



CANADA

# Debates of the Senate

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1st SESSION

• 38th PARLIAMENT

• VOLUME 142

• NUMBER 99

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OFFICIAL REPORT  
(HANSARD)

**Thursday, November 24, 2005**



THE HONOURABLE SHIRLEY MAHEU  
SPEAKER *PRO TEMPORE*

## CONTENTS

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

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

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

## THE SENATE

Thursday, November 24, 2005

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

Prayers.

### SENATORS' STATEMENTS

#### GOVERNMENT-ABORIGINAL CONFERENCE

**Hon. Jack Austin (Leader of the Government):** Honourable senators, over the past year and a half, the Government of Canada has been dedicated to improving the quality of life of Aboriginal peoples. These efforts have culminated in an historic conference to be held today and tomorrow in Kelowna, British Columbia.

The Prime Minister is leading the initiative and bringing together premiers, territorial leaders, the Assembly of First Nations, the Inuit Tapiriit Kanatami, the Metis National Council, the Native Women's Association of Canada and the Congress of Aboriginal Peoples. This conference is a continuation of the April 2004 Canada-Aboriginal Peoples Roundtable and it allows the Government of Canada and Aboriginal people to strengthen a relationship based upon acknowledged Aboriginal rights.

The Government of Canada recognizes that to be effective partners in the policy development process, Aboriginal organizations need appropriate and meaningful support. This government is committed, as a key priority, to improving the welfare of Aboriginal people and to closing the disparity between their social and economic conditions and those of other Canadians.

Efforts will be directed toward building consensus on five issues of pivotal importance to the future: prosperity of Aboriginal communities, health, education, housing and economic development. Yesterday, another historic step was taken. My colleagues, Minister McLellan, Minister Cotler and Minister Scott, announced an agreement in principle toward a fair and lasting resolution of the legacy of Indian residential schools. This agreement affords several means of reaching true resolution encompassing payments to individuals, support for cultural healing, promoting education on the history of government policies with respect to Aboriginal Canadians and improvements to the current alternative dispute resolution process.

Aboriginal Canadians represent an enormous potential for our country. They must be able to realize their full inclusion into our economy and our society while maintaining their identity. This first ministers meeting with leaders of national Aboriginal organizations will be another significant milestone towards advancing our shared interest in making Canada a better country.

Last but not least, in the interests of the Aboriginal communities there are two bills on the Senate agenda. I refer to Bill C-54, legislation to permit First Nations to manage their oil

and gas resources, which I hope will be reported today. The second is Bill C-71, First Nations commercial development, which unfortunately will begin second reading tomorrow due to the unwillingness of a senator to give consent to start today.

I urge the Senate to show goodwill and understanding of the rights of the First Nations and pass this legislation in time for Royal Assent.

#### RUSSIAN FAMINE-GENOCIDE OF 1932-33 WORLD WAR I DISENFRANCHISED UKRAINIAN-CANADIANS

**Hon. A. Raynell Andreychuk:** Honourable senators, November 26 marks the annual day for the remembrance of many millions of victims of the genocide and great famine of 1932-33 in the Soviet Union known as Holodomor. Stalin's repressive regime used food as a weapon in the pursuit of ideological views and goals. As a result, upwards of seven million people lost their lives. In fact, as the Soviet archives are unravelled, this number climbs. Senators will recall that this chamber passed, in June 2003, a resolution recognizing the famine-genocide and called on the Government of Canada to do the same. Regrettably, the Canadian government has not done so yet. I call all senators to renew their efforts in this regard.

Again, I call on senators individually and collectively to use their heroic efforts and to pass Bill C-331 before we rise in this session. Bill C-331 calls upon the federal government to acknowledge that thousands of Ukrainian-Canadians were unjustly interned and disenfranchised in Canada during the First World War, and to provide funding to commemorate the sacrifices made by these Canadians and to develop educational materials detailing this dark period of Canada's history.

Honourable senators, this chamber, with its courage to take a stand, will, I am sure, pass this bill. It will be one further assurance that within Canada such action will not be repeated.

• (1340)

#### APPOINTMENT OF MR. BHUPINDER LIDDAR AS CONSUL GENERAL TO CHANDIGARH, INDIA

**Hon. Marcel Prud'homme:** Honourable senators, justice was done when Bhupinder Liddar was appointed Canada's deputy permanent representative to the United Nations Environment Program, or UNEP, the United Nations Centre for Human Settlements, Habitat, and special representative to the World Urban Forum, to be held in Vancouver in 2006.

Mr. Liddar was originally appointed as Canada's Consul General in Chandigarh, India, in October 2003 by then Prime Minister Jean Chrétien, my friend. However, allegations of security concerns forced the cancellation of the appointment. Mr. Liddar launched an appeal with the Security Intelligence Review Committee, or SIRC, which, after a ten-month hearing, recommended that he be granted top secret security clearance.

SIRC recognizes in its report that Mr. Liddar may have drawn attention because of his support for an "Arab cause." I have known Mr. Liddar since he first came to work for Progressive Conservative MP Heath Macquarrie, who later was our colleague in this chamber. He later also worked for our colleague Senator Forrestall.

I am pleased that, in this country, supporting an unpopular cause is no longer considered, or so I hope, an act of "security concern."

Mr. Liddar is a well-qualified person with degrees from U.S. universities and experience in parliamentary affairs as well as diplomatic and international issues. He also possesses excellent communication skills. The choice, therefore, is excellent, and I am sure Mr. Liddar will serve Canada well. I would like to extend our sincere congratulations to him on his appointment, and I am sure all senators will join me in wishing him a safe and successful safari.

#### NATIONAL ADDICTIONS AWARENESS WEEK

**Hon. Ione Christensen:** Honourable senators, we are recognizing National Addictions Awareness week. While many are aware of the various addictions and the negative effects they can have on the lives of individuals, there is still a long way to go in understanding an addiction and dealing with it as a disease, which it is, and not just a problem or a weakness.

