeance in their minds. I accept the word of Hon. Members who support a measure which I believe to be Draconian and not worthy of society in 1987 and say that they support it on the basis of capital punishment being a deterrent. If I do that, I then must ask my colleagues who support capital punishment on that basis whether in fact in the cold light of day we can truly say that capital punishment is a deterrent.

I have a confession to make in the House tonight. I am one of those who some time ago did not know how I would speak this evening or how I would vote this evening, because I was assailed by two things. I was assailed by a concern that I do what is right and by a concern that I remove the emotional baggage all of us in society carry whenever we hear of a crime being committed in which a human life is lost and see it objectively. As a politician I was one of those who wondered what my constituents wanted me to do. Quite frankly, as a politician I was one of those who wondered how I spoke and how I voted would affect my future as a parliamentarian, my re-election; I was counting votes.

I understand tonight those who are in the House, even as I speak, who have not made up their minds. I understand those tonight who, even as I speak, are not sure than when the bell rings for the division how they will vote.

I want to address my comments to them, because for the vast majority of us in the House who have considered this question and made up our minds, our votes are pretty well registered for or against. The reality at this late hour, some 15 minutes or 20 minutes before we vote, is that the scant few in the House who are not quite sure, who are still wrestling with the question of capital punishment, will decide for all of us and for the country whether or not we take the first step down the road to a return of capital punishment.

My Leader spoke some weeks ago in the House on this question. He reminded us of the words of the famous British parliamentarian, Edmund Burke, who told us that our representatives owe us not just a reflection of the views of their constituents on any given day or week but their best judgment. It was that reminder which sent me out to see beyond taking merely the pulse of my constituency, or taking merely the pulse or temperature of the country on a given day on a given question, and asking myself a hard question, whether or not I had given my constituents, as a Member of Parliament, the benefit of my best judgment.

In applying that kind of criteria to myself, one who was doubtful and one who was unsure, I concluded that beyond cosmetic concerns, at least in my case—and I do not apply this to Members who may have an opposite view—I could find no fundamental reason to support the restoration of capital punishment.

There were those who would seek biblical references for the restoration of capital punishment, those who would latch on to the biblical phrase "an eye for an eye" and say, "that is good enough for me; let's restore capital punishment".

I have received correspondence in my own province from the Divisional Commander of the Salvation Army, from the Right Reverend Martin Mate of the Anglican Church of Canada in Newfoundland, from Archbishop Alphonsus L. Penney of the Roman Catholic Church in Newfoundland, and from the Moderator of the Presbyterian Church in Newfoundland,—from diverse and varied religious organizations which cannot

condone nor will interpret the Bible to give comfort to those who would use it to justify a return of capital punishment.

I have also heard from the Newfoundland Association of Social Workers which is indeed working with individuals and families in stress, those who have fallen on the wrong side of the law, those who live in economic and social circumstances which breed and often give rise to violent crime, and is opposed to capital punishment.

Many Hon. Members have said that if we restore capital punishment we can ensure that it is at least a deterrent for those who have committed murder once that they will not murder again. Those who are opposed have said that if we bring back capital punishment we may put to death an innocent person and therefore it is wrong. The issue is not whether or not we ensure that somebody who has murdered once will never murder again or that we be careful not to put to death an innocent person. That is not the issue.

The issue is whether we as a Canadian society in 1987 will find it necessary to throw up our hands in defeat, to say that our criminal justice system is flawed and beyond reform, and to respond to the will of what I call the pack—the will of the pack. All of us have experienced that whenever emotions run high.

I think Canadians who have thought about the matter, not with their hearts and with their stomachs in the grip of the horror of the crime of a loss of a life, want us as parliamentarians to see beyond a simple emotional response. They want us as parliamentarians to reflect the Canada of 1987. They want us as parliamentarians not to throw up our hands in defeat, in frustration at a criminal justice system which is perhaps flawed. They want us not to take the simple solution or the easy route merely to move that capital punishment be restored and to seek some tribal remedy to the ills of our criminal justice system. They want us to tackle the hard questions. They want us to ensure that the punishment fits the crime.

• (0050)

I have heard from a Margaret McDonald of Portugal Cove Road, St. John's, Newfoundland. In her letter in opposition to capital punishment she quotes from the Bible:

> I also ask that you would seriously consider the following:
>
> "I am now giving you the choice between life and death, between God's blessing and God's curse, and I call heaven and earth to witness the choice you make. Choose life."

For those Members in the House who more than any of us bear the burden of decision in this debate, for those who still are not sure as we stand here a scant 10 or 15 minutes before the vote what kind of choice they will make this evening, I say to those Members that I understand the struggle they have. I understand the forces that pull them one way or the other. I ask those Members who are going to decide this issue tonight to search not the front page of *The Globe and Mail*, to seek not their answer in what their constituents told them last weekend, to seek not their answer in what a pollster told them is popular this day or this week. I ask them quietly in the dying minutes of this debate to go away somewhere quiet and to consult their souls, to consult their consciences and to ask themselves whether or not they could truly say that capital punishment, if it is restored, will be a deterrent, and if in bringing that kind of deterrent—and I reject the notion that it is a deterrent—back to this nation, Canada, it will improve the lot of this society.

They must ask themselves what kind of a message Canada will send as the only country in the western world that will have, as part of its criminal justice system, such punishment, state-sanctioned murder. What kind of message will we as Canadians be sending to the world? More important, Mr. Speaker, what kind of message will we be sending to the children of Canada?

It becomes a cliché and perhaps a tiresome one some days to say that the children are the future. To borrow the phrase of the Haida Indians of British Columbia, we did not inherit this land from our ancestors, but we borrow it from our children. Let me say that in borrowing it from our children, let us be mindful of what kind of society we shall leave them. Let it be a civilized compassionate society that believes it can be better, that it can grow, not a society that throws up its hands in frustration and says that the state must have the right to murder as a way of responding to a criminal act of violence.

Hon. Herb Gray (Windsor West): The Order of the House is clear. No Member shall rise to speak after the hour of one o'clock in the morning and all questions shall be decided forthwith. But the question before us is not simply whether this House approves in principle the restoration of the death penalty. It is whether we will rise to express the best in ourselves or do the reverse. The question is what should the impact of the power of the state be on an individual life? The question is also how Members of this House will deal with this kind of fundamental matter.

I ask Members of this House to consider my views and those of others that the evidence does not support the argument that the death penalty is a deterrent to murder. I ask the Members of this House to consider my views and those of many others in recognizing the imperfections in our own criminal justice system, such that there is the risk of error, irreversible error, if the penalty of death is invoked. I ask the Members of this House to recognize that the restoration of the death penalty will put Canada in the company of Iran, Iraq, South Africa and the Soviet Union. Surely not good examples for us when it comes to justice.

I ask Members of this House to recognize that most of those in this country who are calling for the return of the death penalty are actually expressing concern about violent crime in Canada and whether our criminal justice system deals effectively with it. They must recognize, as we recognize, that the death penalty is not the answer to concern about violent crime. In modern times, it has not been the penalty invoked on conviction for all such crime.

In calling for a vote against this motion, I say that we have to recognize at the same time the concern of Canadians about violent crime and the link with it of possible imperfections in our criminal justice system and make a commitment to review that system and be ready to make improvements in it so that there is effective prevention of crime. If that is not possible, that there is then swift arrest, trial and meaningful punishment by way of imprisonment for those found guilty.

I take seriously the views of those that are different from myself on this basic question. I say to Members of this House that we must recall, in the closing minutes of this debate, that here it has long been established that we do our best for our constituents and for our country when we exercise our best judgment on fundamental questions of the kind we are dealing with today, the question of whether the death penalty should be restored.

Here, Mr. Speaker, is the opportunity for all of us to bring together the best of heart and mind, of conscience and judgment. Let us listen to the voices deep within that call upon us to strive to do the best for our country and its people.

I call upon Members of this House to reject this motion. In rejecting this motion, it will mean striving for the best in our society and for ourselves. Surely we can do no less. I say that the Order calls upon us to vote. We cannot put off the decision any longer. Let us listen to those voices within us. Let us listen to those voices calling upon us to do the best for ourselves and our country. Let us join together to vote to defeat this motion.

[*Translation*]

Mr. Carlo Rossi (Bourassa): Mr. Speaker, before we conclude this debate, I would like to say that I believe Hon. Members had an opportunity to express their views.

Before we vote, Mr. Speaker, I think that all Members should personnally search their conscience and, should they vote according to their conscience, knowing my colleagues, I am confident that they will all say no to capital punishment. I am convinced of it.

Some Hon. members: Hear, Hear!

Mr. Rossi: Mr. Speaker, I believe that as good and conscientious Members, all of us in this House should have a unanimous vote: No to capital punishment!

[*English*]

Mr. Riis: Mr. Speaker, I rise on a point of order. In order to facilitate the vote tonight and to make it as clear as possible, the Hon. Members of the House will know that we are first going to vote on a motion moved by the Hon. Member for Yorkton—Melville (Mr. Nystrom) seconded by the Hon. Member for Burnaby (Mr. Robinson). I am suggesting that you seek the unanimous consent of the House to withdraw that motion so the only vote we will have today is on the main motion.

• (0100)

Mr. Deputy Speaker: Is there unanimous consent to allow the Hon. Member to withdraw the motion?

Some Hon. Members: Agreed.

Amendment (Mr. Nystrom) withdrawn.

[*Translation*]

Mr. Deputy Speaker: Pursuant to Standing Order 57, it is my duty to interrupt these proceedings and put every question necessary to dispose of the motion now before the House.

The question is on the motion of Mr. Mazankowski, seconded by Mr. Lewis.

[*English*]

Is it the pleasure of the House to adopt the said motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Mr. Deputy Speaker: All those in favour please say yea.

Some Hon. Members: Yea.

Mr. Deputy Speaker: All those opposed please say nay.

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five Members having risen:

Mr. Deputy Speaker: Call in the Members.

• (0120)

And the division bells having rung:

Mr. Speaker: Before reading the question to the House, and having regard to the special nature of this vote, it would be my intention to proceed with the taking of the division by rows, as was done on Monday, June 8, 1987, when the House disposed of a previous amendment.

Therefore, as is customary, Hon. Members in favour of the motion will be asked to indicate their position first, followed by Members who are opposed.

[*Translation*]

I would ask all Hon. Members in the first row, on my right, who support the motion to rise together. The clerk will call their names. He will start with the Hon. Member closest to the Chair, who will resume his seat once his or her name has been called and recorded.

[*English*]

When the taking of names of Hon. Members in the first row to my right has been completed, I will ask Members in the second, third, fourth, and fifth rows on my right to proceed in a similar manner.

I will then ask Members in the first row to my left, regardless of their Party affiliation, who are in favour of the motion, to rise and remain standing until their names have been called, and I will carry on similarly with the other rows on my left.

Once the votes of Hon. Members supporting the motion have been completed in this manner, I will then invite Members in the first row to my right who are opposed to the motion to rise. I will proceed similarly through the remaining rows on my right, and then follow the same procedure for Hon. Members to my left.

It bears repetition that the taking of names of Hon. Members in every row will begin with the Hon. Members seated closest to the Chair and will continue consecutively along to the far end of the row. This will be so to my right, regardless of rank, and it will be so to my left, regardless of rank or Party affiliation.

During the taking of the vote I would ask all Hon. Members to give the very greatest co-operation and courtesy so that the vote will be taken without any error.

The House divided on the motion (Mr. Mazankowski) which was negatived on the following division:

(*Division No. 223*)

YEAS

Members

Andre
Attewell
Baker
Beatty
Belsher
Binns
Blackburn (Jonquière)
Blenkarn
Boyer
Brightwell
Brisco
Browes
Caldwell
Cardiff
Clifford
Cochrane
Collins
Comeau
Cook
Cooper
Corbett
Cossitt
Crofton
Crosby (Halifax West)
Crouse
Dantzer
Darling
de Cotret
Della Noce
Dick
Domm
Dorin
Duguay
Edwards
Ellis
Epp (Provencher)
Fennell
Fontaine
Fraleigh
Fretz
Friesen
Gagnon
Gass
Gervais
Gormley
Gottselig
Graham
Gray (Bonaventure—Îles-de-la-Madeleine)
Greenaway
Gurbin
Gustafson
Hamelin
Hamilton
Hardey
Hawkes
Hicks
Hockin
Holtmann
Horner
Howie
James
Jelinek
Jepson
Johnson (Bonavista—Trinity—Conception)
Jourdenais
Kelleher
Kempling
Kilgour
Kindy
King
Lawrence
Lesick
Lewis
Lopez
MacDougall (Timiskaming)
MacKay
Malone
Mantha
Martin
Mayer
Mazankowski
McCain
McCrossan
McCuish
McDermid
McKenzie
McKinnon
McKnight
Minaker
Mitges
Nicholson (Niagara Falls)
Nickerson
Nowlan
Oberle
Oostrom
Paproski
Pennock
Peterson
Pietz
Porter
Ravis
Redway
Reimer
Roman
St. Germain
Schellenberg (Nanaimo—Alberni)
Schellenberger (Wetaskiwin)
Scott (Victoria—Haliburton)
Scott (Hamilton—Wentworth)
Scowen
Shields
Sparrow
Speyer
Stackhouse
Stevens
Stewart
Taylor
Thacker
Towers
Vankoughnet
Wenman
White
Wilson (Swift Current—Maple Creek)
Wilson (Etobicoke Centre)
Winegard
Wise
Witer—127

NAYS

Members

Allmand
Althouse
Angus
Axworthy
Benjamin
Berger
Bernier
Bertrand
Bissonnette
Blackburn (Brant)
Blaikie
Blais
Blais-Grenier
Blouin
Bosley
Bouchard
Boudria
Bourgault
Bradley
Broadbent
Caccia
Cadieux
Carney
Cassidy
Champagne (Saint-Hyacinthe—Bagot)
Champagne (Champlain)
Charest
Chartrand
Clark (Yellowhead)
Clark (Brandon—Souris)
Clinch
Copps
Côté (Lac-Saint-Jean)
Côté (Langelier)
Crombie
Crosbie (St. John's West)
Danis
Daubney
de Corneille
de Jong
Desjardins
Desrosiers
Dingwall
Duplessis
Epp (Thunder Bay—Nipigon)
Ferland
Finestone
Forrestall
Foster
Frith
Fulton
Gagliano
Garneau
Gauthier
Gérin
Girard
Gravel
Gray (Windsor West)
Grisé
Grondin
Guilbault (Saint-Jacques)
Guilbault (Drummond)
Halliday
Harvey
Heap
Hees
Henderson
Hnatyshyn
Hopkins
Hovdebo
Hudon
Isabelle
Jacques
Jardine
Jewett
Johnston (Saint-Henri—Westmount)
Joncas
Kaplan
Keeper
Killens
Ladouceur
Landry
Langdon
Lanthier
Lapierre
Layton
Leblanc
MacDonald (Kingston and the Islands)
MacLellan
Mailly
Malépart
Manly
Marchi
Marin
Masse
McCurdy
McDonald (Broadview—Greenwood)
McDougall (St. Paul's)
McInnes
McLean
McMillan
Merrithew
Mitchell
Moore
Mulroney
Murphy
Murta
Nicholson (Trinity)
Nunziata
Nystrom
O'Neil
Orlikow
Ouellet
Parry
Penner
Pépin
Plamondon
Plourde
Price
Prud'homme
Reid
Ricard
Riis
Robichaud
Robinson
Rodriguez
Rompkey
Rossi
St-Julien
Siddon
Skelly
Suluk
Tardif (Richmond—Wolfe)
Tardif (Charlesbourg)
Tobin
Toupin
Tremblay (Québec-Est)
Tremblay (Lotbinière)
Tupper
Turner (Ottawa—Carleton)
Turner (Vancouver Quadra)
Valcourt
Van De Walle
Vézina
Vincent
Waddell
Weiner
Young—148

Mr. Speaker: I declare the motion defeated.

It being after 1 a.m., pursuant to order made earlier this day, this House stands adjourned until 10 a.m. this day.

At 1.40 a.m. the House adjourned.

HOUSE OF COMMONS

Tuesday, June 30, 1987

The House met at 10 a.m.

Prayers

[*Translation*]

POINT OF ORDER

REFUSAL TO ACCEPT PETITION—MR. SPEAKER'S RULING

Mr. Speaker: I am now prepared to rule on the point of order raised on June 15 by the Hon. Member for Churchill (Mr. Murphy) concerning a petition he had hoped to present on child care.

The petitioners were calling upon Parliament to provide the provinces and territories with the immediate short-term funding to expand non-profit child care.

The Clerk of Petitions advised the Hon. Member that his petition was out of order because it entailed public expenditures.

[*English*]

Let me say at once that the advice given to the Hon. Member by the Clerk of Petitions was totally supported by long-standing precedents. Citation 685(3) of Beauchesne's Fifth Edition states:

> The House will refuse to receive any petition that directly asks for a grant of money out of the public revenues unless such grant has first been recommended by the Crown.

This citation is substantiated by all previous editions of Beauchesne in even greater detail, and also in all four editions of *Bourinot's Parliamentary Procedure*.

In addition, we have numerous precedents on the record in the form of Speakers' rulings, dating back to May 7, 1868.

There was one case, on May 19, 1947, where the Speaker allowed a petition praying for an increase in old age pensions, but this was because the Governor General's recommendation had already been signified to a Bill having the same objective.

An important ruling of June 7, 1972, emphasized that the Chair was obliged to ensure that petitions conform to "the historic practices and usages of the House". The Speaker added, and I quote:

> At many times the House has shown itself willing to waive its rules, however strict, to allow the introduction or the passage of a measure it desires, but it has consistently refused to do the same with petitions.

Like so many of our practices, this is one we inherited from the British Parliament. It has been governed by a Standing Order of the British House of Commons since 1713, and the financial initiative of the Crown was rooted in parliamentary procedure long before then.

We must, however, remember that at one time all legislation originated with a petition, and the practice of originating expenditure by means of a petition accompanied by a Royal Recommendation was not an unusual occurrence in the British Parliament.

On page 794 of Erskine May's Twentieth Edition, it is indicated that "the regular use of petitions for initiating expenditures has lapsed", and the British House of Commons now has a Standing Order which prevents the reception of petitions proposing public expenditures in all circumstances.

It is interesting to note, however, that until 1963, a petition from the British Museum for a grant in aid was presented annually by the Home Secretary, who signified the Royal Recommendation.

Faced with such a weight of precedent, the Chair feels unable to reverse a long-standing practice, about which there is no doubt whatsoever. However, I have great sympathy for the argument made by the Hon. Member for Churchill (Mr. Murphy), an argument which, as Hon. Members will recall, was fully supported by the Hon. Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council (Mr. Lewis).

The right to petition Parliament is fundamental to our parliamentary system, and it is not unreasonable to assume that the remedy, in many a situation, could only be found through the expenditure of public funds. A petitioner is entitled to petition for relief in a burdensome situation, so that a mere change in wording could well render a petition in order which might otherwise be out of order. A petition praying for the enactment of a measure which would provide the relief being sought might avoid the restriction imposed by our practice.

[*Translation*]

Personally, I think that a petition does not fall into the same category as Bills, and that if it seeks to change the current practice, however deeply anchored in history it may be, the House ought to consider this procedure. This is the kind of question which the Standing Committee on Elections, Privileges and Procedure might very well entertain, and I intend to draw the attention of the committee chairman to my ruling.

[*English*]

I would say to the Hon. Member for Churchill and the Hon. Parliamentary Secretary that this is certainly a matter in respect of which the Chair can say, despite the deep and long history, which makes it very unwise for the Chair to unilaterally change the practice, the House should consider the practice again; and if the House wishes to make changes, it is perhaps time to consider doing so.

I thank both Hon. Members for their interventions.

* * *

• (1010)

PRIVILEGE

UNANIMOUS REQUEST BY STANDING COMMITTEE

Mr. Speaker: Ordinarily the Chair does not like to proceed with a ruling if the Hon. Member who has raised the matter is not in the Chamber. However, I hope the Hon. Member for Skeena (Mr. Fulton) and other Hon. Members will forgive me doing so this morning because it is the last day before the summer adjournment.

I am now ready to rule on the question of privilege raised yesterday by the Hon. Member for Skeena. He gave a most lucid account of a sequence of events that took place in the Standing Committee on Environment and Forestry, a sequence of events which resulted in the failure to implement a resolution adopted by the committee.

The Hon. Member claimed that the departmental inaction he described impeded him in the fulfilment of his duties and therefore infringed his privileges. Hon. Members will remember that in that case there was a unanimous committee decision to ask a number of government departments to form a committee to proceed to consider and do certain things which the committee wished them to do. As at the date on the application of the question of privilege yesterday, no action had been taken by the departments mentioned to fulfil the unanimous motion of the committee.

The Hon. Parliamentary Secretary to the President of the Privy Council (Mr. Lewis), while arguing that the Hon. Member for Skeena did not have a valid question of privilege, nevertheless expressed his sympathy with his colleague's frustration. The Chair can also sympathize with Hon. Members who in trying to get things done find themselves frustrated by the bureaucratic process. We must, however, recognize that the bureaucracy also has its point of view and when it fails to act there may sometimes be good reasons for it.

However, this is not a matter for the Chair to judge. The Chair can only address the claim of privilege. The practice and precedents in a case of this kind are very clear. The Chair cannot deal with a matter arising from the proceedings of a committee unless the committee makes a formal report to the House, except, I suppose, in some very exceptional circumstances to which I have alluded at another time.

The Hon. Parliamentary Secretary to the President of the Privy Council referred to Citation 76 of Beauchesne's Fifth Edition and to various rulings of the Chair which support the well established principles concerning privilege in relation to committee proceedings. I myself gave a ruling on December 16, 1986, which was consistent with the practice I have indicated. I must therefore rule that the complaint raised by the Hon. Member for Skeena does not fall within the limits of privilege, but this need not deter the Hon. Member from pursuing it by other means.

ROUTINE PROCEEDINGS

[*Translation*]

PETITIONS

GOVERNMENT RESPONSE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table, in both official languages, the Government's response to Petitions Nos. 332-2499, 332-2500, 332-2586, 332-2589 and 332-2630.

* * *

[*English*]

STATUTES OF CANADA

REFERENCE OF DRAFT BILL TO STANDING COMMITTEE

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I am pleased to table, in both official languages, a copy of the Government's proposals to correct certain anomalies, inconsistencies, archaisms, and errors and to deal with other matters of a non-controversial and uncomplicated nature in the Statutes of Canada.

There have been consultations and I believe that if Your Honour seeks unanimous consent to refer this draft Bill to the Standing Committee on Justice and Solicitor General you will find that such consent exists.

Mr. Speaker: The Hon. Minister has made a proposal and indicated that there is consent.

Hon. Bob Kaplan (York Centre): Mr. Speaker, I have received a copy of the Bill. I have had a quick look through it and I agree, on behalf of the Official Opposition, with the procedure proposed by the Minister of Justice.

Mr. Speaker: The Hon. Member for Churchill.

Mr. Murphy: It is okay.

Mr. Speaker: Is that agreed?

Some Hon. Members: Agreed.

* * *

[*Translation*]

EXTERNAL AFFAIRS

TABLING OF ANNUAL REPORT—COLUMBIA RIVER TREATY

Mr. Jack Shields (Parliamentary Secretary to Minister of Energy, Mines and Resources): Mr. Speaker, pursuant to Standing Order 67(10), I am pleased to table, in both official languages, the annual report of the Columbia River Treaty Permanent Engineering Board to the Governments of the United States and Canada for the period October 1, 1985, to September 30, 1986.

* * *

[*English*]

WAYS AND MEANS

TABLING OF NOTICE OF MOTION

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, pursuant to Standing Order 84(1) I have the honour to lay upon the Table copies of a Ways and Means motion to amend the Excise Tax Act, and pursuant to the provisions of Standing Order 84(2), I ask that an Order of the Day be designated for the consideration of the said motion.

* * *

INTERPARLIAMENTARY DELEGATION

PRESENTATION OF INTERIM REPORT OF CANADIAN SECTION—CANADA-U.S. INTERPARLIAMENTARY GROUP

Mr. Pat Nowlan (Annapolis Valley—Hants): Mr. Speaker, pursuant to Standing Order 101, I have the honour to present to the House, in both official languages, the interim report of the Official Parliamentary Delegation of the Canadian section of the Canada-U.S. Interparliamentary Group which attended the twenty-eighth annual meeting of the Canada-U.S. Interparliamentary Group in Vancouver, B.C., from June 4, 1987, to June 8, 1987.

[*Translation*]

PRESENTATION OF REPORT OF CANADA-FRANCE INTERPARLIAMENTARY ASSOCIATION

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, pursuant to Standing Order 101, I have the honour to present to the House, in both official languages, the report of the Canada-France Interparliamentary Association on the twentieth meeting held in France, between May 30 and June 7, 1987.

* * *

[*English*]

COMMITTEES OF THE HOUSE

PUBLIC ACCOUNTS—EIGHTH AND NINTH REPORTS OF STANDING COMMITTEE

Miss Aideen Nicholson (Trinity): Mr. Speaker, I have the honour to present the eighth and ninth reports of the Standing Committee on Public Accounts.

The eighth report deals with Volume I, Sections 2 and 3 of the 1986 Public Accounts of Canada and, in particular, the reservations of the Auditor General concerning the borrowings of Crown corporations and the consolidation of assets, liabilities, revenues, and expenditures of Crown corporations. The committee has requested a government response to the recommendations in paragraphs 7 and 15 of the report.

In its ninth report the committee notes that it has been examining the radar modernization project of the Department of Transport and will continue to do so. However, the committee wishes to state its concerns with the inadequacies in the requirements definition process, the benefit-cost studies, and the impact of the cost control process of the Treasury Board Secretariat.

[*Translation*]

COMMUNICATIONS AND CULTURE—SEVENTH REPORT OF STANDING COMMITTEE

Mr. Jim Edwards (Edmonton South): Mr. Speaker, I have the honour to present the seventh report of the Standing Committee on Communications and Culture on the appointment by Order in Council of Jocelyne Bourgon as a member of the National Film Board. The committee is of the opinion that the appointee has the qualifications, skills and abilities to perform the duties of the position for which she has been selected.

[*English*]

REGIONAL INDUSTRIAL EXPANSION—SECOND REPORT OF STANDING COMMITTEE

Mr. Lawrence I. O'Neil (Cape Breton Highlands—Canso): Mr. Speaker, I have the honour to present the second report of the Standing Committee on Regional Industrial Expansion dealing with the Industrial and Regional Development Program of the Department of Regional Industrial Expansion. Pursuant to Standing Order 99(2), the committee requests that the Government table a comprehensive response within 150 days.

[*Editor's Note: See today's Votes and Proceedings.*]

• (1020)

FARM IMPROVEMENT AND MARKETING CO-OPERATIVES LOANS ACT

MEASURE TO ENACT

Hon. John Wise (Minister of Agriculture) moved for leave to introduce Bill C-78, an Act to increase the availability of loans for the purpose of the improvement and development of farms and the processing, distribution or marketing of farm products by co-operative associations, to amend the Farm Improvement Loans Act and to amend certain other Acts in consequence thereof.

Mr. Speaker: Shall the Hon. Minister have leave to introduce the said Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

Mr. Lewis: Mr. Speaker, I rise on a point of order. I think you will find that there is consent for Bill C-78 to be read a second time later this day.

Mr. Speaker: Is there consent that Bill C-78 be read a second time later this day?

Some Hon. Members: Agreed.

* * *

[*Translation*]

CANADA ELECTIONS ACT

MEASURE TO AMEND

Hon. Elmer M. MacKay (Minister of National Revenue) moved for leave to introduce Bill C-79, an Act to amend the Canada Elections Act and other Acts in relation thereto.

Mr. Speaker: Shall the Hon. Minister have leave to introduce the Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

Mr. Speaker: When shall the Bill be read the second time? At the next sitting of the House?

Some Hon. Members: Agreed.

CUSTOMS ACT

MEASURE TO AMEND

Hon. Elmer M. MacKay (Minister of National Revenue) moved for leave to introduce Bill C-80, an Act to amend the Customs Act.

Mr. Speaker: Shall the Hon. Minister have leave to introduce the Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

Mr. Speaker: When shall the Bill be read the second time?

[*English*]

Mr. Lewis: Mr. Speaker, I think you will find that there is consent for the Bill to be read a second time later this day.

Mr. Gauthier: Mr. Speaker, I take it that consent will be sought later this day but that consent is not given now to second reading of that Bill.

Mr. Lewis: Consent to proceed.

Mr. Gauthier: Mr. Speaker, I am saying that the Hon. Member is seeking consent. We are not giving consent now.

Mr. Speaker: Would the Hon. Member for Ottawa—Vanier (Mr. Gauthier) assist the Chair? I take it that what he is saying is that there is consent now to proceed to second reading of the Bill later this day, but not necessarily consent then to proceed at that time any further. Is that what the Hon. Member is implying?

Mr. Gauthier: No, Mr. Speaker. I see my House Leader in the House right now. I will defer to him. What I was saying to you, Mr. Speaker, is that if consent was sought later this day we may give it.

Mr. Speaker: Perhaps the Hon. Member for Windsor West (Mr. Gray) could assist the Chair.

Mr. Gray (Windsor West): Mr. Speaker, I am sorry that I had to leave the House for a few minutes. I believe that we are dealing with Bill S-11?

Mr. Lewis: And a companion Bill.

Mr. Gray (Windsor West): Yes, and the companion Bill. I believe we had discussed dealing with them together. I am sorry I had to step out of the House when this was being presented. I think what you have in mind is consistent with our discussions.

Mr. Speaker: The proposition of the Parliamentary Secretary is agreed upon by the House?

Some Hon. Members: Agreed.

STATUTE LAW (FINANCIAL INSTITUTIONS) AMENDMENT ACT, 1987

MEASURE TO ENACT

Hon. Tom Hockin (Minister of State (Finance)) moved for leave to introduce Bill C-81, an Act to amend certain Acts relating to financial institutions (No. 2).

Mr. Speaker: Shall the Hon. Minister have leave to introduce the said Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

[*Translation*]

LOBBYISTS REGISTRATION ACT

MEASURE TO ENACT

Hon. Elmer M. MacKay (Minister of National Revenue) moved for leave to introduce Bill C-82, an Act respecting the registration of lobbyists.

Mr. Speaker: Shall the Hon. Minister have leave to introduce the Bill?

Some Hon. Members: Agreed.

Mr. Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

Mr. Speaker: When shall the Bill be read the second time? At the next sitting of the House?

Some Hon. Members: Agreed.

* * *

[*English*]

CRIMINAL CODE

MEASURE TO AMEND

Hon. Bob Kaplan (York Centre) moved for leave to introduce Bill C-263, an Act to amend the Criminal Code (contempt of court).

The Acting Speaker (Mrs. Champagne): Shall the Hon. Member have leave to introduce the Bill?

Some Hon. Members: Agreed.

Mr. Kaplan: Madam Speaker, the law of contempt of court in Canada is in very bad disrepair. I am moving an amendment to the Criminal Code to try to improve it.

I am influenced very much by legislation brought to the Order Paper by the former Government which has not become law. I am thinking also of a decision recently in Toronto involving Harry Kopypo who was found guilty of contempt of court and had a serious penalty imposed upon him but was not allowed in his own defence to prove that the allegations he was making were true. I am not making the point that the allegations were true. I think Canadians were surprised to find that in that type of a situation the truth was irrelevant and not something that could be pleaded by an accused. This amendment, which I commend to the House, I hope will become law during this Parliament.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

• (1030)

FINANCE AND ECONOMIC AFFAIRS

AUTHORIZATION TO TRAVEL

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Madam Speaker, there have been discussions among the Parties and I believe that you would find that there is consent for two motions to be put and dealt with. The first motion is as follows:

> That the Standing Committee on Finance and Economic Affairs be empowered to travel to Vancouver, Edmonton, Regina and Winnipeg from September 20 to September 25, 1987;
>
> to Quebec City, Fredericton, Charlottetown, Halifax and St. John's (Newfoundland) from September 27 to September 30, 1987;
>
> to Mont Ste-Marie (Quebec) on October 13, 14 and 15, 1987, for the purpose of drafting its report to the House;
>
> and that the necessary staff do accompany the committee.

The Acting Speaker (Mrs. Champagne): Does the Hon. Parliamentary Secretary have the unanimous consent of the House to move the motion?

Some Hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

Motions

PUBLIC ACCOUNTS

AUTHORIZATION TO TRAVEL

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Madam Speaker, the second motion is as follows:

That, the Chairman, the Vice Chairman and the necessary staff of the Standing Committee on Public Accounts be authorized to travel to Quebec City, Quebec, from July 5 to 9, 1987, to attend the 9th Annual Meeting of the Canadian Council of Public Accounts Committees.

The Acting Speaker (Mrs. Champagne): Does the Hon. Parliamentary Secretary have the unanimous consent of the House to move the motion?

Some Hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): The House has heard the terms of the motion? Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

* * *

REGULATIONS AND OTHER STATUTORY INSTRUMENTS

CONCURRENCE IN FIFTH REPORT OF STANDING JOINT COMMITTEE

Hon. Bob Kaplan (York Centre) moved:

That the fifth report of the Standing Joint Committee on Regulations and Other Statutory Instruments, presented to the House on March 20, be concurred in.

He said: Madam Speaker, I rise today to seek the concurrence of the House in the fifth report of the Standing Joint Committee on Regulations and Other Statutory Instruments which was tabled in the House on March 20, 1987. At the outset, I should mention that my co-chairman, Senator Nathan Nurgitz, already moved and secured the concurrence of the other place in this report on May 6, 1987.

This report, which was unanimously adopted by members of all Parties on the committee, deals with the by-laws made by Indian band councils pursuant to the Indian Act. As Hon. Members will know, this Act delegates important law-making powers to band councils. The by-laws made by those band councils typically cover a wide range of matters of local Government on the reserves from property zoning to the sale of intoxicants. The by-laws affect all those who reside or do business on reserves in their every-day lives and occupations.

If Hon. Members would turn to Appendix "A" of the report which is before the House, they would find a list of the law-making powers which Parliament has delegated to band councils. By-laws made pursuant to those powers are subject to review and scrutiny by our committee in accordance with Section 26 of the Statutory Instruments Act.

From 1982 to 1985, our committee reviewed each bylaw made by band councils. We found that a great number of these by-laws did not conform to the scrutiny criteria which we had been using with the approval of both Houses. Unfortunately, we also encountered difficulties in pursuing the problems which were identified. The reasons behind these difficulties are detailed to a greater extent in the correspondence which my colleagues and I exchanged with the responsible Minister. That correspondence can be found in Appendix "B" to the report.

On the basis of its experience, the joint committee came to conclude that its review of by-laws made under the Indian Act served, and I quote from our report: "a limited practical purpose at best and may not even be entirely appropriate when one considers that these by-laws are made by band councils whose members are democratically chosen by the people they represent".

On this basis, the joint committee decided that it would not review band council by-laws on an individual basis in future and that it should submit this decision to both Houses. We felt it important to draw this to the special attention of the Houses and to ask that they concur in the committee's decision to limit in this way the manner in which it will discharge its responsibilities under Section 26 of the Statutory Instruments Act. As stated in our report, committee members believe that this approach respects the fact that these legislative decisions are those of democratically elected representatives.

The report also recommends that the Statutory Instruments Act be amended so as to exempt band council by-laws from the examination, registration and publication requirements of the Act. The requirements which otherwise apply to the regulations made under the federal legislation are of little practical value in the case of by-laws made under the Indian Act. In fact, most of the by-laws made by band councils have now been exempted from those requirements through Order in Council. We are recommending that those exemptions be formalized by Parliament.

In our system of Government, it is expected that administrative authorities who exercise law-making power, whether it be Ministers or band councils, will exercise those powers in accordance with regulatory control mechanisms designed to ensure that the resulting laws are fair, reasonable and authorized by law. As I mentioned earlier, the joint committee's experience with by-laws made under the Indian Act has shown that there are substantial problems with the manner in which those powers are sometimes exercised by band councils.

The Indian Act does contain some regulatory control mechanisms which are intended to avoid this. For example, a number of by-laws are currently subject to disallowance by the Minister of Indian Affairs (Mr. McKnight). We have found, however, that there are serious problems not only with some of the band council by-laws but also with the existing regulatory

control mechanisms. In this respect, the report lists a number of suggestions which are designed to improve the law.

Two specific amendments to the Indian Act have been recommended. First, we recommended that the Act be amended to guarantee the right of those living on reserves to adequate notice of new by-laws and the right to have access to those by-laws. Second, your committee believes that the Act should prohibit convictions for breach of a by-law unless it is shown that reasonable steps have been taken to bring the law to the attention of the person who is charged.

As for the existing power of disallowance of the Minister under the Indian Act and the more general question of adequate regulatory control mechanisms, the committee received assurances from the responsible Minister that his Department was preparing a disallowance policy and a review of the jurisdictional scope and administrative treatment of by-laws. We recommend that these documents be referred to the appropriate committees of the Houses for study.

In the last few days, I myself have spoken with officials of the Minister of Indian Affairs. I hope there will be a response to the statement I am making now along the lines I have suggested.

Finally, in the course of the preparation of the fifth report, it came to the attention of the committee that about 100 by-laws made under Section 85(1) of the Act had not been registered as required by law. These are penal by-laws which prohibit or regulate the sale or consumption of intoxicants on reserves. Legally the consequence of not having registered these by-laws is that no person may be convicted of violating those prohibitions. This rule of law was set down by Parliament in Section 11 of the Statutory Instruments Act.

• (1040)

Notwithstanding this rule, the committee was informed that a number of Canadians have been convicted for violating some of these by-laws in using intoxicants on reserves. You will agree, as I am sure all Members will, that these unlawful convictions of Canadian citizens are a matter of grave concern so far as the rule of law is concerned. Because of this the committee has recommended that the Government take all necessary remedial measures *vis-à-vis* those individuals who have been unlawfully convicted. The particular recommendations of the committee in this regard will be found in our report.

In conclusion, I want to reiterate that this report represents the consensus of all members of the joint committee representing all Parties in this place. This committee has a long and well-established tradition of doing its work in a completely non-partisan fashion and the report I have tabled and on which I am moving concurrence reflects this tradition. The recommendations we have put before you are reasonable and non-contentious. They are designed to improve the law and the processes under which native people govern themselves. The report, as I mentioned at the beginning of my intervention, has already been concurred in unanimously in the other place and I ask for similar support from Members of this House.

Mr. Stan Schellenberger (Parliamentary Secretary to Minister of Indian Affairs and Northern Development): Madam Speaker, in responding to the Hon. Member, I want to say that I followed the committee's work as it relates to Indian and northern affairs. I watched the proceedings closely.

The report of the joint committee outlines their concerns with the manner in which the Government deals with by-laws enacted by band councils pursuant to various provisions of the Indian Act. The concerns of the joint committee focus on the need to ensure that band by-laws are fair, reasonable and valid, and that they comply with or are properly exempted from provisions of the Statutory Instruments Act.

Particular concern was noted with problems related to convictions under the intoxicants by-laws passed pursuant to Section 85(1) of the Indian Act. In the last fiscal year 1986-87 some 68 band councils passed 99 by-laws. Of those, 74 dealt with general topics, five with financial matters, and 20 with intoxicants. In total the department recorded over 2,200 by-laws passed by band councils under the terms of the current Act.

There is particular interest on the part of the Government in the powers of Indian bands to enact by-laws as these powers are consistent with the Government's strong commitment to advance and promote Indian self-government. As part of the over-all review by the department of the functions of the Lands, Revenues and Trust sector of the department, a comprehensive review is being carried out on the by-law making process. The review is being conducted by the office of the Comptroller General and results are expected in another year. It is anticipated that the review will come forward with recommendations for improvement of the by-law making process in areas within and outside the purview of the report.

The report also calls into question the validity of band enactments and the processing of same. In addition, it emphasizes the need to ensure that if the requirement to comply with the Statutory Instruments Act was removed, steps would be taken to ensure that persons affected by the by-laws were given notice of such by-laws and that convictions under by-laws were subject to proof of such notice.

As joint chairman of the Standing Committee on Regulations and Other Statutory Instruments, the Hon. Member certainly recognizes the complexities raised in this report. The department is in the process of reviewing the report in consultation with other concerned departments. In accordance with the committee's request a comprehensive response to the report will be tabled in this House within the required time frame.

For reasons I have just identified, including the fact that the Government is in the process of preparing a full and complete response, and as provided for in the Standing Orders, I move:

That the debate be now adjourned.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: On division.

Motion agreed to.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Madam Speaker, there have been discussions among the Parties and I think you will find there is unanimous consent to revert to presenting reports from committees for the presentation of a report.

The Acting Speaker (Mrs. Champagne): Is there unanimous consent?

Some Hon. Members: Agreed.

* * *

RESEARCH, SCIENCE AND TECHNOLOGY

PRESENTATION OF THIRD REPORT OF STANDING COMMITTEE

Mr. Bill Tupper (Nepean—Carleton): Madam Speaker, as chairman of the Standing Committee on Research, Science and Technology I have the honour to present in both official languages the third report, to which, pursuant to Standing Order 99(2), the committee requests a comprehensive response.

[*Editor's Note: See today's Votes and Proceedings.*]

* * *

[*Translation*]

PETITIONS

REQUEST THAT NCC REVIEW THE RENTAL INCREASE FOR LA MAISON D'AMITIÉ

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Madam Speaker, I should like once again to table 11 petitions concerning the *Maison d'Amitié*, a home for women and children in distress. In view of the fact that the House will be adjourning later this evening without any concrete action being taken by this Government for the *Maison d'Amitié* or other homes which will have to close once again due to the lack of money, I ask the Government once again to allow the *Maison d'Amitié* to maintain its rent at the nominal fee of $1 until the implementation of a national policy which would effectively solve the problems met by a million women and children victims of family violence.

The petitioners, Madam Speaker, humbly state that according to a report made public by the Canadian Advisory Committee on the Status of Women one woman out of eight is subjected to psychological, economic, sexual or verbal violence by her spouse. At a time when the Government should act instead of cracking down, the National Capital Commission intends to raise by more than $3,000 a month the rent for the *Maison d'Amitié*, the only francophone non-profit organization in the area for women and children in distress.

The Prime Minister (Mr. Mulroney), stated recently in the House that the problem of battered women is one of the most serious social and legal challenges facing us today; therefore your petitioners humbly pray and call upon Parliament to urge the National Capital Commission to reverse its decision to raise the rent and to continue, as in the past, charging the symbolic sum of one dollar.

REQUEST FOR GOVERNMENT CHILD CARE ALLOWANCE FOR HOMEMAKERS

Mr. Ricardo Lopez (Châteauguay): Madam Speaker, I should like to present to the House a petition signed by some 1,000 residents of my constituency of Châteauguay. Those residents are asking the Parliament of Canada to grant a child care allowance for homemakers. Indeed, they are asking a small allowance which will not increase the burden of taxpayers but will be reallocated from subsidies to child care centres and from the program to promote the status of women.

[*English*]

LOW-LEVEL FLIGHTS AT ARMED FORCES BASE AT GOOSE BAY

Mr. Dan Heap (Spadina): Madam Speaker, it is my honour and privilege to present a petition signed by a number of residents of Toronto concerning the low-level flight training of pilots of NATO countries at the NATO Forces Base in Goose Bay, Labrador.

• (1050)

The petitioners are concerned that this program disrupts the way of life of many of the native people there and that better employment could be found for those native people in their traditional activities or in modern ones such as tourism and mining. They also point out that this activity is a provocative and aggressive war-fighting action which tends to endanger world peace.

Therefore, they petition Parliament to ensure that all low-level flight training at Goose Bay Canadian Forces Base will cease and that negotiations with NATO for the establishment of a larger base there will cease.

This brings to more than 1,170 the number of people who have petitioned Parliament on this matter.