The image of addiction in the mind of many is the homeless alcoholic on the street. The reality, however, is that addictions are not restricted to alcoholism or to any particular social class. Addictions range widely from gas sniffing to drugs and gambling, just to name a few.

However, all too often, the addict on the street is a victim, or a product, if you will, of another addiction. Often these people are suffering from the effects of FASD, fetal alcohol spectrum disorder, an effect resulting from a woman drinking while pregnant and the fetus being permanently affected. FASD is a preventable disorder, and yet, once afflicted, the individual will have permanent brain damage with the difficult ramifications that it brings.

Canada's prisons house a large percentage of people affected by FASD. These people are not capable of understanding right from wrong or learning from the consequences of their misdemeanours. FASD affects all society, starting with the immediate family, and the burden of guilt carried by the mother to all the siblings, to the extended family, the schools and all society. These persons cannot function without an extensive help network and special training. This comes with a large price tag.

The most affected of all, of course, are the individuals. They struggle to understand why they are different and how to make their way in an often unforgiving world. We all contribute in many ways to find cures for so many of today's afflictions such as

cancer, MS, Parkinson's disease, and so on. Yet here we have an affliction where the cure is already known. It can be totally prevented.

Communities, families and partners can all be instrumental in giving support to a woman with addictions. No woman sets out to intentionally damage her unborn child through drinking, but if she has an addiction, she needs all the support she can get to deliver a healthy child.

Addictions are the symptoms of a bigger problem. As with most problems in our society, the key is to first admit that there is a problem, and then deal with it face to face. I have worked in a treatment centre and I know that substance abuse problems are complex. However, I also know that with treatment and support, an addiction can be beaten. Most of our programs, however, deal with treating the individual but fail to continue into the family unit where the recovering individual must find support on his or her path to wellness.

**The Hon. the Speaker *pro tempore*:** I am sorry, senator, your time has expired.

#### INDIAN RESIDENTIAL SCHOOLS

**Hon. Pat Carney:** Honourable senators, yesterday we heard Senator Nick Sibbeston discuss his painful memories of his years in residential schools in Fort Simpson, Providence, Inuvik and Yellowknife. We gave him a round of applause. I want to make it clear that he earned that applause because from those beginnings, Senator Sibbeston, whom I have known for 35 years, went on to become, I believe, the first Aboriginal lawyer in the Northwest Territories. He also went on to become a member of the Northwest Territories Council and, of course, premier of the NWT before he came to sit with us in our chamber.

However, today, Nick, I want to suggest that we reflect on the sacrifices made by some of the young Canadian men and women who made it possible for this young Slavey kid to receive the education that made his achievements attainable.

Yes, there was abuse and suffering in the residential schools. The payment of \$2 billion that is being made is recognition of that. However, we tend to overlook in this situation the commitment by the many who served their lives in these territories to ensure that young Aboriginal kids had the skills to survive in the world beyond the trap line. Yes, we do have pictures of the forced removal of children from their parents and their being brought to the schools, but there were other children who were brought by the parents to the schools to learn the skills of reading and writing so that when they grew up they could deal with the trader in their community or when they were out on the trap line, because there was no alternative.

I think of Canadians such as my cousin from the Ottawa Valley, Father Casey, who was an Oblate, and who, like others, went out to the world beyond the edge of the world, to use a concept from the West Coast, without any cultural training. Father Casey, as a young Oblate, had told our family how he would lie on his cot

behind the church on Cooper Island, listening to young Aboriginal youths and others partying on the beach with drumming and chants. He was literally afraid — because he was so ignorant of their customs — that he would be scalped in the process of this party. They got no training at all.

Yes, there was hard work and poverty. The leader of the Oblates in Vancouver told me how the church was given 40 cents a day by the government to educate, feed, house, clothe and provide medical services to the children in their care.

As an economist in the 1970s in the Mackenzie Valley, where I met Nick, I would sometimes leave my young son, who was a first grader, in a hostel in a settlement where I was working. I noticed that often many of the children were better than those the...

**The Hon. the Speaker pro tempore:** Senator Carney, your time has expired.

#### RECOGNITION OF SPEAKER'S PARADE

**Hon. Tommy Banks:** Honourable senators, many acquaintances of mine, in particular young ones, point me out as having a curmudgeonly attitude with respect to the matters of tradition, the rights that accrue to tradition, the trappings of tradition and the things that we do to observe traditions. I am about to prove them right. I apologize for this, but we are all guilty of it from time to time.

There is an important Senate tradition having to do with the entrance into this place of His Honour the Speaker and, more important, the exit from this place of His Honour the Speaker. I have to say — although I too am guilty of it from time to time — that the lack of regard for this tradition really bothers me. It is not enough simply to pay attention to the persons who occupy those offices and their talents, and hold in regard such persons and the procedure that takes place. We must also respect the tradition, which was not invented last Thursday. It is several hundred years old, and it means something when the mace follows the Speaker into and out of this place.

• (1350)

I hope that honourable senators will join me in being more careful to observe the niceties of the ritual, which is something of which we all should be reminded every day. I promise that I will do that more assiduously, and I hope you will join me.

[Translation]

#### ROUTINE PROCEEDINGS

##### STUDY ON GOVERNMENT POLICY FOR MANAGING FISHERIES AND OCEANS

##### GOVERNMENT RESPONSE REPORT OF FISHERIES AND OCEANS COMMITTEE TABLED

**Hon. Fernand Robichaud (Acting Deputy Leader of the Government):** Honourable senators, pursuant to rule 131(2) of the *Rules of the Senate*, I have the honour to table, in both

official languages, the document entitled, *Interim Report: Canada's New and Evolving Policy Framework for Managing Fisheries and Oceans*, which is the government response to the recommendations of the Standing Senate Committee on Fisheries and Oceans.

#### PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

##### AIR INDIA PLANE CRASH— REPORT OF INDEPENDENT ADVISOR TABLED

**Hon. Fernand Robichaud (Acting Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, the report entitled *Lessons to be Learned* by the Honourable Bob Rae, independent advisor to the Minister of Public Safety and Emergency Preparedness Canada, on outstanding questions with respect to the bombing of Air India Flight 182.

#### TREASURY BOARD

##### 2005 ANNUAL REPORT TABLED

**Hon. Fernand Robichaud (Acting Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, a copy of the annual report to Parliament, entitled *Canada's Performance 2005: The Government of Canada's Contribution*.

#### CRIMINAL CODE

##### BILL TO AMEND—REPORT OF COMMITTEE

**Hon. Lise Bacon,** Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Thursday, November 24, 2005

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

##### THIRTEENTH REPORT

Your Committee, to which was referred Bill C-49, An Act to amend the Criminal Code (trafficking in persons), has, in obedience to the Order of Reference of Tuesday, November 1, 2005, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

LISE BACON  
Chair

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

**Hon. Fernand Robichaud (Acting Deputy Leader of the Government):** Honourable senators, I move that the bill be placed on Orders of the Day for third reading later this day.

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

**Hon. Senators:** Agreed.

[English]

**Hon. Madeleine Plamondon:** No.

**The Hon. the Speaker pro tempore:** Leave has not been granted, honourable senators.

**Senator Robichaud:** Honourable senators, I move that this bill be placed on the Orders of the Day for third reading at the next sitting of the Senate.

On motion of Senator Robichaud, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.

**CRIMINAL CODE  
CONTROLLED DRUGS AND SUBSTANCES ACT**

BILL TO AMEND—REPORT OF COMMITTEE

**Hon. Lise Bacon,** Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Thursday, November 24, 2005

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

FOURTEENTH REPORT

Your committee, to which was referred Bill C-53, An Act to amend the Criminal Code (proceeds of crime) and the Controlled Drugs and Substances Act and to make consequential amendments to another Act, has, in obedience to the Order of Reference of Tuesday, November 22, 2005, examined the said bill and now reports the same without amendment.

Respectfully submitted,

LISE BACON  
*Chair*

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

**Hon. Fernand Robichaud (Acting Deputy Leader of the Government):** Honourable senators, I move that this bill be placed on the Orders of the Day for third reading later this day.

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

**Hon. Senators:** Agreed.

**Hon. Madeleine Plamondon:** No.

**The Hon. the Speaker pro tempore:** Leave has not been granted, honourable senators.

**Senator Robichaud:** Honourable senators, I move that this bill be placed on the Orders of the Day for third reading at the next sitting of the Senate.

On motion of Senator Robichaud, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.

**REMOTE SENSING SPACE SYSTEMS BILL**

REPORT OF COMMITTEE

**Hon. Peter A. Stollery,** Chair of the Standing Senate Committee on Foreign Affairs, presented the following report:

Thursday, November 24, 2005

The Standing Senate Committee on Foreign Affairs has the honour to present its

NINTH REPORT

Your Committee, to which was referred Bill C-25, An Act Governing the Operation of Remote Sensing Space Systems, has, in obedience to the Order of Reference of Tuesday, November 1, 2005, examined the said Bill and now reports the same without amendment.

Attached as an appendix to this Report are the observations of your Committee on Bill C-25.

Respectfully submitted,

PETER A. STOLLERY  
*Chair*

**APPENDIX**

**Bill C-25, An Act Governing the Operation  
of Remote Sensing Space Systems**

**Observations of the Standing Senate Committee  
on Foreign Affairs**

The Committee was advised by officials that it was not the purpose of clause 22 of the Act to second the use of a private sector satellite such as RADARSAT2 without appropriate compensation.

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

**Hon. Fernand Robichaud (Acting Deputy Leader of the Government):** Honourable senators, with leave of the Senate, I move that this bill be read the third time later this day.

**The Hon. the Speaker pro tempore:** Honourable senators, is leave granted?

**Some Hon. Senators:** Agreed.

**Hon. Madeleine Plamondon:** No.

**The Hon. the Speaker pro tempore:** Leave is not granted.

On motion of Senator Robichaud, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.

[Translation]

## PUBLIC SERVANTS DISCLOSURE PROTECTION BILL

### REPORT OF COMMITTEE

**Hon. Joseph A. Day**, Deputy Chair of the Standing Committee on National Finance, presented the following report:

Thursday, November 24, 2005

The Standing Senate Committee on National Finance has the honour to present its

### EIGHTEENTH REPORT

Your Committee, to which was referred Bill C-11, An Act to establish a procedure for the disclosure of wrongdoings in the public sector, including the protection of persons who disclose the wrongdoings, has in obedience to the Order of Reference of Thursday, October 27, 2005, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

JOSEPH A. DAY  
*Deputy Chair*

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

**Hon. Fernand Robichaud (Acting Deputy Leader of the Government):** Honourable senators, I move that this bill be placed on the Orders of the Day for third reading later this day.

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

**Hon. Senators:** Agreed.

**Hon. Madeleine Plamondon:** No.

**The Hon. the Speaker pro tempore:** Honourable senators, leave has not been granted.

**Senator Robichaud:** Honourable senators, I move that this bill be placed on the Orders of the Day for third reading at the next sitting of the Senate.

On motion of Senator Robichaud, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.

• (1400)

[English]

## STUDY ON STATE OF HEALTH CARE SYSTEM

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

**Hon. Michael Kirby:** Honourable senators, I have the honour to table the sixteenth (fourth interim) report of the Standing Senate

Committee on Social Affairs, Science and Technology on mental health and mental illness entitled: *A proposal to Establish a Canadian Mental Health Commission.*

I wish to inform honourable senators that this proposal has been accepted by the federal government, every provincial and territorial government. One hour ago Senator Keon and I participated in a press conference with the Minister of Health announcing the creation of the Canadian Mental Health Commission, exactly along the lines proposed by our Senate committee.