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Dan Heap (Spadina): Madam Speaker, I also have a petition from a number of residents of Toronto with regard to the matter of refugees who have been coming to Canada seeking safety from persecution and finding that our system has been overloaded, broken down, and subject to intolerable delays. They therefore recommend that Parliament adopt the

proposal put forward by the all-Party Committee on Labour, Employment and Immigration and supported by such national groups as the Canadian Council of Churches, the Canadian Jewish Congress, the Bar Association and other groups.

They ask that Parliament enact legislation which will embody the principles of fair and quick oral hearings of refugee claimants before a refugee board independent of the Immigration Commission, universal access to such hearings by the claimant in Canada, and adequate opportunity to arrive in Canada to make this claim.

This brings to more than 1,650 the number of petitions received on this subject.

Finally, Madam Speaker, I have a petition from people in many parts of Canada concerned that the Government's Bill C-55 would threaten Canada's traditional commitment of assistance to refugees because it sets out measures designed to keep most refugee claimants out of the country as opposed to ensuring that genuine refugee claimants are given protection.

Therefore, they petition Parliament to ensure that Bill C-55 will be withdrawn and that a new Bill will be brought in embodying the principles of fair and quick oral hearings of claims of refugees before a refugee board independent of the Immigration Commission, universal access to these hearings for every applicant in Canada, and the right to appeal on the basis of fact.

This brings to more than 820 the number of petitions received on this subject.

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Madam Speaker, the following questions will be answered today: Nos. 84, 85 and 144.

[*Text*]

WESTBANK INDIAN BAND

Question No. 84—**Mr. King:**

1. For the fiscal years 1985-86 and 1986-87 to date, did the Westbank Indian Band receive funds from the Department of Indian Affairs and Northern Development and, if so, for each year, by program, in what amounts?

2. For the fiscal year 1986-87 to date, have funds been agreed upon which remain unpaid and, if so, by program, in what amounts?

3. If the difference for any program between funds received in 1985-86 and funds received plus those yet to be received in 1986-87 is greater than 10 per cent, what is the reason for the difference?

4. Have new contribution agreements been signed by the Westbank Indian Band during the 1986-87 fiscal year to date, and, if so (*a*) what are they (*b*) which of these replace previous agreements?

Hon. Bill McKnight (Minister of Indian Affairs and Northern Development): 1. In fiscal years 1985/86 and 1986/87 the Westbank Indian Band did receive funds from the Department of Indian Affairs and Northern Development as follows ($000's):

Program	Actual 85/86	Paid to Feb. 28/87	To be paid 86/87	Total 86/87	Per Cent Change
Social Development	1053.2	1036.4	–	1036.4	(2%)
Education	83.6	75.7	18.0	93.7	12%
Band Government	181.7	167.0	17.0	184.0	1%
Community Infrastructure	50.3	45.0	3.0	48.0	(5%)
Economic Development	56.9	67.9	–	67.9	19%
Lands & Membership	241.7	98.1	–	98.1	(59.4%)
Capital	70.0	129.4	17.6	147.0	110%
Total	1737.4	1619.5	55.6	1675.1	

2. $55.6 to be paid, see breakdown by program in above table.

3. Reason for difference of funding in any program between 1985/86 and 1986/87 exceeding 10 per cent is as follows:

Program	Per Cent Difference	Reason
Education	12%	Increase in the number of post-secondary students due to Bill C-3
Economic Development	19%	Project specific funding greater in 86/87
Lands & Membership	(59.4%)	173.7 funding from H.Q. for land management not allocated in 86/87; also Sec. 53 and 60 authority granted in 85/86 so start up funding provided in 85/86 not provided in 86/87.
Capital	110%	Project specific funding greater in 1986/87.

Starred Questions

4. Annually, new Contribution Agreements are signed by the Westbank Indian Band and the Department of Indian Affairs and Northern Development to flow funds for all of the various programs of the Department for which the band is eligible. This was done in 1986/87 for the Westbank Indian Band and similarly for all bands in the B.C. region.

The agreements do not replace previous agreements as such, but do include any funding commitments which may span across two fiscal years (e.g., a Capital Project).

The Contribution Agreements signed during 1986/87 are as follows:

Local Services Contribution Arrangement (for all Operations and Maintenance programs).

Capital Housing	60.0
Capital Infrastructure	87.0
Economic Development	67.9

INTERNATIONAL TIN COUNCIL

Question No. 85—**Miss Nicholson (Trinity):**

1. Has the Government contributed to the operation of the International Tin Council since the Council's default on its debt in March, 1986, and if so, in what amount?

2. Has the Government been made party to any legal action arising out of the default of the ITC and, if so, how much (*a*) has been expended by the Government for legal advice (*b*) does the Government expect to spend?

3. (*a*) Has the Government taken any action to bring to an end the default of the ITC (*b*) does it propose any such action that would limit the Government's legal liability to persons who have suffered loss and damage from the default?

Right Hon. Joe Clark (Secretary of State for External Affairs): 1. Yes. In 1986-87, the Canadian contribution was f47,817 (approximately $95,000).

2. (a) Yes. In 1986-87, f200,899 (approximately $402,000).

(b) The future amount for legal advice is impossible to estimate as it will depend on the evolution of the litigation before the courts.

3. (a) Canada has assisted the ITC in its efforts to find a solution.

(b) No, Canada is not responsible for the debts of the ITC.

CANADIANS KILLED IN MEXICO

Question No. 144—**Mr. Minaker:**

From November 1, 1984, to April 1, 1987, were any Canadians in Mexico (*a*) killed as victims of criminal actions (*b*) assaulted or had other criminal offences committed against their persons or property and, if so, (i) how many (ii) in each case, what was the name of the town or city where the act occurred and were criminal charges laid?

Right Hon. Joe Clark (Secretary of State for External Affairs): The following Canadians were killed or injured in Mexico, as a result of criminal actions, since November 1, 1984. To our knowledge criminal charges have been laid only in the case of Mr. Placide Dodier.

Killed or assaulted	Place	Date
Danna Mart Fujikawa — murdered	Guadalajara	January 25, 1985
Tamara Fujikawa — assaulted	Guadalajara	January 25, 1985
James Stobbard — mugged: officials claimed he was hit by a bus	Mazatlan	September 9, 1985
Paul de Luca — shot and killed	Reynosa	February 6, 1986
Danny Douglas Clark — shot and killed	Puerto Vallarta	March 17, 1986
Ham Boehni — killed in hit and run accident	Ciudad Jurez	April 15, 1986
Placide Dodier — shot and killed	Matamoros	April 28, 1986

[*English*]

The Acting Speaker (Mrs. Champagne): The questions as enumerated by the Parliamentary Secretary have been answered.

* * *

STARRED QUESTIONS

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Madam Speaker, would you be so kind as to call Starred Question No. 141.

FAILURE OF CANADIAN COMMERCIAL BANK AND NORTHLAND BANK

Question No. *141—**Miss Nicholson (Trinity):**

1. Is the Government being sued as a result of the failures of the Canadian Commercial Bank and the Northland Bank and, if so, what individuals or other bodies have instigated legal action, and on what grounds?

2. Has the Government sought legal advice and taken legal action and, if so (a) who is advising the Government or acting on its behalf (b) what amount has been expended for this purpose (c) are further expenditures contemplated or anticipated and, if so, to what extent?

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Madam Speaker, the answer is as follows:

(1) The Government is presently involved directly or indirectly in three suits as a result of the failures of the Canadian Commercial Bank (CCB) and the Northland Bank. The first two suits are in relation to the Financial Institutions Depositors Compensation Act, S.C. 1984-85 c.51 whereby the Nova Scotia Savings & Loan Company and the Saskatchewan Co-op are suing the Government. The issue of these suits is whether or not the promissory notes that each institution held from the CCB are deposits within the meaning of the Act and therefore whether or not the Government owes them compensation under the Act. The other legal action was initiated by the Bank of Montreal against Her Majesty in respect of the March 1985 Participation Agreement. The Bank of Montreal essentially alleges negligence on the part of the Government in respect of the information made available to the bank prior to participating in the Participation Agreement.

(2) The Canada Deposit Insurance Corporation (CDIC), on behalf of the Government, initially sought some advice from the law firm of Tory, Tory, DesLauriers and Binnington in respect of the Nova Scotia Savings & Loan and Saskatchewan Co-op actions. However, that action is now being handled by the Department of Justice. The fees paid to Tory, Tory, DesLauriers and Binnington were $300 and no further expenditures to non-government agencies in respect of the pursuance of those suits are anticipated.

With respect to the Bank of Montreal suit, both the Department of Justice and the law firm of Campbell, Godfrey and Lewtas are acting on behalf of the Government, with the Department of Justice acting as solicitor in the matter. The law firm of Campbell, Godfrey and Lewtas has been retained because of its familiarity with the circumstances surrounding the CCB situation and the demands made upon the Department of Justice. Therefore, a combination of personnel from the Department of Justice and Campbell, Godfrey and Lewtas represents the most efficient use of personnel in these circumstances.

The expenditures thus far have been $1,186.66 in respect of payments to Campbell, Godfrey and Lewtas and it is difficult to predict at this point in time whether further expenditures will be made.

Madam Speaker, I would ask that all the remaining questions be allowed to stand.

The Acting Speaker (Mrs. Champagne): Shall the remaining questions be allowed to stand?

Some Hon. Members: Agreed.

* * *

POINT OF ORDER

GOVERNMENT RESPONSE TO MOTION FOR PAPERS

Mr. Rod Murphy (Churchill): Madam Speaker, I rise on a point of order with regard to a motion moved on June 10, 1987, as reported on page 6963 of *Hansard*. The motion was adopted by the House. It was as follows:

> That an humble Address be presented to Her Excellency praying that she will cause to be laid before this House a copy of the Cape Breton Development Corporation's five-year plan.

I pointed out in a previous intervention on June 17, 1987, that that was not what was produced by the Parliamentary Secretary to the Government House Leader (Mr. Lewis). At that time he tabled in the House only a summary of the Cape Breton Development Corporation's plan. I made it very clear in a previous intervention that I was requesting the full plan as that is what I believe the motion requests.

At the time of my earlier intervention I was told by the Parliamentary Secretary that he would look into this matter and give me an answer. I think June 30 would be an appropriate day for me to get an answer on this.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Madam Speaker, my hon. friend and I are engaged in a question of semantics. The Government did in fact table the summary of the Cape Breton Development Corporation's corporate plan. There are certain things in the over-all specific plan which are confidences of the Privy Council. It is custom that only summaries of corporate plans of Crown corporations be tabled and made public. I think you will find, Madam Speaker, that the Government has complied with the statute in this case.

Mr. Murphy: Madam Speaker, the motion is quite clear. It speaks of "a copy of the Cape Breton Development Corporation's five-year plan". There is no reference whatsoever to the words "summary", "executive summary" or any other condensation of that plan.

Recognizing the amount of business that has to be done by the House today, I would like to give notice of a point of order and would like to have a ruling at some time in the future on what the motion which was passed by this House requires of the Government. I submit that the motion is quite clear and does require the tabling of the entire five-year plan. I ask for a response from the Chair, perhaps in early September.

* * *

PETITIONS

RIGHT TO LIFE OF THE UNBORN—PROTECTION OF CRIMINAL CODE

Mr. Benno Friesen (Surrey—White Rock—North Delta): Madam Speaker, I thank Hon. Members for giving me this opportunity to present a petition on behalf of residents of Port Coquitlam, Langley and Surrey which says, in part, that all human beings are deserving of legal protection from unjust attacks upon their lives and that the present law regarding abortion does not provide such protection, wherefore, the undersigned, your petitioners, humbly pray and call upon Parliament to amend the Criminal Code so that unborn human beings are protected by law from abortion.

The petition has been duly certified by the Clerk of Petitions.

GOVERNMENT ORDERS

[*English*]

FINANCIAL INSTITUTIONS

MEASURE TO AMEND

Hon. Tom Hockin (Minister of State (Finance)) moved that Bill C-56, an Act to amend certain Acts relating to

financial institutions, as reported (with amendments) from the Standing Committee on Finance and Economic Affairs, be concurred in.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

• (1100)

Mr. Hockin moved that Bill C-56, an Act to amend certain Acts relating to financial institutions, be read the third time and passed.

He said: Madam Speaker, I am pleased to take this opportunity to speak briefly on third reading of Bill C-56, an Act to amend certain Acts relating to financial institutions.

The Bill contains an important new provision to permit federal financial institutions to own securities dealers. We are all aware that financial institutions are eager to take up the challenge offered by the opportunity to become more involved in the securities industry, and I expect this development to greatly strengthen the capitalization of Canadian securities dealers. The power to own a securities dealer will also be available to foreign-owned federal financial institutions operating in Canada. Although entry is not guaranteed and, in considering applicants, we will look at the extent to which Canadian institutions have access to the home jurisdiction of the applicant, the Bill makes it possible for foreign-owned federal financial institutions to operate in Canada.

The Bill will also strengthen supervisory powers. Specifically, it will give the Superintendent of Financial Institutions the power to issue cease and desist orders to institutions engaging in unsafe or unsound business practices, as well as the power to revalue real estate assets or assets secured by real estate, for the purposes of determining compliance with solvency tests. Regulatory standards applicable to insurance companies are also being strengthened.

I would also note that the clauses which were in Bill C-56 pertaining to ministerial approval of changes in ownership of financial institutions have been withdrawn, but they have been introduced as a separate Bill this morning.

This decision was taken for two reasons which I would like to make clear at this time. First, I was aware of the fact that the industry and parliamentarians wanted more time to consider the share transfer approval provisions. Introduction of the provisions in a second Bill provides that opportunity.

The second reason is that I was acutely aware of the importance, both domestically and internationally, of moving forward with the other provisions of this Bill without delay.

I hope Hon. Members of the House share my views on the need for rapid implementation of these measures. The financial deregulation which is very much in the news today is made possible in large measure by this Bill. I would urge the House to give Bill C-56 third reading as expeditiously as possible.

Miss Aideen Nicholson (Trinity): Madam Speaker, when I spoke during second reading of Bill C-56, I mentioned that my Party had agreed to a short debate at that stage so that the Bill could go quickly into committee. At that time we had been given to understand two things: First, that it was necessary to move quickly because Bill C-56 contains the measures complementing the Ontario Government's initiative to open up ownership of its securities industries set to take effect today, June 30; second, we were given to understand that there were no surprises in this Bill. Apart from the securities proposals, it contains measures carried forward from Bills and draft legislation first introduced as long ago as 19 months and amended slightly.

On that basis we agreed to a brief debate on Bill C-56 at second reading. However, I pointed out in my speech of May 29 that the Government has fallen into a disagreeable habit of dragging its heels on introducing legislation, then attempting to have it rushed through the House and through committee with assurances that everything will be all right if the Opposition just agreed to pass it.

As responsible opposition Members, we readily co-operate to expedite legislation in cases of urgency when it is clearly in the national interest to do so. But all too often, since the present Government came to power, the House has been presented with legislation requiring careful examination and considered debate, and we have been asked to deal with it quickly, without the opportunity to judge for ourselves that the Government's assurances have any validity.

The Bill to put together the bail-out package for the Canadian Commercial Bank is a prime example. We were asked to give that quick passage on the basis of government assurances which we later found to be absolutely worthless. The Government did not have the facts or did not choose to tell the House.

Given that history, it is perhaps not surprising that when Bill C-56 was examined in committee it became clear that there was more to it than met the eye. I refer to the measure which has now been lifted from the Bill, giving the Minister power to review and block transfers of share ownership of financial institutions.

This was not a new proposal. As I said in my speech at second reading, the proposal for a process of ministerial review was in two earlier Bills which were never passed, and in draft legislation before that. However, the proposal as it appeared in Bill C-56 was greatly changed and had a reach far beyond anything we could have anticipated.

Prior to Bill C-56, the proposal had been for a process of ministerial approval, or veto, of share transactions that would result in control of a financial institution or an increase of shares in a financial institution exceeding 10 per cent. The

amended version, which appeared in the now deleted Clauses 10, 44, and 51 of Bill C-56, went far beyond the notion of control and resulted in a requirement for ministerial approval in any situation where a person or associated group acquires more than 10 per cent of a financial institution or increases its holding to more than 10 per cent of any class of shares in a financial institution. The seemingly innocuous amendment—this portion of the Bill which had been played down by the Minister and his officials—in fact introduced a new and quite extraordinary breadth to the measure. It prematurely raised important public policy issues that should not be rushed through in what we had been given to understand was a housekeeping or mechanism Bill.

The Bill set at 10 per cent the threshold at which share transactions would be subject to ministerial approval, but the broad definition of "associated persons", as it applies to the transfer of ownership proposals, would have meant that transactions would become subject to review in companies that had only a marginal connection with the financial institution.

The committee heard some graphic examples of hypothetical share transactions that would be subject to review under former Clause 10 because somewhere in the corporate family tree was a federally-regulated financial institution.

There are two problems with this: First, what the Bill attempted to do; and second, the manner in which it was attempted.

That one small change in the predecessor Bill, which became Bill C-56, would have so amplified the ministerial review process as to enable full implementation of the Government's policy, as described in its December, 1986, discussion paper pertaining to the participation of commercial enterprises in the ownership of financial institutions.

• (1110)

The commercial links policy is something I expected, as I believe most Members of this House expected, to see in the draft Bill which is to appear later this summer and which is supposed to contain all the major public policy proposals, including the Government's over-all policy on ownership of financial institutions. The Government has said it intends to release a draft Bill, hear public response on its major reform proposals and then come back with a Bill in the fall.

However, what appears to have happened with Bill C-56 is a subversion of that process whereby something which should have been in the upcoming major piece of draft legislation was instead craftily insinuated into Bill C-56, which we were told was a "no surprises" Bill that had to be passed quickly to allow the securities deregulation to proceed on June 30, today.

I have maintained from the outset that the Government would have done better to table all its reform legislation at once so that the various proposals could be examined in context. Indeed, the Minister, in appearing before the finance committee on Bill C-42 and Bill C-56, said they need to be placed in the context of the upcoming third legislative package which we have not yet seen. The fact that the Minister and his department are not apparently well enough organized to provide us with that context is no justification for this attempt to bring in by the back door an important policy proposal which deserves more examination and debate than we have been able to accord it under the rushed conditions imposed by the Government.

Essentially, that is why the members of the finance committee were not willing to approve the Bill as it was and why they insisted on the removal of three clauses. I am pleased that the Minister finally agreed to that removal. As it is now, Bill C-56 more closely matches the description given by the Minister in one of his appearances before the finance committee.

Bill C-42, which has already been passed, realigns the structure of the supervisory system and the deposit insurance system. Bill C-56 primarily sets out new powers for the Minister and the chief regulator within this new system.

I will not go into great detail about these new powers and provisions to which I referred in my speech at second reading. They include the power for the regulator to issue cease and desist orders against institutions carrying on unsafe business practices and the power for the regulator to get independent valuation of real estate assets held by financial institutions. The Bill also raises the financial standards of federally-regulated insurance companies and clarifies the conditions under which a mutual life insurance company is deemed to be a Canadian company. These are proposals we regard as sound and necessary and we do not oppose them.

The measures I have just mentioned are those which give Bill C-56 the character of a "mechanism" Bill. The one remaining exception to that, now that Clauses 10, 41, and 55 have been removed, are the measures allowing federally-regulated financial institutions to own securities dealers.

I raised a number of concerns about this at second reading of this Bill and, based on what the finance committee heard from witnesses who commented on these proposals, and on more recent events in the industry, it seems that we have here yet another situation where the Government is being overtaken by events. Having waited so long without acting, it is now moving ahead in a way that raises a lot of questions about how much thought has gone into its course of action.

For example, late last week the Government approved by Order in Council a share transaction, the effect of which will be to give the large New York based investment house of Goldman Sachs and Co. a Canadian subsidiary. This has been done through a provision of the Bank Act. Although Goldman Sachs and Co. is an investment house, it is deemed to be a "foreign bank" because it happens to own a merchant bank incorporated and carrying on business in the United Kingdom. Since the parent company is considered a foreign bank, it

could go ahead and buy out all the shares of the new corporation, Goldman Sachs Canada Ltd. without having to go through Investment Canada.

In this roundabout but perfectly legal way, a large international investment dealer has arranged direct access to the Canadian market. Of course, the plan hinges on the passage of Bill C-56. All this manoeuvring is explained in a regulatory impact analysis statement which is attached to, but not part of the Order in Council. The impact statement says that undertakings have been provided by Goldman Sachs and Co. in respect of this arrangement and it directs further inquiries to the Office of the Inspector General of Banks. However, from inquiry at that office it seems the undertakings will not be made public.

I wonder how long the Government thinks it can continue in this furtive fashion? I understand that yet another Order in Council on a similar basis will be passed today. How long does the Government think it can continue to make these cosy, private deals, its private undertakings which are not made public without having the other companies raise the issue and demand disclosure?

Foreign firms are now lining up to participate in the Canadian securities industry, yet there is no clear policy in place with regard to ownership of Canadian financial institutions. We have just seen an attempt to bootleg into C-56 a very far-reaching ownership proposal without any warning or public debate. It did not succeed, but what we have left is a proposal which originated not with the Government of Canada but with a provincial Government, and which will allow banks, including foreign-owned Schedule B banks, trust companies and insurance companies to establish their own securities subsidiaries or to acquire 100 per cent ownership of an existing Canadian securities dealer as of today, June 30. Foreign firms will be allowed to participate as well. They are to be held to a maximum of 50 per cent ownership in the first year, rising to 100 per cent as of June 30, 1988.

I understand the Investment Dealers Association of Canada has 50 new applications for membership, more than half of them from large international security firms. According to Bill C-56, foreign firms must have ministerial approval to enter the Canadian securities industry, but the Bill does not set out any criteria under which approval would be granted or denied. Given the magnitude of the changes in store, it seems not only logical but imperative that there should be some criteria and that they should be set out in the legislation.

We are on the threshold of major change, starting today, June 30, with the opening up of the Ontario securities industry to new domestic and foreign participants. In the United Kingdom, the experience was called "the big bang". Whatever we call it here, it is certain that after today we will be seeing new activity and new levels of competition in the industry.

The question I have to ask is this. Is the Government ready for it? I have said there is no government policy regarding ownership of financial institutions. Neither do we see any criteria or guidelines to determine which foreign institutions will be permitted entry to the Canadian industry.

At this point only one province is affected but all provinces have securities industries which are provincially-regulated. At this point, when we are taking a first step onto the world stage to compete with international firms, it is appropriate to ask if the Government is giving any thought to the establishment of a national securities regulator, not to replace the Provincial Securities Commission but to speak for Canada outside her borders and to regulate the international calibre of competition we will have in our domestic markets.

• (1120)

The Minister did not seem very receptive to the idea when it was raised in committee. He said he did not want to alienate the provinces by putting the idea forward prematurely. But that is surely an untenable argument given that the provinces are now up in arms about the federal-provincial agreement with Ontario which was negotiated without consultation with them and which they feel the Minister would like to apply across the board. I understand that on June 11 nine provinces reached an interprovincial securities agreement which is their response to the Ottawa-Ontario agreement.

It seems to me that this is not a time for the Minister to back off. Canada is the only industrialized country in the world without a national securities regulator. It is not a new idea by any means, but I am inclined to think that it is an idea whose time has come, of course, after careful negotiation with the provinces.

Another concern which relates to the criteria for foreign firms and the possible functions of a national securities commission is that of access for Canadian institutions which want to do business outside Canada. This is also something that I raised in my speech at second reading. A number of witnesses who appeared before the finance committee and the Senate banking committee mentioned it as well. Some were of the view that reciprocity should be made a criterion for approval, or a condition for foreign companies to enter the Canadian market. Others thought that the next best thing would be for Canadian firms to be accorded national treatment. For example, a Canadian bank in Britain would be on the same footing as a British bank.

This is a matter of some importance, even urgency, because in Bill C-56 the Government may already be setting up situations that will put Canadian firms at a competitive disadvantage. For example, this Bill will allow foreign-owned Schedule B banks to own up to 100 per cent of a Canadian securities dealer in Ontario—50 per cent today and 100 per cent one year from now. Some American banks may well receive approval to do so. However, there is no legislative provision in the U.S. for Canadian banks engaging in securities activities under Canadian law to do the same thing in the U.S. Thus the American bank has the broader power.

The Minister says that Canadian access to overseas markets will be a factor in his considering applications from foreign firms. I would have preferred a firmer statement of what the Government is doing now and what its intentions are in the future.

There are great changes in the offing. There are opportunities and potential benefits for Canada in moving to liberalize our securities markets. But in order to maximize those benefits for Canadians the Government must demonstrate that it has the capacity, the ability and the drive to manage change fairly and effectively.

To date, there has not been much evidence of this. The reform process has moved in fits and starts, buffeted by outside events and repeatedly dropped to the bottom of the Government's agenda. Nevertheless, I still have hope that the draft Bill, the final piece of legislation, will indeed be released in the next couple of weeks and that we may proceed to consider it early in the next session.

Mr. Mike Cassidy (Ottawa Centre): Madam Speaker, Bill C-56 now before us on third reading is the second part of the financial package of three Bills which deal with financial institutions and which members of my Party have agreed with the Minister to allow to go through before we rise for the summer. The deadline is, of course, June 30, because of the actions of the Province of Ontario.

A major provision of the Bill is to allow banks and other financial institutions, including co-ops and credit unions, to own securities dealers. I find this interesting and disturbing. One can see that the investment industry in Canada, having elected one of its number to be Minister of Finance (Mr. Wilson), will in fact disappear as an independently Canadian-owned entity in a matter of days, if not perhaps in a matter of a few weeks or a few months.

Today's news is that 35 per cent of Wood Gundy has been sold, or has been agreed to be sold, to the First National Bank of Chicago. The Minister may want to inform the House at some point whether or not this sale has been approved by the Government since this takeover surely has to have some form of federal approval. However, I am sure that the partners in Wood Gundy are rubbing their hands in glee because for 35 per cent of the company they have received something in the order of five times book value. Therefore they have been extremely lucratively paid for giving up effective control of the company. Once 1988 rolls by, I am sure the First National Bank will move on to take full control.

What is interesting and of concern is that there has been no breath of objection from the Government, despite the fact that a Canadian bank would not be in a position to take control of a major securities dealer in the United States. The banking legislation in the United States prohibits that. Not only does it prohibit such a move, it inhibits a Canadian bank which has a securities subsidiary in Canada from operating and doing banking operations in the United States.

The Minister said that some form of reciprocity would be involved. But it is not clear to me that that is being applied in any serious way whatsoever.

The Bill as we have it before us provides new powers to the Superintendent of Financial Institutions. These are powers which, with hindsight, would have been very helpful. We are closing the stable door after the horse has fled in connection with the demise of the Canadian Commercial Bank and the Northland Bank.

The Superintendent, who takes over from the Inspector of Banks, will have the power to issue cease and desist orders, to impose new values for real estate assets, that is, to force an institution to revalue its real estate assets, or to reassess the values, or to revalue them directly. These are useful powers. They involve a continuation of regulation at a fairly intense level.

My Party has raised some concerns over the degree to which the oversight is being exercised almost entirely by the regulator and the limit of degree to which there is any outside influence in terms of public scrutiny that will allow the public, in the form of depositors, investors, and borrowers, to reach a judgment themselves about the financial stability of institutions with which they do business. Nonetheless, these powers are acceptable.

The area which caused controversy in committee was with respect to Clause 10 and related clauses that dealt with the commercial link policy of the Government. The Government's December 18 White Paper indicates that the Government has decided that commercial links to financial institutions are wrong under any circumstances. That is not quite it. They are actually wrong under any circumstances, to the extent that new commercial links are to be forged, but existing commercial links which allow Imasco and Power Financial and groups such as that to have the major stake in financial institutions are protected. Those are grandfathered. The only restriction is that 35 per cent of the control of financial institutions will be required to be widely held rather than being handled in one hand, in the hand of one commercial group. But 65 per cent can remain in the hands of a particular group. That is simply inadequate as far as New Democrats are concerned.

We are concerned that the Government's policies are being released in dribs and drabs and that we do not yet know exactly what the Government has in mind in terms of its ownership policy. We have the White Paper which we have indicated is inadequate. It has been criticized in many quarters. The Government has not indicated whether it is shying away from it or not.

What it has done, or what it did propose, was a series of measures that were slipped in through the back door, as my friend, the Hon. Member for Trinity (Miss Nicholson), pointed out just a few minutes ago. The first version was extremely offensive. It meant that by judging that commercial links exist at any time there was a more than 10 per cent shareholding going into associated companies, as well as

upstream and downstream, and that the web of ministerial control over what one assumes would be relatively normal business activity would be so widespread as to be ludicrous.

• (1130)

The people from Power Financial pointed out that their subsidiary, Consolidated Bathurst, was engaged in a joint venture with the Government of China for a pulp mill in eastern British Columbia. Since the Minister's power of oversight would have stretched to any associated company and any of its activities, that would have meant that the Minister would, theoretically, have had some oversight function on that project, and the Government of China would not have been able to pursue the creation of a new steel mill, the opening of some kind of new financial institution in China, without the approval of the Minister of Finance of Canada.

I presume that that approval would not have been sought. It would be ludicrous to expect a sovereign Government to have to come, cap in hand, to Canada in respect of something which it was doing within its own country.

But, this would also have been the case with all of the commercial investments which are controlled through the investment fund of the Quebec Pension Plan. It would have possibly been the case with the Government of France because of its interrelationships with certain commercial and financial operations here in Canada.

The Minister does not listen very well. He failed to be sensitive to the concerns of the members of the Standing Committee on Finance and Economic Affairs. Even when it is the New Democrats that are saying that a particular measure seems to be unworkable when applied to the business community, I think that any Minister of Finance should hold back and say, "Look, this isn't just a new realism coming from New Democrats; something must be really wrong with this."

Instead, the Minister rolled back and came back with a 50 per cent rule. But that, at the same time, would have been oppressive because it was still not clear how it was going to be applied. It also applied, if I recall correctly, to any increase in shareholdings over the 10 per cent level—and that did not seem to make sense. The only good thing about it was that the intrusion into associated companies had been sharply cut back.

I would be concerned that the Minister might in fact, having exercised his right of review, accept certain takeovers of financial institutions which I would have found objectionable, speaking on behalf of the New Democratic Party.

On the one hand, we did not know what the Minister was going to do with this power; the power was unnecessarily intrusive. Finally, the Minister accepted the reality of the situation, which was that this Bill would not be available in time for the "Big Bang" in Ontario if Clause 10 and the related clauses were not withdrawn. The Minister tried to dress up his withdrawal, but in fact that is what actually occurred.

On this particular question, I should like to point out that the Government's present policy, which grandfathers existing commercial interests, is, I believe, shortsighted, unrealistic and impractical with respect to the future establishment of new financial institutions.

A financial institution, even a small one, needs a substantial amount of capital. That capital, if it is not to come from existing companies, has either to be raised in the market or to come from wealthy individuals. The Minister's view has been that those wealthy individuals, or any shareholders with more than a minimum shareholding, have to have no commercial links at all. For a small institution, it seems to me that that may well be very difficult.

That is the dilemma the Government has got itself into. It is not prepared to be tough and to insist that large financial institutions must be widely held and cannot be controlled by any one interest, be it commercial or non-commercial. The Government, on the one hand, therefore, permits the concentration of ownership for large institutions but, at the same time, inhibits the creation of new financial institutions.

Since some financial institutions are going to disappear, through adverse business circumstances, through merger, through acquisition, there has to be, I would assume, a supply of new financial institutions to take their place. The Government's view seemed to be that those financial institutions should mainly come from the foreign-controlled sector. A godparent for a new financial institution would be permitted if it were a foreign company, even if it had commercial links outside of Canada. The Government was only looking at commercial links within Canada—a position which seemed to me, at best, contradictory and rather strange.

I should like also, Madam Speaker, to raise the concerns of New Democrats—and these are concerns that I have enunciated at some length during previous debate on this Bill and on Bill C-42—that while the Government is concerned about commercial links, it is, on the other hand, open, without a great deal of thought, to permitting financial institutions to own securities dealers. These securities dealers will doubtless engage in promoting stocks, in underwriting, and in giving investment advice, and that kind of thing.

Even though the Government says there will be all kinds of Chinese walls, as they are called—and we should get a different term for that—even though there is a segregation of the different activities, nonetheless there will be people working for the same enterprise, some of whom will be promoting different bond issues or share issues, or recommending the acquisition of different shares, at the same time as others working within the same corporate group, within the same bank or financial institution, will be lending, reviewing the credit worthiness, or in certain cases calling on a particular enterprise, a borrower, to shore up its equity, to get its ratios better, to do an issue, or something like that, because they are getting into a risky kind of situation.

The insurance companies have assured us that the way that they deal with this problem is, quite simply, by not allowing conflicts of interest to take place. Therefore, they do not allow companies to which they lend money to also do business in terms of having insurance coverage with the same insurance company.

The corollary for the banks would be that if a bank is involved in lending to a particular company, its securities subsidiary should not be involved in underwriting, in promoting the shares, or in any other way dealing with the securities of that particular company. That, it seems to me, is a true Chinese wall. But, a situation wherein one group of employees is meant not to know what another group of employees is doing, is, it seems to me, weak and subject to abuse.

Suppose, for example, that Dome Petroleum was going through its current travail at a time when the banks had the authority to do underwriting through securities subsidiaries. In that circumstance, would a bank not have some temptation to have its securities subsidiary engage in underwriting because the bank was feeling hopelessly exposed because of the lending that it had made to Dome, realizing that that lending was in fact not prudent? That is the kind of conflict of interest with which the Minister has not yet dealt.

I recognize that the Bill which has been tabled today by the Minister with respect to the ownership of financial institutions allows retroactivity; but these other questions have in fact not yet been addressed.

I wish to comment on a couple of other issues which concern me in this whole area of the financial package. One is the question of the deregulation of financial dealings internationally and the reaction we are seeing here in Canada.

Canada is one of the G-7—but only just; we are one of the seven largest industrial countries, but only just. We have an active and efficient capital market—more active and more efficient than a number of the other major western European countries. As well, we have a banking system which also is quite efficient compared, let us say, to the American system, where it is much harder to clear cheques and to make the payments system work.

In our securities industry, however, we have 10 securities authorities. Now we have 11, because the Superintendent of Financial Institutions has taken on certain responsibilities.

The Minister and the Government have entered into some agreements with Ontario which have provoked, quite rightly, concern and upset in the other provinces, which feel that the federal Government deals only with Ontario and does not realize that there are other securities bodies across the country. However, when we deal internationally we will be talking with the authorities of other countries, not with one voice but with 10 or 11 voices. That is a very serious concern.

• (1140)

It is my view that in addition we impose unnecessary restrictions and problems on Canadian corporations and companies which must have securities vetted, reviewed, and approved, not by only one securities agency but by many, at the very least by the Ontario Securities Commission and probably by the Quebec, Alberta, and British Columbia securities commissions. Theoretically they could require the approval of new securities by 10 agencies across the country. That kind of situation occurs in certain areas of the United States as well. It is not defensible there, and it is not defensible here.

I believe that a national securities agency should be a priority of the Government of Canada. I also believe that such a securities agency should in fact be able to provide—and there must be some co-operation with the provinces—one-stop approval of new securities issues and underwritings for companies which consider themselves to be national, or for companies which expect that their securities will be traded not only in Canada but also in other countries.

I have no objection to there continuing to be securities regulation at the provincial level so that if a company in British Columbia, Prince Edward Island, or northern Ontario wishes to have its securities traded only in one jurisdiction, or possibly in a couple, it needs to meet only the requirements of the particular jurisdiction, not what might be more stringent requirements of a national securities body. However, I would expect that Bell Canada, Northern Telecom, Imperial Oil, and other such organizations would generally get their securities approved at the national level, and I think that is how it should be.

This is not a move of excessive centralization. As the Hon. Member for Trinity pointed out, every other major country has a national securities agency, and Canada is very much out of step in not having one. We need to look at it very seriously.

I am concerned as well in terms of the interests of regulators and of investors. Why is it that Canadian investors, financial journalists, of which I used to be one, and the public at large can learn more about many companies by going to the Securities and Exchange Commission and looking at the K-10 documents, the file documents which are issued on a regular basis, than they can get from our securities commissions and other agencies in Canada? I think that is ludicrous. The standard of disclosure is not adequate in Canada. It could be made more adequate, particularly for national companies, if we had a national securities agency.

The whole question of how federal and provincial supervision will work in a deregulated environment is still not adequately addressed. I would cite with concern the inadequacy of the federal and Ontario supervision which preceded the collapse of Greymac, Seaway, and Crown Trust in Ontario. It was a situation where the two levels of Government were saying, "After you, Alphonse" and effectively letting those agencies go by the board.

I should like to conclude by saying that one major area not addressed in the whole financial package is not that of the interests of large investors, deposit-making institutions, and so on, but the interests of ordinary Canadians—small businesses, farmers, and people who simply must deal with banks. I hear complaints all the time from my constituents. They ask, how come when I put a cheque in the bank because I just got paid I cannot get out any money for five days and, in the meantime, I have to pay my rent and the rent cheque bounced? How come when I get a welfare cheque I cannot get that welfare cheque honoured quickly and when I go to the bank they look at me and treat me like dirt? Why is it when I am running a small business that my business is harassed by my local bank manager and I have no means of redress, and at the same time the banks make all those loans to Brazil which are worth only 75 cents on the dollar, if that? They make those huge amounts of loans abroad but they are not prepared to help small businesses establish themselves in Canada.

I have heard people say that they have businesses, that they employ 25 people in a restaurant, that they have seven people working in a small manufacturing concern, or that they opened a store which provides a lot of employment in a particular community, and they ask why they are being harassed. Whereas, if they were Conrad Black and needed $500,000 to make some fancy financial deal, which would probably be financed with their tax dollars because of some tax dodge, they would have no problem, and would only have to make a couple of telephone calls to set up the necessary financing.

Many people who are active in the economic life of the country are very right to perceive that there is something severely wrong in terms of who gets what out of the banking system and out of the financial system.

I took pains to look at whether or not there was some redress for people with these concerns. I discovered that the Inspector General of Banks, who is now the Superintendent of Financial Institutions, now has an ombudsman in his office. However, this operation is so obscure that when I raised the need for such an ombudsman function in the office, the official, Michael Mackenzie, said that he did not know it existed. We found out that it existed, but it could only be brought into play on a kind of moral basis after the business, the farmer, or the depositor concerned had appealed to the very last level within a bank.

In other words, if they are going down the drain, if their business is being driven to the wall, if their loan is being called, if the mortgage on their house which they had to give as security is being cashed in, if their wife and kids—and this has happened—are being forced out of the family home because of the action of the banks involved, they must launch an appeal with the bank president who will basically tell them to get lost. They will not even know about that, because they are too busy trying to rescue what they can from the particular situation. Then they go to the Superintendent of Financial Institutions and say "Can you do something", and he will say, "We may have an office, I am not even aware of it".

When the Government of Canada makes policies on behalf of banking and financial institutions, it should look not only at the needs of a handful of Titans on Bay Street, or a handful of large corporate conglomerates which are being given grandfathered status, at the same time as the competition that might dethrone them from their commanding heights is being inhibited, it should look also at the needs of ranchers in Alberta, wheat farmers in Saskatchewan, small business people in Manitoba, fishermen in Newfoundland and Nova Scotia, people trying to set up small industries in northern Ontario, depositors and ordinary consumers in Ottawa, welfare recipients in Toronto, and people like that.

The test of a financial system is not whether it aids big business, the forces of a capitalist society in a capitalist economy, but whether it also aids and serves the needs for ordinary people from coast to coast. I am not satisfied that that is the case now. I am certainly not satisfied that the Government understands that part of its mandate, or that part of the reason people kicked out the Liberals and put in this gang was precisely because they wanted that kind of sense from the Government of Canada.

I see that my time is up, but I should like to refer to the Party which you, Madam Speaker, have the honour to represent.

• (1150)

[*Translation*]

The Party you have the honour to represent has dropped so low in the polls because it has served the interests of corporate Canadians on Saint-Jacques and Bay and reflected those of small business people, farmers and average Canadians.

Mr. Raymond Garneau (Laval-des-Rapides): Madam Speaker, I do not intend, nor does my Party, to hold up the adoption of this Bill on third reading. I have a few comments to make, because I think this is a very important piece of legislation that contains a number of provisions that will have some very long-term consequences for this country's economy and especially for the financial sector.

Last night or rather this morning, at 1 a.m., I was delighted with the results of the vote on capital punishment. Today, however, I confess I do not feel the same elation upon seeing that Bill C-56 will receive the approval of this House on third reading, considering the Government's majority.

Madam Speaker, June 30, 1987, is a day that will go down in the history of the financial sector in Canada, but as I see it, there is a very negative side and an extremely dangerous one for Canadian sovereignty.

I am very disappointed that an issue as important as this one has not received the attention it deserves in this House. It was the Government's decision to finish the debate on capital punishment at any cost before the House adjourns today. This means that today, in order to avoid administrative chaos in the

financial sector, we have to pass Bill C-56, to swallow it, much as one would swallow a bitter pill.

Madam Speaker, Bill C-56 has a number of aspects with which I totally disagree. My colleague from Trinity pointed this out, we said so on second reading and we said so in committee. I wonder how many Conservative Members in this House are aware of the impact Bill C-56 will have on financial institutions and Canadian sovereignty in this respect.

My colleague from Trinity referred to the expression used in Great Britain when their institutions were deregulated. I am referring to the Big Bang. On day X, the whole financial sector was deregulated so that financial institutions could engage in any field of activity, ownership was practically free of controls, and so forth.

Comparing the Canadian situation with that in Great Britain is of course like comparing an elephant with a mouse. That is because the situation in this country with respect to financial institutions and especially investment and securities dealers is quite different, and our position is different as well.

However, I say to the Minister of State for Finance (Mr. Hockin) that his policy is ill-conceived and inappropriate, given the state of development of our financial institutions. He is acting hastily and he is acting in such a way as to complicate the administration of financial institutions. He is in fact selling part of the Canadian control of our financial institutions to foreign interests.

Since it came to power, this Government has preferred to ignore the issue of Canadian sovereignty and the fact that it is important for a country to control the major components of its economic, financial and social levers.

June 30 opens the door to the purchase by foreign-owned companies of any securities dealers, and it also creates chaos as far as the regulation and monitoring of securities-related activities are concerned.

Last night on the news we heard that 30 per cent of our biggest securities firm had just been sold to foreign interests. My colleague referred to the Goldman Sachs transaction. Everybody knows that the big investment and securities dealers, Nesbitt Thomson, Burns Fry, Levesque Beaubien, Geoffrion Leclerc—that all these firms or least most of them have already received offers or are negotiating either with the major banks or with foreign firms to sell an interest in their firms.

Madam Speaker, no wonder this should happen. In case the Minister is discouraged, I will not unduly hold up his Bill, but at least he will let me draw the attention of Conservative Members to what the Government is doing.

I wish we had more time to raise this issue and ask the Prime Minister (Mr. Mulroney) to hold a free vote in the House. I maintain that if all Hon. Members had a clear explanation about Bill C-56 it would be rejected, something like in the case of capital punishment.

This Government has forsaken Canadian sovereignty in all sectors, and today we are witnessing a repeat performance in the field of financial institutions.

Madam Speaker, last evening I listened to the Investment Dealers Association of Canada President explain that one of Japan's brokerage firms—Nomura, among the best in the business—has more capital than all Canadian financial institutions put together. Can you imagine, before breakfast Nomura could buy all our investment dealers before breakfast without affecting its cash flow to the extent that a phone call to the president would be warranted. That is the kind of situation Bill C-56 will create in the investment brokerage business.

Our institutions have been built over the years by successive generations, and they have made a name for themselves in North America and throughout the world, but now they might be swallowed whole by the likes of Nomura, Solomon Brothers, Merrill Lynch, Shearson Lehman, and certain German firms. Not only are we going to relinquish the ownership of a financing tool of Canadian companies which could act independently with respect to borrowers and lenders, but we are now going to have a system where the major Canadian or foreign banks, which at the same time are bondholders or buyers of preferred or ordinary shares, will float their own issues through a brokerage firm they own.