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

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

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

## INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

### THIRTEENTH REPORT OF COMMITTEE PRESENTED

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

Thursday, November 24, 2005

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

### THIRTEENTH REPORT

Your Committee recommends that the following funds be released for fiscal year 2005-2006:

#### Conflict of Interest for Senators (Legislation)

Professional and Other Services	\$ 1,500
Transport and Communications	\$ 0
Other Expenditures	\$ 0
<b>Total</b>	<b>\$ 1,500</b>

#### Conflict of Interest for Senators (Legislation)

Professional and Other Services	\$ 50,000
Transportation and Communications	\$ 0
Other Expenditures	\$ 0
<b>Total</b>	<b>\$ 50,000</b>

Respectfully submitted,

GEORGE J. FUREY  
*Chair*

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

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

## WAGE EARNER PROTECTION PROGRAM BILL

### REPORT OF COMMITTEE

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

Thursday, November 24, 2005

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

### SEVENTEENTH REPORT

Your Committee, to which was referred Bill C-55, An Act to establish the Wage Earner Protection Program Act, to amend the Bankruptcy and Insolvency Act and the Companies' Creditors Arrangement Act and to make consequential amendments to other Acts, has, in obedience to the Order of Reference of Wednesday, November 23, 2005, examined the said Bill and now reports the same without amendment but with observations, which are appended to this report.

Respectfully submitted,

JERAHMIEL S. GRAFSTEIN  
*Chair*

### APPENDIX

#### **Bill C-55, An Act to establish the Wage Earner Protection Program Act, to amend the Bankruptcy and Insolvency Act and the Companies' Creditors Arrangement Act and to make consequential amendments to other Acts**

#### **Unanimous observations of the Standing Senate Committee on Banking, Trade and Commerce**

The Committee wishes to indicate our disappointment with the process by which the Bill arrived in the Senate. We recognize the extraordinary circumstances that exist with the impending dissolution of Parliament, but believe we had an inadequate opportunity to review comprehensively such an important piece of framework legislation.

Notwithstanding the foregoing, the Committee has decided to report Bill C-55 without amendment and without having conducted the customary comprehensive study and review. We do so not because we approve of the legislation in its entirety, as drafted, but rather because of three key factors.

First, the Committee unanimously supports and approves of the long-overdue wage earner protection provisions of the Bill and does not wish to delay, or in any way deny — or appear to deny — access to enhanced legislated protection for this vulnerable group of creditors.

Second, the witnesses heard by the Committee, including the Minister of Labour and Housing and the Parliamentary Secretary to the Minister of Industry, gave unqualified assurance to the Committee, to be confirmed in writing forthwith, that Bill C-55 would not be proclaimed into force prior to 30 June 2006 at the earliest.

Third, the Committee expects that between now and the proclamation of Bill C-55, we will receive a timely Order of Reference that will enable us to undertake the thorough review of the *Bankruptcy and Insolvency Act* and the *Companies' Creditors Arrangement Act* that would have occurred with respect to Bill C-55 had it been referred to us on a more timely basis.

In connection with the Committee's study in 2006, we look forward to receiving, from Industry Canada officials, the legislative and regulatory changes they undertook to provide to improve Bill C-55 and Canada's insolvency regime more generally. All stakeholders should have an opportunity to share with us their views on key aspects of the *Bankruptcy and Insolvency Act* and the *Companies' Creditors Arrangement Act* as well as other insolvency legislation.

Unfortunately, too few witnesses were heard and there was insufficient study at Committee in the House of Commons during its examination of Bill C-55 which may, in part, explain why obviously needed amendments were not introduced before the Bill was sent to the Senate.

The Committee has in-depth knowledge of the *Bankruptcy and Insolvency Act* and the *Companies' Creditors Arrangement Act*. In 2002 and 2003 we reviewed these Acts and, in November 2003, tabled our report *Debtors and Creditors Sharing the Burden: A Review of the Bankruptcy and Insolvency Act and the Companies' Creditors Arrangement Act*. In that report, we comprehensively examined and made recommendations respecting the full range of consumer and commercial insolvency issues as well as on administrative and procedural issues.

While the Committee wholeheartedly supports the principle of the wage earner protection regime, even in that instance we have questions. In our view, workers should be compensated in the timeliest manner possible, and we are not certain that the Bill's provisions meet the test of timeliness. For example, we wonder why the administrator is not able to pay the workers immediately, rather than waiting for workers to be paid out of the Wage Earner Protection Program.

Moreover, the Bill contains a number of provisions unrelated to wage earner protection that we believe fall well short of what the Committee wishes to see. In particular, we believe further study is needed in a number of areas to ensure the effectiveness of Canada's insolvency legislation, including:

- the protection, during insolvency and corporate restructuring, of eligible financial contracts in derivatives and other structured transactions



- cross-border insolvencies
- debtor-in-possession financing
- transfers at undervalue and preferences
- executory contracts
- governance
- insolvency of other vehicles, including income trusts
- discharge from bankruptcy, including for students.

These areas, among others, need thorough study and review by the Committee in order to ensure that new insolvency framework legislation goes forward in the proper form.

The Committee notes that we have some experience with delayed proclamation of legislation. A similar approach was adopted in December 1997, when the Minister of Finance delayed the coming into force of the governance and investment provisions of the *Canada Pension Plan Investment Board Act* until April 1998 in order that we could study them. The Minister also agreed to refer the draft regulations governing the Investment Board to us for review and comment. We believe that this approach was successful then, and will be successful when we have the opportunity to study and review, in a comprehensive manner, the subject matter of Canada's new insolvency framework legislation in 2006.

The Committee continues to believe that the *Bankruptcy and Insolvency Act* and the *Companies' Creditors Arrangement Act* constitute critical framework legislation that affect, in a very fundamental manner, the Canadian economy and all Canadians who participate in it. The Committee understands that the appropriate government legislative initiatives will be taken to ensure the foregoing.

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

**Hon. Fernand Robichaud (Acting Deputy Leader of the Government):** I move, with leave of the Senate, that this bill be placed on the Orders of the Day for third reading later this day.