We have been told that there is a kind of wall separating the various financial institutions. I do not want to question the good faith of the players in this field, but you would have to be very naive to think that such a condition will not create problems, especially in an economy as restricted as this country's.

I have mentioned large firms such as Japan's Nomura, but there are also many other corporations in that country which have a large capital and which can provide competition. Japan has a population of over 100 million inhabitants. It has a strong economy. The same is true for the United States. There can be large accumulations of capital in some financial institutions.

However, in Canada, with a population of 25 million people distributed from sea to sea, a financial concentration creates apparent or real monopolies, which means that there is no real competition in many regions of this country. If you go to small Quebec towns, you may find the Caisse Populaire and the National Bank, and even the National Bank may be closing down some of its branches to move to the larger regional cities. In towns with a population between 3,000 and 6,000, there is virtually no competition. Does anyone believe that the merger or addition of large institutions will bring more competition to these regions? This will certainly not happen under the provisions of Bill C-56, which allows financial institutions to acquire 100 per cent of ownership in securities brokerage firms.

Not only are the regulations not ready yet, and there has been a federal-provincial conference on the monitoring and control of financial institutions, especially as far as securities brokers are concerned, but we shall now have two types of regulations. When a Canadian bank decides to open a securities brokerage service as part of its operations, this will come under the jurisdiction of the Minister of Finance.

If the same institution decides to own or purchase a subsidiary corporation, this will come under provincial jurisdiction. As though this was not sufficiently complicated, there will now be a conflict with Ontario and the other Canadian provinces about how these financial institutions will be regulated.

The provisions contained in Sections 2, 12 and so on, which allow insurance, loan and trust companies to the purchase securities brokerage firms, have been put together without any negotiation with other countries. No reciprocity agreement has been negotiated with the United States.

The Minister of International Trade (Miss Carney) and Ambassador Reisman are now negotiating with the United States. There has yet been no agreement in these free trade negotiations; nevertheless, the Minister of State for Finance has already introduced Bill C-56 which will allow any American firm to purchase such Canadian firms as Nesbitt Thomson, Burns Fry and Dominion Securities. As there is no reciprocity, if a Canadian bank purchases control of a firm such as Nesbitt Thomson or Wood Gundy with operations in the United States, the bank will have to cease its operations in the United States because the Steagall Act, which is still in force in the United States and not about to be amended, prohibits the banks from having investment operations in the United States at the same time as regular banking operations.

No reciprocity has been negotiated and the whole Canadian market is made wide open to the United States. Moreover, the market is open to non-banking financial institutions. Of course, if an insurance company buys the control of Wood Gundy, that has no impact on the activities in the United States. But if the Royal Bank buys it, the Royal Bank has to stop operating in the United States. There is no reciprocity between banks, and we will allow that two Canadian corporations, either a bank, an insurance corporation, a trust company, a loans company be treated differently if they bought the control of stock brokers.

That kind of policy makes no sense, Madam Speaker. I said so to the Minister in committee, and I will repeat it once more for conscience sake, and I wish all Conservative Members in this House could know the real impact of that legislation. The Minister is impatient because I am taking my few minutes. But it will not be said that as a Member in this House and as one who worked in financial institutions I will let Bill C-56 pass without at least calling the attention of Canadians and Hon. Members on a legislation that makes no sense. And if you could only see, Madam Speaker, the kind of powers this legislation is giving the Minister, or at least the kind of powers he sought to have! Financial institutions in Canada, and fortunately the work done by my colleague for Trinity and a few others convinced the Minister at least to withdraw Clauses 10, 41, 52 on business ownership.

Financial institutions in Canada, had the Minister of State for Finance have his way, would have been regulated from the office of the Minister of State for Finance. So much for a Conservative Government which supposedly supports private enterprise. He would have been bigger than a czar, because he wanted control over any transactions by firms in the United States or China involving shares of a company because more than 10 per cent of the shares of that company was owned by the Caisse de dépôts et placement or the Canadian National Pension Fund.

I don't know who in the Department of Finance does the planning or drafts legislation concerning financial institutions, but I never saw such irresponsibility both as to form and substance. And I tell the Minister of State for Finance that the impact of the Bill that will pass on division, in order to save time—we oppose the legislation because of the clauses I pointed to—will have significant impact on business concentration, business regulation and on Canada's political sovereignty and its ability to give a direction to its financial institutions, because in an area as important as stock brokerage, we are moving fast to 100 per cent foreign ownership, and I oppose that trend in the legislation. I would like to tell Members in this House that the impact of the Bill is far-reaching, it appears negative to me, it seems to be contrary to Canada's long term interests and the independence of our financial institutions. They suggest that kind of deregulation will allow our corporations to expand, but the expansion will not occur in our corporations, Madam Speaker, it will happen, in the foreign corporations that will be taking us over. When Nomura will buy a controlling interest in a major corporation, when Shearson Lehman or Merrill Lynch or somebody else will purchase our major firms, when the new owner of Wood Gundy or Nesbitt Thomson will be Nomura or Shearson Lehman or a top German firm, Madam Speaker, do you think that they are going to move their decision making centres from Germany, Japan, New York or London to Montreal, Toronto or Vancouver? We will become subsidiaries of these financial institutions, and instead of developing in the area of brokerage or financial mediation, Canada will become subservient to foreign countries. I just cannot accept that. I want to say so at least once before the Conservative majority seriously jeopardizes the independence and sovereignty of our country.

Mr. Kindy: Madam Speaker, I have listened to the speech made by the financial critic of the Liberal Party. I think he raised a number of points which are certainly very interesting. The fact is, however, that although he says that this Bill has neither head nor tail, he will allow the House to adopt it, for it goes without saying that it will adopt it today. I have a question for him: If he objects so much to Canada being sold to the Japanese, the Americans or the Hong Kong people, how

can he let the House adopt this Bill without discussing it further?

Mr. Garneau: Madam Speaker, you have here the example of an Hon. Member who is going to vote for the Bill without knowing what is in it. Because if we did not allow the House to adopt this Bill today, in view of the decisions which have already been made by this Government, the resulting chaos might be even worse, because there have already been commitments made by some corporations, and there has been all this publicity initiated by this Government that the Bang would start on June 30, and there would be no legislation. As there are now only 40 of us in the Opposition, even if we held a debate for three days or four nights, this Bill would be adopted just the same because the Conservatives are going to vote blindly for this Bill and the only thing we could do as the Opposition would be to add to the chaos that the Minister himself will be creating. It is therefore a matter of responsibility. If there had been only a couple of seats between us and the governing Party, I would certainly have started this debate and tried to convince two or three Conservative Members to vote against this Bill. But we have to accept the fact that although we may have all the right arguments, there are simply not enough of us. I do not want to create a greater chaos than the one which will exist beginning at midnight tonight.

• (1200)

[*English*]

Motion agreed to, Bill read the third time and passed.

* * *

CUSTOMS TARIFF AND DUTIES RELIEF ACT

MEASURE TO AMEND

Mr. Lewis: Madam Speaker, there have been discussions among the Parties and I think you would find that on the next Bill to be dealt with, Bill C-69, there would be unanimous consent for the reference to be to Committee of the Whole House rather than to a legislative committee.

The Acting Speaker (Mrs. Champagne): Is there such unanimous consent?

Some Hon. Members: Agreed.

Hon. Tom Hockin (Minister of State (Finance)) moved that Bill C-69, an Act to amend the Customs Tariff and the Duties Relief Act, be read the second time and referred to Committee of the Whole.

He said: Madam Speaker, I have a few comments on the Bill and it should not take too long.

The Bill provides for four categories of tariff changes. The first involves those changes undertaken to reflect the changing needs of the private sector. An example is the duty-free entry being accorded mobile veterinarian clinics. These clinics are basically pick-up trucks with a box on the back outfitted for veterinary purposes. They are not made in Canada and the Government received representations in favour of duty-free entry from the Canadian Veterinary Medical Association and numerous individual veterinarians, including I might add the five Members of this House who are also veterinarians. Removing the duty on the clinics will enable veterinarians to better serve their clientele.

[*Translation*]

The second type of tariff amendments contained in this Bill, Madam Speaker, are those which implement the recommendations of the Tariff Board phase II report on tariff items concerning goods made and not made in Canada. These recommendations concerning the measures we are adopting in that respect result from a commitment made by Canada at the Tokyo Round of the series of multilateral trade negotiations.

[*English*]

For years one of the significant features of the customs tariff has been the determination of rate of duty based on whether or not the goods are made in Canada. Generally imported goods which are also made in Canada attract a higher rate of duty. However, our trading partners objected to this approach because of the uncertainty created for their exporters. Determination of whether goods were deemed to be made in Canada was an administrative decision made by Customs, and the status of goods can change with little notice. They argued for identifying the goods that were determined to be made and not made in Canada. Therefore, in return for freer access for some of our exports to major markets, Canada agreed to undertake a review of its "made-not made" tariff items. The matter was referred to the tariff board for study and public comment, and its reports and recommendations were issued in two phases. Most of the tariff board recommendations have been implemented by previous legislation. The tariff changes encompassed by this Bill complete the outstanding statutory changes required as a result of our Tokyo Round commitments.

The Bill also contains items related to certain aspects of the tariff component of the Government's response to the U.S. action on cedar shakes and shingles. I am certain Hon. Members will readily recall that in response to the U.S. imposition of a 35 per cent tariff on Canadian exports of cedar shakes and shingles we imposed higher rates of duty on a range of goods, originating principally in the U.S., through the introduction of a notice of a Ways and Means motion in the House last June. We also acted to tighten controls on the export of cedar logs and bolts, and these actions were not taken lightly. We needed to send a strong message to the U.S. about its protectionist acts and we had to guard against the loss of Canadian jobs, and this we accomplished.

The action taken by the Government totally achieved its purpose. The restrictions on the exports of cedar logs and bolts protected the competitiveness of the Canadian industry while

the tariff measures demonstrated that protectionist action on the part of the U.S. cannot be undertaken without cost to it.

However, I am also certain that Hon. Members will recall that in his Budget Speech of February 18 the Minister of Finance (Mr. Wilson) announced that, having made the point to the U.S. about protectionist action, the tariff component of the Government's response was being withdrawn. He announced effective February 19 the previous rates of duty in effect immediately prior to June 6, 1986, would be restored.

Since the legislation to enact the motion of last June has not been considered by Parliament, this Bill amends the customs tariff to give effect to higher rates of duty on certain items commencing June 9, 1986. It also restores effective February 19 the rates of duty that were in place prior to June 6 of last year.

[*Translation*]

Finally, Madam Speaker, this Bill includes a number of major technical amendments to the Customs Tariff and the Duties Relief Act. Among other things, it is aimed at achieving conformity between the French and English versions of these acts.

[*English*]

I might also add for the benefit of Hon. Members that two of the technical changes to the customs tariff are being made to reflect recommendations received by the Standing Joint Committee on Regulations and Other Statutory Instruments.

In conclusion, the amendments contained in this Bill to the "made-not made" tariff items, and to some of the items involved in Canada's response to the American action on cedar shakes and shingles, give effect to important trade policy decisions. The Bill also responds to the evolving needs of Canadian manufacturers in the business community, as well as to recommendations of the joint committee. As such the Bill deserves the support and timely consideration of all Hon. Members.

• (1210)

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Madam Speaker, I want to follow the example set by the Hon. Minister in offering short and succinct comments on this legislation. If I was a member of the Conservative Government I would want to keep my comments as short as possible because this Bill is the end result of what can only be called the great shakes and shingles retreat. That is one of the more ignominious chapters for our Government which has set new standards of ignominy over the past two and a half years.

You will recall there was a time when this House was reverberating with the brave words of the Prime Minister (Mr. Mulroney) as to how the Government was going to retaliate with force and effectiveness against the unconscionable actions of the U.S. in imposing a 35 per cent tariff on our shakes and shingles industry. He had Americans trembling in their shoes with expectation. Then came the Minister of Finance (Mr. Wilson) with his bold announcement that the Government was going to impose new tariffs on tea-bags, Christmas trees and, of course, books.

That raised a question about what there is in the Conservative mind that does not want people to have fun. The Government now has a tax on watching television. It has put a new tax on talking to your grandmother by long-distance. Of course this all began with the tax on books. I could understand it if it was some insidious conspiracy designed to broaden illiteracy in Canada. I presume the Government feels that the less people know about what is going on, the less critical of the Government they will be.

However, if you can believe it, it was employed because the Minister of Finance's logic is that you can retaliate against a totally unfair, stupid and irrelevant action by the President of the U.S. by putting a tariff on books and thereby substantially increasing costs for Canadian book publishers. In fact it put that industry in jeopardy.

That was one of the more bizarre episodes of this blueprint we have watched unfolding. There is a kind of masochism in the mind of the Minister of Finance that if we only flagellate ourselves by putting tariffs on books or cable television or taco chips somehow Canadians will be cleansed. They will somehow feel better for having to pay more for some of life's small pleasures. It is a kind of puritan orgiastic cleansing.

We can only be thankful this morning that once again the Government has had to correct itself. Once again it is retreating, covering up, and overcoming what was a very clearly stupid mistake. Of course we will support it because we said right from the start that retaliation made no sense. We can only conclude that the Minister of Finance suffers from a certain time lag because it took him six or eight months to come to the same conclusion.

Before returning to my seat I want to say that there is a lesson to be learned here. It is one that is not often expressed in this House. Tariffs can be a good thing. Tariffs can be a very useful instrument of economic policy. They can be a very important part of industrial economic policy if used in an enlightened, imaginative and managed way. While constantly beating their breasts the Conservative Members say that they are trying to achieve a tariff-free zone between Canada and the United States.

• (1220)

We saw the deplorable performance of the Minister for International Trade (Miss Carney) last week as she tried to defend the indefensible, saying that the Government was somehow going to maintain the safeguards in the Auto Pact while eliminating the tariff, never drawing the logical conclusion that if there are no tariffs there are no safeguards. Somehow that small formula escaped the mind of our Minister for International Trade. I can understand why. As we know, she and the chief American negotiator are not on speaking

terms. It may, therefore, be more difficult to communicate on these matters.

This is true as well in the field of agriculture, for example. One of the few areas of stability in the present agricultural crisis with regard to grain is the supply management or marketing boards. The Canadian Wheat Board has had a two-price wheat system. In the Okanagan in the interior of British Columbia there have been seasonal quotas on imported vegetables and fruit. Similarly, there have been certain tariff preferences on wine and other products. This is necessary because those are vital Canadian industries which must be protected against a flow of cheap commodities from other countries being dumped into Canada.

One of the great vacuums in the trade policy of the present, short-lived Government is its total misunderstanding of the use of the tariff system. That is why there is failure in our trade policy. There is no orchestration or integration of the various aspects of market and tariff development to give a sense of coherence to enhancement and stimulation of Canadian industries, the growth of which we want to encourage.

With particular reference to this Bill, with regard to computer parts we forget that in the Tokyo Round we paid for free access of our softwood lumber products to the United States by giving the Americans preferential tariffs, which amounted to virtually no tariff on computer parts. When we negotiated the Tokyo Round we put a price on the table which we thought was reasonable and we paid that price. Then the United States slapped a countervailing duty of 15 per cent on us.

Rather than standing up to the Americans and saying that we have paid the price by giving them free access to computer parts, which is a multibillion dollar industry, again in the perverse logic which only Tories understand, we put a tax on ourselves. Once again we forego the utility of using our tariff system as a clear part of our trade policy, as the previous Government did in negotiating the Tokyo Round by lowering tariffs on computers in order to get access for softwood lumber. That was forgotten.

The problem may be that for Conservative cabinet Ministers history began on September 4, 1984. They pay no attention to anything that happened before then.

I take this opportunity to serve notice that we decry the lack of a coherent trade policy and the fact that we have Bills such as this. One moment the Minister of Finance moves a Ways and Means motion to put tariffs on tea-bags, Christmas trees and books. The next minute he takes it off with no apparent trade-off in between. What did we get from the Americans as a result of this? What possible trade-off was there? What value was received? The only value received which we can see is that finally, after much pressure, Canadians were allowed to read books without an increased cost. However, we then conceded on softwood lumber as we conceded on patent Bills and are now conceding on investment.

I believe Canadians are concluding that the imbroglio between the Minister for International Trade and the chief U.S. negotiator is only symptomatic of a much broader confusion, lack of purpose, and lack of coherence in establishing an effective and proper trade policy. I do not know if the Minister of Finance is going to elope with the Minister for International Trade, but I wish they would get together and start working out something in common so that Canadians will know that a trade policy will have some meaning and purpose to it.

Mr. Simon de Jong (Regina East): Madam Speaker, I, too, wish to say a few words on Bill C-69, an Act to amend the Customs Tariff and the Duties Relief Act. It is no wonder that in the dying hours of the last day before summer recess the Government brings in something which it does not want to have fully debated or fully exposed in this House. The Government is in retreat with its tail between its legs, and the less said about this Bill the better it will be for the Government.

As the Minister pointed out, one of the measures in this Bill is to rescind the steps the Government took in response to the American step of slapping a 35 per cent tariff on Canadian cedar shakes and shingles. We remember when that major unilateral action was taken by the United States. It shocked and outraged Canadians and the Government had to do something. At that time the Minister for International Trade (Miss Carney) and the Prime Minister (Mr. Mulroney) stood up in this House and with great gusto announced that Canada was not going to take it, that we were going to do something in return, that we were going to teach the Americans that they just cannot treat us this way.

Then the Government acted. It slapped a tariff on books, it slapped a tariff on tea-bags, and it slapped a tariff on Christmas trees. In fact, the Government hit itself and then hit itself and then hit itself again. As the spokesperson for the Liberal Party pointed out, there was a masochistic tendency in what the Government did. The tariff on books hurt Canadians more than it hurt the Americans. The tariff on Christmas trees had the potential of hurting Canadians more than it hurt Americans because we ship a lot more trees south than are shipped north and if we slap a tariff on American Christmas trees the Americans will slap one on Canadian Christmas trees. The products of hundreds of small operators close to the border would have been at a disadvantage on the American market.

Through Bill C-69 the Government is lamely admitting that the actions it took back then were counter-productive and were hurting Canadians and Canadian industry. Today the Government has its tail between its legs and is introducing this legislation which quietly withdraws the measures it took earlier.

• (1230)

Of course, the situation has not changed with respect to the American tariff on cedar shakes and shingles. If the story were

not so sad, it would be amusing. The Government is like the mouse that came out and did not even roar.

This situation is also frightening because it is an indication of the Government's attitude when dealing with trade issues and disputes. It is obvious that the Government did not have a coherent strategy to effectively deal with these unilateral actions originating in the United States. It is obvious that the Government was scrambling to find some way to counteract the American imposition of a tariff on cedar shakes and shingles. The fact that it imposed a tariff on Christmas trees, books and tea-bags is an indication that it chose anything in a desperate act to show that it was taking action. The Government's measures were not a result of a coherent policy that had been thought through, or the result of a plan that was meant to maximize the effect on the United States and minimize the adverse effects on Canadians.

Mr. Hockin: It worked.

Mr. de Jong: The Hon. Minister says that it worked. It frightens me when a Minister of the Crown states that it worked because the Americans have not withdrawn their tariff while we are withdrawing our counter measures. How can the Government claim that it worked?

If those in charge of negotiating a free trade agreement with the United States believe that this measure has worked, I am frightened for the future well being of this country. If the best they can do to counter the American action on cedar shakes and shingles is to slap a tariff on books, Christmas trees and teabags, which later had to be withdrawn, then heaven help us when they draw up a free trade agreement.

All Parties have agreed to have one Member speak to Bill C-69 and not roast the Government too thoroughly over this legislation. We have agreed to allow the Government to proceed with this Bill, with its tail between its leg, in order to retract the most inappropriate action it took earlier. Hopefully the Government will have learned a lesson.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the second time and, by unanimous consent, considered in committee, reported, read the third time and passed.

SMALL BUSINESSES LOANS ACT

MEASURE TO AMEND

Hon. Bernard Valcourt (For the Minister of Regional Industrial Expansion) moved that Bill C-63, an Act to amend the Small Businesses Loans Act, be read the second time and referred to a Legislative Committee.

Mr. Lewis: Madam Speaker, I rise on a point of order. I believe you will find that there is unanimous consent to have the Bill proceed to the Committee of the Whole rather than a Legislative Committee.

The Acting Speaker (Mrs. Champagne): Is there unanimous consent?

[*Translation*]

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Indeed, Madam Speaker, there has been consultation and we agree.

Mr. Manly: Agreed.

Hon. Bernard Valcourt (Minister of State (Small Businesses and Tourism)): Madam Speaker, I welcome this opportunity to speak to the House today on Bill C-63.

The purpose of this important Bill is to amend and improve the Small Businesses Loans Act, which has already produced good results, by expanding its scope to make fishermen eligible for the loans guaranteed under the Act.

If we look at the number of loans granted so far, we find that this Act has been extremely useful. Since the program was introduced in 1961 and until March 31, 1986, 210,533 small business loans were approved for a total value of $5.1 billion.

During the 1985-86 financial year, 23,593 loans totalling a little under $738 million were approved, while the average loan was worth $31,273.

The loans may have various configurations, depending on the recipients, who may be manufacturers, wholesalers, retailers, service companies, building contractors, transit companies or telecommunications firms.

• (1240)

[*English*]

Companies and individuals are eligible to borrow for purchase of land, renovation of their premises or construction of new facilities, or for the purchase, installation or modernization of equipment. In many cases, these have been new entrepreneurs, just starting out.

Guaranteed loans under this legislation also help existing businesses to modernize, to expand and mature into larger and more profitable operations. This means more jobs for Canadian workers and growth for our economy. We in this Government see the private sector as the engine of economic growth. At the same time, we have an important role to play. It us up

to us to provide the necessary start-up incentives and appropriate support for the development of business.

[*Translation*]

Madam Speaker, the small business sector is essential to the Canadian economy. It is a fact that small businesses create 70 per cent of the new jobs in this country, and in certain regions even 100 per cent, while according to the latest estimates, small businesses employ more than three million Canadian workers.

Canada has over 760,000 small businesses, which are responsible for most of the creativity, innovation and entrepreneurship that exist in this country. Much of our advanced technology is developed by these same small businesses.

The Government wants to promote this spirit of entrepreneurship and innovation and help new or existing small businesses to prosper. The Government has made a commitment to Canadian entrepreneurs and it intends to keep it.

[*English*]

The promotion of entrepreneurship requires first and foremost a favourable economic climate. We have delivered on that with lower interest rates, greater employment and a continuing low rate of inflation. In addition, the two budgets presented by my colleague, the Minister of Finance (Mr. Wilson), contain many incentives for the small business sector and created a better environment for business. Increased investment in small and medium-sized businesses has been encouraged through specific initiatives.

[*Translation*]

Last month, we implemented an action plan to reduce the red tape burden imposed by the federal Government on small businesses. In addition, the Minister of Finance tabled a White Paper on Tax Reform on June 18 which will be of great benefit to Canadian small businesses.

The new taxation system provides incentives for all Canadians since it will be fairer and will include lower rates, but the rate for small businesses on the first $200,000 of income has been lowered to 12 per cent and is 16 points lower than the rate for general corporations, which has been brought down to 28 per cent. The tax reform proposals provide even greater incentives for small businesses, whose contribution is essential for job creation and economic growth.

[*English*]

The amendments proposed in this Bill are changes designed to streamline the regulations, make the Act more flexible for entrepreneurs and, in the long run, encourage banks and other lending institutions to make wider use of the program in order to help more small businesses grow.

[*Translation*]

The other major change will extend to fishermen the benefits of the Small Businesses Loans Act. From now on, Madam Speaker, Canadian fishermen will have access to a sounder program of guaranteed loans which will establish a better balance between their credit needs and the requirements of commercial loan institutions.

Thanks to the Small Businesses Loans Act, our fishermen will be able to obtain loans at the same low interest rates which were available to them under the Fisheries Improvement Loans Act, that is to say, the prime rate plus 1 per cent. They will be able to use them not only to purchase boats and equipment, but also to purchase pieces of land, something they were not authorized to do under the Fisheries Improvement Loans Act.

This Bill recognizes the important role fishermen play as an integral part of the small business industry in Canada:

Clearly the Federal Government did not make this decision without previously seeking the advice of the provinces it is likely to affect most, namely the Atlantic provinces, Quebec and British Columbia. Of course, it has also held consultations with commercial credit loan establishments.

The various parties have welcomed this Bill. At its meeting held in St. John's on April the 12th, the Atlantic Regional Council raised no objection to the option it had been presented with, nor did the Pacific Advisory Regional Council, at its meeting of June 15, 1987.

Madam Speaker, the purpose of these amendments is to increase the amounts made available to fishermen. Under the Fisheries Improvement Loans Act, the Loan Guarantee Program had a budget of some $30 million, while the relevant program under the Small Businesses Loans Act has a budget of $2.5 billion. This amount will be shared among a larger number of potential borrowers, but it is nevertheless much greater than the one made available to fishermen before.

[*English*]

The amendments contained in Bill C-63 will benefit all small businesses when it comes time for them to borrow money. They will be helpful to fishermen just as they will be beneficial to the store-owner, the fabric maker or someone involved in a service business. For all these people, the program will continue to provide a dependable and stable source of guaranteed credit. It will give them the financing they need to make the most of their opportunities.

[*Translation*]

That is, therefore, the reason why I recommend this Bill to all my hon. colleagues in the House.

[*English*]

Mr. George Henderson (Egmont): Madam Speaker, I want to make some comments on Bill C-63, an Act to amend the Small Businesses Loans Act, at second reading.

Of course, this Bill weighs very heavily on what happens to fishermen. Most of the Bill pertains to removing fishermen from the Fishermen's Loans Improvement Act and putting them under small business. I believe it is another installment of the Government's strategy to squeeze every last dollar out of the fishermen of this country.

We have seen a progression of these things since September, 1984. In my opinion, and in the opinion of the Official Opposition, the Government has gone out of its way to penalize our fishermen, especially those who are most vulnerable, and I speak here of the inshore fishermen.

I want to briefly review part of the record of the Government since 1984. Right off the bat, in November, 1984, the Government wanted to eliminate or, in the Government's jargon, "privatize" the Vessel Insurance Program. This is a program which has been in effect and has helped fishermen for many years. Those of us in the Opposition, especially my colleague, the Hon. Member for Gander—Twillingate (Mr. Baker), fought that move very hard. It was because of the efforts of Members of the Opposition and Members who support and represent fishermen, the Maritime Fishermen's Union, the Eastern Fishermen's Federation and the Prince Edward Island Fishermen's Association, who all expressed dissatisfaction with the Government's intention to cancel the Fishing Vessel Insurance Program, that the Government has stalled that intent, and in the last few months we have not heard too much about the insurance program. However, one thing the fishermen have noticed, and have brought to my attention and I am sure to the attention of my colleagues who represent the fishing ridings, is that the premiums under the Fishermen's Insurance Program has gone up to the point where it is almost as cheap to go to a private insurance company and get insurance there.

Once again, while the Government, at least to this point in time, has not eliminated the program, it is allowing the premiums to rise to a point where it is very doubtful that fishermen will be able to afford these premiums. They are getting very expensive.

• (1250)

In February, 1986, the Government and the current Minister of Fisheries and Oceans (Mr. Siddon) slashed the Fishing Vessel Assistance Program, better known as the vessel subsidy program. This is a program which was in place to help fishermen either purchase new vessels or upgrade the quality of their existing ones. It is a program that recognizes that fishermen sometimes have a lot of problems setting aside enough savings for a large investment. Some Conservative Members may argue that provincial loan boards already provide enough assistance to fishermen. However, it should be noted that not all provinces have such loan boards. For instance, B.C. is a province that relies totally on federal initiatives in this respect.

I would now like to turn to some of the actions of the Minister of Fisheries and the Government, actions which they have taken over the last year and one-half to two years. For instance, the former Deputy Minister of Fisheries, Dr. Art May, was relieved of his duties. He was a Deputy Minister who knew the fishing industry. He knew the science of the fisheries and good fisheries management principles. Obviously, that was not in the Government's interests so it changed the Deputy, moving him to one side. It appointed someone who looked at the fishery with a view to cost benefit analysis, someone who, in my opinion, has no understanding whatsoever about what small fishing communities have to go through and how they are so reliant upon the fishery and the fact that sometimes the fishery has to be helped out by Government in order just to keep those communities alive.

The Minister then took steps to help large companies. I refer specifically to the Bayshore tuna deal that had been rejected by the Minister's own Atlantic Bluefin Tuna Advisory Committee. However, the Minister gave a quota of 401 to Bayshore Limited which it then sold to Japanese vessels. My understanding is that the Minister has asked for proposals for more such ventures.

To make matters even worse, there was the Canada-France agreement on quotas and boundaries. I am sure that my colleague, the Hon. Member for Gander—Twillingate, will have a great deal to say on this issue since it affects him so greatly. Of course, it affects all Atlantic Members of Parliament, not to mention the fishermen of Atlantic Canada. However, my colleague from Gander—Twillingate certainly dug into this issue and kept it to the forefront over the last three or four months.

In order to get France to sit down to discuss the possibility of sending the St. Pierre and Miquelon boundary dispute to international arbitration, Canada agreed to give France certain quotas, including future quotas of northern cod. Of course, the deal was hatched in the office of the Prime Minister (Mr. Mulroney). The Minister of Fisheries was not even consulted before the deal was signed. The Province of Newfoundland and Premier Peckford were completely ignored in the final negotiation.

As an afterthought the Minister of Transport (Mr. Crosbie), the regional Minister for Newfoundland, who was originally ignored but who was able to kick up a fuss, based on the prodding of other Members of Parliament from Newfoundland who shamed him into acting, went to the Prime Minister to say that we have to show at least some presence in terms of dealing with the fishery in Atlantic Canada. The Minister, of course, forced the Prime Minister to sign a letter which would make him the Minister of Fisheries and Oceans for the Province of Newfoundland and Labrador.

That was not good enough. The Minister of Transport decided that we were into a heck of a mess here and something had to be done about it. So he made a video featuring himself, including a great cameo appearance by the other Minister of Fisheries. Afterwards, the Province of Newfoundland was covered with pamphlets which went into every home. On March 5 the Minister of Transport told CBC radio that his propaganda project would cost only $40,000. However, newspaper reports indicate that the video and pamphlet cost Canadian taxpayers about $200,000. We now know that the Minister of Transport does not like his job very much. We also know he would rather be the Minister of Finance, but I am afraid he has ruined his chances with the splurge on these videos. Of course, he came in five times over the expected budget.

This is typical of the Government's hypocrisy. While cutting back on fishermen, the Government and its Ministers spend freely on their self-promotion. To add insult to injury, the other Minister of Fisheries had to pick up half the cost of the public campaign of the Minister of Transport. We seem to have many ministers of fisheries in this House. We often think, will the real Minister of Fisheries and Oceans please stand up?

Under this Bill the Fishermen's Insurance Loan Program is being taken out of the Department of Fisheries and Oceans and given over to small business under the auspices of a new Minister who has no control whatsoever over management of the fishery. A fisherman who now gets into trouble because of climatic conditions, or poor fishing seasons, or whatever, will not be able to go to his own Minister, the Minister who should be responsible for him. This Bill is the final nail in the coffin for fishermen as it relates to their Department of Fisheries and their Minister.

In looking at some research I did with respect to the Fisheries Improvement Loans Act, in 1980, I found out what the present Minister of Fisheries, who was then a critic of fisheries, said at that time. He said that he would like to offer some observations on Bill C-28, which was the Bill to extend the Fisheries Improvement Loans Act. He then said:

> Of course my criticism is always positive. We think that the Fisheries Improvement Loans Act has been a relatively successful program. It is the kind of program that puts the burden of initiative upon the fishermen themselves. We commend the proposal in this legislation which will increase the ceiling in terms of individual loans. It will extend the repayment period from 10 to 15 years, and it will create a ceiling on loans over the next three-year period of $250 million.

The Bill which is before us does the opposite. This Bill ignores the ceiling for individual fishermen. It reduces the ceiling from $150,000 to $100,000. Something less than 10 per cent of fishermen have loans over $100,000. However, I must point out to the Government and to the Minister of State for Small Businesses (Mr. Valcourt) that with the growing costs of fishing enterprises, boats, gear, and so on, these costs are increasing annually. One cannot set up much of a fishing enterprise even as an inshore fisherman for under $150,000. Of course, the term of repayment has been brought down from 15 years, which was the case under FILA, to 10 years.

• (1300)

Once we go into Committee of the Whole on this Bill, it is my intention to ask the Minister of State for Small Businesses and Tourism (Mr. Valcourt) to accept an amendment that will reinstate the ceiling of $150,000 for loans. Given that there is a cap of $2.5 billion for small businesses, I am sure that this amendment would not cause any problems. I feel confident that the Minister could accept that amendment. It would in fact be an improvement to the Bill. Also, I would ask that he accept an amendment extending the term from 10 years, as it is under the Small Businesses Loans Act, to the 15 years that was available under FILA.

Those two amendments would go a long way toward making this Bill more acceptable to those of us in the Opposition, particularly those of us who represent fishing communities.

My criticism of the way in which the Government is treating fishermen goes further. I have already mentioned some of the programs that have been cut, slashed. One of the main programs on which this Government has backed off in terms of financing is the Small Craft Harbours Program.

I know the Hon. Minister had occasion recently to visit Val Comeau and during that visit the fishermen gave him a very hard time—and rightfully so. There is not nearly enough money in the Small Craft Harbours Program. This year, the funding amounts to $47 million.

The Fisheries and Oceans Committee, for the last three years, has been asking this Government to put much more funding into small craft harbours. My colleague from the New Democratic Party who sits on that committee will know exactly what I am talking about. There was unanimous agreement on the part of the Fisheries and Oceans Committee that much more money is required for small craft harbours.

The Deputy Minister of Fisheries told the committee that if there was no more funding that there would be 150 wharfs and harbours closed in this country, 13 of which would be in my own Province of Prince Edward Island.

That is a sad commentary on this Government and how it is behaving toward the fishermen of this country.

I go back again to the Canada-France agreement, in which we have almost every Department of Government involved but for the Department of Fisheries. It is the Department of Fisheries that should be representing the views of the fishermen of this country in respect of that agreement. In External Affairs, the left hand never knows what the right hand is doing. The Minister, who should be responsible for dealing with fishermen and the concerns of fishermen, the one who should be standing up for the fishermen of this country, has let that slip out of his hands.

An article in one of today's newspapers makes the point that we are witnessing the disintegration of the Department of Regional Industrial Expansion.

Since the coming into power of this Government, the Department of Fisheries has been downgraded to the point of being almost a branch Department.

Yes, the Minister does have a car, and he does have a driver; but very little else. This Minister of Fisheries is not standing up in Cabinet for the rights of the fishermen of this country.

On the West Coast, we have the issue of Kemano, where they are talking once again about lowering water levels. Once again, the Minister is not standing up for the fishermen on the West Coast.

We are left with a lot of frustration, not only with the Minister and with Bill C-63, but with the way in which the Department is falling behind. It is one Department that should be front and centre. With a little bit of support from this Government, the fisheries industry could generate thousands of new jobs.

Every time the Americans threaten us with another tariff, this Government, being as weak-kneed as it is, simply removes another program—and in this case, it is a program that has been beneficial to fishermen.

To repeat, the two main issues in respect of this Bill are, first of all, that it reduces the ceiling for loans to fishermen from $150,000 to $100,000, and second, that the term of the loan is reduced from 15 years to 10 years.

It is our hope that the Minister will be able to accept the two amendments proposed, thus taking us back to the situation under FILA.

The proposed legislation carries with it yet another burden for fisheries, that being a new registration fee, a fee that is set at 1 per cent of the fishermen's guaranteed loan. Fishermen will have to pay this fee up front. For a fisherman facing emergency repairs, the fee would take scarce money out of his pocket.

Apparently, the revenues derived from this fee will go toward administrative costs. That is what the Government tells us. But fishermen, like other citizens, already pay taxes to the Government.

There is an interesting wrinkle to this. With the 1 per cent fee, the $18.8 million in loans under FILA in 1985-86 would have resulted in revenues of $188,000. The Nielsen task force found that the Department of Fisheries and Oceans spent only $97,000 on administering the FILA program. Therefore, the new user fee will pay for the old program, twice over.

Once again, we have a situation that is blatantly unfair to our taxpaying fishermen.

This Government, with its sweeping majority, is going in the direction of user fees. It wants cost recovery on everything.

It is not right that this type of fee should be charged to our fishermen.

The Minister, in his remarks, said he was pleased to bring fishermen into the Small Businesses Loans Act, and he went on to praise the Act on the basis that it does have a larger cap over-all. But it is a step backwards for fishermen. I want that to be clear on the record.

It is my hope that the Minister will be able to accept the amendments, which I shall have delivered to him. I told his Parliamentary Secretary last evening that I would have these amendments here this morning. Once the Bill is referred to Committee of the Whole, it is my hope that those amendments can be dealt with, and adopted.

The other problem I have with this Bill is the timing, with the Bill having been brought in on the last sitting day before we break for the summer. This Bill should have gone to the appropriate legislative committee for detailed study. But we in the Opposition are caught. We know that there are people out there who are depending upon loans. We know that. We know that they need this legislation before the summer.

• (1310)

I guess half a loaf of bread is better than no bread. The Government knew that FILA was to terminate on June 30, and it brought in Bill C-63 for second and third reading at this late hour. We hope the amendments will be accepted and that we can go along with part of it. However, I give the Minister of State for Small Businesses and Tourism and the Minister of Fisheries and Oceans, wherever he is, fair warning not to try to do it again on the last day before a summer recess.

We have no alternative today. If it is not approved, Canadian fishermen will have to wait until the House reconvened in the fall to obtain loans.

It is not a good piece of legislation and we oppose it. However, we know that time is of the essence. The Government is not playing a fair game with our fishermen by bringing legislation, which requires improvement, into the House on the day before we recess. Certainly fishermen will remember and understand the dilemma faced by all of us on the opposition benches.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Madam Speaker, I welcome the opportunity to make a few remarks on Bill C-63, an Act to amend the Small Businesses Loans Act.

I am sure Canadian fishermen are already very aware of where they stand with the Government. They are aware that it pays very little attention to their needs, cuts back on their programs, and squeezes them for every possible nickel.

They have seen the underfunding of different fisheries programs. Small craft harbours had to beg for funds. They finally received a $100 million allocation, which I am sure the Minister will use where it will do the most good for the Conservative Party but perhaps not the most good for fishermen and their communities. They have seen increases in licence fees and in wharfage fees. They have also seen an underfunded Salmonid Enhancement Program.

Now, on the final day of June when the Fisheries Improvement Loans Act expires, the Government brings in a piece of legislation which it wants passed immediately, otherwise the entire loans program for fishermen disappears.

The Fisheries Improvement Loans Act was first brought in in 1955. Over the last 32 years, some 18,198 loans have been made under the program, to a total of over $246 million. There has been a number of claims where fishermen have been unable to make their payments, some 611 claims totalling $13

million. Also there has been a number of extensions of the program over that period of time. The last one took place in December, 1986, and the Conservative Government is allowing to lapse a program which was designed specifically to provide funding for fisheries improvements, a program which was specifically for fishermen and their communities.

Often the program was improperly or inadequately funded, but at least it was their program. They knew the amount of funding available to them and how to obtain it. Now it is being assumed under a much larger program and there is no certainty in terms of how much of the funding will go to fisheries improvements.

Some fishermen have expressed a concern that under the Act they will be designated as small businessmen. Some of them question the implications in terms of unemployment insurance if the Government once again decided that it wanted to change the system. We know that Canadian fishermen waged a fight to keep the Government from cutting back their unemployment insurance. Some of them are now concerned about being designated as small businessmen for the purpose of obtaining loans and whether it will mean that they will also be designated as small businesses in terms of the Unemployment Insurance Act.

There is much concern that the new program will not meet the needs of fishermen, and we will not have the time to examine it at any length in committee. It is being pushed through at the last minute.

The Minister has known for over a year that the program would lapse and that a new one was needed. The Bill was only tabled on June 8. There is no time for changes, which reflects the very low priority which the Government gives to fisheries. We are expected to push it through all stages on the very last day before the summer recess. As the previous speaker mentioned, we have very little choice but to agree, because some kind of loan program is necessary even though the program provided in Bill C-63 is inadequate and inferior to the previous one.

As I said, the previous program was not properly funded. On December 15, 1986 the House, in a method similar to the one being used today, passed a six-month extension to the Fisheries Improvement Loans Act, and by January 15 the $30 million which had been provided was gone; all the money was gone in a month. This is a clear indication of inadequate funding. No money is available for fishermen who want to plan for improvements in their operations. They were told to be patient. They were told to wait. They were told to go to the end of the line. They were told that the Government would get around to them eventually. Now, on the last day of June, the Government is finally getting around to the fishermen. We are spending just a few minutes to rush through this piece of legislation, because if we do not do so there will be no program in place for them.

We see very clearly in the Nielsen task force the direction in which the Government wanted to go in terms of the Fisheries Improvement Loans Act. It wanted to get rid of it. In part the task force indicated:

> —the Government should consider termination. The major thrust of the study team's recommendations is for less federal government intervention in response to true market forces. To the extent that financial assistance is required by fishermen, this can be obtained from provincial loans boards or financial institutions. The determination of whether assistance should be based on sound economic business considerations.

The Government felt that the process could be taken care of by what it calls true market forces. I am not exactly sure what it means by that. However, if we leave our basic industries to what the Government considers to be true market forces, there will be no basic industries left and unemployment rates will be even more unacceptable than they are now.

The task force suggested that the Government should look at provincial loans boards or at financial institutions. The difficulty in obtaining loans was the reason the program was created in the first place. To suggest that it was not needed is completely wide off the mark.

I should like to sketch briefly the differences between the two programs—the Fisheries Improvement Loans Act which expires today, and the amendments which will cover fisheries improvements under the Small Businesses Loans Act. Admittedly there is a great increase in the total amount of money available under the program. However, how much of it will be directly available to fishermen? There is absolutely no guarantee. There is no statement in that regard. There is no mechanism of which I am aware that will monitor how much of the money goes to fishermen. We would like to see some guarantee of at least the amount of money that was available to fishermen under the old program. Again we note that while the fishermen's program has been rolled into the larger program, there has been no increase in funding for the new program. We wonder how more people are supposed to share the same amount of money from the same old pot.

• (1320)

The maximum amount of money that was available to fishermen for borrowing under the old program was $150,000. Under the new program, that amount has been reduced to $100,000. This is a decrease at a time when we all know the cost of everything is going up. Why the decrease, Mr. Speaker? Why is the Government saying to fishermen that there is only two-thirds as much money available to borrow as under the old program? At least 3 per cent of the loans under the old Fisheries Improvement Loans Act were over $100,000. Nothing above $100,000 will be available now. Why is the Government producing a program that is less satisfactory at a time of rising costs? Perhaps the Minister can answer that question.

Again, the maximum loan under the old program would cover 100 per cent of the proposed investment. Today it covers only 80 per cent of the proposed investment. Again we have a poorer program.

Fishermen faced with costs for getting their equipment ready for a season or for repairs often have difficulty coming up with the 20 per cent that has to be put up front before they can get a loan under the new program. Why is the Government bringing in a program that is less satisfactory for the needs of the fishermen than the old program?

The repayment period under the old program was 15 years. Under the new program it has been cut to 10 years. We all know that fishermen often have to deal with cycles that sometimes last more than one or two years. Often there are several bad years and if the fishermen have to have all their payments squeezed into a 10 year period it can be very difficult. Why was the maximum payment cut from 15 years to 10 years? The Government is not primarily concerned with the needs of the fishermen, but it must have some other agenda with which it is dealing.