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

**Some Hon. Senators:** Agreed.

**Hon. Madeleine Plamondon:** No.

**The Hon. the Speaker *pro tempore*:** Leave is not granted.

On motion of Senator Robichaud, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.

## FIRST NATIONS OIL AND GAS AND MONEYS MANAGEMENT BILL

### REPORT OF COMMITTEE

**Hon. Nick G. Sibbeston**, Chair of the Standing Senate Committee on Aboriginal Peoples, presented the following report:

Thursday, November 24, 2005

The Standing Senate Committee on Aboriginal Peoples has the honour to present its

### SEVENTH REPORT

Your Committee, to which was referred Bill C-54, An Act to provide first nations with the option of managing and regulating oil and gas exploration and exploitation and of receiving moneys otherwise held for them by Canada, has, in obedience to the Order of Reference of Tuesday, November 22, 2005, examined the said Bill and now reports the same without amendment, but with observations, which are appended to this report.

Respectfully submitted,

NICK G. SIBBESTON  
*Chair*

**Appendix to the Seventh Report  
of the Standing Senate Committee on Aboriginal Peoples on  
Bill C-54, An Act to provide first nations with the option of  
managing and regulating oil and gas exploration and exploitation  
and of receiving moneys otherwise held for them by Canada.**

### OBSERVATIONS

At its meeting of Wednesday, November 23, 2005, the Committee agreed to adopt Bill C-54 without amendment, but with the following observations:

Over the last number of years, a variety of non-derogation clauses have appeared in federal legislation. This has created uncertainty and concern for Aboriginal peoples that needs to be resolved.

On the matter of non-derogation, the Committee strongly recommends that a thorough study of non-derogation clauses be completed by the Senate Standing Committee on Legal and Constitutional Affairs as soon as possible but no later than June 30, 2006.

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

**Hon. Fernand Robichaud (Acting Deputy Leader of the Government):** I move, with leave of the Senate, that this bill be placed on the Orders of the Day for third reading later this day.

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

**Some Hon. Senators:** Agreed.

**Hon. Madeleine Plamondon:** No.

**The Hon. the Speaker *pro tempore*:** Leave is not granted.

On motion of Senator Robichaud, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.

### ENERGY COSTS ASSISTANCE MEASURES BILL

#### REPORT OF COMMITTEE

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

Thursday, November 24, 2005

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

#### TWELFTH REPORT

Your Committee, which was referred Bill C-66, An Act to authorize payments to provide assistance in relation to energy costs, housing energy consumption and public transit infrastructure, and to make consequential amendments to certain Acts, has, in obedience to the Order of Reference of Tuesday, November 22, 2005, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

TOMMY BANKS  
*Chair*

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

**Hon. Fernand Robichaud (Acting Deputy Leader of the Government):** I move, with leave of the Senate, that this bill be placed on the Orders of the Day for third reading later this day.

**The Hon. the Speaker *pro tempore*:** Honourable senators, is leave granted?

**Some Hon. Senators:** Agreed.

**Hon. Madeleine Plamondon:** No.

**The Hon. the Speaker *pro tempore*:** Leave is not granted.

On motion of Senator Robichaud, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.

### STUDY ON ISSUES RELATED TO MANDATE

#### INTERIM REPORT OF ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE TABLED

**Hon. Tommy Banks:** Honourable senators, I have the honour to table the thirteenth report of the Standing Senate Committee on Energy, the Environment and Natural Resources, to which I avidly commend the attention of the government and all honourable senators. The report is entitled: *Water in the West: Under Pressure*.

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

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

• (1410)

[*Translation*]

### BUSINESS OF THE SENATE

#### NOTICE OF MOTION TO AUTHORIZE SUNDAY SITTING

**Hon. Fernand Robichaud (Acting Deputy Leader of the Government):** Honourable senators, I give notice that, at the next sitting of the Senate, I will move

That, when the Senate adjourns on Saturday November 26, 2005, it do stand adjourned until Sunday, November 27, 2005, at 1:30 p.m.

#### NOTICE OF MOTION TO EXTEND FRIDAY SITTING

**Hon. Fernand Robichaud (Acting Deputy Leader of the Government):** Honourable senators, I give notice that, at the next sitting of the Senate, I will move

That, notwithstanding rule 6(2), when the Senate sits on Friday, November 25, 2005, it continue its proceedings beyond 4 pm;

That, notwithstanding any other rule of the Senate, when the Senate has completed consideration of every item on the Order Paper and Notice Paper of Friday, November 25, 2005, the sitting shall be suspended to the call of the Chair.

[*English*]

### CANADA-EUROPE PARLIAMENTARY ASSOCIATION

#### FOURTH WINTER SESSION OF OSCE PARLIAMENTARY ASSEMBLY, FEBRUARY 24-25, 2005—REPORT TABLED

**Hon. Consiglio Di Nino:** Honourable senators, I have the honour to table the report of the Canadian delegation to the Fourth Winter Session of the Organization for Security and Co-operation in Europe, OSCE, Parliamentary Assembly held in Vienna, Austria February 24-25, 2005.

### CANADA-CHINA LEGISLATIVE ASSOCIATION

#### ASIA-PACIFIC PARLIAMENTARY CONFERENCE ON RENEWABLE ENERGIES, JUNE 4, 2005—REPORT TABLED

**Hon. Joseph A. Day:** Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation of the Canada-China Legislative Association respecting its participation in the Asia-Pacific Parliamentary Conference on Renewable Energies held in Gifu, Japan on June 4, 2005.

**CANADA-EUROPE PARLIAMENTARY ASSOCIATION**

FOURTEENTH ANNUAL SESSION OF OSCE  
PARLIAMENTARY ASSEMBLY, JULY 1-5, 2005—  
REPORT TABLED

**Hon. Consiglio Di Nino:** Honourable senators, I have the honour to table the report of the Canadian delegation to the Fourteenth Annual Session of the Organization for Security and Co-operation in Europe, OSCE, Parliamentary Assembly in Washington, D.C., from July 1 to 5, 2005.