The government guarantee of this loan program drops from 100 per cent to 85 per cent. On top of all of that, there is now a registration fee, a fancy term for a user fee, of 1 per cent. This money has to be up-front, so that the cost of the program is an additional 1 per cent. There is less money available to individual fishermen for loans. There is a shorter repayment period. The Government guarantee has dropped from 100 per cent to 85 per cent. Loans can only cover 80 per cent of the proposed investment.

In every single way, Mr. Speaker, this is a poorer program than the old one. Why is the Government changing it? Why was the Government not prepared to bring in a properly funded program for fisheries improvements? Why is the Government trying to suggest to Canadians that somehow it is dealing with the needs of fishermen by incorporating them under the Small Businesses Loans Act.

This program does not meet their needs anywhere near in the same manner as the old one. The Government is cutting back and is indicating the very low status it gives to fishermen. It is very obvious that the program is not an improvement. We will let the Bill go through because today is the last day. Unless this program goes through there will be nothing available, and it is better than nothing.

We are not happy with the low priority which the Government gives to fisheries. We are not happy with the way in which the Government has abused the rights of fishermen by taking away a decent program and giving them one that does not meet their needs.

Mr. George Baker (Gander—Twillingate): Mr. Speaker, I believe the Government has decided to close down completely the federal Department of Fisheries and to get out of the area of matters that deal with fishermen in other areas. I do not know why, and I am sure no Member of this House can tell me why we have had since 1945 a guaranteed loan program for farmers, and since 1955 a guaranteed loan program for fishermen. All of a sudden in 1987, the Government of Canada decides to discontinue completely the guaranteed loans program for fishermen but is keeping the guaranteed loans programs for farmers. We have yet to see the Bill. I understand the farmers' Bill will be presented some time today. I imagine we will see a fee built into it whereby the farmers will have to pay something back to the Government of Canada for the privilege of getting a guarantee at the banks, but it still does not answer the question: Why pull out of the program designed for fishermen?

It is an interesting question. The budget for the Department of Fisheries, as our fisheries critic from Prince Edward Island has pointed out, has deteriorated substantially. It is reduced more than any other budget of the Government of Canada.

You have, Madam Speaker, a Bill before this Chamber today that is a real slap in the face to the fishermen of Canada. You have a Bill here that says that no longer will there be a guaranteed loans program specifically aimed at fishermen. The Government of Canada found itself in quite a spot in that all of the guarantees for loans out across Canada had been used up, that is, the quotas to the banks. The fishermen were left with phone calls from the banks saying, "Look, your loan is no longer guaranteed because the Government of Canada—this Tory Government of Canada—says that we have gone over our limits and now we must demand payment in full tomorrow, says the letter from the law firms in British Columbia, from the law firms in Nova Scotia, from the law firms in Prince Edward Island, from the law firms in Quebec, from the law firms in Newfoundland and Labrador to the fishermen". It is, "payment in full immediately or we will seize your property, your house, your car and everything else".

The Government of Canada decided not to extend the guarantee on the loans. That was a conscious decision made by the new Tory Government elected in 1984 because it was going to leave fishermen out in the cold and not provide them with that extra bit of guarantee because times were bad. This Bill says the word "fisheries" will be excluded under the definition of business enterprise under the Small Businesses Loans Act. The only reason fishermen could not get loans under the Small Businesses Loans Act before was that the word "fisheries" was covered under the Fisheries Improvement Loans program.

• (1330)

A person can go to Avco or Household Finance or anywhere like that and he does not have to put down a fee to get a loan, although he does have to pay an incredible interest rate. However, no one is telling that person that he will only be loaned 85 per cent of the money and he will have to pay 1 per cent of the loan up front to the Government of Canada for the privilege of walking over the doorstep to get a loan.

This piece of paper before us today is not worth anything to the fishermen of Canada. It is a reflection of the attitude of the Government of Canada toward fishermen. The Government tells fishermen that it is moving away from all responsibility for fishermen. This has been displayed in every single action the Government has taken.

Today on the East Coast of Canada, the French fishing fleet is overfishing as much as it wants and the Canadian Government is scared to death to even board those boats. It is afraid, it is shaking in its shoes. The Government will board a Canadian boat if a fisherman is overfishing, but it will not board a French boat. If the French flag is up, beware, do not go close to that boat. If the American flag is up, beware, do not go close to that boat. Perhaps the Government might board a Spanish boat because Spanish boats proceed only at about eight or 10 knots, but it will certainly board Canadian boats.

For example, on Friday night the Government closed the quota on capelin, the small fish that are primarily sold to the Japanese market. Fishermen throughout eastern Canada are outraged today because there is capelin, in the water, there are buyers who want to buy the capelin but the fishermen are not allowed to catch it. Why? Because the Government says that fishermen are only allowed to catch 15,000 metric tonnes of capelin this year because it thinks that this is all the market can bear.

It is funny, but the Government forgot one thing. It forgot that it gave the Russians 17,000 metric tonnes of capelin and the Russian boats off the East Coast of Canada are able to catch as much capelin as they want right up to December 31.

Mr. Henderson: We're saving it for them.

Mr. Baker: We are saving it for the poor Russians. There are even Russian boats that are willing to come into Canadian harbours on the East Coast to buy capelin from the fishermen, but the Russians can catch the capelin because they have a quota of 17,000 metric tonnes. The Canadian fishermen are not allowed to catch capelin to sell to the Russians because their quota of 15,000 metric tonnes is all caught.

The Minister of Fisheries and Oceans (Mr. Siddon) was in eastern Canada for the last three days. I think he showed up in Ottawa last evening. I understand that he is trying to address the problem. Certainly, though, there appears to be a total lack of communication. If there is any reason for what the federal Government did about capelin, then that has not been communicated properly to the fishermen of eastern Canada. I do not know how that action can be explained, but there must be some reasoning behind it somewhere. Capelin is considered to be an under-utilized species. If it is under-utilized, the Government will give some to the Russians, some to the EEC and some to this nation and that nation. But here are the Canadians with their quota cut off.

That is the attitude of the Government of Canada toward fishermen. It took the Fisheries Improvement Loans Program that gave loans to fishermen who were trying to make a living, trying to get by day to day, trying to feed their families, and cut it off, the only loan program for fishermen. The Government will not even allow government guarantees on loans but if the fisherman pays a fee, the Government will give a guarantee on 80 per cent to 85 per cent of the loan at the big bank. That is incredible. It is an absolute joke.

An Hon. Member has just handed me a note saying that the farm Bill which will be introduced has a user fee attached to it. That Bill will be introduced in the Chamber very shortly. Under that Bill, $5.5 billion is in circulation. There are only a couple of farmers in my riding, but there is $5.5 billion in circulation and the Government is now saying that it will make farmers pay a fee in order to get guarantees. The Small Businesses Loans Act collected in this past financial year $7.5 million from that fee in order to pay some of its expenses. Imagine the fees the Government will now collect from the farmers of Canada under a Bill that will be introduced in this Chamber in a few moments.

What is the default rate on farm loans? Of the $5.5 billion that is in circulation, the Government has had to pay less than $15 million on defaults. If what the hon. gentleman just passed to me is right, the Government will make a windfall profit on every loan it guarantees to the farmers of Canada after the Bill is introduced this afternoon. I would advise Hon. Members who are interested in loans to farmers—and I know, Madam Speaker, that we are dealing with loans to fishermen—that I doubt I would let that go through without a lot of debate.

The Parliamentary Secretary to the Government House Leader has worked this out right to the second. He brings in the Bill on the last day of sitting, a Tuesday after everyone sat in this Chamber practically all night and everyone is tired and sleepy. He brings in the Bill at the last minute and says: "Well, this happens to be the last day of the month and if you don't pass the Bill, there ain't going to be no more loans for fishermen or farmers or anybody else".

One could ask why he did not bring this Bill before the House sooner. He brought a lot of nonsense into the Chamber before. Farmers and fishermen will now ask their Members of Parliament how they allowed the Government to make them pay money out of their own pockets for loans.

Imagine going into the bank and saying: "I would like to get a loan," and the bank manager saying: "Well, in order for me to lend you some money, you have to give me some money". That is the law passed by the Parliament of Canada on the last day of June, 1987. The farmer will look at the bank manager and say: "You're crazy. If I had money to give you, I wouldn't be coming in here to get a loan". The bank manager will say: "Well, you had better write to your Member of Parliament because he passed the Bill".

I do not know what is going on here. I imagine it is an extension of the user-pay policies of the Minister of Finance (Mr. Wilson), but there is something radically wrong with the Government of Canada. There is something radically wrong with us. I do not know, maybe you could make a ruling. We cannot sit tomorrow. We have to conclude our proceedings today. Perhaps the Chair can figure out some way to communicate to all our farmers and fishermen the fact that the House did not appreciate what the Government and its House Leader have done with these two Bills.

• (1340)

I leave Hon. Members with this suggestion. I would certainly not pass either one of these Bills with just a flick of the wrist. I would consider an extended debate on each one of these clauses.

Mr. Ray Skelly (Comox—Powell River): Madam Speaker, I am pleased to have an opportunity to comment on Bill C-63. I share some of the concerns expressed by my friends and colleagues today. It is unfortunate that we have only a few minutes on the last sitting day to discuss an issue as important as small business in Canada.

The purpose of the Bill is to cover the fishing industry under the Small Businesses Loans Act and replace the Fisheries Improvement Loans Program. As has been expressed by previous speakers, this is a wrong-headed approach to the problem fishermen face in raising capital for vessel and other equipment acquisition and improvement. The improvement loan program has been quite suitable over the years. I suppose these changes reflect government philosophy, which is to make it more difficult for people to acquire capital. The philosophy is that if you have the money, you can participate in resource extraction. If you do not, even though you may have years of experience in the industry, you cannot participate. It is interesting that at the same time the Government is providing this borrowing mechanism for the fishing industry, it is creating a situation which is leading to chaos. Fishermen will have great difficulty in making an adequate living, much less repaying existing loans. Some of those difficulties were mentioned by my colleague, the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly), as well as other members in the Official Opposition.

Some years ago we had a royal commission studying the West Coast fishery headed by Peter Pearse. That commission developed a plan which would have removed most fishermen from the industry. It would have given the fishery to a limited number of wealthy individuals. The plan put forward by the commission indicated that the fishing industry was chaotic. Too many boats were chasing too few fish. Limited access was the idea. Of course that makes it hard to make a living. I think that over the years the people involved hoped the Conservative Government would make a commitment that the Liberals never would make, that the Pearse plan would be stopped. That has not happened. Instead we see an acceleration, which is driving small fishermen out of the business and weakening the coastal communities concerned because they are being cut off from the industry.

It is interesting to note where the Government has taken this industry. First we have the development of plans which work against fishermen. On the West Coast the Minister instituted a new consultative body called the Pacific Region Advisory Committee. That replaced the previous ministerial advisory committee. It has now become a political mechanism. If you support the right political Party, you can give advice to the Minister. Instead of representing the people who fish off the West Coast of Canada on a proportionate basis, you have a committee composed of a few wise persons. I use the term "wise" advisedly. In some quarters a wise Conservative might be viewed as a contradiction in terms. Nevertheless, this committee is highly politicized and does not represent those who fish off the West Coast. It certainly does not represent them with any weight.

The unfortunate part of all this is that there will be little if any consistency in the advice the committee gives to the Minister to develop fishing plans. Neither will there be continuity. After the next election the Conservative Government will no longer exist and another committee will replace the present one. We will then lose any kind of continuity, something that is absolutely critical when you are dealing with fishing cycles of up to four years and conservation cycles of up to 20 years. The industry is being made more unstable at the advisory level.

In addition, when local and regional advisory committees are appointed they make recommendations to the Department of Fisheries and Oceans. Instead of following the advice of those who have the knowledge and experience, people who have done this for generations, the Department chooses to ignore the advice and impose its own decisions. Those decisions are often politically motivated, and I will give one example.

There is a sports fishing corridor in Rivers Inlet. That corridor was opposed by the Central Coast Regional Advisory Committee. Yet the Minister chose to go ahead. Unfortunately, that sets a precedent for other coastal areas and that is a bad precedent contrary to the advice given. The whole business of planning and operations in the fishing industry has been dislocated, to say the least, by the Government.

The next problem in the industry is the whole business of allocation. It is a very serious matter. I understand the Minister stood up before the British Columbia Wildlife Federation and indicated he was prepared to turn two species of salmon over to the sports fishing group, the cohoe and the chinook. That is completely unacceptable. Traditionally the spring and cohoe salmon have been fished by both sports fishermen and commercial fishermen and native people. There is no doubt that with proper management and proper enhancement those species can be available for all. Any Minister who decides to court favour with one small group of commercially oriented sports fishermen is in serious political trouble. Such a view of allocation based on political affiliation and on a small group making a loud noise will lead to serious political consequences.

• (1350)

With regard to small craft harbours, fishermen who make small business loans are being bashed into the ground through additional costs and impairments in the fishing industry. How can you make your payments on a loan if you cannot fish? The Government is talking about developing a landing tax. Peter Pearse proposed that in order to get rid of small fishermen you

simply increase the landing tax to the point where marginal fishermen can no longer stay in the industry. You simply charge them more and more to moor their vessels. You do not provide adequate harbours in order that people can moor their vessels and repair them near their homes.

In short, the Department of Fisheries and Oceans and the Minister are creating enormous problems for people in the fishing industry by causing them to travel great distances to store their vessels and have them repaired. Right now moorage fees, the condition of harbours, the user costs associated and the inadequacy of them on the coast of British Columbia are becoming a major problem.

In places like Port Hardy, Campbell River, Saltery Bay and the Comox Harbour area in my own riding there is a definite need for harbour upgrading and improved parking and service facilities, which would be a major enhancement to the local economy and the fishing community.

There must be infrastructure development for fishermen. There is need for cold storage plants and processing plants in communities in order to develop a focus for those communities. A great deal of concern has been expressed about the aquaculture industry on the coast of British Columbia. That industry needs infrastructure in the form of small craft harbours to load and unload material. It needs cold storage areas and processing plants to prepare for trans-shipment of the material.

The same thing is required by the commercial fleet. A major storage plant in the community of Port Hardy for the storage of herring, halibut and salmon would mean that a small community which is undergoing major traumatic experiences of a single industry town could benefit through an enormous increase in fish storage and fish processing capacity as well as a substantial increase in employment. Many other areas along the coast of British Columbia would benefit from cold storage facilities.

With regard to the Salmonid Enhancement Program, there was an announcement recently by the Minister of Fisheries and Oceans (Mr. Siddon) that the Government would continue to fund this program on the coast of British Columbia at an extremely modest and inadequate level. There is tremendous potential for the enhancement of salmon on the coast of British Columbia. The present stocks, which were developed through hatcheries and the development of incubation systems and spawning channels, are a major achievement of previous Governments. The stocks are being maintained at a certain level per year.

However, the Conservatives are now talking about privatizing those facilities. They are talking about using those facilities as suppliers for the aquaculture industry in certain areas. They are talking about funding them from landing taxes. The Government of Canada is attempting to evade its responsibility to ensure that the resource of wild stock salmon, which has been an economic boon to the West Coast of Canada and, indeed, all of Canada for many years, is maintained and improved. More money is needed.

Several years ago the Government decided to put $5 million into job creation on the coast of British Columbia under a MILAP program. That program encouraged a number of projects under the Salmonid Enhancement Program which have been very successful. They received funding for a couple of years and developed their projects. After the projects began to run they were suddenly cut off. Due more to the efforts of dedicated individuals than any policy of the Department of Fisheries and Oceans, it has managed to squeeze out some funding to provide small amounts of assistance here and there.

However, the Minister has not recognized that those projects contribute substantially to the wealth of the West Coast of Canada and that of Canada as a whole and are worthy of government support. Under the MILAP program projects were developed on the northern end of Vancouver Island in Port Hardy, around the Oyster River, at Quadra Island and at Gold River. They were given seed money to develop and then were cut adrift.

Those stocks have become important. They serve the commercial fishery and the communities in which fishermen live, which, in turn, serve all businesses in those communities. It is critical that that continue for the continued development of salmonid enhancement.

Another issue is that of resource inventory studies. What is the point of investing a lot of money in salmonid enhancement projects if you are going to allow logging in critical areas which will destroy the streams and wild rearing areas? The Rivers Inlet and Owikeno Lake areas definitely need an integrated resource management study and a course of action planned in co-operation with the federal Departments of Fisheries and Oceans and the Environment and the provincial government agencies.

The herring industry on the West Coast is in a critical condition as well. Representatives from the industry as well as fishing groups recently appeared before the Committee on Fisheries and Oceans. They pointed out that the multiple licence system is a serious problem which has put many people out of work. It has harmed many communities and tends to decentralize the control of fishing companies. A small number of fishermen benefit from a major and wealthy resource. Multiple licences and the area licensing scheme have compounded that problem.

The Department of Fisheries and Oceans must have a registry of those who have the right to fish herring. From that registry a rational transfer system must be developed which would prevent the company from grabbing control of it and prevents the Department of Fisheries and Oceans from implementing the Pearse regime which would throw most of the people involved in that industry out of work and place that entire resource in the hands of a few wealthy individuals who may not be fishermen.

S. O. 21

The Acting Speaker (Mrs. Champagne): It being two o'clock p.m. the House will now proceed to Statements by Members pursuant to Standing Order 21.

• (1400)

STATEMENTS PURSUANT TO S. O. 21

[*English*]

CANADIAN NATIONAL RAILWAYS

JOB REDUCTIONS IN CAPE BRETON

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, once again CN has struck in Cape Breton. It has abandoned another three jobs, put other workers on pre-retirement leave, and has said that these jobs it has abandoned are not necessary.

When one questions the Government it says that CN is making the decision and, as a Crown corporation, must be right that the jobs are excess. However, that is not the case.

CN is deliberately misrepresenting the situation in Cape Breton and the Government is supporting it. Two labourers and a clerk will be laid off. One of the labourers is 50 years of age, with 24 years of experience and seniority in his particular bargaining unit. This Crown corporation is getting rid of people who, at this particular time, need funds for their mortgages and families. Yet this is allowed to continue time after time.

When will the Government begin realizing that the people in this country are important and that Crown corporations owe these people at least the right to have security in the community in which they have spent so much of their lives?

* * *

ADMINISTRATION OF JUSTICE

CALL FOR REFORM OF PENAL SYSTEM

Mr. William G. Lesick (Edmonton East): Mr. Speaker, early this morning in a free vote Members of Parliament voted against the reinstatement of capital punishment by a count of 148 to 127. Parliament has spoken. However, the majority of Canadians—certainly the majority of the constituents in my riding of Edmonton East—ask for capital punishment. What now, Mr. Speaker? Life must go on.

People are asking for protection. People are asking for justice and for fairness in the judicial system. Violent crimes should no longer be the norm, the law should work in favour of law-abiding citizens, not the criminal.

It is imperative that we turn our attention to the reform of the penal system. We must devote all of our energies to ensuring that Canadians are provided a safe living environment and that the parole system is reassessed, that a life sentence means just that, and murderers are not permitted back on the streets to kill again.

* * *

EXTERNAL AID

CANADIAN'S CRUSADE TO ENSURE CLEAN WATER IN THIRD WORLD COUNTRIES

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, as we celebrate Canada Day tomorrow, we think of features of Canadian life most of us take for granted. These include things such as safe drinking water, customary in Canada, but the exception in the Third World.

Michael Lubbock is an 81-year-old Canadian who wants to change this. Through his non-profit organization, Watercan, Lubbock crusades to bring clean water to the Third World.

Contaminated water is the cause of many diseases, including diarrhea which is the number one child killer. Lubbock began raising money for Watercan by asking municipalities to send out with their water bill an informative brochure and appeal for funds. Mayor John Savage of Dartmouth, Nova Scotia, adopted the idea. By last April, Dartmouth residents had donated more than $5,000 to Watercan. Given this success, CIDA provided Lubbock with $50,000 in operating funds and agreed to match future contributions two for one.

The first development agency to tackle projects funded through Watercan will be CUSO in Zambia, Ghana, and Nigeria.

I commend Michael Lubbock for his initiative, and Mayor John Savage of Dartmouth for his vision and action. I hope other communities in Canada will follow their lead so that people everywhere can enjoy clean water.

* * *

[*Translation*]

ADMINISTRATION OF JUSTICE

NEED TO IMPROVE RULES GOVERNING PAROLE

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, those who are against the restoration of capital punishment celebrated a great victory yesterday. Unfortunately nothing has been done to allay the apprehension of all those who wanted measures to reduce crime, all those who wanted convicted murderers to be really punished.

Mr. Speaker, I would now urge all Hon. Members who voted against the reinstatement of the death penalty to bring pressure to bear on this Government so that as soon as the session resumes in September it will introduce legislation to

improve the penal system, make sure that the rules governing parole are stricter, as suggested by the previous speaker, protect the lives of Canadians, and set up a better societal integration procedure with respect to paroled inmates.

Hopefully, Mr. Speaker, we will continue the fight to improve the quality of life for all Canadian men and women.

* * *

ADMINISTRATION OF JUSTICE

CRIMINAL MATTERS

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, today's statements have a common thrust. Last evening we voted on a very important issue. I am pleased we were able to settle the question, for the workload of the House will be somewhat lighter. Hopefully we will now be able to tackle the real issue, criminal matters. A number of my colleagues dealt with this topic during the capital punishment debate. We have to fill the gaps in our system with respect to indictment proceedings, sentences, or the administration of our parole system.

Many problems are still unsolved concerning these flaws and as the elected representatives of the Canadian people we must ensure that our country remains a good place in which to live. So we still have a lot of work to do and I hope we will come to grips with these problems as soon as we return in September.

Finally, a happy holiday to everybody and particularly to you, Mr. Speaker, for you have been doing an outstanding job since your election. Happy holidays!

* * *

[*English*]

DEMOCRACY

THE PEOPLE'S VERDICT

Mr. Gordon Taylor (Bow River): Mr. Speaker, totalitarian philosophy is based on the Government knowing best about everything and thus telling the people what is good for them. Democracy is the very reverse, wherein the Government endeavours to the best of its ability to find out what the people want and then reflects the thinking of the people in its administration and legislation.

I have no use for totalitarians, whether they be fascists, communists, socialists or anything else. This group believes that once they are elected they are suddenly given extra brains and super powers. In a democracy it is the very reverse, or should be, where the members of the Government seek the views of the people they represent and reflect those views in the administration.

Real democracy existed at its origin, where everyone went to the assembly. This evolved to where the people elected representatives to carry their views to the powers that be. The trend in Canada is getting further away from real democracy and closer to totalitarian views. I deplore this trend and my only consolation is that the people will have the final say when they cast their ballots. The people know best.

* * *

BANKS AND BANKING

CHARTERED BANKS—OVERCHARGING ON LOANS TO FARMERS

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, in response to my questions in the House yesterday, the Minister of State for Finance (Mr. Hockin) stated that the Government would not be willing to intervene or investigate interest charges during the early 1980s when many farmers signed bank notes at fixed interest rates and were charged floating rates amounting to huge interest overcharges.

The Minister has a report from the Inspector General of Banks which he will not make public. However, he says that the non-intervention decision is based on three court cases which ruled against the overcharges.

I want to point out that I discovered which cases the Inspector General and the Minister are using as their basis for reports. They all involve interest charges well in advance of the changes to the Bank Act in 1980, and are therefore totally irrelevant.

Since that time the Supreme Court of Ontario ruled in the Wilford case, and recently ruled in the Smeltzer Farms versus Royal Bank case, on the side of the farmers, saying that the banks had indeed overcharged these people. In the Smeltzer case it has even refused to permit a bankruptcy procedure by the bank because it had acted improperly.

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[*Translation*]

LABOUR

CRITERIA DEFINING ISOLATED POST

Mr. Guy St. Julien (Abitibi): Mr. Speaker, the regulations clarifying the criteria for isolated posts in Canada, in terms of the Treasury Board Directive on Isolated Posts (1977), are being reviewed this year. The authorities of the municipalities concerned, the unions and workers in our remote regions in Canada must make every possible effort to ensure that the same criteria are maintained, especially those for social isolation, and I am thinking of the particular case of the municipality of Joutel in Abitibi.

We all know that the new system for providing tax relief for northern residents, which has been in effect since January 1, 1987, has been very well received by all workers. The new provisions are fair and reasonable.

Mr. Speaker, it is my duty, speaking on behalf of the unions, companies and all other parties concerned, to intervene in order to obtain a fair deal for workers in northern Quebec and all Canada's isolated areas.

* * *

• (1410)

[*English*]

CANADA POST CORPORATION

EFFECT OF NEW MAIL DELIVERY POLICIES IN PRINCE EDWARD ISLAND

Mr. George Henderson (Egmont): Mr. Speaker, the policies of Canada Post are becoming more ridiculous by the day. For instance, in Summerside, Prince Edward Island, only one home owner, the Simpson family at 380 Brophy Avenue, does not receive door-to-door mail delivery. Yet each day a letter carrier walks by and delivers mail to a nearby apartment building. On April 14 I wrote to the Minister responsible for Canada Post but all I received in response was a form letter. He did not even bother to investigate.

Canadians from coast to coast are fed up with the policies of the Conservative Government which are forcing Canada Post to cut back postal services to our taxpaying citizens. I quote from a resolution passed at the annual meeting of the Federation of Prince Edward Island Municipalities:

> The new delivery policies are discriminatory as new subdivisions will not receive the same benefits as an already established subdivision.

I urge the Minister to review the Simpson case and give that family what they deserve, good postal service.

* * *

HOUSE OF COMMONS

TRIBUTE TO STAFF AND PAGES

Mr. Don Ravis (Saskatoon East): Mr. Speaker, each year at this time, as Members of Parliament begin to think of summer recess and a break from the daily business of the House, it is essential that we pay tribute to those people who have faithfully and efficiently assisted this House in carrying out its tasks over the past year.

On behalf of all my hon. colleagues I would like to take this opportunity to thank the messengers, the Commons postal staff, the cafeteria staff, the restaurant staff, the committee staff, and all the other House of Commons staff for making our jobs so much easier.

I would also like to pass on my warmhearted thanks to the 42 pages who have clearly demonstrated their commitment and dedication to hard work.

Some Hon. Members: Hear, hear!

Mr. Ravis: While attending university full time, these young men and women cheerfully and enthusiastically serve the Members of the House. As this term quickly comes to an end, these 42 pages will continue to follow a road that has already pointed to a future of leadership and achievement. I wish them good luck in their future endeavours.

* * *

ENVIRONMENTAL AFFAIRS

CRITICISM OF PROPOSED NEW LEGISLATION

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, last Friday the Minister of the Environment (Mr. McMillan) introduced the new Canadian Environment Protection Act. I would like today to express my concern that some of the headlines concerning the Bill may cause Canadians to take too much comfort in the actions of the Minister. I see headlines such as: "Tough New Environment Act". The fact is that except for the emphasis on fines, if we take a good look at the Bill we see it is not a very tough Bill after all.

When we look at the fact that there is so much ministerial discretion involved, so much devolution of powers to the provinces with respect to how the Act will be enforced and administered, when we consider the persistent exclusion of important areas of concern such as pesticides and radioactive substances, when we consider the failure to include an environmental Bill of Rights or to give individual Canadians a standing in the courts with respect to environmental concerns, when we consider all those things it becomes clear that the Canadian Environmental Protection Act is not the comprehensive piece of environmental protection legislation the Minister of the Environment has been promising.

Therefore, I ask Canadians who are concerned about the environment to look at the fine print and not take too much comfort from what has happened so far.

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[*Translation*]

NEW DEMOCRATIC PARTY

COMPOSITION OF MEMBERSHIP

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, if we were asked to define the socialist Members of this House, I think we could say this is a group where each member has his own very narrow, very limited, very marginal and very eccentric ideas on one particular subject.

The fact that these people can be in the House of Commons of Canada is the price Canadians have to pay for living in a democracy.

If the socialists want to get beyond the stage of undisciplined snivellers, their party will have to take positions that are more in line with the background and philosophy of life of all Canadians.

Meanwhile, we would like to know when and how the socialist Leader will comment on what was said by the Hon. Member for Brant (Mr. Blackburn) about Canada's defence, without overlooking the positions taken by the Members for New Westminster—Coquitlam (Ms. Jewett) and Burnaby (Mr. Robinson), and his Party's resolutions on NATO and NORAD. I may refer to the resolutions passed at the March, 1987, Convention, Resolution B.4.3—B.1.1. paragraphs (8) and (9).

Instead of camping out in Quebec this summer, the socialist Leader should put his house in order and discipline his troops.

* * *

[*English*]

ENVIRONMENTAL AFFAIRS

FUNDS AND MANPOWER NEEDED TO ENFORCE NEW LEGISLATION'S PROVISIONS

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, the environment protection Bill introduced in the House by the Minister of the Environment (Mr. McMillan) on Friday looks good on paper as far as it deals with new chemicals. However, no matter how well written, it cannot stop pollution without monitoring and enforcement.

To implement the Bill the Government has allocated only $37 million over five years to be split between three departments, the Department of the Environment, the Department of National Health and Welfare and the Department of Justice. This $37 million is further divided between assessment of new chemicals, administration of the Act, and enforcement.

In addition, in 1987 the Department of the Environment has already lost 106 person-years and the Health Protection Branch of the Department of National Health and Welfare has lost 22 person-years. In the face of these facts, how can the Government ensure effective enforcement?

How can the Government impose $1 million a day fines without the means to enforce the law? To be convincing, the Minister must make adequate funds available for enforcement if this Bill is really going to protect the environment and Canadians.

CANADA LABOUR CODE

MATERNITY BENEFIT PROVISIONS

Mr. Rod Murphy (Churchill): Mr. Speaker, it is always a rush in the House at the end of June to pass legislation. As a result, quite often we do make mistakes in the passage of legislation and such an occurrence took place in 1984 when we made changes to Part III of the Labour Code. At that time we tried to guarantee that women who were on maternity leave, who would normally be receiving benefits paid by their employer, would continue to receive those benefits. Since then we have had a decision rendered in a case with regard to Bell Canada where the opposite has been decided.

Since Labour Canada promised the women of this country they would continue to receive paid benefits while they were on maternity leave, I call upon the Minister of Labour (Mr. Cadieux) to keep that promise and to act quickly to ensure a legislative change is made.

* * *

POLITICAL PARTIES

HAMILTON MOUNTAIN BY-ELECTION—PROGRESSIVE CONSERVATIVE CANDIDATE'S BROCHURE

Ms. Sheila Copps (Hamilton East): Mr. Speaker, some of us are going on vacation, others are going on the war-path. I am going on the war-path in the riding of Hamilton Mountain to make sure that Elizabeth Phinney is the next Member of Parliament. I can tell you, Mr. Speaker, who is not going to be invited to participate in the Conservative war-path. I have here a copy of a brochure from the Conservative candidate on Hamilton Mountain. Surprisingly, the only Prime Minister he mentions is the former Prime Minister, the Hon. Member for Yellowhead (Mr. Clark).

I looked through the brochure and could not find a picture of the current Prime Minister (Mr. Mulroney). I could not find a mention of the current Prime Minister. There is not a single picture. No wonder the Prime Minister is not welcome on Hamilton Mountain. If he comes there he is going to be a liability and he will make sure by his presence that Elizabeth Phinney is the next Member of Parliament for Hamilton Mountain.

ORAL QUESTION PERIOD

[*English*]

TRADE

CANADA-UNITED STATES NEGOTIATIONS—RELATIONS BETWEEN MINISTER AND AMBASSADOR

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, as we adjourn, hopefully, for the summer, I am sure

all Members would want me to echo what an Hon. Member has just expressed, namely, our gratitude to the pages for all their dedicated work during the session. We wish them well in their careers. I extend the same to all Members of the Chamber on both sides of the House.

My question is directed to the Prime Minister. It concerns the escalating public feud between his Minister for International Trade and the chief trade negotiator, Simon Reisman. In a somewhat garbled metaphor given to the Vancouver *Sun*, the Minister accused Mr. Reisman of going too far in seeking the biggest deal he can. Mr. Reisman, in his characteristically subdued fashion, has responded to the Minister by admitting that there have been tense moments between himself and his Minister.

The Prime Minister said yesterday of this dispute: "There are, and there should be, differences of opinion on different aspects of the file". I submit to the Prime Minister that on a file of this magnitude, and of this high level of government service, a mandate so critical for the future of Canada, there is no room for this kind of public feuding between the two senior officials in charge of the dossier. Why has the Prime Minister not settled this public dispute? If the negotiations are in such disarray right at the top of Canada's team, why does he not call the whole thing off and regroup?

• (1420)

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my right hon. friend is of course quite right when he refers to the complexity of these negotiations. This is an enormous burden and a great challenge for the negotiator, even one of the tremendous talents of Ambassador Simon Reisman, aided, supported and guided as he is by a tremendous Minister, the Minister for International Trade.

Some Hon. Members: Hear, hear!

Mr. Mulroney: Both of these very devoted Canadians carry great responsibilities in a very complex and difficult area, made no less easy every day by constant sniping and attacks from members of the Opposition who seem to believe that they are favouring the American rather than the Canadian position in this matter. That has added to the burdens of both people principally responsible.

They would both be less than human if, in a matter of this complexity and this seriousness, from time to time there were not modest differences of opinion on given aspects of the file. But I can tell my right hon. friend—I can assure him and reassure him—that apart from the obvious competence with which the matter has been handled great harmony prevails.

Mr. Turner (Vancouver Quadra): I bet, Mr. Speaker. I suggest that the Prime Minister use his celebrated negotiating skills, first to introduce the Minister to Mr. Reisman once again, and then bring them together.

[*Translation*]

REPORTS TO PREMIERS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, yesterday Mr. Reisman indicated that at the First Ministers' Conference, the provincial premiers, would, in his own words, receive "a fairly complete report" of the negotiations, but not necessarily on the details of the negotiations or on items such as a draft agreement.

Will the Prime Minister ensure that the provincial Premiers receive a report on the issues, a full report, and when does he intend to give Members the same information that U.S. Congressmen and Senators receive from their negotiators on a regular basis?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I don't know what kind of information is passed on to U.S. Congressmen, but I can inform you that meetings with their negotiators are less frequent than the meetings held by Ambassador Reisman with the Minister and their colleagues at the provincial level, as has already been pointed out by each of the premiers.

In almost every case, the information received is complete, and there is a high degree of satisfaction with the way negotiations are proceeding, especially in terms of the involvement of the provinces.

As for the meeting with the premiers, I can give my friend the assurance that the premiers will receive a full report on all negotiations.

[*English*]

POSITION OF UNITED STATES PRESIDENT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I hope that is true. I submit to the Prime Minister that the Members of the House deserve a report as well, at least to bring us up to speed with respect to being able to assess these negotiations in a fashion similar to that of the leading members of the United States Senate and House of Representatives who are receiving reports from their negotiator. We are completely in the dark. The Prime Minister wonders from time to time why he gets the reaction he does—it because we are not able to evaluate what is going on.

Last week the Prime Minister said and admitted that he had received a letter—

Mr. Clark (Yellowhead): Oh, oh!

Mr. Turner (Vancouver Quadra): We are hearing from the Right Hon. Member for Yellowhead. We will get to him in a minute.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): As Joe Louis once said of Billy Conn, he can run but he can't hide.

Some Hon. Members: Oh, oh!

Mr. Speaker: Hon. Members will know that members of the public who are watching this will not know what has been going on. The Right Hon. Leader of the Opposition.

Mr. Turner (Vancouver Quadra): Mr. Speaker, it was a late night.

The Prime Minister refused to reveal the contents of a letter from the President of the United States in which the President expressed his refusal to agree to a compulsory trade dispute mechanism. Has the Prime Minister now replied to the President making it clear to him that any trade proposal which does not contain a compulsory trade dispute mechanism and meaningful restriction on the unilateral right of the United States to countervail will not be fair, will not be free and will not be acceptable to Canadians?

If the President has not agreed will the Prime Minister instruct his Minister for International Trade and his chief negotiator to call off the negotiations immediately?

Some Hon. Members: Hear, hear!

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, Mr. Jimmy Coutts wrote recently in *The Toronto Star* that the Liberal Party has, among other things, no position on trade. That is being made very amply clear. The Right Hon. Leader of the Opposition seems determined to sabotage these talks one way or the other.

I tell the Right Hon. Leader of the Opposition that in our judgment these talks are vital for the creation of jobs in Canada. A comprehensive trade agreement with the United States is a very important instrument of economic progress.

We have been negotiating with the United States at all levels, and I think we are making considerable progress. Whether we will be able to conclude an agreement, as I have always indicated, I do not know. This is a serious matter. There are very serious difficulties to overcome. My right hon. friend has indicated one of them.

From the beginning I have expressed the view that for a free trade document to contain an instrument that would allow the triggering of unilateral reprisals against one of the signatories is self-defeating. I have expressed that view repeatedly. It seems to me fundamentally inconsistent to seek, on the one hand, a liberalized document of trade, and on the other to allow that document to contain instruments that vitiate that very notion.

Indeed, I have responded to the President of the United States. I have very clearly conveyed to him the point of view of the Government of Canada, first, when he was here in Canada, then in Washington, and most recently in Venice.

As I have indicated to my right hon. friend time and time again, and I will do it one final time today, the Government of Canada has undertaken very difficult and, as Premier Bourassa has said, risky negotiations which are indispensable for the future of Canada. We are ready to take the risk to see if we can get a good deal for Canada. If we can, we will bring it forward for the consideration of the House. It will create the kinds of jobs that Canadians truly need.

Some Hon. Members: Hear, hear!

MINISTER'S VIEWS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I would like to ask the Prime Minister questions arising out of his remarks. He has referred to the devoted public servants, the Minister for International Trade and the chief negotiator.

I would like to quote to the Prime Minister comments they have made recently. The Minister for International Trade said of the chief negotiator: "He is going nuts". The chief negotiator replied back that he thinks he might elope with the Minister for International Trade, which is probably full proof of the original assertion of the Minister.

The fact of the matter is we have two very clear differences between the Minister and the chief negotiator about the mandate for the trade agreement. Has the Prime Minister called these two chief officials together and asked them to get on the same track, to have the same mandate and the same approach toward negotiation?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I would like to refer to the quote that the Hon. Member has selectively read to the House. I can only add to that that in terms of the selective quotes to which he refers I was expressing my empathy for the Ambassador—

Some Hon. Members: Oh, oh!

Mr. Axworthy: He has gone nuts, that is right.

• (1430)

Miss Carney: I was pointing out that the Ambassador's job is different from that of the Cabinet, and that he is operating in conditions different from those which existed in the past, because this Government has the greatest consultative mechanism any Government has ever brought forward for any negotiations of this kind.

I pointed out that the Ambassador must not only deal with Cabinet, but with the provinces, with the business sector, and with our consultative mechanism. This advice goes into his office within 24 hours, and naturally, this puts a lot of pressure on him when he has to negotiate within a limited time.

I think it is useful for the House to know that these are the most different negotiations—

Some Hon. Members: Oh, oh!

Miss Carney: —in the sense that we have such a huge consultative mechanism, a mechanism that puts enormous pressure on the Cabinet and on the Ambassador and his colleagues.

Mr. Axworthy: Mr. Speaker, after listening to that reply, I, too, have sympathy for the chief negotiator. I think they both need a rest, Mr. Speaker.

PRIME MINISTER'S POSITION

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): If I may, I should like to ask a further question of the Prime Minister.

He said, in response to the Leader of the Opposition, that he believes that it is absolutely essential that there be a major change in the trade remedy laws of the United States as part of any liberalized free trade agreement, and that he has indicated that kind of concern to the President on several occasions. I believe he has said that he has even written back to the President.

If, as part of the negotiations, the President replies and says that the United States is not prepared to make a major alteration and give Canada exemption to the trade remedy laws, is the Prime Minister prepared to pull away from those negotiations, recognizing that it would be a bad deal for Canada?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, that is a very hypothetical question and, of course, it shall go unanswered. I can tell my hon. friend, however, that indeed it seems inconsistent to me, on the one hand, to profess a desire to seek a comprehensive free trade arrangement and also, if it were the case, to express the view that there should be retained the capacity for triggering unilateral reprisals against your trading partner with whom you would propose to sign the agreement.

To me it would have the effect, or could, depending, I suppose, on the approach and the wording, of vitiating the very notion of a free trade arrangement itself. And so we would want to examine all of this very carefully, as we are doing. It is part and parcel of a very complex negotiation which, notwithstanding some of the difficulties, is moving along quite well.

* * *

ENERGY

DOME PETROLEUM CORPORATION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is for the Prime Minister, in the absence of the Minister of Energy. There are three things happening today. First of all, the proposed takeover of Dome Petroleum by Amoco will be settled one way or the other today. Since none of the major creditors has agreed to it, that is almost certain to be a negative.

Secondly, the rescheduling of the debt for Dome by its major creditors terminates today, which will set in place, perhaps, a very unfortunate financial happening within a matter of weeks; and third, the Parliament of Canada will recess for the summer without the Government of Canada having taken any leadership to provide a solution to the Dome problem.

Given the earlier two events, that is, the termination of the rescheduling of the debt arrangement and the almost certain announcement that the Amoco deal has not been agreed upon, what is the current state of affairs affecting thousands of jobs, particularly in western Canada?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, let me draw the Hon. Member's attention to the fact that the negotiations between Dome and its bankers have been ongoing, I think, for something like five or six years. These deadlines have come and gone. It is part of the over-all negotiations.

I think, though, the Hon. Member should feel comforted by the fact that the international price of oil is up. That has put Dome in a healthier position. It has put it in a position where it is able to maintain better relations with its banks, thereby avoiding some of the problems to which the Hon. Member has just referred.

Mr. Broadbent: Mr. Speaker, the Minister of Finance knows that that soporific nonsense isn't a solution to the very serious problems of Dome and all of the thousands of jobs that are directly involved.

I would like to ask him—

An Hon. Member: What arrogance.

GOVERNMENT RESPONSIBILITY

Hon. Edward Broadbent (Oshawa): Since a CP wire story this morning has the Minister of Energy saying, about the Dome situation, that he is tired of Canadians seeing it as some kind of sporting event, and according to the Minister of Energy the Government has "a fundamental interest and responsibility in this", my question to the Minister is this. When is the Government going to live up to its responsibility, get the major players involved, including the chartered banks, including the management of Dome, to come in here, into Ottawa, and get a Canadian solution to this Canadian problem, before there is a disaster?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the Government of Canada does have a responsibility, and that is to respond to offers such as the one that Amoco has made for Dome to ensure that the conditions of the offer are consistent with the objectives of Investment Canada.

The Minister of Energy has stated quite clearly the list of those areas of Investment Canada that we are interested in as a Government, to ensure that any deal that is made will be for the benefit of all Canadians.

REQUEST THAT GOVERNMENT INTERVENE

Hon. Edward Broadbent (Oshawa): Mr. Speaker, since billions of dollars are involved in this deal, since there are some 50 million-plus acres of some of the richest, in potential, lands in western Canada are at stake, since there is a short and long-run Canadian interest at stake, will the Minister now give us assurance that immediately—and I mean within a matter of days, not weeks—the Government of Canada will sit down with Petro-Canada, with the other major players involved, and develop a Canadian solution, before Dome goes completely under?

Hon. Michael Wilson (Minister of Finance): I presume that the Hon. Member, when he makes that suggestion, is going to tell us exactly where Petro-Canada is going to get the $5 billion or $6 billion that would be required to do that.

Mr. Broadbent: Hopper has already told you where he can get the money, and you know it.

Mr. Wilson (Etobicoke Centre): Is the Hon. Member saying that we should raise the deficit by $5 billion or $6 billion, thus leading to a substantial increase in inflation? Is he going to take the approach that the previous Government took, and slap a five cent or ten cent tax on the price of a gallon of gas in order to allow Petro-Canada to buy it?

An Hon. Member: Raise the price of gas.

An Hon. Member: What are you doing?

Mr. Wilson (Etobicoke Centre): Or would he raise taxes? Would he raise taxes to—

Mr. Broadbent: It is your responsibility. What are you doing?

Mr. Riis: There are thousands of jobs in western Canada at stake. What are you doing?

GOVERNMENT POSITION

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, my question is for the Minister of Finance. The Minister of Finance is right, the Government does have a responsibility, and it is about time that the Government lived up to its responsibility with respect to Dome Petroleum and the proposed takeover by Amoco Canada.

The problem is, after tonight, this company, Dome Petroleum, could go into bankruptcy, and thousands of jobs could be lost; and we may not be able to have other bidders come into the picture until the end of March of 1988.

In the meantime the whole question is left up in the air. What the Government is actually doing is forcing this company into bankruptcy.

Is that the Government's responsibility? Is that what the Government sees as its duty to the Canadian public—

Some Hon. Members: Shame!

Mr. MacLellan: —giving away the resources, and getting nothing in return for them?

Some Hon. Members: Shame!

An Hon. Member: How did it get into this position in the first place?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, Canadians are not going to be fooled by the outrageous rhetoric of that Hon. Member.

Some Hon. Members: Hear, hear!

Mr. Wilson (Etobicoke Centre): Where was that Hon. Member back in 1980, when the Government that he was supporting took the action that put Dome Petroleum on the skids and put it in the position that it has found itself in for the past five years, hanging on by its fingernails because of the policies that were brought in as a result of the National Energy Program.

An Hon. Member: Supported by the NDP.

Mr. Wilson (Etobicoke Centre): The Hon. Member would do just as well to sit on his hands and not say a word, because he has a sad history with the people of Canada.

Mr. Speaker: The Hon. Member for Cape Breton—The Sydneys.

• (1440)

GOVERNMENT POLICY

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, the Government is completely ignoring its responsibility to the Canadian public. It is refusing to move to ensure that other bids are brought in for the purchase of Dome Petroleum. Is the Government saying—

Mr. Speaker: The Hon. Member will have noticed that the Chair made some indication to the Minister that there is a limit on answers, and I would also want the Hon. Member to put his question succinctly.

Mr. MacLellan: Is the Government saying that it refuses to do anything, that it will not intervene in any way to safeguard the future of Dome Petroleum for the Canadian public and the resources which Dome Petroleum has in Canada?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the Hon. Member asked whether we will take our responsibilities. Yes, we will take our responsibilities.

We have said that our responsibilities under the Investment Canada Act are to ensure that a deal, if it is concluded with Amoco, will be consistent with the requirements of Investment Canada, that is, that the deal will be of net benefit to Canada. That is the responsibility we are taking as a Government.

Oral Questions

CANADIAN INTERNATIONAL DEVELOPMENT AGENCY

ISSUANCE OF CONTRACTS—KICKBACK INVESTIGATION

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question is for the Right Hon. Prime Minister. When Members of Parliament reconvened on January 19, at the beginning of this session of Parliament, we were informed of the Oerlikon affair which lead to the Bissonnette investigation. Then we had the Gravel investigation, the Stevens investigation, the Place Vincent Massey investigation, the Peloquin investigation, and a number of others. Today we learn of the Progressive Conservative fund kickback investigation.

My question to the Prime Minister is simply this. When is this going to stop? When is it that we will see a Government that gets away from this messy way of doing business so that we are not doing investigations, and gets on with governing the country as it should be governed?

[*Translation*]

Hon. Monique Landry (Minister of External Relations): Presumably, Mr. Speaker, my colleague is referring to last night's television news report. I should like to tell him that last fall when I was made aware of possible allegations I immediately asked my Department officials to get in touch with the RCMP, and the investigation is now under way.

Mr. Speaker, I might add that if my colleague carefully listened to or read the news report he would know that these allegations have to do with what may have been a deal between two individuals and simply do not involve the Government or CIDA.

[*English*]

Mr. Riis: Mr. Speaker, we have heard it time and time again. We have had investigation after investigation. The news reports say that this situation in terms of making payments goes on with contract after contract.

GOVERNMENT INTEGRITY

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my supplementary question is for the Prime Minister. The people of Canada are sick and tired of investigation after investigation after investigation. They want this nonsense to stop.

When will the Prime Minister do something to start building integrity in the Government and bring this nonsense to a close?

[*Translation*]

Hon. Monique Landry (Minister of External Relations): Mr. Speaker, I might remind my colleague that I said on several occasions that the CIDA contract selection process is quite open and very clear. Last winter I had the opportunity to issue a brochure which was sent to all my colleagues and all businessmen to provide a clear explanation about the contract selection process, and I would urge my colleague to come to CIDA and see for himself why I am so proud of the way contracts are awarded, Mr. Speaker.

[*English*]

QUERY CONCERNING PRIME MINISTER'S KNOWLEDGE OF ALLEGATION

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, my question is for the Prime Minister. It concerns the same topic, the one reported in the media of a 5 per cent kickback scheme, part of which is to go the Conservative Party as compensation for receiving government contracts.

When was the Prime Minister made aware of the case reported on national television last night? What specific measures did he order his Ministers to undertake to ensure this kind of activity is cleaned up and does not recur in his already tarnished Government?

[*Translation*]

Hon. Monique Landry (Minister of External Relations): Mr. Speaker, I said a moment ago that the RCMP are investigating. Perhaps he ought to wait before passing judgments.

Mr. Boudria: Mr. Speaker, it is not the system which is at fault, but the people involved.

REQUEST FOR PUBLIC INQUIRY

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I have a supplementary for the Prime Minister. On May 26, 1986, in reply to a question I had asked in the House about the 5 per cent kickbacks, we were told that there was no such system and that the Government would not investigate. In view of the new facts which have now come to light, is the Prime Minister willing to request a public inquiry on the contracting policy of his Government and the allegations of kickbacks for the Conservative Party? Will there be a public inquiry, yes or no?

Hon. Monique Landry (Minister of External Relations): Mr. Speaker, I would like to repeat that the contracting process of CIDA is very open and very clear. Since the Hon. Member does not seem to be aware of this, I invite him to come and check at CIDA how contracts are awarded. This is done very honestly and the firms which deserve contracts get them.

* * *

[*English*]

CANADA POST CORPORATION

LETTER CARRIERS' STRIKE—SUSPENSION OF EMPLOYEES

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, my question is for the Prime Minister who ran for office on the basis of his reputation as a labour negotiator. The Prime

Minister will know that the appointment of a mediator in the postal dispute brought the hope of a settlement. Right on the heels of that we had the firing of 40 letter carriers which has clouded the negotiations.

Will the Prime Minister tell the House whether he considers this action to be the result of stupidity, incompetence, or deliberate sabotage of the negotiations?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, this action of suspension, I believe, and not dismissal of employees, was undertaken by Canada Post. The Government was not involved in the decision. I understand that it is in keeping with the spirit and terms of the contract which has now lapsed.

A commitment was made in writing by Canada Post to the unions that while the contract is no longer in place it will abide by the spirit. It is abiding by the spirit in this instance. Apparently there is a time limit between the action and the response of discipline, and the Post Office, I am told, had to act within that time period.

Mr. Keeper: Surely the withdrawal of the strike-breakers was an attempt to create a climate conducive to negotiations and the firing of 40 letter carriers destroys that climate.

RESPONSIBILITY FOR CORPORATION'S ACTIONS

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, will the Prime Minister face up to this issue and tell the House whether he feels the Minister responsible for the Post Office, who is his appointee, or the President of the Post Office, who is also his appointee, is responsible for this destructive action, or is it he himself who is responsible for this two-faced approach to the negotiations at the Post Office?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, in the first question the Hon. Member for Winnipeg North Centre pointed out that a mediator is now working with both parties trying to bring about a negotiated settlement, for which I hope he, along with everyone else in the House, would wish.

It does no good whatsoever to the process to have issues from the bargaining table raised in the House in a prejudicial, inaccurate fashion. I wish the Hon. Member would give Mr. Kelly and the negotiators an opportunity to reach a settlement and would not keep muddying the waters.

* * *

[*Translation*]

OFFICIAL LANGUAGES

RIGHT TO USE OFFICIAL LANGUAGE OF ONE'S CHOICE

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, my question is directed to the Right Hon. Prime Minister. We had a very unfortunate incident in the Alberta legislature recently. A francophone Member was denied the right to speak in French in the Legislature of Alberta. A Committee of the Legislature was asked to look into the matter and told Mr. Léo Piquette, Alberta M.P.P., to apologize for using French, his official language. I want to ask the Prime Minister what he intends to do to help francophones across Canada and especially francophones outside Quebec, in the provinces, to obtain recognition of their right to use the official language of their choice where and when they please.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, we are going to work together with the *Fédération des francophones hors Québec* and the provincial Governments, and with language minorities wherever they happen to be, to promote their rights at all times. These are some of the realities that led to the substantial amendments to the Official Languages Act that were tabled last week. I think my hon. friend who has always been most vigilant about the official languages question will basically approve what the Government has done. In fact, our purpose is to create a climate more conducive to having this very important reality accepted everywhere in Canada, the reality of the Official Languages Act and all the consequences thereof.

RIGHT TO USE OFFICIAL LANGUAGES EVERYWHERE IN CANADA—OPPORTUNITY TO PUT PRESSURE ON ALBERTA

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, considering the insult—and it is an insult—to all francophones in this country, considering the threats Mr. Léo Piquette received, which went so far as to restrict his right to speak and even mentioned the possibility of imprisonment, fines and possible expulsion from the Legislature, and considering the intent of the Meech Lake Accord, the Official Languages Act and the latest version tabled last week, which provides that the Secretary of State has an obligation to urge the provinces to promote, assist and protect, I want to ask the Prime Minister: Is he prepared to call the Premier of the province, to put pressure on his Alberta cousins and friends, so they will finally understand, once and for all, that French and English are the official languages of this country—

Mr. Malépart: No way he has to apologize!

Mr. Gauthier: —and that Canadians have a right to use both languages and that it is unthinkable that a francophone should suffer any restrictions in Alberta, any more than an anglophone would in Quebec? And I ask the Prime Minister to take action.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, first of all, I personally find it unacceptable that a Canadian should be asked to apologize for using one of the official languages. The spirit of the Meech Lake Accord makes the broad assumption that the people and the leaders of this country will act with generosity and openness of mind with respect to the implementation of all linguistic measures. Members of this House know perfectly well that these may be

difficult questions and that it takes a great deal of leadership to build a country in terms of the realities we all accept.

Personally, I would ask, as Prime Minister and, I assume, speaking on behalf of all Members of this House, I would ask the Members of the Alberta Legislative Assembly, which, if I am not mistaken, has Conservative, NDP and Liberal Members, to intervene, to join in the same spirit of generosity and openness of mind in seeking an honourable solution to this thorny issue and especially, to do so with full consideration for the interests of minorities, because as far as we are concerned, minorities are to be protected and respected. I think this is entirely normal and in line with our most fundamental values.

* * *

• (1450)

[*English*]

NATIONAL PARKS

ESTABLISHMENT OF SOUTH MORESBY AS NATIONAL PARK

Mr. Jim Fulton (Skeena): Mr. Speaker, my question and, I would hope, congratulations are for the Prime Minister. It appears that the unanimous voice of Parliament has been heard out west. British Columbia, as I understand it, has accepted the $106 million federal offer to designate South Moresby as a national park reserve. There are two added conditions, which I wish to put to the Prime Minister, both of which I think are achievable.

One, the B.C. Government wants the federal Government to open a Parks Canada Pacific region office in Vancouver, which I think is reasonable and needed; second, that the federal Government hold discussions with British Columbia on a ferry subsidy for British Columbia.

Will the Prime Minister accept this settlement in general since essentially the main components are those given in writing by the Deputy Prime Minister to Premier Vander Zalm two weeks ago?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, when the Hon. Member announced the settlement I was wondering whether he had had a call that I had not had.

While there has been a lot of work done—and we have been making some progress—there has been no settlement. I spoke with the Premier of British Columbia today. We hope to continue to make progress but the matter has not been resolved. There are outstanding issues with which we are attempting to deal. We have made progress in some substantial way but much remains to be done. I think the original comment by my hon. friend was perhaps premature.

PRESS CONFERENCE HELD BY BRITISH COLUMBIA PREMIER

Mr. Jim Fulton (Skeena): Mr. Speaker, just prior to Question Period I received a call from a senior federal government official who advised me that the Premier, as is often the case in British Columbia, had held a press conference regarding this matter, that he has accepted the $106 million federal offer and the only other two conditions which B.C. wishes to have met are totally achievable and reasonable.

Will the Prime Minister address himself to those in the House? Is he prepared, which I understand Parks Canada is, to open a Pacific region office in Vancouver, and hold discussions with B.C. regarding ferry and transportation matters in the Province of British Columbia?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, not being a British Columbian I did not know that successful negotiation depended upon catching the Premier's scrums. We have been in close touch—

Mr. Broadbent: It does.

Mr. Mulroney: It does?

Ms. Mitchell: You have got it, brother.

Mr. Mulroney: That is probably why he has been so successful.

Some Hon. Members: Oh, oh!

Mr. Mulroney: We have had very good dealings with the Government of British Columbia. This is a very important national issue which has been treated as such by the Government of British Columbia and by the Government of Canada. We have made, as my hon. friend knows, some substantial progress. There remains some obstacles which we hope to overcome. We are pursuing this vigorously very much in the national interest. As I indicated, I had another conversation with the Premier just about an hour or an hour and a half ago, and no doubt we will talk again.

* * *

PUBLIC SERVICE

STATUS OF BILL C-35

Mr. Barry Turner (Ottawa—Carleton): Mr. Speaker, my question is addressed to the President of the Treasury Board. It concerns the status of Bill C-33, an Act to amend the Public Service, Armed Forces, RCMP and Supplementary Retirement Benefits Acts which Bill was first read in the House in December, 1986. It is certainly an important issue in the national capital region and I am sure throughout all ridings in the country.

Since I have had many representations from individuals and unions on this important matter, will the Government move forward early in the fall with the Bill as it now exists, or does the Government intend to make any changes to the Bill?

Hon. Robert de Cotret (President of the Treasury Board): Mr. Speaker, I would like to tell my hon. colleague, and for that matter his constituents and all affected employees, that we intend to move early in the fall with the Bill in its present form.

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CANADIAN SECURITY INTELLIGENCE SERVICE

REVIEW COMMITTEE REPORT—INFILTRATION OF VOLUNTARY ORGANIZATIONS BY FOREIGN SPIES

Mr. John Nunziata (York South—Weston): Mr. Speaker, my question is for the Prime Minister. It concerns the annual report of the Security Intelligence Review Committee tabled in the House yesterday.

The report confirms that hostile foreign spies have infiltrated some voluntary organizations in Canada and that these organizations are receiving substantial funding from hostile foreign Governments. Will the Prime Minister indicate which Canadian organizations have been infiltrated and which organizations are receiving funding from hostile foreign Governments? Will the Prime Minister not agree that innocent Canadians belonging to these organizations have a right to know and, indeed, all Canadians have a right to know?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I do not know what report the hon. gentleman was reading, but it certainly was not in the report with which I am familiar.

I can tell the hon. gentleman, as I told the House quite clearly yesterday, that the only activities carried on by CSIS are carried on within its mandate as given to it under Section 2 of the Act. If the Member has any evidence that CSIS is not acting within its mandate under Section 2 of the Act, I would ask him to give me some evidence of it.

REQUEST FOR IDENTIFICATION OF VOLUNTARY ORGANIZATIONS

Mr. John Nunziata (York South—Weston): Mr. Speaker, it is obvious that the Minister has not read the report. The evidence is at page 30 of the report. I will quote it for the Solicitor General.

Mr. Marchi: Go slowly.

Mr. Nunziata: "We have learned in CSIS briefings that hostile foreign intelligence services have, indeed, infiltrated some organizations and that substantial funding from foreign sources has been detected".

The Solicitor General has just displayed his abysmal ignorance and irresponsibility with regard to his particular Ministry. I would like to ask the Prime Minister if he will immediately indicate to Canadians which voluntary organizations in Canada have been infiltrated by hostile foreign spies. Will he not agree that Canadians have a right to know which organizations have been infiltrated by these hostile Governments?

• (1500)

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, we have before us the annual report of SIRC which renders a valuable service, and that is the purpose of that organization. We are investigating any allegations. As I told the Hon. Member, a review team has been set up to look into these allegations to see whether or not they are correct and to recommend procedures that will clear up any concerns that may have been raised in the SIRC report.

* * *

SUPPLY AND SERVICES

REGIONAL PRINTING CONTRACTS

Mr. Don Ravis (Saskatoon East): Mr. Speaker, my question is for the Minister of Supply and Services. Printing firms in Saskatchewan, throughout the west, and indeed in the Maritimes have been concerned about the amount of federal government printing business performed in their regions. Can the Minister tell the House if any progress is being made in that regard?

Hon. Stewart McInnes (Minister of Public Works): Mr. Speaker, I am persuaded that the Minister of Supply and Services deserves the collective applause of all Members of the House for her attempts to regionalize printing and other procurement practices. In this regard, she has requested and indeed required that all Members' monthly booklets be printed and distributed in the regions. I am happy to report to the Hon. Member that Mid-West Litho was the high tenderer on a contract to do a great deal of printing in the west—

Some Hon. Members: Oh, oh!

Mr. McInnes: —and it is expected that $10 million worth of printing will be moved to the regions this year.

* * *

EXTERNAL AFFAIRS

UNITED STATES SAILOR'S ALLEGED RAPE OF WOMAN IN VICTORIA

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, my question is directed to the Secretary of State for External Affairs. Canadians are outraged, first that an American sailor who allegedly raped a Victoria woman avoided apprehension by boarding his ship, and second, that both Canadian and U.S. military officials said yesterday that if the crime had been more serious, such as murder, the suspect would have been

handed over to Canadian authorities. Does the Minister share the view that alleged rape is not a serious enough crime to force apprehension of a suspected rapist?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I of course do not share that view nor, I imagine, do the people the Hon. Member presumes to quote. The facts of the situation are that, in accordance with the strict interpretation of international law, the U.S. naval commander involved took back on board ship the alleged perpetrator of this act. That is in strict accordance with law. It is not, however, the normal practice.

The recourse open to us would be to trigger extradition proceedings. That can only be done in response to a request by the Government of the Province of British Columbia. If we receive such a request, we will act upon it.

PROTECTION OF CANADIAN CITIZENS

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, I am pleased with the Minister's response and his prompt action. As he knows, rape is a criminal offence in Canada.

I wonder what action the Minister would take immediately with the British Columbia Government to ensure that other visiting sailors are not above Canadian law and that our citizens are protected under our laws.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, we will make the necessary contacts with the British Columbia Government and, in addition to that, we will remind American naval commanders and commanders of other vessels that might dock in Canadian ports of the usual practice, which was not followed in the case to which the Hon. Member makes reference.

Mr. Speaker: The Hon. Member for Hamilton East has one question and then we will have to close Question Period.

* * *

INDUSTRY

FUTURE OF FIRESTONE PLANT IN HAMILTON

Ms. Sheila Copps (Hamilton East): Mr. Speaker, my question is for the Deputy Prime Minister and concerns the potential loss of 1,300 jobs at a Firestone plant in Hamilton that only four short years ago received $13.5 million in federal funding. Three weeks ago the Minister said he was on top of the dossier. He will no doubt be aware that, as of this moment, management at Firestone is preparing to have some of its machinery taken out of the Hamilton plant and shipped off to Des Moines, Iowa.

Is the Deputy Prime Minister prepared to move immediately to force Firestone to cease any attempt to remove any equipment from that plant until we have had a chance to do an assessment of just how much of that machinery comes from the federal Government's $13.5 million, or is his promise that the dossier is being looked after just more idle talk like the Moncton shops promise he made to the workers in Moncton?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, on behalf of the Minister of Regional Industrial Expansion I will take that question as notice. Perhaps with her connections with the Liberal Government in Ontario, the Hon. Member may want to make representations there as well. I think in fairness that there is a certain responsibility for this matter that could be levelled on its shoulders as well.

* * *

HOUSE OF COMMONS

TRIBUTE TO PAGE STAFF

Mr. Speaker: Because we are quickly approaching the customary time of summer adjournment, I am sure all Hon. Members will wish to join me in an expression which has already been made in this Chamber, an expression of appreciation to all staff members of the House for their exceptional efforts on our behalf during the past parliamentary year.

Our sincere thanks must go to the Parliamentary Pages for their attention to our immediate needs within the Chamber. I think all Hon. Members would agree that the young people appointed to serve us as Pages have consistently shown themselves to be worthy representatives of Canadian youth of whom we have so very many reasons to be proud.

[*Translation*]

Speaking on behalf of all Members, I bid them goodbye and wish them every success with their studies and in their future careers.

[*English*]

Some Hon. Members: Hear, hear!

Mr. Speaker: I should also add that the usual reception will take place in Room 16 commencing at five o'clock and the Pages, of course, are very welcome. Hon. Members will have a chance to meet with them once again, and I thank Hon. Members.

* * *

PRIVILEGE

ALLEGED MISLEADING STATEMENTS—MR. SPEAKER'S RULING

Mr. Speaker: Before we move on to other matters, which I know the Deputy Prime Minister (Mr. Mazankowski) wishes to do, I do want to rule on a question of privilege raised by the Hon. Member for Saint-Jacques (Mr. Guilbault) and it will take just a few minutes.

[*Translation*]

I am now ready to rule on the question of privilege raised on Friday, June 19, by the Hon. Member for Saint-Jacques. The basis of the Hon. Member's complaint is his assertion that misleading information was provided to the House concerning the government's White Paper on Tax Reform.

[*English*]

The Minister of Finance (Mr. Wilson) had stated quite clearly that the White Paper was not a Budget, and that statement was several times reiterated. However, on June 17, the day before the tabling of the White Paper, the Minister said:

> It is quite clear that a Ways and Means motion will be tabled tomorrow evening.

The Right Hon. Prime Minister (Mr. Mulroney), in answer to a question asked on June 18, confirmed that the White Paper was not a Budget. The Prime Minister's exact words were:

> It sets forth the general thrust of government thinking, but it is not a Budget in the sense that it does not, *per se*, take effect the very same day pursuant to a Ways and Means Motion.

[*Translation*]

The Hon. Member for Saint-Jacques pointed out that the White Paper was indeed accompanied by Ways and Means Motion implementing a number of tax changes.

[*English*]

There is no doubt that the White Paper sets out a very extensive plan of tax reform. Although it is yet to be implemented by a Budget presented in the form of the annual financial statement to which we are accustomed, the White Paper, as I said in a previous ruling, has important budgetary implications. It was, as the Hon. Member for Saint-Jacques noted, accompanied by a Ways and Means motion. However, that motion was not designed to implement the full content of the White Paper. The motion was limited in its effect and I would point out that Ways and Means motions are regularly tabled throughout the session. They are not restricted to the presentation of a Budget.

• (1510)

For this reason I do not think we can regard the tabling of a Ways and Means motion as in any way extraordinary simply because it coincided with the Minister's statement and presentation of the White Paper.

[*Translation*]

It was argued in the course of the discussion that, because of the budgetary implications of the White Paper, it should have been treated as a Budget statement and therefore be subject to a six day debate. The rights of Members, it was argued, have been infringed because they have been denied the debating opportunities normally associated with a Budget. This in itself is not a question of privilege but rather a point of order. However, it is clear that in the view of the Government, the White Paper is a set of proposals as distinct from a Budget. There was no intention of presenting a Budget and therefore under our rules, the claim to a six day debate could not be sustained. However, this would not rule out the possibility of an extended debate through negotiation by the House Leaders.

[*English*]

To return to the question of privilege, the Chair, while appreciating the concern expressed, cannot find any grounds to justify according the complaint precedence over other business. If some Hon. Members feel they were misled, they have avenues available to them to pursue their complaints. I would emphasize that it is possible to be misled without being deliberately misled. As Hon. Members know, if there were any suggestion of dishonest motivation, which in this case there was not, the only course would be to give notice of a substantive motion setting out the accusation in precise terms. The fact is that we are faced with a political issue on which views are deeply divided. This is not an unusual situation in this House and, unless any action were taken to infringe our right of free debate and free expression, we are not dealing with a matter involving privilege.

To conclude, I think it is fair for the Chair to observe that if one considers the two statements made there is some basis for Hon. Members to feel perhaps that the situation was not as clear as they might otherwise have wished it to be. I thank the Hon. Member and others for their interventions.

ALLEGED ACCOSTMENT BY MINISTER

Mr. Jim Fulton (Skeena): Mr. Speaker, I raise a very serious question of privilege. When I attempted to leave the Chamber less than two minutes ago I was physically accosted by the Minister of Fisheries and Oceans (Mr. Siddon) and called a liar. I expect both an apology for the physical accostment and the use of that word.

Mr. Speaker: The Hon. Member has raised a very serious allegation. I might begin by asking the Hon. Member if this alleged incident was in or out of the Chamber.

Mr. Fulton: Mr. Speaker, one of the Pages gave me a phone message and I went and picked up line two. I was just hanging up the phone when the Minister came up behind me, called me a liar, and then grabbed me. He is lucky I didn't loosen his teeth.

Some Hon. Members: Oh, oh!

Mr. Speaker: I guess the first thing I should note is that it is the last day of the session. I also note that the Hon. Minister has come into the Chamber. Perhaps he could adequately and satisfactorily resolve the problem by making a statement.

Point of Order—Mr. Clark (Yellowhead)

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, I certainly would like to respond to the concern raised by the Hon. Member for Skeena (Mr. Fulton). I would begin by indicating that I would not be one to physically accost another Hon. Member, certainly not a fellow Member from British Columbia, and one who could probably do a pretty fine job on me if I were even to attempt to do something.

Mr. Oberle: I don't know about that.

Mr. Siddon: Second, I did not call the Hon. Member a liar. What I referred to the Hon. Member was my concern over a statement he is alleged to have made in British Columbia. To quote from a *Canadian Press* story datelined Terrace, British Columbia, it reads:

> New Democrat Jim Fulton said Thursday in his home riding that "Siddon has initialled a tentative agreement with the Aluminium Company of Canada regarding water flows in the Nechako River in northwestern British Columbia." He went on to say, "The deal will allow Alcan to release only half the amount of water that fisheries department scientists calculate is needed to ensure the survival of salmon stocks in the river."

Furthermore, in a statement in this House last Thursday the Hon. Member for Skeena said, and I am quoting from page 7601 of *Hansard*:

> The Minister of Fisheries and Oceans (Mr. Siddon) has now sold out to Alcan with a private deal on water flows at only one-half of what his own scientists filed in court as the minimum required.

I categorically say to this House that there has been no agreement signed with Alcan regarding the Nechako water flows or the river diversion project. There are discussions under way of which the Hon. Member was apprised in a full briefing yesterday. No document has been initialled. In that respect, if he stands up in this House and alleges there has, then I could say he is misleading this House.

Mr. Fulton: Mr. Speaker, I am prepared to put my seat on the line that in the lobby the Minister called me a liar, and he had bloody well better withdraw it.

Mr. Friesen: Oh, wonderful!

Some Hon. Members: Grandstanding!

Mr. Speaker: We are faced with an allegation by an Hon. Member that another Hon. Member has called him a liar outside the Chamber, as well as there being some physical altercation. There seems to be disagreement between the Hon. Member and the Hon. Minister as to what took place. There is certainly a disagreement between them with respect to another matter. Whatever was said was not said in the Chamber and the Chair did not hear it. Neither did other Hon. Members. Whatever happened, happened outside the Chamber and was not seen by the Chair or by other Hon. Members.

I invite both the Minister and the Hon. Member, who are both well and favourably known to the Chair as fellow British Columbia Members of Parliament, to retire perhaps to one or the other of the lobbies—

Some Hon. Members: Oh, oh!

Mr. Speaker: —and perhaps settle their differences, ensuring that in whatever way they do so they stay out of the Chamber.

Some Hon. Members: Hear, hear!

* * *

POINT OF ORDER

SUGGESTED CORRECTION TO STATEMENT OF MEMBER

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, during Question Period the Hon. Member for Ottawa—Vanier (Mr. Gauthier) prefaced important questions to the Prime Minister (Mr. Mulroney) with a rendition of events in my Province of Alberta which may not have been correct. As I understood it, he suggested that a Member of the Legislative Assembly of Alberta had been censured by that assembly for using French in the Legislature. My understanding is that the censure had to do with a failure to uphold the authority of the Chair. I think that is a material difference about which the House and the Hon. Member for Ottawa—Vanier, who has now taken his seat, would want to take note.

[*Translation*]

The Prime Minister responded to a question of principle. He clearly indicated the attitude of our Government with respect to the official languages, as well as our commitment and determination to promote the expansion of the official languages. As a Member from Alberta, I have been in a position to see for myself that my Alberta colleagues here in this House and the great majority of my fellow citizens in Alberta share this attitude of the Prime Minister.

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I consider that the Minister is raising a point of debate, but since he took the floor I should like to point out to the House that the work done by the Member for Ottawa—Vanier in this case is based on reports and letters to the Speaker of the Alberta Legislative Assembly, to Mr. Piquette of Alberta, to an impressive number of people, associations and representatives of such various interest groups as the *Fédération des francophones hors Québec*, Alliance Québec, and other groups.

I accept the remark of the Member, namely that when MLA Léo Piquette spoke French in the Chamber he was called to order by the Speaker who said: In English, please. Then Léo Piquette had to comply. The matter was referred to a parliamentary committee on procedure and Standing Orders. The committee demanded that Mr. Piquette apologize. And that is where the matter stands today.

Reports in yesterday's *Le Devoir*, *La Presse* and other newspapers indicate that it was Mr. Piquette who said yesterday, in answer to a question, that he was 80 per cent

uncertain as to whether he would apologize for having used his mother tongue in the Chamber. I happen to know that sanctions which may be used against Mr. Piquette range from a fine to imprisonment, and even the suspension of his parliamentary privileges. And this is due to the fact that the Speaker intervened and directed a parliamentary committee to review the whole question of official languages in Alberta.

I am not passing judgment on the Speaker of the Legislative Assembly. I am seeking the assistance of the Prime Minister (Mr. Mulroney) with respect to the application of a basic principle, and the Prime Minister, being one of those who has been generous and understanding over the years, will surely agree with me that the right to speak French or English anywhere in this country is a basic right of all Canadians. I would suggest that a Member of a Legislative Assembly—in Ontario, in Quebec, in Alberta, or elsewhere—has the right to speak in his mother tongue without being harassed by his colleagues.

So, Mr. Speaker, I fail to see what the point of order which was raised is all about, but if we are to debate the issue I would be prepared to share my notes with the Minister and tell him why I raised this question in the House today. It is a matter of national interest, it is a question which concerns minorities and which happens to be the subject of a parliamentary initiative on the part of the Government which introduced a very important bill last week, a measure which, at first blush, I am very pleased to support.

There is no doubt that Mr. Piquette's rights were encroached upon, I believe they were. So it becomes a point of debate as to whether his rights were encroached upon, and I think so. Must he apologize? I do not think so.

• (1520)

[*English*]

Mr. Speaker: I thank the Hon. Member for Ottawa—Vanier (Mr. Gauthier) and the Right Hon. Secretary of State for External Affairs (Mr. Clark) for their remarks. I know that they are completely at one in terms of the general principle. The Right Hon. Secretary of State was clearly rising to indicate that the facts were complex and that perhaps not all the facts had been brought forward in the questioning earlier of the Right Hon. Prime Minister (Mr. Mulroney). I thank both the Minister and the Hon. Member for their interventions.

* * *

PERMANENT AND PROVISIONAL STANDING ORDERS

AMENDMENT TO ESTABLISH STANDING COMMITTEE FOR THE DISABLED AND THE HANDICAPPED

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, there have been discussions with the House Leaders opposite and I think you would find a disposition of the House to accept a proposal which would amend the Standing Orders and have the effect of establishing a Standing Committee for the Disabled and the Handicapped. I think this is something all Hon. Members would welcome.

Some Hon. Members: Hear, hear!

Mr. Mazankowski: The proposal is as follows:

That Standing Order 89(2) be amended by inserting after the line "(d) Consumer and Corporate Affairs" the line:

"(e) Disabled and Handicapped"

and that all subsequent lines be relettered accordingly.

Mr. Speaker: Does the Hon. Deputy Prime Minister and President of the Privy Council (Mr. Mazankowski) have the unanimous consent of the House to move his motion?

Some Hon. Members: Agreed.

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, I wish to express the appreciation of the Liberal caucus that this move has been made to establish a permanent committee on the disabled and the handicapped. I commend the Government for this move. In addition, that particular committee has always displayed a very fine spirit of nonpartisanship. I want also to commend you, Mr. Speaker, for the outstanding leadership you have given in this field in terms of making the House of Commons a more accessible and fairer place for the disabled and the handicapped to enjoy and participate in.

Mr. Speaker: I thank the Hon. Member for Eglinton—Lawrence (Mr. de Corneille).

Mr. Neil Young (Beaches): Mr. Speaker, I want to join with the remarks of the Hon. Member for Eglinton—Lawrence (Mr. de Corneille) and express my appreciation and that of my caucus to the House Leaders of all Parties in the House for agreeing to establish the Committee on the Disabled and the Handicapped as a permanent committee of the House.

This was the unanimous request of the committee as well as of disabled individuals and organizations representing them who have appeared before this committee over the years.

While I am on my feet, Mr. Speaker, I would also like to express my appreciation and that of the committee for the full support that you have given to the committee and to the issues with which that committee deals.

Hon. David Crombie (Secretary of State): Mr. Speaker, I would like to offer my appreciation to the Deputy Prime Minister (Mr. Mazankowski) and my colleagues in the other two Parties with regard to this move. Indeed, it is a milestone in the awareness in this country of handicapped and disabled people. Those in the field understand fully that in the next five to seven years there will be a revolution with regard to the way in which handicapped and disabled people will be able to gain

access to and participate in our society. The standing committee will be a major vehicle through which those changes will be mirrored. I, therefore, want to thank the House for its participation in this issue.

Mr. Speaker: I thank the Hon. Minister. Under the circumstances, perhaps the Chair can observe for the record that all Hon. Members join in the general sense that that which we have just heard with regard to the handicapped is indicative that Hon. Members in this place are seriously working toward the resolution of these problems and a better life for these of our fellow Canadians. It is of significance that this matter has obtained the unanimous support of all Members of this place.

The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

* * *

MESSAGE FROM THE SENATE

Mr. Speaker: I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed the following Bills, without amendment: Bill C-15, an Act to amend the Criminal Code and the Canada Evidence Act; Bill C-21, an Act to exempt certain shipping conference practices from the provisions of the Competition Act, to repeal the Shipping Conferences Exemption Act, 1979 and to amend other Acts in consequence thereof; Bill C-42, an Act respecting financial institutions and the deposit insurance system; and Bill C-66, an Act to establish the Veterans Appeal Board and to amend other Acts in relation thereto.

• (1530)

GOVERNMENT ORDERS

[*English*]

PATENT EXTENSION (ASPARTAME) ACT

MEASURE TO ENACT—CONCURRENCE IN SENATE AMENDMENT

On the Order: Private Members' Business

June 29, 1987—Consideration of an amendment made by the Senate to Bill C-259, an Act to extend the terms of a patent relating to a certain food additive.

Mr. Kilgour: Mr. Speaker, I rise on a point of order. This proposal requires the unanimous consent of the Chamber.

[*Translation*]

Mr. Speaker, I have a question. I wonder if the Parliamentary Secretary who introduced the Bill can give us some explanation as to the public interest in the Bill. A spokesperson for the Consumers' Association of Canada expressed concern over the legislation, and then a spokesman for the manufacturers of soft drinks indicated the same thing, and a spokesman for the Canadian Food Manufacturers Association, Mr. Don Jarvis, took a similar position. Mr. Speaker, I wonder, if, before giving unanimous consent, the Hon. Member could possibly explain how the public interest was protected in the Bill.

[*English*]

Mr. Dingwall: Mr. Speaker, I rise on the same point of order. I appreciate the Hon. Member's concern in terms of trying to seek clarification. I would not be opposed to a very short, succinct, two-minute clarification as to what the intent might be, but I check for your guidance as to when you will call for unanimous consent for this Bill to be heard in the Chamber. That is the key.

Mr. Kindy: Mr. Speaker, I want to re-emphasize that we must have unanimous consent. I am preoccupied with this Bill. It concerns Aspartame, a cancer-causing drug, and we are giving an extension for five years to a company, with unanimous consent of the NDP and Liberal Parties. The critic for the NDP, who is the critic on the Patent Act, suddenly lost his principles. I cannot give unanimous consent to that Bill.

Mr. Speaker: The Bill cannot proceed without unanimous consent. I notice a number of Members rising. I take it from what the Hon. Member for Edmonton-Strathcona (Mr. Kilgour) said, that at least at the moment he is not prepared to give unanimous consent. The Hon. Member for Calgary East (Mr. Kindy) has indicated the same thing.

Mr. Dingwall: As well as I, Mr. Speaker.

Mr. Speaker: As well as the Hon. Member for Cape Breton—East Richmond (Mr. Dingwall) and others.

However, the Hon. Member for Kamloops-Shuswap (Mr. Riis) was seeking the floor. I will hear him.

Mr. Riis: Mr. Speaker, I simply want to make a short intervention. I am disappointed that things have deteriorated to this extent. I cast the blame right at the desk of the Hon. Member for Calgary East (Mr. Kindy).

If he is going to be straightforward with Members of the House, he will know that this originally was a decision made by the coming together of the three political Parties. The best information we had at the time indicated that this was an appropriate initiative to support.

It was in the best spirit of the House that the Conservative Party, Liberal Party and the New Democratic Party worked together. That Member is essentially casting allegations against selective Members. I want to make it very clear that that might not have been the best decision we made collectively in the House, but it was made unanimously and that Member supported it.

Mr. Speaker: The suggestion has been made that we proceed with this Bill. It cannot be done without consent. I will put the question to the House. Is the House prepared to give unanimous consent to proceeding with this Bill?

Some Hon. Members: No.

Mr. Speaker: That ends the matter. I do not need to take any more points of order on this particular matter, but I will certainly recognize the Hon. Member for LaSalle (Mr. Lanthier).

[*Translation*]

Mr. Claude Lanthier (Parliamentary Secretary to Minister of Public Works): Mr. Speaker, as the sponsor of the Bill, I approve the comments made by the New Democratic Party, which stated this was a collective Bill in this House. However, the Bill now before the House is not the same that was introduced previously. What we now have before us at this point, the amended Bill, is not the same legislation that passed the other day in this House and that eventually was turned down by the Senate and that came back in amended form.

Mr. Speaker, I am tremendously sorry that the long arm of the Liberal Party in the Senate blocked the bill and sent it back in amended form, it would have been possible to be fair both to the business side and the justice side, but since we cannot have unanimous consent in this House, I must yield to its will.

However, Mr. Speaker, let me tell you that people in LaSalle and Ville-Émard will remember for a long time the long arm of the federal Liberal Party in the Senate that blocked job creation in the constituency for people in LaSalle and Ville-Émard. Let me tell you, Mr. Speaker, we will remember that when the time comes. Happy Confederation Day!

[*English*]

Mr. Speaker: It may very well be a matter of regret for some Hon. Members that consent could not be obtained. Clearly, however, consent has not been obtained and that is the end of the issue. The Hon. Member for Fundy—Royal (Mr. Corbett) is seeking the floor. I will hear the Hon. Member.

Mr. Corbett: Mr. Speaker, I just want to add my voice of concern to the issue that is now before the House. As the House will recall, it was brought before the House just two weeks ago. It was received at first reading on one day, and the second day that it came before the House it passed second and third reading.

I believe substantial concern has been expressed by various Members in the House and, with all due respect to our friends from the NDP, my experience of yesterday shows that they obviously cannot be trusted to favourably put forth a position—

Mr. Speaker: All that was before the House was a very simple proposition, it is that this particular Bill be allowed to proceed.

For whatever reason, there is not consent. It may be a matter of regret or something else, but that is the end of the issue. I would ask Hon. Members to co-operate in not rising further on that particular matter.

I know that the Hon. Member for LaSalle (Mr. Lanthier) has very strong feelings on the matter. He has expressed himself. I think that is all that the Chamber can deal with at this time.

* * *

[*Translation*]

SMALL BUSINESSES LOANS ACT

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Côté (Langelier) that Bill C-63, an Act to amend the Small Businesses Loans Act, be read the second time and referred to a Committee of the Whole.

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, I rise this afternoon to deal with Bill C-63, an Act to amend the Small Businesses Loans Act.

First of all, I should like to say that we are getting used to seeing this Conservative Government coming up at the very last minute with amendments to the Small Businesses Loans Act. Earlier in its mandate, in the Spring of 1985, the former Minister of State for Small Businesses and Tourism (Mr. Valcourt) had introduced a Bill to amend the Small Businesses Loans Act not for the purpose of improving it, but for limiting the possibility of Canadians taking advantage of this legislation to help finance small businesses.

What the Government was proposing at the time was to limit the amount of the guarantee. Previously, we had small businesses loans which were fully guaranteed by the Government but because of the amendment introduced by this Conservative Government in the Spring of 1985, the small businesses loans were guaranteed up to 85 per cent only. Madam Speaker, we indicated at the time that such a measure would reduce loan activities. Statitics now available show that we were right.

If we refer to the last report which the Department of Regional Industrial Expansion published on April 15, 1987, we see that, between April 1 and December 31, 1986, 6,780 loans were granted by chartered banks to small businesses under the Small Businesses Loans Act for a total amount of $557,196,962.

Compared with the same period in 1985, when there had been 18,444 loans totalling $560,133,192, there had been a considerable decrease between 1986 and 1985. This was following the Government's amendments to the Small Businesses Loans Act.

Today, this Conservative Government is asking us to approve, very quickly as usual, a Bill calling for the merging under the Small Businesses Loans Act of the legislation which used to make it possible for fishermen to obtain loans to improve their equipment and operation.

If we compare both legislations, the old one which is expiring today and the new one which will come into force tomorrow, the $30 million global ceiling will be replaced by a $2.5 billion global ceiling.

But the difference is not that overall ceiling, concerning which the Government even at that point, in 1985, stated: Come now, we are increasing that big ceiling. What does that give us, a higher overall ceiling, when in fact all the other requirements do not allow Canadians to use the benefits in that act, which means less use? And we see immediately that under the previous act, one could have loans up to a maximum of $150,000, but that has now been reduced to $100,000.

We see for instance that the term to repay, which was 15 years, is now reduced to 10 years. And there is, of course, as I said, that famous 85 per cent guarantee, which used to be 100 per cent. Not to mention, of course, as previous speakers emphasized, the 1 per cent that must be paid up front to get those loans. But that is subject, Madam Speaker, to small business loans to the fishing sector declining sharply, more so than in the so-called SMB sectors.

This is why we oppose the legislation, Madam Speaker, and will introduce amendments to correct those gaps. I hope the Minister of State for Small Businesses and Tourism—and this is one of his first opportunities as Minister of State for Small Businesses and Tourism to take part in the discussion of a Bill he is directly responsible for—will support our amendments, which of course would give us an act that at least will meet in part the needs of Canadians.

I would like to take this opportunity to state that on this side of the House, in the final report our task force on small businesses released this month, we are still expecting the Government report, the report of the task force that was established in 1985.

We are still waiting for the official report, although we were able to obtain a photocopy of this report which was printed in 1986 and which the Government is still refusing to make public.

I should like to say that in this report, it is clearly indicated that the Small Businesses Loans Act was to be amended to provide for a $150,000 ceiling instead of the $100,000 ceiling.

Therefore, in regions such as the Maritimes and British Columbia, as well as such distant Quebec regions as the Gaspe, the guarantee will amount to 100 per cent instead of 85 per cent. It is possible that in urban areas it will be easier, in view of the greater number of financial institutions.

In this report, therefore, we have established . . . we suggest the principle of having a guarantee ranging from 85 per cent up to 100 per cent, based on the regions and the needs.