**CANADA-JAPAN INTER-PARLIAMENTARY GROUP**

TWENTY-SIXTH GENERAL ASSEMBLY OF ASEAN  
INTER-PARLIAMENTARY ORGANIZATION,  
SEPTEMBER 18-23, 2005—REPORT TABLED

**Hon. Vivienne Poy:** Honourable senators, pursuant to rule 23(6), I have the honour to table in the Senate, in both official languages, the report of the Canadian delegation of the Canada-Japan Interparliamentary Group respecting its participation in the Twenty-sixth General Assembly of the Association of Southeast Asian Nations, ASEAN, Interparliamentary Organization held in Vientiane, Laos, September 18-23, 2005.

**CANADIAN NATO PARLIAMENTARY ASSOCIATION**

SPRING SESSION OF NATO PARLIAMENTARY  
ASSEMBLY, MAY 27-31, 2005—REPORT TABLED

**Hon. Jane Cordy:** Honourable senators, I have the honour to table, in both official languages, the report of the Canadian NATO Parliamentary Association's delegation to the spring session of the NATO Parliamentary Assembly, held in Ljubljana, Slovenia, May 27-31, 2005.

**Hon. Marcel Prud'homme:** Honourable senators, I am honoured to report to the Senate that the 11 non-aligned senators — although I do not speak on their behalf — have no report about travelling to make to the Senate.

**BUSINESS OF THE SENATE**

NOTICE OF MOTION TO DEAL  
WITH BILL C-331 AND BILL C-259

**Hon. Terry Stratton (Deputy Leader of the Opposition):** Honourable senators, I give notice that, on Friday, November 25, 2005, I will move:

That no later than 3:30 p.m., Friday, November 25, 2005, the Speaker shall interrupt any proceedings then underway and all questions necessary to dispose of all stages of the following bills shall be put forthwith without further adjournment, debate or amendment:

Bill C-331, An Act to acknowledge that persons of Ukrainian origin were interned in Canada during the First World War and to provide for recognition of this event;

Bill C-259, An Act to amend the Excise Tax Act (elimination of excise tax on jewellery).

**TIBET****NOTICE OF MOTION IN SUPPORT OF AUTONOMY**

**Hon. Consiglio Di Nino:** Honourable senators, I give notice that at the next sitting of the Senate I will move:

That the Senate support the declaration of the Fourth World Parliamentarians Convention on Tibet adopted by parliamentarians from 30 different countries on November 19, 2005 in Edinburgh, Scotland in support of Tibet's goal of genuine autonomy;

That the Senate support His Holiness the Dalai Lama's Middle Way approach to resolve the conflict between the People's Republic of China and the Tibetan government in exile through negotiations in the spirit of non-violence and reconciliation;

That the Senate commend the Chinese government for inviting the Dalai Lama's special envoys for four rounds of high-level meetings in Beijing and Berne between September 2002 and June 2005;

That the Senate support the creation of a zone of *ahimsa* (peace and non-violence) throughout the Tibetan plateau; and

That the Senate deplore the refusal of the Chinese government to release political prisoners, in particular the Panchen Lama, Gedhun Choekyi Nyima, who has been held in a secret location since 1995, when he was only 6 years old.

**BANKING, TRADE AND COMMERCE****NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE**

**Hon. Jeremiah S. Grafstein:** Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(a), I move:

That the Standing Committee on Banking, Trade and Commerce have the power to sit today, Thursday, November 24, 2005, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

**The Hon. the Speaker pro tempore:** Is leave granted?

**Some Hon. Senators:** Agreed.

**Hon. Madeleine Plamondon:** It is not granted.

**The Hon. the Speaker pro tempore:** Leave is not granted.

**Hon. Consiglio Di Nino:** Honourable senators, we have had Bill C-259 before us for more than five months. It deals with the elimination of —

**The Hon. the Speaker *pro tempore*:** Leave was not granted, Senator Di Nino.

**An Hon. Senator:** We want a vote on that.

**Senator Grafstein:** May I have leave to at least present the rationale for the motion?

**The Hon. the Speaker *pro tempore*:** No, leave is not granted.

**Senator Plamondon:** Is leave granted?

**The Hon. the Speaker *pro tempore*:** No, you denied leave, Senator. Leave is not granted.

[*Translation*]

## TREATMENT OF AUTISM PRESENTATION OF PETITION

**Hon. Gerald J. Comeau:** Honourable senators, I have the honour to present, on behalf of 27 Canadians from the Halifax area, a petition calling on Parliament to amend the Canada Health Act and regulations so as to consider applied behavioural analysis an essential medical treatment and to require all provinces to provide and fund these essential treatments to children with autism.

The petitioners are also calling for the creation of a university chair in every Canadian province to conduct research in this field.

• (1420)

[*English*]

## QUESTION PERIOD

### TRANSPORT

#### PEARSON INTERNATIONAL AIRPORT—RENT FEES

**Hon. David Tkachuk:** My question is with respect to Transport Minister Jean Lapierre's mixed messages on the Toronto Pearson Airport's high cost of landing. In recent weeks the Transport Minister has gone from lecturing airlines that they should consider directing traffic to Montreal's Trudeau airport if they do not like Pearson's high costs. After getting an earful from his Toronto-based Liberal MPs, he hinted that rent relief could be forthcoming at Pearson.

Could the Leader of the Government in the Senate clarify where the government stands on this issue? Why does the Transport Minister look like he is just making policy as he is walking along? We are not sure whether those airport rents will stay high or whether there will be a lowering of the airport rent in Toronto.

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I very much appreciate the question from Senator Tkachuk and his concern for Toronto because, of course, so many Canadians, including members of this chamber, fly through the Toronto airport.