I ask the Minister of State for Small Businesses and Tourism, both during this debate and his study in committee, to consider this proposal and amend this Bill to make it more practical for its users.

For the time being, I conclude my remarks on this, but I will certainly have the opportunity to make others both in committee and at the third reading stage.

Mr. Alex Kindy (Calgary East): Madam Speaker, I want to praise the Minister of State for Small Businesses and Tourism (Mr. Valcourt) for his initiative and his dedication to small businesses.

The fact remains that small businesses are the foundation of our industry. The larger corporations are not there to help us.

What surprises me, for instance, is that recently . . .

• (1540)

[*English*]

I would say what astonished me lately is that the Hon. Member for Winnipeg North (Mr. Orlikow) had supported Bill C-259—

Mr. Riis: Point of order.

Mr. Kindy: —and it was a big corporation he was supporting.

Mr. Riis: I simply want to encourage you, Madam Speaker, to encourage Hon. Members to stick to the topic being discussed. We are debating the extension of the Small Businesses Loans Act. The Hon. Member for Calgary East (Mr. Kindy) is going back to a decision the Speaker made a few moments ago. He has to learn the rules of Parliament. I would advise him to sit down and open up the Standing Orders and read them. I suspect he is capable of that. I would urge him, if he is going to be a parliamentarian, at least to learn the rules of Parliament.

The Acting Speaker (Mrs. Champagne): I am sure the Hon. Member for Calgary East (Mr. Kindy) is just about ready to join the two propositions together.

[*Translation*]

Mr. Kindy: Madam Speaker, I am surprised that when referring to small businesses which are the backbone of our society, because they create more jobs—that is why I am in empathy with them—and I think the Minister of State for Small Businesses and Tourism is doing an excellent job—but I cannot help mentioning larger corporations which are certainly important but which do not create quite as many jobs as small businesses do.

That is why I referred to the Monsanto Company of St. Louis, Missouri, which, I think, is an international company

which is supported by the New Democratic Party. I find this quite surprising.

I wish to conclude on this and congratulate again the Minister.

[*English*]

Mr. Robinson: Madam Speaker, the Hon. Member who has just spoken, I am sure inadvertently, is misleading the House with respect to important legislation. That Hon. Member could indeed have spoken or voted against the legislation to which he is now speaking. I suggest that he end his hypocrisy and explain to the House why he is not prepared—

Mr. de Corneille: Order.

Mr. Robinson: —to tell the truth on this matter.

The Acting Speaker (Mrs. Champagne): The question regarding Bill C-251 was settled earlier. We are now discussing Bill C-63.

[*Translation*]

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): The question is as follows: Mr. Valcourt (in the name of Mr. Côté (Langelier)), seconded by Mr. Epp, moves that Bill C-63, an Act to amend the Small Businesses Loans Act, be read the second time and, by unanimous consent, referred to a Committee of the Whole. Is it the pleasure of the House to adopt the motion.

Some Hon. Members: Agreed.

Some Hon. Members: On division.

The Acting Speaker (Mrs. Champagne): Adopted on division.

Motion agreed to, Bill read the second time and, by unanimous consent, the House went into committee thereon, Mrs. Champagne in the Chair.

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 78, I do now leave the Chair for the House to go into Committee of the Whole. House in Committee of the Whole on Bill C-63, an Act to amend the Small Businesses Loans Act.

• (1550)

[*English*]

The Assistant Deputy Chairman: Order. House in Committee of the Whole on Bill C-63, an Act to amend the Small Businesses Loans Act.

Clauses 1 and 2 inclusive agreed to.

On Clause 3

Mr. Baker: Madam Chairman, can the Minister please explain what the purpose of Clause 3 is?

Mr. Valcourt: Madam Chairman, the present wording as stated in paragraph (3)(2)(d) is identical to that shown in Clause 3(1) except for the words "under this Act and guaranteed loans under the Fisheries Improvement Loans Act". This amendment will require loans outstanding under FILA to be combined with those outstanding under the SBLA when determining whether a borrower has reached the $100,000 loan limit under the SBLA. That is the purpose of the clause.

Mr. Baker: Madam Chairman, can the Minister tell me whether or not a loan outstanding under the Fisheries Improvement Loans Act would be a loan that is guaranteed under the Act? I am asking this question because the banks have gone over their limit for the past several years. Does this Act mean that the loans that were issued that are no longer under federal government guarantee are taken into account under the new Bill?

Mr. Valcourt: The short answer is no, Madam Chairman.

Mr. Baker: Madam Chairman, if the answer is no, then what loans would come under the Act? There are no loans out that are guaranteed after the limit was surpassed by the major lending institutions. In other words, would a fisherman who had a loan out, let us say on the North Shore of Quebec, who has been notified by the banks over the past two or three years since this Government came into power that his loan is no longer guaranteed by the bank because the limit has been reached now have to go back and get some life insurance on the loan because the federal Government no longer guarantees the loan? In other words, is the Minister saying that that is then not taken into account? Why would he take into account something that is guaranteed by the federal Government? There is nothing guaranteed by the federal Government under the Fisheries Improvement Loans Act right now. I am asking the Minister what is guaranteed if the limits have been surpassed.

Mr. Valcourt: Madam Chairman, I never thought I would have to explain to my learned friend, the Hon. Member for Gander—Twillingate, how this Act operates. When a loan is made under the Small Businesses Loans Act the lender has to meet certain criteria. He has to make a business decision, which any banker must make, whether or not he will make a loan and have it guaranteed under the Act. There is no red tape. There is no bureaucracy here. It is a banker making a decision to lend or not to lend money to a fisherman. If he decides to grant a loan and seeks to have it registered under the Act, then when it is registered the loan is guaranteed.

The question of limit only arises when the cumulative guarantees taken all together reach a certain stage. Right now, for example, under the Small Businesses Loans Act the authority under the Act to give guarantees is $2.5 billion. I do not know exactly but we may be at $1.3 billion right now. So loans out there may be granted and registered up to the limit

of $2.5 billion. But those who were turned down by the lender, they were not guaranteed. But those which have been registered and which comply with the regulations and the Act are guaranteed and they cannot be affected by a subsequent reaching of the limit under the Act or the regulation.

I hope that I am clear on this.

Mr. Baker: Under the old Fisheries Improvement Loans Act, which the present legislation will replace, a fisherman could receive a $150,000 loan. Under this legislation he can receive only a $100,000 loan. Does this mean for all fishermen who have, as the Minister puts it, loans under the Fisheries Improvement Loans Program, that now they have reached their limit and they can no longer get a loan under this legislation?

We have the best drafters of legislation probably in the world. It is not the drafters who are at fault. It is the people who fed them the information who are at fault, the policy-makers. There is no such thing as somebody who has a guarantee under the Fisheries Improvement Loans Act. There is no such thing as going in to a bank and getting a guarantee in writing under the Fisheries Improvement Loans Act. There is no such animal alive in the federal Government. There is no such thing.

The Fisheries Improvement Loans Act covers the banker. If there were a slip of paper that showed that a fisherman had a guarantee under the Fisheries Improvement Loans Act, then I would take all of those fishermen now into court and sue the Government of Canada for not respecting its guarantee. The reason they cannot do that is because the Government of Canada says that it guarantees the banks up to a certain limit of pay-out.

• (1600)

Beyond that, all of the bad loans made by the banks are no longer guaranteed by the federal Government, and the federal Government will no longer make the payments to the bank. The result is that there is no fisherman who has his loan guaranteed under the Fisheries Improvement Loans Act.

How would one know whether a loan was guaranteed under the Fisheries Improvement Loans Act? If you go to the banks and ask for the number of loans guaranteed under the Fisheries Improvement Loans Act, they are unable to tell you. They would not know which loans were guaranteed. If there were two loans, one taken out 10 years ago and one taken out 5 years ago, both in default, whichever loan went into default first would be covered under the guarantee, and only provided the federal Government has not already paid out the full amount under that guarantee. So, there is no one who is guaranteed under the Fisheries Improvement Loans Act in respect of any loan at any chartered bank in this country.

How do we tell someone that they qualify for a loan under the Small Businesses Loans Act because the limit under the Fisheries Improvement Loans Act has not been reached? There is no such thing. There is no such thing as a guarantee under the Fisheries Improvement Loans Act because one does not know whether it is guaranteed until it goes into default, and it is then only guaranteed if the banks have not already collected from the federal Government the limit it sets on those guarantees. In other words, there is no such thing as a fisheries improvement loan that a fisherman has that is guaranteed by the federal Government. There is simply no such thing.

Each individual bank, under the Fisheries Improvement Loans Act, has moneys that it can put out by way of loans to fishermen; but if a given bank puts out beyond 10 per cent of the total amount allocated for such loans and there is a default in excess of the limit that it has, then the loans are no longer guaranteed by the federal Government.

When a loan is taken out, the fisherman does not get a sheet of paper saying that his loan is guaranteed by the federal Government. If they had that, I could then say to all of the fishing enterprises in eastern Canada which have received letters saying that their loans are no longer guaranteed that they would have another remedy. These enterprises have simply received letters from the banks saying that the loans that are outstanding are no longer guaranteed because the banks have surpassed the guarantee level.

If I had a sheet of paper setting out that fisherman X has a loan guaranteed under the Fisheries Improvement Loans Act, I could then sue the federal Government on the basis of that guarantee.

Mr. Valcourt: Sue for what?

Mr. Baker: All of those 1,500 fishing enterprises could sue the federal Government if they had such a piece of paper. If they have in their hands a piece of paper saying that their loans are guaranteed and the bank turns around and demands payment now because they are no longer guaranteed by the federal Government, they could then sue.

Mr. Valcourt: Sue for what? They are the borrowers.

Mr. Baker: The Minister has asked a very interesting question. Perhaps I can explain it to him.

An Hon. Member: Good luck!

Mr. Baker: In the case of a fisherman who took out a bank loan for the purchase of fishing gear and the fisherman then went into default on that loan, the bank could move in and seize his gear. Because of the bad year in the fishery, the fisherman cannot make the payments. He has no choice but to let the bank take the gear. The bank would then put that gear up for sale, and the proceeds from the sale may only amount to one-third of what it is owed. In that situation, the bank then goes to the federal Government and requests, under the guarantee, the balance of the loan outstanding. In other words, the banks make a claim under the Fisheries Improvement Loans Act.

Let's assume for the sake of the discussion that the bank in question is the Royal Bank of Canada. The Fisheries official then requests of the Royal Bank information in relation to the lending period in respect of which the loan was issued and the amount of money that the bank has received under the guarantee in that same lending period.

If the amount received by the bank is under the limit that it has been assigned under the guarantee, the Government of Canada would then issue a cheque to the Royal Bank of Canada for the balance of that loan. However, if the Royal Bank of Canada has gone over the limit established in the Fisheries Improvement Loans Act, the federal Government then takes the position that the guarantee no longer applies.

In that circumstance, the Royal Bank is not going to sit back and accept the loss of two-thirds of the loan. It would only do that where it is a default on the part of a lender from another country. The bank, in that circumstance, will then go after the borrower for the balance of the loan. It will turn around and say to the fisherman: "You took out a loan with us which went into default, and we were only able to recover one-third of the amount of the loan from the sale of your gear. Because we have gone over our limit under the Fisheries Improvement Loans Act, the federal Government refuses to pay us the balance under the Fisheries Improvement Loans Act guarantee. As a result, we have to collect the balance from you. Either you pay up in 30 days, or we put an attachment on your property; we put an attachment on your home. We want the money now. We want the cold hard cash."

And the letters go out. In one case, there was a demand for $20,000; in another case, $30,000; in another case, $50,000; and in another case, $60,000. All of these individuals are making payments now as best they can, under whatever arrangements they could make with the chartered banks. All of the chartered banks are now doing this, every blinking single one of which is covered under the Fisheries Improvement Loans Act. In all, they are collecting from some 1,500 fishing enterprises in eastern Canada. As to how many there are in British Columbia, I do not know. I imagine there are quite a few.

The Government of Canada could have extended the guarantee. In light of the hard times in the fisheries sector over the last three years, it could have decided to extend the guarantee to cover all loans. But no such action was taken. We had a Progressive Conservative Government in power.

An Hon. Member: Bad news.

Mr. Baker: This Government refused to cover the loans. It took the position that it was no fault of the Government's that the banks had surpassed their limits under the guarantee. So, it chose to do nothing. In fact, it now brings in this Bill, doing away with the entire Fisheries Improvement Loans Program.

I come back to the question: What, for goodness sake, is in this Bill? This Bill says that one can get a loan under the Small Businesses Loans Program if one does not have a guaranteed loan under the Fisheries Improvement Loans Act. How does the fisherman know whether or not his loan is guaranteed under the Fisheries Improvement Loans Act unless he defaults? The Bank will not tell him whether or not it is guaranteed. The bank itself does not know until he defaults and a claim is made. There is no such thing as a guarantee. What is contained in the clauses of this Bill, Clause 2, Clause 3, makes no sense at all.

• (1610)

How do we, then, arrive at the amount of money? If a gentleman goes into a bank and asks for a $50,000 loan, the bank takes out the Act and says, "Do you have any guaranteed loans under the Fisheries Improvement Loans Act?" The fellow says, "I don't know". Then he is asked with which bank he was dealing when he got his gear, whether it was the Bank of Nova Scotia or some other bank, and then he is told to check it out because they do not know.

If nobody knows whether it is guaranteed, if the person does not know whether it is guaranteed until he defaults, and if he does not know whether he will receive his payment until he defaults, how can it be in the Act?

I would like an answer to that very succinct question.

Mr. Valcourt: Madam Chairman, I do not know whether I have the time to explain all the details of the Act to the Hon. Member. He seems to believe that the loans made under the Act are not tracked down. When a loan is made it is registered, and when it is registered, it is considered to be a guaranteed loan under the Act. If there is default and if it has met the criteria established by regulation, which the bank has, it will be covered in the case of deficiency.

The Hon. Member seems to think that this is only triggered in the case of default and that there is no tracking beforehand. There is, and this is why, at a given point in time, the Department can tell the banks to stop, that they have reached the limit of guarantee, not of defaults. When we look at the defaults under the Act, we see that there is very little. The Department can inform the bank that the limit of guarantee has been attained. This is because they are being tracked, and that should provide the Hon. Member with his answer.

Mr. Gagliano: Madam Chairman, as I indicated to the Minister in second reading, I have a few amendments to propose. Before doing so, I would like to indicate that the old Bill has a 100 per cent guarantee and that under the Small Businesses Loans Act there is an 85 per cent guarantee. Perhaps the Minister could assist me before I put my amendments, because there is no specific paragraph or clause in Bill C-63 which mentions the difference between the 100 per cent guarantee and the 85 per cent guarantee.

Mr. Valcourt: Are we on Clause 3, or can the Hon. Member deal with any section of the Act?

The Assistant Deputy Chairman: The Hon. Member's question should relate to Clause 3.

Mr. Gagliano: Before putting my amendments I would like the Minister to clarify the difference between the 100 per cent guarantee and the 85 per cent guarantee. It cannot be found in Clauses Nos. 3, 4, or 5—anywhere in the Bill. Will fishermen have a loan guarantee of 100 per cent or 85 per cent? That is what I want to know.

Mr. Valcourt: When a Bill before the House intends to modify only certain sections of the Act, only those sections are reflected.

The section about which the Hon. Member is talking is in the Act but it is not one of those which are being amended. I cannot tell him how he should procedurally try to make an amendment in this regard; it is not my job.

Mr. Gagliano: Then I will move my amendments. I regret that we cannot get more information. This is the type of thing that happens when we pass Bills at the last moment. The difference between a loan guarantee of 100 per cent and one of 85 per cent is very important, especially where fishermen are concerned. However, because of the technical problem, we are unable to present a specific amendment to the portion dealing with the loan guarantee. Hopefully we will have another chance to come back to it.

Therefore I move:

That Bill C-63, be amended in Clause 3 by striking out line 5 at page 3 and substituting the following therefor:

"one hundred and fifty thousand dollars."

As I mentioned earlier, this is to ensure that the limit of each loan will be $150,000. As the Small Businesses Loans Act now stands it is $100,000, and we propose that it should be $150,000 as was the case before under the Fisheries Improvement Loans Act. I think we should take this opportunity to amend the Small Businesses Loans Act in that regard. The amount of $100,000 was set under the Act in 1980. If we take into consideration only the inflation from 1980 to 1987, it is normal that it should be $150,000.

I hope the Minister will support such an amendment.

The Assistant Deputy Chairman: Does the Hon. Member have other amendments which he wishes to introduce at this time?

Mr. Gagliano: Yes, Madam Chairman. I move:

That Bill C-63, be amended in Clause 3 by striking out line 19 at page 2 and substituting the following therefor:

"knowledge, did not exceed one hundred and fifty"

It is a technical amendment which goes along with the one I proposed before. Also I move:

That Bill C-63, be amended in Clause 3 by striking out line 24 at page 2 and substituting the following therefor:

"not more than fifteen years after the date of"

This is to comply with the Fisheries Improvement Loans Act so that they have 15 years to repay their loans, since it is a reasonable length of time on a long-term loan. Under the Small Businesses Loans Act it is 10 years, so I have moved that the 15-year term should apply in the case of fisheries.

The Assistant Deputy Chairman: To facilitate everyone, and with the permission of the Hon. Member, perhaps it would be easier to change the order in which he presented his amendments. Perhaps the first one could be the one striking out line 19 at page 2, followed by the one striking out line 24 at page 2, and finally the one striking out line 5 at page 3. Do I have the agreement of the mover and the seconder to do that?

Mr. Gagliano: Yes, Madam Chairman. I apologize. The amendments have been passed back and forth between my colleagues and I, and we must have inadvertently changed the order.

Mr. Valcourt: Madam Chairman, before we consider the amendments, I would like the Chair to rule on whether they are in order.

The Assistant Deputy Chairman: The Chair considers that the amendments are receivable. Mr. Gagliano moved:

That Bill C-63, be amended in Clause 3 by striking out line 19 at page 2 and substituting the following therefor:

"knowledge did not exceed one hundred and fifty"

Is the pleasure of the committee to adopt the amendment?

Some Hon. Members: No.

The Assistant Deputy Chairman: The Hon. Member for Gander—Twillingate.

Mr. Baker: Madam Chairman, I think the original motion is in the name of the official fisheries critic for the Official Opposition, the Hon. Member for Egmont.

• (1620)

Mr. Lewis: Madam Chairman, for my clarification, I heard you call the amendment and I heard the noes. Then the Hon. Member rose to speak. I want to know whether the Member is speaking on the amendment that, in my opinion, was just lost or is he speaking on the next amendment?

The Assistant Deputy Chairman: I did read the first amendment and asked the question before realizing that someone was rising on debate. We are debating the first amendment.

Mr. Baker: Madam Chairman, the Hon. Member will realize that you have to put the question before there can be any debate. Always. The question is put and then debate takes place. There cannot be any debate without the question being put. The Chair was absolutely correct in what the Chair did.

The first amendment, as I was saying, is proposed by the Member from Prince Edward Island, the official critic, the

Hon. Member for Egmont. The Member for Saint-Léonard—Anjou proposed the amendment in his place because he is the small business critic for the Official Opposition.

The amendment is very important because it maintains the limits that were present under the Fisheries Improvement Loans Program which is being discontinued by the Government and is being replaced by the Small Businesses Loans Act, which is a loans program for all small businesses in Canada regardless of what they do, whereas the Fisheries Improvement Loans Program was a specific loans program which had a specific responsibility toward fishing enterprises. Under that particular Act, the fishermen will lose their guarantee of up to $150,000 because under this Act the limit is $100,000. That is the main purpose of the motion proposed by the Hon. Member.

The other reason that this amendment is so important is that the guarantee is not as great as it was under the Fisheries Improvement Loans Program. As well, no fee had to be paid under the Fisheries Improvement Loans Program. By replacing one clause and one of the conditions to what they were under the original Fisheries Improvement Loans Program, which this particular Bill replaces, I suppose is trying to correct a wrong that has been dealt the fishermen of Canada by the Government in doing away with its loans program, knowing full well that the Partner Loans Program for farmers will be dealt with in this Chamber in a few moments time. But fishermen are wondering why there is a double standard for primary producers.

From 1945 there was the Farm Improvement Loans Act and the Fisheries Improvement Loans Act came 10 years later, in 1955. For the past 32 years everybody has operated on an equal footing. The farmers and the fishermen were guaranteed under legislation of the Parliament of Canada that they could walk into a bank and get a loan. Now, only the farmer will be able to walk into a bank and get a loan under the Farm Improvement Loans Program, which is to be dealt with in this Chamber in a few moments time. The fishermen will be left out in the cold. The fishermen will be left out in the boats all by themselves. They wonder why the double standard.

Why did the Government of Canada pick on the fishermen? Why did the Government set the fishermen adrift? Why is the Government dealing with the farmers in just the opposite way by letting them have their own loans program and guarantees? The fishermen of Canada have a right to know why. The Government of Canada gives them no reason. The Minister of State for Small Businesses and Tourism stood in the House and said, "This is what we have to do. We cannot give them $150,000 anymore, just $100,000. We cannot give them 100 per cent guarantees, only 80 per cent to 85 per cent". Now when the fishermen walk into the banks, they have to pay to get a loan. When the fishermen go into a bank now, out of their own pockets they will have to lay down some money for the fee that has to be paid by the bank. The bank will not charge the fee. The bank will pay a fee in order to take advantage of the loans program to secure 85 per cent of their loan. The bank will see 85 per cent of $100,000 and consider for what type of individual. The banks will consider it a fishing enterprise, and note that fishing enterprises defaulted substantially in the past five years. The banks can say, "We all reached our limits, so why loan fishermen money at such a risk when we can loan money to someone who is not in the primary end of production but somebody who deals in nightclubs, for example? Why should we loan money to fishermen and take such a chance? Besides, fishermen will not have the fee to pay the banks anyway. Fishermen will probably turn to the finance companies.

Fishermen ask, why the double standard. Why is it if this Act will replace the old one that the limit is $100,000 and not $150,000? I know the New Democrats are anxious to have a few words about this atrocious Bill. I know the New Democrats are going to speak up now.

Mr. Nowlan: Give them a chance.

Mr. Baker: There is the Member from Nova Scotia who is concerned about his Nova Scotia fishermen. Here they are being discriminated against by the Government of Canada. The Member for Nova Scotia will not take that. He will stand up in a minute and he will criticize the Government of Canada. He will demand what the Hon. Member here proposed a few moments ago, namely, raise the limit to $150,000. The Member from Nova Scotia will stand up and do that because he is not going to take it on behalf of the fishermen of Nova Scotia.

Mr. Nowlan: Will you sit down so I might stand up?

Some Hon. Members: Oh, oh!

Mr. Baker: If that is a promise, I think perhaps I should sit down, Madam Chairman.

Some Hon. Members: Hear, hear!

Mr. Nowlan: Madam Chairman, I watched my friend, who is one of the more vibrant persons in the Opposition. I have been most entranced with what he has said and I agree with a lot of what he has said. I am awfully glad he sat down, and I am going to sit down too.

Mr. Althouse: Madam Chairman, it is not often that I get a chance to speak on a fisheries matter. I do not know or claim to know a great deal about the fisheries. I do note that there is a principle being used in this Act that the Government is attempting to implement in the other improvement loans acts, the Small Businesses Loans Act and the Farm Improvement Loans Act, and I want to say a few words about the principle. I think it is a bad principle on which the Government is embarking with user fees which attempt to pay part of the cost of insuring the loan insurance which the Government provides to the lending institutions.

With the Farm Loans Act, which we will be coming to, the Government is proposing initially to put a half of 1 per cent of the loan into the insurance fund. The same principle is being

applied here with the Fisheries Loans Act. For all parliamentarians, whether fishermen, farmers or those responsible for speaking on behalf of fishermen or farmers it is an even larger principle, namely, the principle being enshrined in these acts. It is one of permitting the Minister and the Government of the day, whatever day it might be, to change the particular fee to any level the Government wishes. It is listed nominally at half a point, but the Bill then goes on to explain "Or other rate that the Minister or the Government of the day may determine".

• (1630)

That is not exactly consistent with parliamentary process. The function of Parliament is supposed to be to authorize the Government to levy taxes, but it does not normally levy taxes with an open-ended agreement. It does not meet once a year and say: "Here is authority to collect whatever taxes you want." There is usually a limit to the amount permitted by the Act. This Bill and the Farm Improvement Loans Bill which will perhaps follow later on today has no such limit on the Minister or the Government. It simply gives them authority to set that particular fee, and that is a form of taxation, I submit. I think it really stretches the practices and usual procedures of Parliament. That was why I wanted to speak on this particular aspect of the loans Bill and to call attention to the same principle which is being attempted to be applied in other loans Acts that may be presented to the House later this day.

The Assistant Deputy Chairman: Is the committee ready for the question?

Some Hon. Members: Question.

Amendment (Mr. Gagliano) negatived: yeas, 12; nays, 22.

[*Translation*]

Mr. Guilbault (Saint-Jacques): Madam Chairman, I simply want to point out that Members are going in and out during divisions. Some Members came in during division, which is irregular and contrary to the Standing Orders. I hope this practice will end before the next divisions.

Mr. St. Julien: Madam Chairman, it is the same thing on the Opposition side. I saw Members going in and out. They are doing the same thing on the other side.

[*English*]

The Assistant Deputy Chairman: The question is now on the second amendment. Mr. Gagliano, seconded by Mr. Baker, moved:

That Bill C-63, be amended in Clause 3 by striking out line 24 at page 2 and substituting the following therefor:

"not more than 15 years after the date of".

Is it the pleasure of the committee to adopt the motion?

Mr. Baker: Madam Chairman, this motion was originally put by the official critic for the Official Opposition in the name of the Hon. Member for Egmont and then, during debate on the Bill, was put by the Hon. Member for Saint-Léonard—Anjou, who is the critic for the Small Businesses Loans Act. This amendment attempts to take back one more of the things that were removed by this Bill but were originally in the Fisheries Improvement Loans Act, and that is the period of time required for repayment.

The Government has imposed more restrictions on the borrowing of the money. It has imposed a fee upon the borrower and has told the borrower that he will have to fix up with the bank the remaining 15 per cent that the Government cannot guarantee, and then the Government turned around and said that even though he cannot borrow as much money, he has to pay it back in a shorter period of time. That is why the fisheries critic and the small businesses critic of the Official Opposition proposed this particular amendment. They were simply trying to get back a small portion of what the Government removed from the loans program that was designed for fishermen and had been in place for 32 years.

The other instance when this amendment becomes very important is when the amount of the repayment will increase substantially, and this will cause the bank to want payment more quickly during bad seasons. The Fisheries Improvement Loans Act has no such arrangement. In the off-season when the ice was in all around the coastline and fishermen could not get out and could not make payments to the bank under the Fisheries Improvement Loans Act, there was always a mechanism for the Government of Canada to talk to the banks and make arrangements for fishermen to pay when they could afford to pay during that season. Under the Small Businesses Loans Act, no such arrangement will be made. The fisherman will either have to pay up or he will lose his equipment, his boat or whatever he borrowed money to purchase under the Small Businesses Loans Act.

Unless the Government turns around and says it will guarantee 100 per cent of the loan and it will lengthen the period for repayment, then I believe that fishermen will not be issued any loans by the chartered banks in Canada. This motion would simply give back what the Government is again taking away at a bad time for the fishermen of Canada.

I would say that not one Hon. Member should disagree with this amendment. What earthly reason would someone have to disagree with it? Would it be loyalty to the Parliamentary Secretary to the government House Leader or to the Minister responsible for small businesses? What reason would even the Minister have for turning down this amendment? There is no reason whatsoever. However, I am sure he will now rise to tell us why he is opposed to this amendment. It is his Bill. He should at least tell us why he is opposed to stretching the repayment period from 10 years to the 15 years fishermen were always used to.

I would also expect the standard support from members of the New Democratic Party for this excellent amendment.

The Assistant Deputy Chairman: Is it the pleasure of the committee to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Assistant Deputy Chairman: All those in favour of the motion please say yea.

Some Hon. Members: Yea.

The Assistant Deputy Chairman: All those opposed to the motion please say nay.

Some Hon. Members: Nay.

The Assistant Deputy Chairman: In my opinion the nays have it.

Some Hon. Members: On division.

Amendment (Mr. Gagliano) negatived.

The Assistant Deputy Chairman: We shall now move to the next question. Mr. Gagliano, seconded by Mr. Baker, moved:

That Bill C-63, be amended in Clause 3 by striking out line 5 at page 3 and substituting the following therefor:

"one hundred and fifty thousand dollars".

The Assistant Deputy Chairman: Is it the pleasure of the committee to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Assistant Deputy Chairman: All those in favour please say yea.

Some Hon. Members: Yea.

The Assistant Deputy Chairman: All those opposed please say nay.

Some Hon. Members: Nay.

The Assistant Deputy Chairman: In my opinion the nays have it.

Some Hon. Members: On division.

Amendment (Mr. Gagliano) negatived.

• (1640)

Mr. Baker: Point of order. I wonder if the Chair can explain why it changed the pattern of voting on this clause.

The Assistant Deputy Chairman: There were two ways of doing it. The first time I did not call the yeas and nays and count the votes. If Hon. Members had wanted a count I certainly would have asked for it. As I was told the amendment was negatived on division a count was not necessary.

Shall Clause 3 now carry?

Some Hon. Members: Agreed.

Clause agreed to.

Clauses 4 to 5 inclusive agreed to.

Schedule agreed to.

Title agreed to.

Bill reported.

Hon. Bernard Valcourt (for the Minister of Regional Industrial Expansion) moved that Bill C-63, as amended, be concurred in.

The Acting Speaker (Mrs. Champagne): When shall the Bill be read the third time? By leave, now?

Some Hon. Members: Agreed.

Mr. Valcourt (for the Minister of Regional Industrial Expansion) moved that the Bill be read the third time and passed.

Mr. George Baker (Gander—Twillingate): Madam Speaker, this Bill receiving third reading is one of the worst Bills presented to the House of Commons probably in this century.

Some Hon. Members: Oh, oh!

Mr. Baker: It is a black mark against fishermen. I am surprised at certain Members from fishing provinces where hundreds of fishermen thought they had guarantees from the Government. They do not have money to spare. They are not rich people. They do not get a guaranteed income like Members of Parliament do. They do not get a salary cheque every month. They are at the whim of the weather, the fish, international affairs, the French, American and Russian fishing fleets, and the European Economic Community. Now we see the Government of Canada removing the only guaranteed loans program they had. The Government has removed the guarantee and put in a fee. It has created two classes of primary producers. We have just dealt with the Fisheries Improvement Loans Program and told the fishermen of Canada what we are going to do with them, and in a few minutes we are going to deal with the Farm Improvement Loans Program. The fishermen's program is thrown clean out the window.

You will notice that the two programs are almost identical, only one word is different. Yet that one word makes a big difference to the Government. The Government has said it is going to throw one Act out the window and reinstate the other one. The fishermen are going to wonder why.

Does anyone really believe that under this Act the fishermen in Nova Scotia and Newfoundland or P.E.I. are going to get a loan from a bank manager? Why would a bank manager issue a fisherman a loan under this piece of paper here? They will not. There is no 100 per cent guarantee. They are not going to

issue the loan anyway because fishermen in Nova Scotia and Newfoundland today by the hundreds have been foreclosed on. They thought they had a guarantee under the Fisheries Improvement Loans Program.

I must admit the banks are not being fair to the Government. They are telling the fishermen that the Government is at fault. The Government is not at fault. The Government had a limit for the banks and the banks should have known that. Yet now we have the ultimate movement by the Government of Canada to do away with the entire loans program for fishermen, but not the loans program for farmers. That will be re-enacted in a few moments in this Chamber.

The fishermen's program is now gone and one wonders why. There is only one conclusion I can come to. Apart from trying to save money, apart from the fact that the Government did not want to extend the guarantee to those poor fishermen who could not meet the demands for payment that they received in letters from big law firms—big law firms—

Mr. Horner: You said that.

Mr. Baker: Yes, I said it and I will say it a hundred times—from big law firms. They sent out these letters to the poor fishermen and told them to pay up in 30 days or they are going to be taken to court and their property seized. Instead of doing something about that under the program, the Government of Canada throws it out the window and says "We are going to cover fishermen under the Small Businesses Loans Act". That is the purpose of this Bill before us today.

The truth of the matter is that fishing enterprises were always considered under the Small Businesses Loans Act. If you are into aquaculture you get loans under that Act. Fishing enterprises were not covered substantially because of the Fisheries Improvement Loans Program which held that better guarantee from the Government of Canada.

There is no need for this Bill at all, but the Government could not just leave it and say it is going to extend, because both the fishermen and farmers loan programs end today. Today! The Government could not say it was only going to extend the Farm Improvement Loans Program. It could not say that because that would be too blatant, too absolutely atrocious for the fishermen of Canada. No, the Government said that with the conclusion of the Fisheries Improvement Loans Act it would officially put them under the Small Businesses Loans Program like any other business in Canada.

• (1650)

Today the fishermen of Canada are wondering why they are being tossed out the window with their loans program. This is only the continuation of long disregard by the Government for the fisheries of Canada. Fishermen of eastern Canada from Nova Scotia and Newfoundland know that foreigners are overfishing and that nobody will do anything about it. They have seen it for years. They know how bad it is now because no one will touch the French fleet. It is off bounds.

A 64-foot 10-and-one-half-inch Nova Scotian longliner was recently arrested for fishing in an area in which a boat has to be 65 feet in order to fish. It was an inch and a half too short. It was dragged into port in St. John's, Newfoundland, from Nova Scotia. The fisherman was fishing off the Grand Banks next to an American skipper. The fisheries officer said that they could not board the American vessel because the Americans are not members of NAFO. It is a Canadian resource but we do not arrest Americans. The Canadian skipper asked why they were arresting him. The fisheries officer said they were arresting him because he fell under their authority.

While the fellow was being dragged into port in St. John's, Newfoundland, he passed some of the French fleet fishing with no licence. The fisheries officer said that they could not touch them because that area was in dispute. The skipper asked why they were catching him if the area was in dispute. The fisheries officer said it was because he is a Canadian—not American, not French, but Canadian.

That is the attitude which prevails. Fishermen will not take it anymore. Last weekend their capelin quota ended at 15,000 tonnes and the Russian quota started at 17,000 tonnes. There are seven fish plants in Newfoundland today saying that they want to buy capelin because they have markets in Japan and Taiwan. The federal Department of Fisheries and Oceans said that it is sorry, but the quota was 15,000 tonnes. The fishermen said, "Yes, but you call it an under-utilized species". The federal Fisheries Department said that that is why it was given it to the Russians.

So the Russians can now start their quota at 17,000 tonnes and fish until December 31. The poor fishermen are sitting back, not allowed to catch capelin although they have licences, because the market quota is gone.

Today the Government of Canada has introduced another Act. The Hon. Member for Algoma (Mr. Foster) and the Hon. Member for Humboldt—Lake Centre (Mr. Althouse) will have a few words to say on that farm Bill. We are all anxious to see what is in it. I am sure there must be something bad in it because the Government is introducing it at the last minute. Maybe the Minister of Agriculture (Mr. Wise) has more influence in Cabinet than has the Minister of Fisheries and Oceans (Mr. Siddon), although I doubt that.

After 30 years the fishermen lose their guaranteed loans program. After 42 years the farmers will have theirs renewed and we will see in what form in a few moments. The Bill on which we are about to vote is not good for the fishermen of Canada.

The Acting Speaker (Mr. Paproski): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mr. Paproski): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the third time and passed.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I think if you were to seek it you would find unanimous consent to revert to the introduction of Bills.

The Acting Speaker (Mr. Paproski): Is that agreed?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

SENATE AND HOUSE OF COMMONS ACT

MEASURE TO AMEND

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council) moved for leave to introduce Bill C-83, an Act to amend the Senate and House of Commons Act.

The Acting Speaker (Mr. Paproski): Is it the pleasure of the House that the Hon. Minister have leave to introduce the Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

GOVERNMENT ORDERS

[*English*]

CUSTOMS ACT

MEASURE TO AMEND

Hon. Elmer M. MacKay (Minister of National Revenue) moved that Bill C-80, an Act to amend the Customs Act, be read the second time and, by unanimous consent, referred to Committee of the Whole.

He said: Mr. Speaker, I appreciate the opportunity to say a few words on this legislation. The purpose of this initiative is to enable the Government to improve working conditions in facilities at international bridges and tunnels with priority being given to Windsor, Ontario.

As Hon. Members know, these facilities have become outmoded over the years. Working conditions have deteriorated. It is necessary that the Government take action, if required, to improve working conditions and facilities to modern-day standards.

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, we on this side of the House welcome this Bill, especially in view of the interest which has been shown by the City of Windsor to have it passed. My colleague, the Hon. Member for Windsor West (Mr. Gray), the Opposition House Leader, has been advocating and working for the advancement of this Bill. We hope the Bill will receive speedy passage through the House this afternoon.

Mr. Rod Murphy (Churchill): Mr. Speaker, on behalf of our caucus, and especially on behalf of the Members for Essex—Windsor (Mr. Langdon) and Windsor—Walkerville (Mr. McCurdy), I would like to express our desire to have this legislation passed. We think it is necessary, not only to protect the right of the City of Windsor to ownership of the tunnel in the future, but also to improve working conditions for the people working there at this time. Many of us have seen television programs showing the deplorable condition and what is happening at this time. It is important that we use the strength of the Canada Labour Code to make sure that there are safe working conditions. If the owners of the tunnel are not willing to do it, the Canadian Government should.

• (1700)

The Acting Speaker (Mr. Paproski): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mr. Paproski): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the second time and, by unanimous consent, considered in committee, reported, read the third time and passed.

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WINDSOR-DETROIT TUNNEL—ACQUISITION BY CITY OF WINDSOR

Mr. Jim Caldwell (Essex—Kent) moved that Bill S-11, an Act respecting the acquisition, operation and disposal of the Windsor—Detroit Tunnel by the City of Windsor, be read a second time and referred to a legislative committee.

The Acting Speaker (Mr. Paproski): The proposed Private Bill cannot be called without unanimous consent.

Mr. Lewis: Mr. Speaker, there have been discussions among the Parties and I think you will find that there is unanimous consent to send the Bill to Committee of the Whole at this time.

The Acting Speaker (Mr. Paproski): Is it agreed?

Some Hon. Members: Agreed.

Mr. Caldwell: Mr. Speaker, it is my pleasure to sponsor Bill S-11, an Act respecting the Windsor—Detroit Tunnel. I am pleased that the Opposition Parties and the Member for Windsor—Walkerville (Mr. McCurdy) and the Member for Windsor West (Mr. Gray) in particular are allowing this Bill to pass today.

This Bill will allow the City of Windsor to purchase the Canadian half of the Windsor—Detroit Tunnel in 1990. This agreement was signed on April 24, 1928, between the City of Windsor and the company, following a Private Member's Bill of the Parliament of Canada, being Chapter 83 of the Statutes of Canada, 1927, to allow the tunnel to be built.

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, I want to say that our Party also supports this Bill, especially in view of the interest demonstrated by the City of Windsor, which requested that this legislation be passed by Parliament.

Our House Leader, the Member for Windsor West (Mr. Gray), has advocated and worked in favour of this legislation. We hope that it has easy passage through the House this afternoon.

The Acting Speaker (Mr. Paproski): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mr. Paproski): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the second time and, by unanimous consent, considered in committee, reported, read the third time and passed.

* * *

FARM IMPROVEMENT AND MARKETING COOPERATIVES LOANS ACT

MEASURE TO ENACT

Hon. John Wise (Minister of Agriculture) moved that Bill C-78, an Act to increase the availability of loans for the purpose of the improvement and development of farms and the processing, distribution or marketing of farm products by co-operative associations, to amend the Farm Improvement Loans Act and to amend certain other Acts in consequence thereof, be read a second time and referred to a legislative committee.

Mr. Lewis: Mr. Speaker, I rise on a point of order. Mr. Speaker, I believe there is unanimous consent that the Bill be referred to Committee of the Whole.

The Acting Speaker (Mr. Paproski): Is there unanimous consent?

Some Hon. Members: Agreed.

The Acting Speaker (Mr. Paproski): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the second time and, by unanimous consent, the House went into committee thereon, Mr. Paproski in the chair.

The Deputy Chairman: Order. House in Committee of the Whole on Bill C-78, an Act to increase the availability of loans for the purpose of the improvement and development of farms and the processing, distribution or marketing of farm products by co-operative associations, to amend the Farm Improvement Loans Act and to amend certain other Acts in consequence thereof.

Shall Clause 1 carry?

On Clause 1—*Short title*

Mr. Wise: Mr. Chairman, in the interest of conserving time, I will be as brief as possible. However, I think we slipped from second reading into Committee of the Whole perhaps more rapidly than all of us expected.

In all fairness, I might say that immediately after receiving a copy of the Bill this morning, within 15 minutes I had arranged for a full briefing meeting with my two opposition critics and supplied them with all the information that I have.

I feel it would be appropriate for me to point out the changes in Bill C-78. Basically, there are six changes. Number one is a very beneficial change for Canadian farmers in that the borrowing limit has been raised from $100,000 to $250,000. The second significant change in this piece of legislation is that we propose to extend the definition of a "farmer" to include producers who have off-farm employment. I think the benefits of that particular change should be evident to all.

• (1710)

Number three, the other change which will be of benefit to Canadian farmers would be that the Bill would propose a refinancing option. In our consultation with the banking community and with some 40 odd groups in the agri-food industry, the observation was made that it would enhance the legislation if they could consolidate existing farm improvement loans and consolidate debts as well.

The fourth change is another significant change in that it would extend the opportunity for co-operatives. As many Hon. Members will know, there is a lot of processing activity that goes on in the country and also a lot of marketing activity. I think Hon. Members could reflect for only a moment or two within their own regions, within their own constituencies, and probably identify a number of farm co-operatives which could take advantage of this change.

The other change is a small minimal user fee of one half of 1 per cent. It should be noted that this change would mean a

charge of $50 per $10,000 loan and there would be a $500 charge for a loan of $100,000. That is a once-in-a-loan-time fee.

The other change I want to note is that we are proposing in the Bill, as a shared risk provision, that the guarantee be to the extent of 95 per cent.

I thought it would be appropriate for me to make these few remarks at this time. I remind Hon. Members that this initiative will better serve the farm community by maintaining the prime plus one interest rate, by adding new financing options, by including producers with off-farm income by more than doubling the borrowing limit and by extending access for farm co-operatives in order to encourage processing and marketing initiatives. No doubt Members opposite will have some questions. I would invite them to make their remarks and pose their questions, and I will do my best to respond in as much detail as possible.

Mr. Foster: Mr. Speaker, the amendments to the Farm Improvement Loans Act which are being proposed here today, making it the Farm Improvement and Marketing Cooperatives Loans Act, are being presented at a time when Canadian agriculture is facing the worst financial difficulties since the 1930s. The Farm Credit Corporation is broke. Legislation should be brought forward to put the Farm Credit Corporation on a sound financial basis. The mandate of the Farm Credit Corporation should be spelled out more clearly, as has been requested by all the Ministers of Agriculture across this country.

The corporation is in a negative equity position of some $120 million. It has arrears of another $355 million. I think the Minister should be giving some kind of commitment this afternoon that he will be addressing all of the problems of the Farm Credit Corporation and not just the Farm Improvement and Marketing Cooperatives Loans Act which is before the House today. The Minister extended the life of the Farm Improvement Loans Act in December. He said he would be bringing forward a Bill with lots of time for consultation and discussion with the industry. Consultation with the Opposition Parties started this morning at about eleven o'clock. We now have a major Bill, with major implications, before the House and really no indepth consultation except a short briefing this morning.

I think it is important that when the Minister is bringing legislation before the House again that he be forewarned that we want time for consultation. I think there needs to be time for the agricultural community to make representations on legislation of this nature.