As honourable senators know, the Minister of Transport has announced substantial rent relief for Canada's airports. With respect to the Greater Toronto Airports Authority, he has announced that there will be a \$5 billion present value savings over the life of the current Toronto airport lease. That means a reduction from \$8 billion, the current rental obligation, to \$3 billion. Toronto will receive 63 per cent in savings, while the remaining airports will receive an average of 55 per cent in savings over the life of their leases. This is the second highest percentage of savings amongst the top nine airports.

Savings for the Greater Toronto Airports Authority will start at 5 per cent for the first five years; beginning in 2012, it will be 62 per cent; and in 2017, it will be 75 per cent. Further, the savings will remain at over 70 per cent for more than 20 years starting in 2017, in comparison with the old formula.

**Senator Tkachuk:** Honourable senators, it is not as though this issue has not come up before about airport rents and the high cost of same. After a lot of tongue-wagging, screaming and yelling from the airports, we changed the rent.

Perhaps the honourable leader could table any studies or consultation processes in which the government engages when it sets these rents in the first place so that we do not have to go through all of this indecision and arguing over something that should be negotiated, not something that is imposed.

**Senator Austin:** Honourable senators, a number of airports in Canada are run by autonomous airport authorities. These are the result of policies that were first suggested, I believe, by the Mulroney government. The first leases were negotiated during the time of that government. With the exception of the Greater Toronto Airports Authority, all of the others have accepted, with varying degrees of pleasure, the changes that the Minister of Transport has announced.

With respect to the Toronto airport, the Minister of Transport has indicated that part of their problem is self-created. It has nothing to do with rent; it has more to do with debt.

As all of us who have been through the new Terminal 1 at Toronto airport know, the Greater Toronto Airports Authority has built a magnificent terminal arrangement. They also spent several hundred million dollars on the construction of Terminal 3. They did that by borrowing. Therefore, their debt burden is quite large in terms of the revenues which they normally receive, and that has put pressure on their balance sheet.

The result, of course, is that they must go to any other creditors that they have, including the Government of Canada under its leases, and try to obtain relief from them, either by reducing their obligations or by trying to increase the revenues that they have from commercial leases. They have a difficult problem. However, it is not one that was created by the Government of Canada.

**Senator Tkachuk:** I think it was created by the Government of Canada. We have the same issues arising at the Saskatoon airport from time to time. They too have been complaining about the high cost of airport rents.

The airports were paid for in full by the taxpayers of this country. What economic formula does the Government of Canada use in charging rents to these non-profit organizations that have been set up across the country?

This was a good policy brought in by Mr. Don Mazankowski. These non-profit organizations seem to be managing the airports well. It is not right to blame the Toronto airport for high costs. They charge a fee. They have a hard time obtaining business because the fee is charged per traveller, to help with the costs of building and to pay for the expansion plans. They need business to do that. By charging too much rent, you are preventing that business from taking place, therefore making it more difficult for the airport authority to pay down their debt.

I would like to know what economic formula is used by the Government of Canada in setting the lease or rent rates for the Toronto airport, the Saskatoon airport and other airports across the country.

**Senator Austin:** Honourable senators, I would be delighted to make inquiries with respect to the information that Senator Tkachuk is asking me for. I hope he understands, however, that given the motion of non-confidence which his leader in the other place has put on the Order Paper, I may not have the time left to provide the information.

## HEALTH

### CANADIAN FOOD INSPECTION AGENCY— ASIAN FARM FISH— PRESENCE OF MALACHITE GREEN

**Hon. Gerald J. Comeau:** Earlier this week, on Tuesday, the CTV aired a program regarding the use of highly toxic chemicals to kill parasites in Asian fish, and that fish is now making its way to Canadian tables.

Is the Leader of the Government in the Senate aware of that? If so, what actions have been taken, or undertaken, by the government to ensure that Canadian consumers are protected from any trace elements that remain in this farm-raised fish?

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I also saw that television program, and it dealt with traces of malachite green in imported fish.

It is the obligation of the Canadian Food Inspection Agency to sample and test aquaculture fish products for that chemical, Malachite Green. The agency conducts 100 per cent surveillance of all products that arrive from Vietnam. Of course, to state the obvious, if at any time the testing produces any trace of malachite green, the product is not allowed into Canada.

The Canadian Food Inspection Agency is following up on the CTV reports, but I am advised that CTV has refused to provide any specific details with respect to those reports.

## FISHERIES AND OCEANS

### PROCESSING AND MARKETING OF FISH PRODUCTS

**Hon. Gerald J. Comeau:** Honourable senators, my follow-up question relates to one I asked some weeks ago regarding our own Canadian products and how we are shipping them overseas to Asian countries for further processing, where such processing is done at a much cheaper rate because of cheap labour rates and lax environmental laws.

Would this not indicate that we should, as Canadians, look at the possibility of developing a Canadian-produced product that would measure well against those types of products?

I think we could probably get a premium for our Canadian fish if it were to be measured against products coming in from other countries, rather than for us to be associated with some processing here in Canada and further processing in other countries.

• (1430)

This follows up on what I was trying to raise at that time. We should probably not have our raw materials sent outside of Canada but rather do that processing right here in Canada.

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I well recall the question that Senator Comeau put to me on processing in Canada, and there are two ways to answer it. First, I acknowledge that the responsibility for the processing and marketing of fish products is that of the private sector. Ultimately, they will make decisions with respect to market acceptability of the product and to the financial requirements of their own corporations.

Having said that, I agree entirely with Senator Comeau that if Canada can be known around the world for producing and selling a premium product, one that assures the customer that there can be no better product in terms of its freshness and safety, in my view that is by far the best marketing plan for Canada.

The next and final step would be, of course, hopefully, to control all the elements of that quality process in Canada, but, as Senator Comeau knows, that is essentially a decision for the private sector.