This legislation has some good things in it. It increases the limit from $100,000 to $250,000. It gives more guarantees to small lending institutions such as the Caisse Populaire and those smaller institutions. There is coverage, of course, for co-operatives. There is coverage for part-time farmers, although that was *de facto* allowed before. There are some glaring errors or lack of coverage in this Bill. For instance, it does not cover consolidation of operating loans and production loans. There is no help in that regard even though many farmers are facing serious financial difficulties in that respect.

The clause on page 5 of the Bill seems to discourage banks and lending institutions from giving a loan, even though they do have the opportunity of a loan guarantee if they would not normally give a loan to an individual producer. The coverage of the loan by the guarantee of the Government of Canada would only be 95 per cent whereas before it was 100 per cent. This means that banks which will not give these loans unless one is a very good friend of the banker will be that much more discouraged. Either that, or they will have to cover a lesser percentage of the assets which are being guaranteed. So that 95 per cent rather than 100 per cent guarantee will be a further discouragement to banks to give these loans, even though they are at preferred interest rates. That is a major loss or lack of benefit in this Bill.

I think we need to be looking at instruments or mechanisms to force the banks to give these loans if in fact the farmers are going to be able to get them. Surely by the end of the summer, if this legislation passes today, we will have a clear indication.

In Clause 7 we see that the amount of loans which can be given out of $1.5 billion is not increased even though co-operatives will be able to borrow up to $3 million additional money. It may well be that the limit will have to be enlarged in the years ahead if the co-operatives make use of this legislation on a massive scale. Otherwise, the farmers will not have any funds available under the provisions of the legislation to do that.

As I mentioned, there is no provision in the legislation before us today to force banks to give these loans. It is great to have a program of Government guarantees but if banks will not give the loans, it is really not of much use. I think it is important that the Government exercise whatever moral suasion it has, whatever power it has, to ensure that the banks provide these loans to producers.

I have heard of farmers who have gone to banks, told them the legislation is there and asked why they cannot get the loans. The banks give a litany of excuses. They say their quota is all used up or they do not know anything about it. They do their best not to utilize the Farm Improvement Loans Act because they receive only 1 per cent above prime, whereas under the menu of various kinds of farm loans they have available, they probably pick up 2 per cent or 3 per cent above prime. Clearly there is a need for this legislation but there is also a need to ensure that the banks make use of it.

• (1720)

There is no provision in this legislation for a fixed rate of interest. At a time of low inflation it seems to me that we should be trying to secure a fixed rate of interest under this legislation, perhaps for a five-year period, since most of the loans are small loans. The average loan is some $13,000.

The Minister is introducing as well a fee of one-half of 1 per cent or larger, whatever the Government would set by regulation, for the use of these loans. So not only does the farmer pay 1 per cent above prime, he pays one-half of 1 per cent to the Government of Canada as a service fee. It seems that at a time of severe financial crunch we should not be bringing in more user fees of this nature. On a loan of $250,000, the maximum a farmer would be required to pay in terms of a service fee would be $1,250. That is clearly beyond all reason at a time when Canadian agriculture is facing serious financial difficulties. I will certainly want to address this matter when we come to the clause of the Bill which deals with it.

I believe the coverage under the legislation for loans will be set at 80 per cent. The maximum loan a bank will provide for farm loans, that is, for assets, will be 80 per cent compared to 75 per cent for equipment. The present provision is 90 per cent for land, which will be reduced to 80 per cent. The present provision for equipment is 75 per cent, which will be raised to 80 per cent. So there is some improvement. But the amount of a loan that can be provided against assets for land will be reduced by 10 per cent, which is certainly a lessening of the benefit.

The existing legislation runs out today. The Government should have brought in this legislation several weeks ago when proper public hearings could have been held, when farmers could have come before the committee to analyse the issue more thoroughly. However, in spite of its lack of suitable provisions as regards restructuring of working capital and so on, as well as the introduction of the one-half of 1 per cent service fee, I think we would like to see the legislation go forward this afternoon. Without it farmers across the country who want to use farm improvement loans for the next two and a half months when the House is recessed will not have them available.

I have some questions which I would like to put to the Minister. Is the Minister prepared to bring in, by regulation, five-year fixed-rate loans under the Farm Improvement Loans Act? This is something which would be extremely beneficial. I would like to know whether the Minister is willing to make that type of commitment today.

I would also like to know when the Minister will bring in legislation to regularize the desperate financial situation in which the Farm Credit Corporation finds itself. It has gone into a negative equity position. It needs restructuring. When will the Minister implement the 9 per cent interest rate which was proposed in the national agriculture strategy by the Ministers of Agriculture and which was approved by the First Ministers last December?

Can the Minister respond to some of the questions which I have asked when he gets to the point at which he will respond to questions on clauses of the Bill?

Mr. Wise: Perhaps I should take this opportunity to respond, Mr. Chairman. The Hon. Member for Algoma has raised questions on two subject areas. One is directly related to the Bill and the other is directly related to the Farm Credit Corporation.

It should come as no surprise to anyone why the financial liability of the Farm Credit Corporation is not as favourable as it once was. I think we have to draw the attention of Members to two of the main reasons for this. One of the main reasons is the fact that the previous Government's cabinet directive to the corporation gave it no choice but to be the lender of last resort. When it was given that mandate, not by choice but by the directive of the previous Government, it assumed some higher risk loans. That is one of the contributing factors.

The other reason is due to the refinancing that was necessary, again, by people who found themselves in some very difficult financial situations when interest rates, again under the previous Government, went from 10 per cent to 24 per cent. That in itself is an added input cost of well over $2 billion. Perhaps that is really as significant or even more significant than the shortfall that we have in grains and oilseeds.

The only measure that the previous Government took in response to the situation was the introduction of the special farm assistance program which assisted some 2,000 clients of the Farm Credit Corporation. However, additional costs were borne by other FCC clients. Since assuming office, we have introduced a special interest rate conversion program which amounts to a $80 million commitment. We have also introduced the shared-risk mortgage, the commodity-based loan and farm debt review legislation. We have also introduced farm debt review boards which are working, and working very well. We have also introduced the Canadian Rural Transition Program.

We have every intention of keeping the Farm Credit Corporation in business. The Hon. Member also mentioned another measure dealing with equity financing. The Hon. Member for Algoma will know, since more than likely he was a participating member of the study conducted by the Standing Committee which made a recommendation to the Government, that we are now dealing with that recommendation. We will have to respond to the House within a certain timeframe with respect to it. So we will be meeting that timeframe and responding, I think quite positively, with respect to other measures that could be taken with respect to equity financing. As the Hon. Member knows, there are other partners involved. We have been working with the provinces, primarily Saskatchewan and Alberta. This subject matter will be further discussed when I meet my provincial counterparts the second week of August in Quebec City.

With respect to the five-year fixed rate, yes, we are favourably inclined to give that matter serious consideration. I suppose that my only personal thoughts would be that if we do deal with it by regulation then that would leave the option

open to the farmer. I suppose everyone thinks that he or she might have greater accuracy on crystal ball gazing, but hindsight and history have shown that quite often when one gets into crystal ball gazing one is quite often wrong. Again, I think probably the farmer in consultation with his banking institution might be the best two parties to determine whether or not they enter into an agreement with respect to a fixed-rate interest rate or whether it be on a floating basis.

• (1730)

Are we favourably inclined to looking at a regulation of that kind? The answer is "yes".

Mr. Foster: I find it interesting that the Minister talks about the five-year fixed rate. I point out to him that even at the bottom of the recession, 1981-82, a time when the inflation rate was 12 per cent, interest rates on FCC loans were running in the 16.75 per cent range. The interest rates today under FCC's long-term loan program are running in the order of 7 per cent. So, actually they are less than they were in the worst of the recession.

I am interested in the Minister's comment with respect to equity financing, and whether the Government will be bringing forward legislation on that or whether it will be done by Order in Council. Exactly how will the Minister be doing the equity financing? Will he be establishing federal farm investment trust legislation and, if so, will he be doing so first thing in September? Given that that was a matter of major concern in the recent study on farm input costs carried out by the Standing Committee on Agriculture, I would ask him to speak to it.

The Minister has been quite critical of the mandate of the Farm Credit Corporation under the previous Liberal Government. This Government has now been in power for three years, and it has not yet changed that mandate. It has undertaken a strategy with the provincial Governments which would see a much broader mandate for the FCC, with long-term interest rates of 9 per cent, as put forward in the agricultural strategy paper, and yet the Minister has declined to say exactly when he will be addressing both the financial problems of the FCC and the matter of the renewed need for a different mandate.

Clearly, the kind of situation we had in the late 1970s and the early 1980s, when land values were rising at 18 per cent a year, is very different from what we have seen over the last two and a half years, when land values across the country have declined by some $17 billion.

It seems to me that it would be very helpful for Canadian farmers if the Minister could indicate exactly when he plans to bring in an outline of the new policy in respect of the Farm Credit Corporation, taking into account the serious fall in commodity prices, as well as the decline in the value of farm lands.

Mr. Wise: Mr. Chairman, I am not sure whether the Hon. Member is advocating a return to high inflation or not. Listening to the first part of his argument, I am almost tempted to believe that that is what he is advocating.

Mr. Foster: Real interest rates.

Mr. Wise: I ask the Hon. Member to check with any Canadian farmer as to his or her preference between the 1981-82 interest rate level of 24 per cent and the—

Mr. Foster: The FCC rate was never at 24 per cent.

Mr. Wise: —and the 1987 interest rate level, which is less than half of the 1981-82 level. I am sure he will get his answer.

We have lowered interest rates six or seven times since coming to office—

Mr. Foster: Not on FCC loans.

Mr. Wise: I know that there is a call for additional dollars for the Farm Credit Corporation for lending purposes. On the other hand, my hon. friend should know that because of the depreciation that has taken place in land values, as well as the financial difficulties in Canadian agriculture today, less land is changing hands, with the result that the demand for additional dollars for lending purposes by the corporation has been reduced, and reduced significantly.

I draw the Hon. Member's attention to the reduction that took place between 1982 and 1984. He will find that at that point, the demand had diminished from about $400 million or $500 million to about $285 million. That reduction took place at that point. The Government has every intention to continue to support the Farm Credit Corporation. It has every intention to supply the necessary funds required by the corporation to carry out its lending responsibilities.

When we came into office, $1 billion was required to operate the Department and pay the support programs. Since coming into office, some 471 initiatives have been delivered to the farm community, delivering over $6 billion. Even if we compare the last year of the previous Government, $1 billion, this year we will probably pay out $3.5 billion, or perhaps as much as $4 billion. So, we have increased expenditures by 350 per cent, 400 per cent.

If you apply that to your own household budget, your own farm operation, and if you, by necessity, have had to take 300 per cent more dollars and put them into another area, you simply haven't got money for everything. But, there is no question, nor should there be in anyone's mind in the country, that this Government is addressing those problems. The record stands unchallenged and unmatched by any other government in the history of the country. We will be providing the necessary support for the Farm Credit Corporation in order to ensure that it fulfils its responsibilities across the country.

Mr. Althouse: Mr. Chairman, perhaps the Minister could tell us what justification he has for adding a user fee of what he says is one half of one per cent, but which I point out to him

could be much more. In the way the Bill is worded, there is no limit.

I draw his attention to Clause 12(1)(b) on page 9 of the Bill, where he will see that the fee can be set at one half of one per cent of the amount of the loan, as he described in his opening remarks. However, it goes on to say:

—or such other fee as is prescribed or calculated in the manner prescribed.

The "manner prescribed" is subject to regulation, and we do not see that in this Bill. We do not see any guarantee, so to speak, that the fee could not be 1 per cent, 2 per cent, or even 5 per cent. This constitutes one of these forms of taxation that I referred to in my remarks on the Small Businesses Loans Act.

Parliament is usually quite loath to grant to any Minister or any Government an open-ended type of taxation. Perhaps the Minister could describe, for future legislators, what he sees coming out of this, and put some distinctions to it.

It may be that the matter may have to be referred to committee for later clarification. I do have an amendment which I will be moving, and we can discuss it at the time I move it. I have discussed it with the Minister. My amendment calls for the fee to be limited to one half of one per cent, with that becoming the cap.

I would like to have the Minister's thinking on this, with a view to reassuring those out there who feel that they may find themselves subject, in the future, to a much greater fee than the one half of one per cent, which is the present intention.

Mr. Wise: Mr. Chairman, there would be no purpose in my attempting to baffle or mislead my hon. colleague over this particular matter. He knows too much about agriculture. As well, he has taken a special interest in this particular piece of legislation, as has the Member for Algoma.

• (1740)

We have quite honestly and quite legitimately made an effort since assuming office to enter into a reasonable, common sense cost recovery plan. It has been difficult in agriculture, but we have advanced in certain areas in consultation with the industry. We have sat down with them, around the table, and we have done some additional cost recovery in those areas that were in a position to absorb. In other areas—and seed potatoes is an example—that were not in a position to absorb much of the cost recovery, the degree to which we cost recovered the services we provided to the industry was considerably less.

We have an obligation to the nation to do everything we possibly can to reduce the deficit. Even though we have increased expenditures in agriculture by 350 per cent, we still have a responsibility to do what we can in the area of cost recovery.

Yes, there is a cost recovery factor, and I think it is reasonable. I do not know how much smaller it could have been and still have been in keeping with the Government's over-all commitment to introduce a cost recovery fee. As I indicated before, it is not great but it is new and it is there.

It will be $50 on a $10,000 loan, and it will be $500 on a $100,000 loan. I think that scale or schedule is ample evidence that it is not that heavy. It is a one-term application. Farmers can have the option of either paying the $50 on the $10,000 loan or rolling it into the loan.

I know what the Hon. Member wants. I would like to agree with it. However, Members of the House will realize that it is impossible for me to agree with what he is suggesting and what he is proposing in the amendment. It is no secret—it is public information and public knowledge—that because of the priority we place on agriculture there are some special provisions in the Bill, and the cost recovery fee would be a prime example.

We know that there are some very serious difficulties in the primary sector. We also know that if we apply a cost recovery fee, it could be about two percentage points. We are not doing that. We are looking at the last 40 years, and we think that a cost recovery fee of one-half of one per cent would be a reasonable one.

I know the Hon. Member is signalling a warning. I am getting the message loud and clear. He is telling me that he will be in his place, day in and day out, if there is an adjustment 12 months or 24 months from today or if any future Government decides that it should be adjusted. We will do everything possible to maintain as long as we can the one-half of one per cent cost recovery. We hope that Canadian agriculture will have some better economic times in the near future.

However, I heard the Hon. Member's message loud and clear. It is about the third time I have received it from him today.

Mr. Althouse: Mr. Chairman, I should like to spend a few moments speaking generally about the Bill.

It is a revision of the farm improvement loans provisions which have been available to Canadian farmers for some 42 years. It increases the loan limits from $100,000 to $150,000. It continues to offer loans to farmers at prime plus one per cent. It is now being extended to off-farm income farmers or farmers who receive part of their income off farm. This was probably being done by many lenders, but it will now become legal.

It is now possible to refinance loans under the purview of the Act. It cannot be used to refinance loans which were taken out to purchase fertilizers or fuel. However, if part of the farmer's loan portfolio was for building a fence, repairing a building, or repairing some machinery, he could turn part of the existing loan over into a farm improvement loan and spread it over a five-year to ten-year period.

I welcome the inclusion of co-operative ventures. A group of farmers can now borrow up to $1.5 million. I see this being used for processing operations and ventures of that kind in

small communities. Perhaps it is an improvement that it provides capital over five years of $1.5 billion. It is not an increase, but it permits the Act to function without the necessity of returning on an annual or semi-annual basis to Parliament for its funds.

The amount of loan guarantee is being reduced from 100 per cent to 95 per cent. Lenders who find that they have lost money as a result of a loan will only be guaranteed 95 per cent of the loan instead of 100 per cent. It is a shared risk option which I find acceptable in that it will perhaps make the lender a little more conscious of what loans he is providing. However, in these times when lenders are already super cautious, it will add a bit more caution.

What I find objectionable about the Bill is a user fee being imposed on farm loans. Although the Minister explained that one-half of one per cent would be adequate to cover all the losses in the last 42 years, I think it was an unnecessary item to add to the farm scene at this point in time.

What I am most strenuously concerned about—and I will attempt to move an amendment later—is the fact that it leaves a wide open opportunity for the Government to impose user fees at a rate higher than one-half of one per cent. This means that those of us who take our job seriously in Parliament are breaking our own tradition. It is the role of the Parliament of Canada to understand the limits of taxation on Canadians, whether they are farm borrowers, fisher people, or whatever. I submit that this kind of legislation does not live up to parliamentary tradition because there are no limits to the amount of tax the Government can levy under this particular provision. I assume it will be dealt with in time by the appropriate committee which looks at our procedures. However, I regret that a Minister of any Government would submit this kind of legislation without a clearly established cap or limit so that we would not have to continue this constant paperwork and loading up committees unnecessarily. I caution the drafters of Bills, particularly the Government and its Ministers, not to repeat this procedure.

I have another complaint to make while I am on the subject of process. This is the third year agricultural Bills have been presented to us just before the summer recess. This Bill is the ultimate in terms of presenting a Bill just under the wire. The Bill did not even exist until this morning. We did not have the usual time to absorb it.

• (1750)

It is normal for this House to have the Bill come before it the next day. We have allowed it to go through the House very quickly. We have agreed to let the Bill go through all stages even though this particular business of a user fee with no limit is potentially a very contentious kind of thing and we should perhaps have had the advice of witnesses before a committee before permitting it. I flag the issue and hope that the committee on rules and procedures—I know that is not the proper title—will catch it and refer it back to this House along with a long list of other procedures and other things to be corrected. Meanwhile, I will attempt to have the House agree to correct this item in a few moments.

Clause agreed to.

Clauses 2 and 3 agreed to.

On Clause 4—*Payment of Lenders' Losses*

Mr. Foster: Mr. Chairman, this clause provides that only 95 per cent of the farm asset value will be guaranteed. This means that the bank or lending institution will have to cover 5 per cent.

Could the Minister table all the correspondence that he has received from farm organizations as well as any studies which he has done as to the impact this provision will have on the number of loans which banks will provide? Specifically, I would like to know whether the lending institutions are saying, as I suspect, that in the past the Government has guaranteed the loan 100 per cent. Even with that situation where there is absolutely no risk whatever to the lending institutions, because the Government covered the cost 100 per cent, we had great difficulty in getting the banks to grant these kinds of loans under the Farm Improvement Loans Act. What correspondence does the Minister have from lending institutions and what studies carried out by the Department does he have which would indicate, as I suspect, that lending institutions will just be that much more reluctant to give farm improvement loans if they are not covered 100 per cent?

Can the Minister table that information and tell us what studies have shown with regard to the availability of a farm improvement loan when the Government is guaranteeing only 95 per cent of the loan as compared to 100 per cent.

Mr. Wise: Mr. Chairman, I am not so sure just what correspondence it would be reasonable to table. I would prefer to take the Hon. Member's question as notice. We will check with the Department and see if we have in our possession information that will be helpful to the Hon. Member. Certainly it would be available to him. There is no intent on my part whatever of withholding information.

I can recall though in the consultations we have had with some 40 odd agricultural groups that suggestions were made that these were possible changes we would be considering and that they should utilize the opportunity to respond. I cannot recall any farm organization doing that, although no doubt there were some that expressed a concern about this.

It is no secret that the banks would prefer a 100 per cent guarantee. I think what the Hon. Member is really asking is something that perhaps might be on our minds as well, namely, that that will depend on what happens in the future. It will not be, on reflection, on anything that has taken place in the past but a review of what will take place in the future. Then we will review that to see whether or not it has had any effect.

I have my doubts whether the provision will have any serious effect on the banks' willingness to participate in the program. I am sure that all Hon. Members of the House, regardless of what side they occupy, would like to see Canada's chartered banks participate to a greater degree in the Farm Improvement Loans Act. We encourage them to participate. Because this Bill has some new provisions, it is expanded, enhanced and its availability will be greatly improved, particularly on the co-operative side. We will be doing a little more advertising than has been done in the past. Hopefully that will overcome any shortfall or any reluctance which the banks might have. But would they prefer 100 per cent? Sure they would, Mr. Speaker.

Mr. Lewis: Mr. Chairman, I have a point of order with respect to Private Members' Hour. I think it would be appropriate to do it now before we get to the hour of six o'clock.

The Deputy Chairman: I will leave the Chair now and report progress.

Progress reported.

* * *

BUSINESS OF THE HOUSE

Mr. Lewis: Mr. Speaker, as you are aware, we are making good progress this evening. We still have Bills C-62, C-70, C-83 and C-64, all of which we have had agreement on among the House Leaders and which will be proceeded with this evening. It is my understanding that the Hon. Member who was scheduled to have a Private Members' Hour today has notified the Table that he will be unable to participate. Subsequent to discussions that we have had among the Parties, Mr. Speaker, you will find there is unanimous consent that notwithstanding any other standing order, that the House not now proceed with Private Members' Hour today in order to allow for the continuation of business.

Mr. Robinson: Mr. Speaker, we are certainly prepared to agree to dispense with Private Members' Hour. I do want to ask the Parliamentary Secretary to the Government House Leader (Mr. Lewis) a question with respect to Bill C-71, the legislation which would facilitate the prosecution in Canada of war criminals, including those who have evaded justice for many years.

As I understand it, this Bill has the support of all Parties in the House. Is the Parliamentary Secretary prepared to accept the offer which I know that my House Leader has made on behalf of our caucus, and I believe has been made as well by the House Leader on behalf of the Liberal Party caucus, that we proceed with this legislation through all stages in the House today? We are prepared to move forward on this legislation, to adopt it in the House, to deal with it in Committee of the Whole and to waive the requirement that it be dealt with in a legislative committee.

Is the Parliamentary Secretary prepared to accept that offer so that the long overdue inaction of a succession of governments on this fundamental question of justice can finally be dealt with?

The Acting Speaker (Mr. Paproski): Before I do anything else, I must cancel the Private Members' Hour. Is that agreed?

Some Hon. Members: Agreed.

Mr. Gauthier: Mr. Speaker, very briefly on the point of order, I take it that the Table has done its utmost to try to find a replacement for the Hon. Member for Edmonton West (Mr. Dorin) whose hour it was today. I take it that we will be protecting future Members' use of this hour by exercising all measures and expediency to try to replace those people who cannot for reasons, which can be understood, be here to exercise their rights to use their hour.

The Acting Speaker (Mr. Paproski): I will take that as given. Private Members' Hour is cancelled by consent. I will now recognize the Parliamentary Secretary to the President of the Privy Council (Mr. Lewis).

• (1800)

Mr. Lewis: Mr. Speaker, I was choosing my words as carefully as I could when I indicated that there was agreement among House Leaders that Bills C-62, C-70, C-83 and C-84 would proceed, time permitting. One would hope that we could expedite matters and get through not only the Bill which is presently in Committee of the Whole House but also those items.

I would tell my hon. friend that I have every intention of proceeding thereafter on things on which we do not have complete agreement and those are Bill S-6, Bill C-51 and Bill C-71 in that order. We have every intention of reaching them. The only constraint I have is time. One will appreciate that we are all trying to co-operate and deal with the items of business as expeditiously as possible. That means sharing the time available among those who wish to participate in the items of legislation to which I have referred.

Mr. Guilbault (Saint-Jacques): Mr. Speaker, I rise on the same point of order. On behalf of my Party, I would like to say that we are willing to deal with Bill C-71 this afternoon through all stages, depending upon the mood and the will of members of other Parties. As far as we are concerned, we would like to see this Bill go through and we will co-operate by trying to pass it through all stages this afternoon. I am sure my hon. colleague from York Centre (Mr. Kaplan) would be in agreement with that.

Mr. Kindy: Mr. Speaker, I rise on the same point of order. I heard the Hon. Member from the New Democratic Party and the Hon. Member from the Liberal Party suggesting that you

should pass Bill C-71 in all stages. I have reservations about it and I will not give unanimous consent. I feel that it is an omnibus Bill that deals with the Criminal Code, the Immigration Act and the Citizenship Act and therefore should go to a legislative committee and be studied thoroughly so that it will become a good piece of legislation.

Mr. Kaplan: Mr. Speaker, there have been many consultations among members of all Parties during the day today in the hopes of recognizing the importance of getting that Bill through all stages today and satisfying the concerns expressed by members of the Conservative Party who continue to have reservations about the Bill. I would hope that in the time left to which the Parliamentary Secretary referred before that Bill is called, it might be possible to resolve those concerns so that the agreed procedure to which the Liberal Whip referred could in fact be followed.

The Acting Speaker (Mr. Paproski): Exactly. I will hear no more points of order on Bill C-71. If there are negotiations to take place, they should take place not on the floor of the House of Commons but behind the curtains.

* * *

FARM IMPROVEMENT AND MARKETING COOPERATIVES LOANS ACT

MEASURE TO ENACT

House in Committee of the Whole on Bill C-78, an Act to increase the availability of loans for the purpose of the improvement and development of farms and the processing, distribution or marketing of farm products by co-operative associations, to amend the Farm Improvement Loans Act and to amend certain other Acts in consequence thereof—Mr. Wise—Mr. Paproski in the chair.

The Deputy Chairman: We were on Clause 4.

On Clause 4— *Payment of lenders' losses*

Mr. Foster: Mr. Chairman, the point I was trying to make with the Minister is simply that the banks want a 100 per cent guarantee but our concern is that if they only have a 95 per cent guarantee, these loans will not be made available. I would have assumed that the Department would have done some kind of assessment on that and that is what I am asking for. I hope that he would be able to provide us with exactly what his officials are advising him about these farm improvement loans not being available.

The second point I want to raise deals with paragraph (h) of Clause 4(3). As I read it, this is a new section which suggests that the lender should exercise the same care and prudence in granting and administering the loan as he exercises in granting and administering, in the ordinary course of his business, loans in respect of which this Act does not apply. Does that mean that the bank will only make loans available if they would provide a loan without the guarantee? If that is the case, people who cannot get loans directly from the bank because of their financial situations would not be offered loans by the banks under the Farm Improvement Loans Act. That suggests to me a real barrier.

Perhaps the Minister's officials could advise him if that clause will mean that loans will only be made available under the Farm Improvement Loans Act when a bank would normally provide a loan under its own auspices and take 100 per cent of the risk itself. It seems to me that that is quite a new idea and I wonder what the impact of it will be.

Mr. Wise: Mr. Chairman, first, my officials indicate that they really do not have any quantitative assessment of what the impact will be of 100 per cent versus 95 per cent. Second, they also advise me that after consultation, they do not think that this will be detrimental.

This is not a new provision. It was in the old Act. It is simply a change in the wording of Clause 4(3)(h) which has been strengthened to clarify that lenders are to exercise the same care and prudence with farm improvement loans as they do with their own loans.

Mr. Althouse: Mr. Chairman, I am somewhat concerned about the fees being imposed in this particular clause. I therefore propose to move the following motion:

That Bill C-78, be amended in Clause 4 (3)e(i) by deleting line 41 to line 3 inclusive at pages 4 and 5.

This would have the effect of removing the ability for fees to be levied under that clause of the Bill. I so move, seconded by my friend, the Hon. Member for Thunder Bay—Nipigon.

The Deputy Chairman: Debate is on the amendment moved by Mr. Althouse. Shall the amendment carry?

Amendment (Mr. Althouse) negatived: yeas, 7; nays, 18.

Clause agreed to.

• (1810)

Clause 5 agreed to.

On Clause 6—

Mr. Althouse: Mr. Chairman, again in an effort to clean up the Bill and get rid of the prescribed fees and charges, I move, seconded by Mr. Epp (Thunder Bay—Nipigon):

That Bill C-78, be amended in Clause 6 by deleting lines 18 through 21 at page 7 inclusive.

Amendment (Mr. Althouse) negatived.

Clause agreed to.

On Clause 7—

Mr. Foster: Could the Minister explain why the limit of $1.5 million is not being increased when the program is being expanded to cover co-operatives which will be able to borrow

up to $3 million each? There are literally hundreds of farm co-operatives and if they all borrow $3 million each we would soon reach the limit of the funds available.

Mr. Wise: Mr. Chairman, we paid particular attention to that area this morning during our briefing session with the two opposition Members. The information received from the departmental officials is to the effect that this would not be a problem because we would start the program off with about $700 million. It is very doubtful whether there would be difficulty with a lack of capital for lending purposes even though we include the co-operatives in this Act.

Clause agreed to.

Clauses 8 to 11 inclusive agreed to.

On Clause 12—

Mr. Foster: Mr. Chairman, I have an amendment to Clause 12. That clause says the Minister is not liable to make any payment to a lender in respect of any loss unless the lender has, at such time as is prescribed, paid to the Minister a fee of one half of one per cent of the amount of the loan or such other fee as is prescribed or calculated in the manner prescribed. I move, seconded by Mr. de Corneille:

That Bill C-78, be amended in Clause 12 by striking out lines 32 to 36.

That would eliminate the need for a fee under this Act.

Amendment (Mr. Foster) negatived.

Mr. Althouse: Mr. Chairman, since the House has refused to agree to any of our amendments which would do away with the user fee entirely, I would like to make one last attempt at an amendment in a slightly different direction, that is, to do what the House normally does and put a cap on the spending the Government can engage in and stop what I consider to be an open-ended proposal in this Bill at Clause 12(1)(b) which permits the Minister not only to be paid a fee of one-half of one per cent of the amount of the loan but which goes on to say:

—or such other fee as is prescribed or calculated in the manner prescribed.

I submit that this permits the Minister or any future Minister to go up to 1 per cent, 2 per cent, 3 per cent or 4 per cent, or any other per cent. That is not usually the role played by this or any other Parliament in enacting legislation. In order to avoid having this legislation come before the Standing Committee on Regulations and Other Statutory Instruments, which will find this Bill is not very well drafted, I move, seconded by the Hon. Member for Thunder Bay—Nipigon (Mr. Epp):

That Bill C-78, be amended in Clause 12 by striking out line 35 at page 9 and substituting the following therefor: "the loan or such other lesser fee as is prescribed."

By inserting the word "lesser" in the appropriate place the effect would be to place a cap on the fee to be charged.

Amendment (Mr. Althouse) negatived.

Clause agreed to.

Clauses 13 to 14 inclusive agreed to.

On Clause 15—

Mr. Althouse: Mr. Chairman, I would just point out to the Minister that we have at the end of Clause 15 wording which limits the amount of the Government's liability to 95 per cent of the loan. That is well written and makes it very clear that the Government will not be liable for more than that amount. I commend that sort of writing to him and wish he had done that with the rest of the legislation. The motion which was just defeated would have been consistent with the rest of the legislation, and I again point out that I believe the Standing Committee on Regulations and Other Statutory Instruments will eventually have to deal with this one of these years.

Clause agreed to.

Clauses 16 to 25 inclusive agreed to.

• (1820)

On Clause 26—

Mr. Foster: Mr. Chairman, I wonder if the Minister would explain why he is adding "or a farm electric system". Is there a particular aspect of the present legislation which is inadequate? It seems to me that the Farm Improvement Act generally deals with all kinds of farm improvements, whether buildings, equipment or whatever. Why is this amendment being made?

Mr. Wise: Mr. Chairman, electrification has always been eligible for a farm improvement loan. I am advised that the definition was changed in the new Act. The definition did not specifically refer to the electrification of farm operations. So, a special reference had to be made to amend the Bank Act consequentially.

Clause agreed to.

Clauses 27 to 33 inclusive agreed to.

Clause 1 agreed to.

Title agreed to.

Bill reported, read the third time and passed.

Mr. Wise: Mr. Speaker, I rise on a point of order. I want to take a few seconds to put on the record my sincere thanks and appreciation for the co-operation I have received throughout the day from my colleagues across the way, the Hon. Member for Algoma (Mr. Foster) and the Hon. Member for Humboldt—Lake Centre (Mr. Althouse).

BUSINESS OF THE HOUSE

ENERGY, MINES AND RESOURCES—EIGHTH REPORT OF STANDING COMMITTEE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, there have been discussions among the Parties. I think you would find unanimous consent for the following motion. I move:

That notwithstanding the usual practices of the House, if the House is not sitting when the eighth report of the Standing Committee on Energy, Mines and Resources is completed, the committee shall present its report by filing it with the Clerk of the House provided that the report shall then be deemed to have been laid upon the table.

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, I think we will need further consultation on this. Perhaps we can return to it at a later time.

The Acting Speaker (Mr. Paproski): There is, therefore, not unanimous consent.

* * *

[*Translation*]

FORGIVENESS OF CERTAIN OFFICIAL DEVELOPMENT ASSISTANCE DEBTS ACT

MEASURE TO ENACT

Hon. Monique Landry, (for the Secretary of State for External Affairs), moved that Bill C-62, An act relating to the forgiveness of debts incurred or assumed in respect of certain official development assistance loans made by the Government of Canada to the Governments of Togo and the Islamic Republic of Mauritania and also to the former East African Community, be the second time and, with unanimous consent, referred to a Committee of the Whole.

She said: Mr. Speaker, first of all I would like to thank all Members of this House and, of course, the two opposition Parties for deciding to consider this Bill and help expedite its passage today. I must say I greatly appreciate your co-operation because this is a very important and pressing matter for the the Government of Canada.

The purpose of this Bill is to forgive the debts incurred or assumed in respect of official development assistance to several African countries including Togo, Mauritania and the former East African Community.

I shall, if I may, outline briefly what is at issue here.

In the context of the North-South dialogue that took place at the Conference on International Economic Co-operation, in 1977 Canada decided to cancel debts incurred in respect of official development assistance by twelve countries included on the United Nations list of least developed countries. In December of that year, the Parliament of Canada enacted this decision.

The Canadian measure was favourably received at the international level. Obliging the poorest countries on this planet to repay their loans was having a negative impact, both on the countries themselves and the international economic situation. Canada was among the first countries to both recognize this fact and take concrete measures to deal with the situation.

Ten years later, Canada is still leading the way in finding solutions to the problems of the neediest nations in terms of debt and development, especially in Africa's sub-Saharan region.

In February 1986, we announced that Canadian official development assistance would no longer be defined in terms of loans but in terms of grants. This meant that developing countries would no longer be placed in a debtor position vis-à-vis Canada. Since the money would be given in the form of grants, these sums would not have to be reimbursed.

However, more had to be done. The sub-Saharan countries were faced with an unprecedented human and economic crisis that had taken on incredible proportions.

In May 1986, my Government therefore announced to the United Nations a five-year moratorium on the development assistance debts incurred by Sub-Saharan African countries which had implemented structural readjustment programs. This meant that these countries did not have to make any payments to Canada for a five-year period. The non-repayment period could also be extended by another five years if the economy of these countries showed no sign of recovery, and this up to the year 2000 if necessary. The entire international community, and especially the African countries, welcomed this decision as being generous and humanitarian. Indeed, it reasserted the role of Canada as concerns the critical situation in Africa.

This Bill is the result of the official decision made by Canada in 1977 to cancel the development assistance debt of countries on the least-developed countries list established by the United Nations. Since then, two other African countries, Togo and the Islamic Republic of Mauritania, have suffered such an economic crisis that they have been added to the list. To ensure that our policy as concerns these countries remains consistent, the Canadian Government believes that the development assistance debts of Togo and Mauritania must also be cancelled, as well as that of the former East African Community. I remind Hon. Members that this Community consisted of three countries of which two, Tanzania and Uganda, are also on the least-developed countries list.

I therefore hope, Madam Speaker, that the House will give all its attention to this Bill. It involves our international reputation. Also, and most important, these countries are being

crushed by a virtually unpayable debt. We have to offer them an opportunity to recover. This is the purpose of this Bill.

• (1830)

[*English*]

Mr. Roland de Corneille (Eglinton—Lawrence): Madam Speaker, Bill C-62 deals with forgiving debts owed to Canada by a number of least developed countries which are not now in a position to repay their debts to Canada and will not be in a position to do so in the foreseeable future.

I am delighted to be able to have played a role in getting this Bill before the House and hopefully passed during the closing moments of House business before the summer recess begins.

We in the Liberal caucus want it to be passed now, before the la Francophonie and Commonwealth summit conferences are held so that Canada's credibility can be maintained in the area of international development assistance.

We are certainly pleased that the Government has brought this Bill forward at this time. We in the Liberal Party have pioneered official development assistance programs for many years now. As we know, not all of the assistance programs or loans of Canada's official development assistance programs are successful. Inevitably, some programs are not a complete success and some programs are failures.

We also realize the plight of the least developed countries. Indeed, the debtor countries involved in this Bill have suffered severe set-backs for some time now. Widespread drought and disease, and declining world prices in the staple cash crops they export has exacerbated the financial and social problems they face and rendered their debt retirements an impossibility.

In 1977, Canada announced that it was retroactively converting all these least developed country ODA loans to grants, as the Minister explained, and that in the future aid to these countries would be provided on grant terms only.

Togo and Mauritania did not benefit from the Canadian measure because at the time they were not identified by the United Nations as least developed countries.

However, Togo was added to the list by the United Nations General Assembly in 1982, and Mauritania was added in 1986.

Togo owes $16.6 million and Mauritania owes $4.2 million. The East African Community, or EAC, dissolved in 1977. It was only in May, 1984 that the three countries were able to agree on sharing the EAC liabilities according to a formula devised by a World Bank mediator, in an amount of approximately $47.4 million. Those countries are Kenya, Tanzania and Uganda.

I am happy to point out that the financial costs of this legislation are nil. Decisions made at the time of the February, 1986 Budget mean that this debt forgiveness action involves no change in net ODA, no additional outlays and no additional impact on budgetary deficit.

In conclusion, I wish to express that we are pleased with Canada's policies on moratoriums on debts to least developed countries which are suffering so greatly from commodity price losses, from drought, and from many other social problems, including occasional invasion from outside.

I must add a sombre note and point out that Canada has been committed for years to the attainment of a .7 per cent of GNP as the ultimate goal of our official development assistance. We are gravely disappointed that the Government has been so very slow to implement the Prime Minister's (Mr. Mulroney) promise to increase Canada's ODA funding to .7 per cent by 1990. In fact, these figures have been greatly revised in a negative direction. It would appear that he is quick to promise but not agile in delivery. This is another broken promise which we deeply regret and which is particularly sad, as we go to the Commonwealth summit and la Francophonie conferences. I hope we will be able to anticipate some announcement there that will alleviate this decision.

In any case, on behalf of the members of my caucus I take pleasure in supporting the Bill which is now before the House for final approval.

Mr. Rod Murphy (Churchill): Madam Speaker, I also will be very brief in my remarks. We in the New Democratic Party wish to express our support for this Bill, an Act relating to the forgiveness of debts incurred or assumed in respect of certain official development assistance loans made by the Government of Canada to the Governments of Togo and of the Islamic Republic of Mauritania and also to the former East African Community.

It is obviously an important issue, and the whole question of Third World debt is something that has been receiving more attention lately. It is with some regret that we are speaking about this on the last day of the sitting when, at 6.35 p.m., there is just over an hour left to deal with four or five pieces of legislation. I wish the parliamentary calendar had provided for this legislation earlier so that we could discuss the wider problems along with the specific legislation.

Having said that, it is the intention of our caucus to pass this Bill through all stages this evening. We are pleased that there is some recognition of the fact that Third World debt is not only faced by countries in Latin America where most of the attention is presently focused, but an important issue facing African countries as well.

While the debts of those countries tend to be smaller in absolute figures, they are quite often larger in terms of debt—GNP ratio and in terms of debt-export earning ratio. It is a situation in which these prospects faced by many of these African nations and others are very great and something which the House of Commons should be considering.

As the Member for Eglinton—Lawrence (Mr. de Corneille) said on behalf of the Liberal Party, it is important to note that the Government has not kept its commitment of money for official development assistance. There was a promise to

achieve .7 per cent of GNP. That was delayed until 1990, then postponed until 1995. Now it has been postponed until the 21st century.

Despite all the problems facing Canada, such as high unemployment in some of our regions, we are still a rich country and we, of all nations, could afford to do better. I wish the House would not spend the time on this legislation but on the whole topic of Third World debt and make a commitment to do a better job for Third World countries.

[*Translation*]

Mr. Alex Kindy (Calgary East): Madam Speaker, when I look at Bill C-62, I wonder whether it is the general policy of this Government to cancel debts. Is this a special case or will this policy be extended to other countries? If this is a precedent and there are other such cases, we could find ourselves cancelling all foreign debts, and our treasury would soon be in trouble.

On the one hand, if these countries are having major difficulties, I can, understand that we might want to cancel their debt for humanitarian reasons. On the other hand, I am wondering if it is now open general policy to say that if a country is unable to pay back its debt, this debt will be cancelled.

About a year ago, I visited Peru, which owes something like $450 million to Canada. This country is also under-developped and quite poor. Are we going to do the same for this country at some time in the future?

I think that we should have a discussion on this issue and that it would probably be a good thing to refer this Bill to a legislative committee where it could be discussed and improved.

[*English*]

The Acting Speaker (Mrs. Champagne): Do I have the unanimous consent of the House for the Minister to answer the Hon. Member?

Some Hon. Members: No. Question.

• (1840)

The Acting Speaker (Mrs. Champagne): Am I to understand there would be unanimous consent of the House to go into Committee of the Whole?

Some Hon. Members: Agreed.

Mr. Kindy: No. I have a reservation. I asked a question and somebody said they could not give me the answer, so I am not giving unanimous consent.

Mr. Lewis: I suggest to my hon. colleague that if we were to proceed to Committee of the Whole House, upon the appropriate clause being read, it would be appropriate for my hon. colleague to ask the Minister the question at that time.

Mr. Kindy: I understand the explanations of the Parliamentary Secretary, but his attitude was certainly not conducive to my getting an answer. Therefore, I am going to refuse unanimous consent.

The Acting Speaker (Mrs. Champagne): Perhaps the Chair could be of some help. It was not possible at the time the Hon. Member requested an answer from the Minister for the Chair to recognize the Minister again during second reading. Certainly the Minister could answer all questions should the House decide to study the Bill in Committee of the Whole House, but I need unanimous consent.

I wanted to explain the reason why I could not give the floor to the Hon. Minister.

Mr. Kindy: So I will give my consent and, if the House agrees, it is unanimous consent.

[*Translation*]

Motion agreed to, Bill read the second time and the House went into committee thereon, Mrs. Champagne in the Chair.

The Assistant Deputy Chairman: Shall Clause 2 carry?

Mr. Kindy: Madam Speaker, I would like to repeat my question and ask the Minister whether it would be Canada's general policy to forgive the debts of all less developed countries.

Mrs. Landry: Yes, Madam Speaker. I would like to say briefly to my hon. friend what I mentioned earlier in my speech, namely that at the special conference at the United Nations in 1977, Canada decided to forgive the debts of the least developed countries appearing on the UN list. At the time, the following countries were exempted from repaying their debts: Afghanistan, Bangladesh, Benin, Botswana, Laos, Malawi, Mali, Nepal, Niger, Tanzania, Uganda and Upper Volta.

A Bill was passed previously in this House to forgive the debts of these countries. However, at the time, Togo, Mauritania and the East African Community were not among the least developed countries. Since they have now been added to the list, we believe it is appropriate, since these countries are experiencing problems today, to make the provisions of the same Bill applicable to them as well, but to do so, we have to table a new Bill. We are doing so simply to bring everything in line with the decision made at the time in 1977, so that we can extend the same treatment to Togo, Mauritania and the former East African Community. Their debt was endorsed by three countries, namely Uganda, Tanzania and Kenya, and we are therefore cancelling that part of the debt.

[*English*]

Clause 2 agreed to.

Clauses 3 and 4 agreed to.

On Clause 5—

Mr. Kindy: Madam Chairman, on Clause 5, I would like to know exactly the numbers in dollars which are being discussed here.

[*Translation*]

Mrs. Landry: Madam Speaker, the debts that were forgiven at the time as far as Togo is concerned—we are talking about $16,511,216; for Mauritania, $4,199,202; as for the three countries of the East African Community, for Kenya the debt was $19,750,000; for Tanzania, $15,463,738; and for Uganda, $12,185,241.

[*English*]

Clause agreed to.

Clause 6 agreed to.

Schedule agreed to.

Clause 1 agreed to.

Title agreed to.

Bill reported.

[*Translation*]

Mr. Valcourt moved that the Bill be concurred in.

Motion agreed to.

• (1850)

[*English*]

The Acting Speaker (Mrs. Champagne): When shall the Bill be read the third time? By unanimous consent, now?

Some Hon. Members: Agreed.

Hon. Monique Landry (for the Secretary of State for External Affairs) moved that the Bill be read the third time and passed.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the third time and passed.

[*Translation*]

HAZARDOUS PRODUCTS ACT

MEASURE TO AMEND

Hon. Pierre H. Cadieux (for Minister of Consumer and Corporate Affairs) moved that: Bill C-70, An Act to amend the Hazardous Products Act and the Canada Labour Code, to enact the Hazardous Materials Information Review Act and to amend other Acts in relation thereto, be concurred in.

Motion agreed to.

The Acting Speaker (Mrs. Champagne): When shall the Bill be read the third time? Now?

Some Hon. Members: Agreed.

Mr. Cadieux moved that the Bill be read the third time and passed.

The Acting Speaker (Mrs. Champagne): Debate. The Minister of Labour (Mr. Cadieux).

Hon. Pierre H. Cadieux (Minister of Labour): Madam Speaker, I am very glad to have the opportunity to speak about Bill C-70, which aims at providing every Canadian administration with a Workplace Hazardous Materials Information System.

[*English*]

As Minister of Labour I am particularly gratified to see the WHMIS legislation brought forward during this session of Parliament. The year 1987 marks the twentieth anniversary of the Canada Labour Code and, historically speaking, is an especially appropriate time to strengthen the protections for Canadian workers who have to handle hazardous materials.

Let me explain why I strongly believe Canada and Canadian workers need the WHMIS program. Each year many more working days are lost through occupational accidents and illnesses than through industrial disputes. One specific cause of these losses is an area that is directly addressed by the WHMIS legislation: the presence of chemicals and other materials in the workplace which are hazardous to the safety and health of workers who use them.

[*Translation*]

Workers are certainly entitled to know which material they are handling. However, the employers themselves have often little or incomplete knowledge of the dangers of some of the substances or products used. Those in the best position to have such information are the manufacturers and distributors.

That is why, Madam Speaker, Canadian federal, provincial and territorial occupational health and safety organizations have asked the assistance and participation of the federal Government in developing a single national standard for the use of hazardous materials in the workplace.

A record number of consultations took place to define this national standard. These consultations lasted over four years and required the utmost in co-operation from the federal, provincial and territorial authorities, the industry and the unions.

[*English*]

Over this period, the tripartite consultation phase of the WHMIS project addressed and resolved complex technical, social and legal issues. A consensus was produced, a genuine consensus with the full and active support of all participants—a truly significant achievement.

The WHMIS proposal contained in Bill C-70 provides for an orderly means of communicating information about hazardous materials from manufacturers, suppliers and importers to employers and employees.

[*Translation*]

Distributors and importers of hazardous materials will from now on have to provide labels and material safety data sheets at the time when such materials are sold or imported. As for the employers, they will have to ensure that their employees are provided with sufficient information and adequate training programs.

I believe that the WHMIS program is pratical, effective and realistic. It will allow Canadian workers to enjoy the protection they deserve. It will also be fair to manufacturers as it will improve the quality and quantity of information on work-related hazardous materials.

What is unique about the WHMIS program is that all the participants, who represent varied interests, have given it their full support. It confirms in practice the commitment of this Government to the consultation process. This is an excellent piece of legislation which will protect Canadian workers in all provinces and territories while reflecting the interests of both the unions and the employers.

It is therefore important that Bill C-70 become part of our statutes.

Mr. Jacques Guilbault (Saint-Jacques): Madam Speaker, I too would like to comment briefly on Bill C-70 which sets up WHMIS, the Workplace Hazardous Materials Information System. I must confess that my Party was consulted when this Bill was being drafted, a gesture we appreciated. From the outset our Party thought that a measure intended to protect workers against workplace hazardous materials would be a welcome addition to our Canadian legislative arsenal.

We thought the Bill was adequate, but we decided to consult other people to make sure that it would meet with the approval of some of the people or companies that would have to live with it. This is why we got in touch, among others, with the Canadian Manufacturers' Association where we were told they had been consulted about the drafting of this legislation They said they agreed with it. The same thing goes for the Canadian Chemical Producers' Association which, of course, is directly affected by this measure.

We did the same thing with the unions. We called on the Canadian Labour Congress and other union organizations and found out that they too—through their representatives—had been consulted by the Government and were in agreement with the contents of the Bill.

Therefore we on this side of the House agree that this Bill should pass quickly this afternoon. We believe that a Bill which provides for the classification of workplace hazardous products, chemical and others, in accordance with clearly established and desirable standards, we think that certain WHMIS provisions such as labels to warn workers who will be using these products are a necessity and that the material safety data sheets which will also provide additional information are a good idea. We believe that the WHMIS must also be noted for its employee training program.

Finally, since it also contains measures to protect trade secrets by allowing certain exemptions when revealing the contents of certain matters might cause economic damage likely to be detrimental to a company, there will be exemptions to protect the manufacturers of such products. It seems to me this legislation is well balanced and this is why we on this side of the House thought we would facilitate its adoption in the House today. Indeed, Madam Speaker, this is why I resume my seat immediately.

• (1900)

[*English*]

Mr. Rod Murphy (Churchill): Madam Speaker, it is a pleasure to speak on another piece of legislation today. This particular piece of legislation will ensure that there is proper labelling of hazardous goods in the workplace.

As was mentioned by other Members who spoke on second reading of the Bill, in committee, and in the House today, it is the result of a consultative process. It has received the agreement of the major shareholders, if I could use that term—the Canadian Labour Congress, the chemical industry, the Canadian Manufacturers' Association, and others.

It was an important process. It brought forward legislation which was basically good and met the needs of both labour and management. However, I do not believe that Parliament should be a rubber stamp, regardless of who has been involved in the consultative process.

We took the committee system seriously. We listened to the witnesses who appeared before us. As a result we discovered that a number of amendments could be made to the legislation without destroying the co-operative approach. They were amendments to strengthen the legislation without destroying the consensus.

As a result of the work by members of our caucus and as a result of the agreement on the part of the Government, two very important amendments to the legislation were accepted in

committee. The first was to ensure that there was an actual implementation date. We have seen legislation pass through the House and the Senate and have waited years to have it proclaimed. Therefore I was very pleased to see the Government put forward a motion which included the implementation date of October 31, 1988 or sooner.

The other amendment accepted in committee ensured that certain chemicals which come under other Acts would be exempt from the legislation and that there would be legislative review of those exemptions in two and a half years. It was an important amendment to the piece of legislation.

I was quite happy with the co-operative approach of the Government and the fact that it accepted those amendments. As a result, the House is producing a better piece of legislation and we certainly support its passage at this time.

[*Translation*]

Mr. Alex Kindy (Calgary East): Madam Speaker, Bill C-70 is certainly a very useful Bill, not just for the worker and for protecting the individual but also for industry. The Bill was tabled here in the House by the Minister and I think he is to be commended, because it is a very comprehensive piece of legislation, some forty pages long, its provisions cover just about every product, and the Government is certainly to be commended for tabling this Bill and I think it should be passed as soon as possible.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt this motion?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the third time and passed.

* * *

[*English*]

INCOME TAX ACT

MEASURE TO AMEND

Mr. Lewis: Madam Speaker, I rise on a point of order. There have been discussions among the Parties and I believe Your Honour would find unanimous consent to refer the Bill to the Standing Committee on Finance and Economic Affairs rather than to a legislative committee.

Some Hon. Members: Agreed.

Hon. Tom Hockin (for the Minister of Finance) moved that Bill C-64, an Act to amend the Income Tax Act, a related Act, the Canada Pension Plan and the Unemployment Insurance Act, 1971, be read the second time and, by unanimous consent, referred to the Standing Committee on Finance and Economic Affairs.

He said: Madam Speaker, I welcome the opportunity to speak today on second reading of Bill C-64 which will implement a number of changes to the Income Tax Act. The Bill has a number of merits which I am sure will be evident to Hon. Members of the House.

Bill C-64 will implement measures that will bring about a better management of government operations and public resources. One of these is the new requirement, effective January 1, 1988, for employers to remit to the Government twice monthly the deductions they make for their employees on account of personal income taxes and contributions to the unemployment insurance fund and the Canada Pension Plan. These deductions are now remitted monthly.

It is important that these measures be legislated as soon as possible in order to give corporations enough lead time to make the necessary administrative changes.

Bill C-64 contains the measures necessary to implement the income tax changes in the February 1987 Budget along with a number of tax changes. To avoid confusing these income tax amendments with those which are part of the tax reform initiative, it would be desirable for the Bill to be passed through the House as soon as possible. Passage of this important Bill before the summer recess would allow Hon. Members to devote more of their time and efforts to an examination of the tax reform measures during the summer and fall.

[*Translation*]

The Bill also contains the amendments to the Income Tax Act tabled in January by the Minister of Finance (Mr. Wilson) for the purpose of establishing international banking centres in Montreal and Vancouver. The Minister clearly indicated at the time that the purpose of this very selective incentive measure was to patriate to Canada certain banking activities being conducted abroad. It will not adversely affect other banking operations currently taking place in Canada. In fact, I believe this initiative will complement the measures we have taken to increase the competitiveness of the Canadian financial sector.

[*English*]

As I mentioned earlier, this Bill is an important part of the Government's ongoing agenda for economic renewal. It will implement a number of important changes and represents a wide-ranging process of consultation with interested individuals, organizations, and other Governments.

This is why I trust that Bill C-64 will receive the full and swift support of Members of the House.

Miss Aideen Nicholson (Trinity): Madam Speaker, let me first say that I am relieved the Government has agreed that the Bill will be referred to the Standing Committee on Finance and Economic Affairs rather than to a legislative committee.

Bill C-64 contains a number of very complex measures. It is based upon a Ways and Means motion which, with the technical notes alone, came up to about 15 pages. The Bill itself contains a couple of hundred pages.

For the Government to suggest that complex and technical measures of this kind would have been appropriately referred to an *ad hoc* legislative committee rather boggles the mind. In the same way, for the Minister to come in with the Bill on the last day the House is sitting and ask for rapid passage of a Bill with such complex measures also rather boggles the mind.

Of course we are prepared to facilitate the Government and let the Bill be referred to committee this evening, especially now that we know it is going to a specialized committee.

• (1910)

Let us look at some of the measures that are included in this Bill, measures that go back to the February 18, 1987 Budget. Somehow these measures have become urgent at 7 p.m. on June 30, the last day for the House to sit. No similar urgency has been shown since February 18. We have measures here that deal with the special tax on corporations that distribute surplus to their shareholders as proceeds of disposition of shares. We have new rules relating to retirement compensation arrangements, rules which should be discussed carefully and on which witnesses should be called. We have new rules to give effect to certain tax treaty provisions which allow for tax deferral in Canada.

Particularly important, we have here the rules relating to the acceleration of the remittance of source deduction, that is, the compulsory deductions from salaries for Canada Pension, income tax, unemployment insurance and the like which instead of being remitted monthly, as a result of the February 1987 Budget, must now be remitted fortnightly. That is smoke and mirrors for the Government which will have the effect once only of decreasing its deficit by a billion, making Government figures look better because of an advance payment.

In this Bill before us, Madam Speaker, there are also quite heavy penalties for employers who do not remit. There is the possibility of garnishee. There are a number of serious measures here that require serious attention by a committee that requires witnesses to be called. For the Government to try to smuggle this measure in in the last hour of the last day of this House is not very responsible.

This Bill also makes the 3 per cent surtax announced in February, 1986, permanent. While we knew that the surtax was permanent, we have proof in this Bill. Perhaps here, in order to set the context, it may be useful to look at the astonishing amount of taxation that has been imposed on Canadians since the Government came to power.

In 1984-85, if we add up the income tax on individuals and sales tax, we find an astonishing $36.8 billion, which amount is expected to grow in 1988 to 1989 to $59.1 billion. Look at the effect on families with young children. For a married couple, two wage earners, two children earning $15,000 a year, their total tax increases add up to $470 for the tax year 1987. For a married couple, two wage earners, two children, earning $30,000 a year in the year 1987, they will pay an additional $966.

Where have all these increases come from that bear on individuals? We had partial deindexation in the 1986 taxation tax year. We have seen the 3 per cent surtax on all taxpayers which was effective on July 1, 1986, the temporary surtax on high income individuals about which perhaps we do not have to be too concerned, but we have seen the elimination of the federal tax reduction which was effective in the 1986 tax year on middle and low-income earners and have seen changes to the marital exemption for the year of marriage in the 1986 tax year and the elimination of the Registered Home Ownership Savings Program effective May 22, 1985.

As well as that is the astonishing load after load of sales tax increases: 1 per cent increase in the rate October 1, 1984, a further 1 per cent increase in the rate January 1, 1986, and a further 1 per cent increase in the rate April 1, 1986. The sales tax base was broadened July 1985 and it will be again tomorrow, July, 1987. Sales tax was moved to the wholesale level May 1, 1987. We have seen tremendous increases in excise taxes and so on and on.

I mentioned earlier the question of the early remittance of the compulsory deductions. This particularly hits small businesses. It also hits municipalities and municipalities have suffered considerably at the hands of this Government. The excise tax on fuels is increasing the cost of transportation. The increased sales tax is putting the costs up for municipalities. The additional remittances fortnightly instead of monthly are increasing the paper burden. So you have cities like Toronto saying that as a result they may have to increase property taxes very substantially, something which is harder on the lower and middle-income family earners who are just barely getting by paying mortgages.

Against all of this background of loading taxes on low and middle-income earners, we find that the Government has slid into Bill C-64 measures on the international banking centres which might more properly be called the bankers' relief act.

We find that the bankers who have not asked for it are about to be given tax gifts that may go up to $100 million a year. The Standing Committee on Finance, Trade and Economic Affairs advised against the establishment of international banking centres as proposed by the Government because the measure, as proposed, is unlikely to create jobs or increase banking activity in Canada unless the Government also moved on withholding tax. The IBC proposal is limited to loans and deposits. Profits from securities, trading, letters of credit and foreign exchange operations will still be taxed. The banks did not request this legislation, but the legislation could result in up to $100 million annually in tax savings for them and tax losses for the Crown. One witness, a tax expert in banking taxation whom we had before the finance committee said:

If I were still a bank taxman, I would be sitting down figuring out what kind of business we would put in (the IBC)—make a profit, tax free, marvellous. Our shareholders would love it.

The Standing Committee on Finance, Trade and Economic Affairs expressed itself unequivocally in favour of measures to stimulate economic development in Montreal and Vancouver, but the Government's proposal will not do the job. Employment creation will be minimal and the proposal does nothing to help finance international trade for which both Montreal and Vancouver are particularly well placed.

The finance committee had two recommendations. First, that the Minister broaden the current IBC proposal so as to include more financial transactions when it might be useful. Second, that the Minister of Finance (Mr. Wilson) look into the question of withholding tax because we had much evidence that the withholding tax is the real barrier to bringing back into Canada some of the business that is now done in the Cayman Islands and elsewhere. The Government chose to ignore that advice and it chose to go ahead with this measure, which is clearly inadequate as a regional development measure. It is going to bring high costs to the Crown without creating jobs and without creating economic activity. Why? Because it is considered to be a public relations gesture to please Montreal and Vancouver.

I would suggest that the inhabitants of Montreal and Vancouver are much more astute and they are not going to be taken in by this kind of window dressing. If the Government were serious about increasing economic activity, particularly in the financial sector in those two cities, it should go back to the drawing board and produce a serious measure which this is not.

• (1920)

Finally, I return to the question of why the Government is giving a tax break to the banks at this time, a tax break the banks have not requested. The Government is introducing tax reform which is supposed to eliminate tax breaks. Why is it giving an unasked-for tax break to banks when it is loading taxes onto individuals and young families in an absolutely unprecedented way?

We would like to see this complex Bill referred to the Finance Committee. Not only the measures concerning international banking centres but all the measures that concern retirement planning, the Canada Pension Plan and the Unemployment Insurance Act should receive serious and careful scrutiny in a situation where witnesses can be called and hopefully where some amendments will be made so that come the fall, we will have a more sensible Bill that we can support.

Mr. Rod Murphy (Churchill): Madam Speaker, it is again a pleasure to have a chance to speak in the House on a piece of legislation. On behalf of my caucus, I would like to indicate that we support sending this legislation to the Finance Committee. Even though some elements of the legislation have received study by the committee, we believe that there are aspects of the legislation in its final form that deserve a more thorough review.

Regarding the refundable sales tax credit, we believe that the measure before us is wholly inadequate to meet the needs of lower-income families and we support the National Council of Welfare's calculation which shows that to fully offset the burden of the new federal sales tax on low-income Canadians, a sales tax credit in the order of $400 per adult and $200 per child would be required and that for a couple with two children, a sales tax credit of $1,200 would be required. Furthermore, we believe that the failure to index these credits to inflation will erode their value over time and will quickly put many more poor Canadians back on the tax rolls.

Our research has calculated that as a consequence of the last three Conservative Budgets and the economic statement of the Minister of Finance (Mr. Wilson), Canadians are paying over $20 billion more in new sales or excise taxes or will be paying that much more by 1990. Average Canadian families are paying $910 over and above what they were paying prior to 1984. We believe that that is completely unacceptable.

As a result of the Conservative Government's taxation policies, the discrepancy between what the rich are paying and what the poor are paying has actually been increased. At a time when the Minister of Finance is talking about tax reform, we believe that these measures will not do anything to adequately meet the concerns of average Canadians and their families.

The personal income tax surtax which was being paid by those in the upper-income levels is now being applied to the majority of taxpayers. That will result in more income for the Government but again, in a way that is unfair, unbalanced and will shift the burden of taxation from the rich to the low and middle-income earners. As a result of that, we have trouble supporting this particular aspect of the legislation.

As I mentioned, the surtax will affect all families. The result will be that people with incomes of $10,000, $15,000 or $20,000 per year will pay the surtax, and we believe that is completely unfair. The idea of an income tax surtax is that it should apply to those Canadians who receive the most and have the greatest ability to pay. The measure that is before us at this time certainly does not do that.

The third aspect of the legislation before us is the intent to set up international banking centres. While we recognize that there may be some merit in that, we believe that there are some legitimate concerns. Obviously citizens of Vancouver and Montreal see some potential for job creation within those cities, but again, there is no indication from the information that has been given to us to date that there will be any real increase in jobs. We have heard numbers as low as eight being used in public. The economic benefits of that are low.

In addition, as we all know, taxes paid by Canadian banks are already abysmally low. The banks are not paying their fair

share of the tax burden. This legislation creates a situation in which they will be able to find even more tax loopholes in future. We do express some concern over that and look forward to the committee hearings. People who are in favour of banking centres in these cities will have a chance to express their beliefs and those who have concerns will also have the opportunity to do so. As well, representatives from cities that are not included in this special tax regime will also have a chance to make their proposals and express their concerns.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

[*Translation*]

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): The question is as follows: Mr. Wilson (Etobicoke Centre), seconded by Mr. Hockin, moved that Bill C-64, an Act to amend the Income Tax Act, a related Act, the Canada Pension Plan and the Unemployment Insurance Act, 1971, be read the second time and, by unanimous consent, referred to the Standing Committee on Finance and Economic Affairs. Is it the pleasure of the House to adopt this motion?

Some Hon. Members: Agreed.

Some Hon. Members: On division.

Motion agreed to, Bill read the second time, and by unanimous consent, referred to Standing Committee on Finance and Economic Affairs.

* * *

[*English*]

FOOD AND DRUGS ACT

MEASURE TO AMEND

Hon. Jake Epp (Minister of National Health and Welfare) moved that Bill S-6, an Act to amend the Food and Drugs Act, be read the second time and, by unanimous consent, referred to Committee of the Whole.

He said: Madam Speaker, at the outset, I want to thank my counterparts for their co-operation on Bill S-6. I will be very brief today.

This Bill is an Act to amend the Food and Drugs Act. It has gone through the Senate. The problem first arose some time ago. Back in 1977, Labatt's Breweries of Canada developed a new beer product called Labatt's Special Light containing 4 per cent alcohol. At that time, it was the view of the officials of the Department of Consumer and Corporate Affairs that the product was labelled, packaged, sold and advertised in such a manner that it was likely to be mistaken for light beer for which the maximum alcohol content was set at 2.5 per cent by legislation.

That matter went through the various stages of the court system and eventually went all the way to the Supreme Court. It became known as the light beer decision of the Supreme Court. With my reputation for being opposed to tobacco, impaired driving and drugs, I am pleased today to be on the other side and to do something for those who want to drink Labatt's Special Light and other such substances.

Some Hon. Members: Hear, hear!

Mr. Epp (Provencher): To make a long story very short, the court ruled that certain Sections of the Food and Drugs Act were *ultra vires*. For this whole period of time, this matter has been before us. Canadian manufacturers, breweries and consumer groups have all been abiding by a system known as the food recipe system. On the other hand it has not allowed us to force it, for example, on imports.

• (1930)

These changes would allow us to remove the uncertainty in the private sector over the status of federal food products standards. They will permit amendments which reflect new technology and facilitate the handling of our international obligations in this area. It will put us back into the stream where we have usually been and allow us to protect both Canadian consumers and manufacturers.

Ms. Sheila Copps (Hamilton East): Madam Speaker, I had about a three-hour speech prepared. However, in the interests of time and in the interests of guests who I have here from Florida, Mark Garcia, his wife Barbara and their daughter Mandy, I will cut this very short.

Some Hon. Members: Hear, hear!

Ms. Copps: I concur with the Minister in that we hope this Bill will address certain concerns expressed through the Supreme Court decision. I only ask that the Government and whoever develops these Bills to please try in the future to make the wording a little cleaner and crisper. Just for the record, I would like to read Clause 1 of the Bill into the record to let people know how hard it is sometimes to follow government rules because we cannot even understand them. I was reading this and trying to figure out what it meant. It says in part:

> (2) Paragraphs (1)(b) and (c) do not apply to an operator of a conveyance that is used to carry an article or to a carrier of an article whose sole concern, in respect of the article, is the conveyance of the article unless the operator or carrier could, with reasonable diligence, have ascertained that the conveying or receiving for conveyance of the article or the possession of the article or the possession of the article for the purpose of conveyance would be in violation of subsection (1).

You can understand why the average taxpayer gets confused. Nonetheless, the substance of the Bill is supportable and we will support it.

Mr. Vic Althouse (Humboldt—Lake Centre): Madam Speaker, I rise to speak briefly on this Bill as my Party's representative on food and drug matters. I suppose had he been able to be with us tonight, our spokesperson for consumer and corporate affairs would have led off the debate.

We see this Bill as a tightening up of the legislation governing the labelling and production of food additives. We think it could be quite useful to the manufacturers of food products to protect them from the kind of additives which might not be permitted in Canada but which may be imported from other countries or, as the Bill says, from other provinces. It gives the federal Department of Consumer and Corporate Affairs the kind of power it feels it needs to monitor shipments of food from one jurisdiction to the other, whether it be a country or a province, with the objective of taking samples of the food to be tested to find out whether the additives used in that food or beverage meet the standards of Canadian law.

As the Minister pointed out, this came about because of a bit of a jurisdictional argument regarding Labatt's so-called light beer. The result, after it went to the Supreme Court, was that the old Food and Drugs Act was ruled to be inadequate for the kind of monitoring the federal Government felt it had to do. These amendments are an attempt to clarify that and tighten up the law. We think this rather short Bill should go to committee to permit the food industry importers and manufacturers of food products an opportunity to assess the proposal and see whether this meets their requirements as well as those of Canadian consumers.

Mr. John R. Rodriguez (Nickel Belt): Madam Speaker, I want to congratulate the Government for having brought forward this Bill. Quite frankly, I think the Liberals screwed the whole situation up by allowing this matter to go to the courts. What the Government is doing now is cleaning up a mess the previous Liberal Government had created.

Mr. Epp (Provencher): We are doing it for all the beer drinkers.

Mr. Rodriguez: I am a light beer drinker and when any Government starts tampering with the percentage I get very, very—

Mr. Epp (Provencher): I am not.

Mr. Rodriguez: I know that the town of which the Minister was a councillor is still dry. It is only appropriate that he should be bringing forward this Bill tonight.

Mr. Althouse: No axe to grind.

Mr. Rodriguez: No one can accuse him of a conflict of interest. Far, far from it.

I want to congratulate the Government for clearing this matter up. I particularly like Clause 6.1(1) which says:

> The Governor in Council may, by regulation, identify a standard or any portion of a standard prescribed for a food as being necessary to prevent injury to the health of the consumer or purchaser of the food.

In the past we have been notoriously lax on this question of food additives. I remember when red dye used to be inserted into meat to make it appear more red to the consumer. That clause gives me a lot of confidence that we now have someone in charge at the switch who can make decisions consistent with the health of the purchaser of the food.

I have another concern which this Bill does not cover. As the Minister is in a mood to listen to representations on the question of beer and alcohol, I understand there are certain beers we cannot get in Ontario.

Mr. Epp (Provencher): Ontario liquor laws.

Mr. Rodriguez: The Minister says it is the Ontario liquor laws. I want to send him a clear message. He should sit down with his counterparts in the Ontario Government and try to clear up some of these problems. We are talking about free trade with the U.S. and we do not have free trade in this country between provinces. I go to Nova Scotia and like to drink Moosehead beer. Yet in Ontario we cannot get it. That points up a problem with respect to free trade in Canada. We have barriers to free trade between the provinces. Since the Minister cleared up this mess which the Liberals created, maybe he ought to go and look at what can be done to alleviate the problem with respect to the free movement of food in Canada.

I remember another problem where McDonald's could not bring in hamburger buns from western Canada. They ended up buying American buns because they could not bring Canadian buns across provincial borders. I am using this opportunity because these are things the Government and the Minister should be aware of.

Mr. Kaplan: Point of order, Madam Speaker. Normally I would not intervene but there are only 20 minutes left and I wonder if the Hon. Member, while he is telling us about the NDP perspective on hamburgers, realizes there are other Bills we were hoping to get to before eight o'clock this evening.

• (1940)

Mr. Murphy: I rise on the same point of order, Madam Speaker. In response to the concern of the Member of the Liberal caucus, it is certainly our intention—

Mr. Prud'homme: Madam Speaker, I rise on a point of order. Did I hear the hon. gentleman say "the chairman of the Liberal caucus"?

Some Hon. Members: Hear, hear!

The Acting Speaker (Mrs. Champagne): Order. The Hon. Member for Churchill (Mr. Murphy) has the floor.

Mr. Murphy: Madam Speaker, I certainly apologize to the incumbent chairman of the national Liberal caucus. I certainly did not want to create any rebellion in the ranks.

Mr. Prud'homme: We have enough, thank you.

Mr. Murphy: However, to respond seriously to the concern of his colleague, the Member for Nickel Belt (Mr. Rodriguez) will be our last speaker on this Bill. We will then allow it to proceed to Committee of the Whole, to pass through all stages prior to eight o'clock, and to allow the next piece of legislation to be brought forward.

Mr. Rodriguez: Madam Speaker, I was specifically referring to the hamburger buns because I think the Minister is in a receptive mood to hear suggestions. The Government is hell-bent to create free trade between Canada and the United States and we cannot move hamburger buns between provinces. Can you believe that? I cannot believe that for a minute.

This looks like a very small Bill but I have become very leery of Bills slipping through in the dying hours of a sitting and giving the Government power. I have complimented the Government on this Bill, but I see something missing from it. As an example of the power that the Government has been given, it can:

—enter any conveyance that the inspector believes on reasonable grounds is used to carry any article to which section 6 or 6.1 applies and examine any such article found therein and take samples thereof—

What about having search warrants? We are giving officers of the Crown a lot of power, the power to seize.

I also see that there is a lack of any process for appeal. If I believe my product is all right and the inspector thinks I am in breach of this—

Mr. Wise: These are amendments to an Act.

Mr. Rodriguez: I know these are amendments to an Act.

Mr. Wise: There is another part to the Act.

Mr. Rodriguez: That is right, there's another part of the Act. However, I want to point that out to the Minister because he has brought this Bill forward and he is certainly not an expert on beer. I wonder whether he has taken that into consideration.

What about penalty clauses in case someone contravenes these sections? I will be asking these questions when we go into Committee of the Whole. I want to satisfy myself that we are not giving the inspectors undue powers and that we do have penalties which can act as a deterrent to people putting products on the market which have been declared unsafe for consumers and purchasers. I will ask those questions when we get into Committee of the Whole. I know the Minister will be forthcoming with his answers.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the second time and the House went into committee thereon, Mrs. Champagne in the Chair.

* * *

BUSINESS OF THE HOUSE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Madam Speaker, I rise on a brief point of order before we get to the "Bunsmaster" of the New Democratic Party. There have been discussions among the Parties and I think you would find unanimous consent for the passage of a motion. We are seeking unanimous consent to proceed upon the understanding that the critics for the Official Opposition and the New Democratic Party on Energy, Mines and Resources be provided with a copy of the report to which I will refer prior to it being tabled. I move:

That notwithstanding the usual practices of the House, if the House is not sitting when the eighth report of the Standing Committee on Energy, Mines and Resources is completed, the committee shall present its report by filing it with the Clerk of the House provided that the report shall then be deemed to have been laid upon the table.

The Acting Speaker (Mrs. Champagne): Is there unanimous consent for the motion of the Hon. Parliamentary Secretary?

Some Hon. Members: Agreed.

Motion agreed to.

GOVERNMENT ORDERS

[*English*]

FOOD AND DRUGS ACT

MEASURE TO AMEND

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 78, I do now leave the Chair for the House to go into Committee of the Whole.

House in Committee of the Whole on Bill S-6, (from the Senate) an Act to amend the Food and Drugs Act—Mr. Epp (Provencher)—Mrs. Champagne in the Chair.

On Clause 1—

Mr. Rodriguez: Madam Chairman, I posed some questions when speaking earlier. I ask the Minister to respond to my questions with regard to the penalty clauses.

Mr. Epp (Provencher): Madam Chairman, the Member for Nickel Belt asked about the penalty clauses. The penalty clauses are incorporated in the Food and Drugs Act. These are amendments to the Food and Drugs Act and do not change the scope or extent of the penalties presently in the Food and Drugs Act.

Mr. Rodriguez: Madam Chairman, is there a process for appeals?

Mr. Epp (Provencher): Madam Chairman, the answer to that question is similar to the answer to the first. There is an appeal procedure under the Food and Drug Act. However, quite frankly, in terms of the seizing of products and the appeal process, it is not an appeal process similar to that which we are used to in a judicial sense because of the type of product that would be seized and the shelf life of products. Therefore there is a sensitivity there.

However, we have found, through working with our inspectors, the consumers groups, and the retailers and wholesalers, that there is a reasonable balance in the approach and the sensitivity of inspectors. However, I cannot put forward an appeal process outside of the Food and Drugs Act presently constituted. It is not similar to that with which we are familiar in a judicial system.

Ms. Copps: Madam Chairman, I realize that it characterizes the NDP to run off at the mouth. I was sitting outside and could not believe my ears. I know that the former Liberal Government was responsible for many evils—

Mr. Murphy: Agreed.

Ms. Copps: My back was burning—

Mr. Murphy: I rise on a point of order, Madam Chairman. If the Hon. Member for Hamilton Mountain—or Hamilton East—would like to move a motion to that effect, I am sure she could get unanimous consent for it.

Ms. Copps: Madam Chairman, I understand the Freudian slip of the tongue about the Hon. Member for Hamilton Mountain because when September comes the Hon. Member for Hamilton Mountain will be sitting on this side of the House among the Liberals.

However, I will be brief because we have all agreed that this is a measure which should be passed and will be passed. Why are they wasting our time coming up with spurious arguments, complaining about a decision of the Supreme Court?

• (1950)

Mr. Epp (Provencher): Madam Chairman, the Hon. Member is right in the sense that the Cabinet of the former Government had instructed the drafting of this legislation back in 1983. It died on the Order Paper.

My concern is not with the past. My concern as Minister of National Health and Welfare is that we have the ability to enforce that which Canadians are now following voluntarily in terms of the Food and Drug Act. Others who might be importing goods are not necessarily bound by that morally or legally. That is my concern.

Mr. Kindy: Madam Chairman, how does the Minister intend to enforce the transport of food between provinces? Will inspectors be at the border? What will happen if there is free trade with the United States? Will there still be no free trade between provinces?

Mr. Epp (Provencher): Madam Chairman, we have food inspectors now. I do not have the exact number, but there are approximately 550 to 570 across Canada. We do this inspection now.

This amendment allows us to do it legally, which we have been doing otherwise, and were doing prior to the Supreme Court decision. That remains in place.

In fact, we are finding that the industry is very much interested that inspectors have this power legally in order that the industry is also protected from practices being used without the power of law which we had earlier.

In terms of free trade, I believe that if there is a trade agreement, obviously conditions under the Food and Drugs Act and other import Acts relating to health and safety of Canadians would be in place.

The Assistant Deputy Chairman: Shall Clause 1 carry?

Some Hon. Members: Agreed.

Clause agreed to.

Clauses 2 and 3 agreed to.

Title agreed to.

Bill reported.

Mr. Epp (Provencher) moved that the Bill be concurred in.

Motion agreed to.

The Acting Speaker (Mrs. Champagne): When shall the Bill be read the third time? By leave, now?

Some Hon. Members: Agreed.

Mr. Epp (Provencher) moved that the Bill be read the third time and passed.

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

CRIMINAL CODE, IMMIGRATION ACT, 1976 AND CITIZENSHIP ACT

MEASURE TO AMEND

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada) moved that Bill C-71, an Act to amend the Criminal Code, the Immigration Act, 1976 and the Citizenship Act, be read the second time and referred to a legislative committee.

He said: Madam Speaker, this is a very important Bill. Indeed, it is an historical Bill which I have the honour to present for second reading.

Unfortunately, without commenting on what has transpired here, due to the circumstances of the business of the House, we find ourselves with five minutes within which we are expected to deal with a Bill that I believe is very important and which has been developed by all Members of the House in a spirit of non-partisanship and co-operation that I believe is important for legislation of this sort.

I had rather hoped that we would make progress before the summer recess and, indeed, today I was in receipt of a package of amendments that were presented to me and which have been cleared by members of the Opposition in discussions with members of all Parties.

These amendments constitute a package which involve very important concepts and fundamental questions with respect to the operative sections of the legislation.

Indeed, my friend, the Hon. Member for York Centre (Mr. Kaplan), spoke to me this morning with respect to a particular provision. I have had an opportunity to discuss this matter with my staff to try to determine whether or not there was a possibility of having these matters dealt with today. Regrettably, I have come to the conclusion that the amendments, some of which affect the proposed amendments to the Immigration Act and the Citizenship Act, and which I would be required to discuss with my colleagues, the Secretary of State (Mr. Crombie) and the Minister of Employment and Immigration (Mr. Bouchard). It is important for us to deal with this matter carefully. I could have rejected the amendments, one of which would have made this legislation retroactive rather than retrospective.

Mr. Robinson: Madam Speaker, I rise on a point of order. In view of the importance of this legislation, and in view of the fact that there appears to be a consensus among the Parties with respect to the matter, I would seek unanimous consent at this point, given the hour, that we proceed with this legislation notwithstanding the clock, until it has received and completed second reading.

In view of the fundamental importance of dealing with this matter expeditiously, I would seek unanimous consent for us not to see the clock in order that we might complete second reading of this important legislation.

Message from the Senate

Mr. Guilbault (Saint-Jacques): Madam Speaker, we on this side of the House might be amenable to the suggestion made by the Hon. Member. However, in the spirit of co-operation, there are other Bills that other Members would like to pass. I wonder if the Hon. Member would be agreeable to passing Bill C-83 as well.

The Acting Speaker (Mrs. Champagne): There seems to be negotiations taking place on the floor of the House of Commons.

Mr. Prud'homme: To say the least.

The Acting Speaker (Mrs. Champagne): There are some messages I would like to read to the House.

Mr. Hnatyshyn: Madam Speaker, I am here in all seriousness to try to do the right thing with respect to this legislation. I can assure Members of the House that this is a matter of very great importance to the Government. I am not going to have the matter dealt with in a slapdash, haphazard manner.

I can assure the House that I will call on my House Leader to make arrangements to have this matter brought up at the earliest date when this House reconvenes. It will be a priority matter for us. I want to deal with this legislation and we will deal with it in a manner which does it justice and, I hope, in a spirit of non-partisanship that has prevailed on this. I realize there is an order of the House, Madam Speaker. I can only say that I will continue my remarks when we next have the opportunity. I hope I receive the co-operation of the House.

• (2000)

Mr. Murphy: Madam Speaker, just so there is no confusion in the House, we are certainly not tying the progress of this piece of legislation to any other legislation in the House.

* * *

MESSAGE FROM THE SENATE

The Acting Speaker (Mrs. Champagne): I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed the following Bills, without amendment:

Bill C-56, An Act to amend certain Acts relating to financial institutions.

Bill C-62, An Act relating to the forgiveness of debts incurred or assumed in respect of certain official development assistance loans made by the Government of Canada to the Governments of Togo and of the Islamic Republic of Mauritania and also to the former East African Community.

[*Translation*]

Bill C-63, An Act to amend the Small Businesses Loans Act.

Sitting Suspended

Bill C-69, An Act to amend the Customs Tariff and the Duties Relief Act.

Bill C-78, An Act to increase the availability of loans for the purpose of the improvement and development of farms and the processing, distribution or marketing of farm products by co-operative associations, to amend the Farm Improvement Loans Act and to amend certain other Acts in consequence thereof.

Bill C-80, An Act to amend the Customs Act.

[*English*]

SITTING SUSPENDED

The Acting Speaker (Mrs. Champagne): It being eight o'clock p.m. pursuant to order made Monday, June 29, 1987, the sitting is suspended to the call of the Chair.

At 8 p.m. the sitting of the House was suspended.

[*Translation*]

SITTING RESUMED

The House resumed at 9.48 p.m.

MESSAGE FROM THE SENATE

The Acting Speaker (Mrs. Champagne): I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed Bill C-70, An Act to amend the Hazardous Products Act and the Canada Labour Code, to enact the Hazardous Materials Information Review Act and to amend other Acts in relation thereto.

THE ROYAL ASSENT

[*Translation*]

The Acting Speaker (Mrs. Champagne): I have the honour to inform the House that a communication has been received as follows:

RIDEAU HALL
OTTAWA

30 June 1987

Sir,

I have the honour to inform you that the Honourable Antonio Lamer, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber today, the 30th day of June, 1987, at 9.45 p.m., for the purpose of giving Royal Assent to certain Bills.

Léopold H. Amyot
Secretary to the Governor General

• (2150)

[*English*]

A message was delivered by the Gentleman Usher of the Black Rod as follows:

Madam Speaker, the Honourable Deputy to the Governor General desires the immediate attendance of this honourable House in the chamber of the honourable the Senate.

Accordingly, Madam Speaker with the House went up to the Senate chamber.

[*Translation*]

And being returned:

The Acting Speaker (Mrs. Champagne): I have the honour to inform the House that when the House went up to the Senate Chamber the Deputy Governor General was pleased to give, in Her Majesty's name, the Royal Assent to the following Bills:

Bill C-41, An act to amend the Judges Act, the Federal Court Act and the Tax Court of Canada Act.—Chapter No. 21.

Bill C-21, An Act to exempt certain shipping conference practices from the provisions of the Competition Act, to repeal the Shipping Conferences Exemption Act, 1979 and to amend other Acts in consequence thereof.—Chapter No. 22.

Bill C-42, An Act respecting financial institutions and the deposit insurance system.—Chapter No. 23.

Bill C-15, An Act to amend the Criminal Code and the Canada Evidence Act.—Chapter No. 24.

Bill C-66, An Act to establish the Veterans Appeal Board and to amend other Acts in relation thereto.—Chapter No. 25.

Bill C-56, An Act to amend certain Acts relating to financial institutions.—Chapter No. 26.

Bill C-62, An Act relating to the forgiveness of debts incurred or assumed in respect of certain official development assistance loans made by the Government of Canada to the Governments of Togo and of the Islamic Republic of Mauritania and also to the former East African Community.—Chapter No.27.

Bill C-63, An Act to amend the Small Businesses Loans Act.—Chapter No. 28.

Bill C-69, An Act to amend the Customs Tariff and the Duties Relief Act—Chapter No. 29.

Bill C-70, An Act to amend the Hazardous Products Act and the Canada Labour Code, to enact the Hazardous Materials Information Review Act and to amend other Acts in relation thereto.—Chapter No. 30.

Bill C-78, An Act to increase the availability of loans for the purpose of the improvement and development of farms and the processing, distribution or marketing of farm products by co-operative associations, to amend the Farm Improvement Loans Act and to amend certain other Acts in consequence thereof.—Chapter No. 31.

Bill C-80, An Act to amend the Customs Act.—Chapter No. 32.

Bill S-6, An Act to amend the Food and Drugs Act.—Chapter No. 33.

Bill S-11, An Act respecting the acquisition, operation and disposal of the Windsor-Detroit Tunnel by the City of Windsor.

Order. the Hon. Member for Saint-Denis (Mr. Prud'homme), on a point of order.

• (2200)

[*English*]

Mr. Prud'homme: Madam Speaker, I rise on a point of order. We are not numerous, we back-benchers, but some of us would like to first offer you our best wishes for the summer. We would then like to thank the staff who has worked so late tonight. More especially, we would like to say how much we will miss the Pages, these young, beautiful Canadians who come from all across Canada.

Some of us may not have been kind to them at times, some of us may not have been as patient as we should have been, but by now, they know why. They know we mean well, they know we love them. I am not shy to say we love them. They are good young Canadians.

[*Translation*]

We wish them luck in their carerrs—

[*English*]

And now, I see that some of them are becoming emotional. I think some of them have tears in their eyes. Do not be afraid to cry sometime. That shows that you have passion and emotion.

We have been served very well by beautiful young Canadians. I would like on behalf of my colleagues—not my Party but my colleagues in all three Parties—to thank them for their patience with us. They knew and they know now how much we love them and how much we mean it when we say—

[*Translation*]

Good luck. Come back and see us, and have a good summer.

[*English*]

Mr. Lewis: Madam Speaker, I would join with my colleague in his sentiments expressed for the staff who have persevered with us today including the Table, yourself and others who have served in the chair, as well as the *Hansard* reporters. I would also join with my friend in saying that the Pages have seen Parliament at its best and occasionally Parliament at its worst. That is the way it goes. They have enjoyed a tremendous opportunity as young people to come to the nation's capital to begin their university education and to get an education in how this place works. They will be able to see it from two sides now. I guess there are 40 or so young people who will take a different view of Government out to the world and that is very important.

I wish you *bonne chance* in your endeavours and we hope you will come back and see us again. Thank you very much and enjoy the summer.

The Acting Speaker (Mrs. Champagne): I do know that earlier today, Mr. Speaker thanked the staff and our Pages. I would like to thank the Hon. Member for Saint-Denis (Mr. Prud'homme) and the Hon. Parliamentary Secretary to the Deputy Prime Minister (Mr. Lewis) for expressing what all of us feel. In my own name and in the name of my colleagues who have the privilege of sharing the chair with Mr. Speaker, I would like to give our best wishes and our love to all of you.

[*Translation*]

Have a good summer.

It being 10.07 p.m., pursuant to Standing Order 4, the House stands adjourned until Monday, September 14, 1987, at eleven o'clock pursuant to Standing Order 3(1).

At 10.07 p.m. the House adjourned.