**Senator Comeau:** Far be it from me to try to interfere with private sector decisions. However, the fisheries resource is owned by the Canadian people. It is held in trust by the Department of Fisheries and Oceans but actually belongs to the Canadian people. The private sector is allowed licences — a privilege, not a right — to tap into that resource. In fact, we do have a means by which we can influence, but not necessarily dictate, the way the private sector handles the use of a resource that is owned by the Canadian people and held in trust by the Department of Fisheries and Oceans. The government does have some leeway as to whether it allows the private sector to ship our resources to cheap-labour countries for processing.

**Senator Austin:** Honourable senators, I agree in part and I have difficulty in part with Senator Comeau's proposition. I agree that under the Constitution the resources of the sea are the responsibility of the federal government. The federal government has the responsibility for assigning rights, whether long or short term, to Canadians with respect to harvesting and yield. The question of whether that right should trace itself all the way up to the marketing of this fish is an interesting policy question. Where we do not disagree is that the Government of Canada would be well advised to create incentive programs for the private sector to market the very highest quality of product internationally.

## THE ENVIRONMENT

### POLICY ON EMISSIONS REDUCTION TARGETS— USE OF RENEWABLE ENERGY—OFFSET POLICY

**Hon. Elaine McCoy:** Honourable senators, my question is to the Leader of the Government in the Senate. Let me preface the question by referring to the offset system in the consultation papers, overview and technical paper issued by the Government of Canada in August of this year. Let me also say that they were eagerly awaited and gratefully received.

Consultation was requested in the form of written communications, and that has been ongoing, as have discussions, in a limited way, between departments across Canada. They are good in many ways and, as members of the Standing Senate Committee on Energy, the Environment and Natural Resources discovered when they discussed this issue with the OECD last September, they do encourage renewable energy and use economic policy instruments that are well appreciated.

However, as always, the devil is in the details. Some of the details in this particular proposal involve using a national intensity factor to compute greenhouse gas reduction credits all across Canada for small, non-emitting electricity production facilities. That means that if a company puts up a windmill in Nova Scotia, it will be penalized 350 per cent on its credits because instead of computing greenhouse gas reductions against the coal that is used in Nova Scotia to make the electricity, a national factor is used, one that takes into account Manitoba, B.C. and Quebec hydro, which of course lowers the average.

Yesterday it was announced that an agreement was reached between the Government of Canada and the Government of Quebec. It included a factor for that province in its emissions reductions target that takes into account their lower-emitting hydroelectricity projects. Does this indicate a shift in policy that will be applied to the non-emitting, small, renewable electricity generators in the offset policy?

**Hon. Jack Austin (Leader of the Government):** I thank Senator McCoy for the question, honourable senators, but obviously I am not in a position to give the honourable senator a definitive answer at the moment. I will make inquiries. I think the question raises a logical argument.

**Senator McCoy:** Honourable senators, a company in Nova Scotia has estimated that if the policy that is on the table now continues unabated, it will cost Nova Scotia and its provincial economy \$14 million a year. There is some suggestion from the civil service that they wish to push through this offset policy by January 1, 2006. We are now facing some uncertainty as to whether there will or will not be a dissolution of Parliament, but there is no question that, in our experience in Alberta, we have been having fruitful discussions with the minister. Can the Leader of the Government in the Senate give this chamber his assurance that there will be no finalization of that offset policy until such time as the election is finished and we can have the full attention of the federal minister?

**Senator Austin:** Honourable senators, I am not in a position to give such an assurance. The circumstances of the future are obviously unknown to me, but I will add the supplementary question to the information I will give the Minister of the Environment.

## FINANCE

### PROPOSAL TO REDUCE GOODS AND SERVICES TAX

**Hon. Lowell Murray:** Honourable senators, in view of speculation, apparently well-informed, that at least one of the opposition political parties will make a platform promise to reduce the GST, and in view of the fact that this hypothesis is being denounced in advance by the government, as one who had the enjoyable responsibility 15 years ago this fall of getting the GST through this chamber, and on behalf of all those senators on both sides, past and present, living or dead, who took part in that exercise, may I ask whether it is at all conceivable that this Liberal government will campaign on the slogan, "Vote Liberal, save the GST, touche pas la TPS"?

**Hon. Jack Austin (Leader of the Government):** Honourable senators, the question is intriguing. I am not certain that any political party is committed to campaigning on the reduction of the GST, although there have been stories to that effect.

• (1440)

I am sure that the Senate would take account of the interesting advice of an economist and former member of the other place from British Columbia, Herb Grubel, who was quoted in *The Vancouver Sun* on November 22, 2005. He said: "Cutting the GST rather than business or personal income taxes may be good policy but is definitely very bad economics."

**Hon. Marcel Prud'homme:** At the rate the government is spending, is there a possibility that rather than lower the GST, the government might have to increase the GST rate?

**Senator Austin:** Honourable senators, there is no possibility of that whatsoever because of the superb fiscal management by this government of the Canadian economy.

## NATIONAL DEFENCE

### PROPOSED EQUIPMENT EXPENDITURES

**Hon. J. Michael Forrestall:** Honourable senators, I have no pertinent questions today except to ask the Leader of the Government in the Senate whether he would use his good offices over the next few weeks to ensure that contracting for new equipment, particularly with respect to fixed-wing aircraft, is done in an open, competitive way where the specifications for such equipment are not tailored to meet the only available supply?

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I can say with complete certainty that the process will be open and transparent, and will be directed towards the needs of the Canadian military as they assess them.

**Senator Forrestall:** The honourable leader's response leads me to suggest that he have a very Merry Christmas, and to send my best wishes to his staff, who have failed over the duration of this rather short-lived Thirty-eighth Parliament to bring the leader into touch with military matters and, above and beyond all, the process of procurement of equipment therefor.

**Senator Austin:** I thank the Honourable Senator ForreSTALL for his sentiment and send the same to him.

## INDUSTRY

### NEW RULES FOR LOBBYISTS—PROCESS FOR LODGING COMPLAINTS—POLICING OF INDUSTRY

**Hon. Madeleine Plamondon:** My question on lobbyists is for the Leader of the Government in the Senate. I am happy that the Liberals plan to toughen the rules for lobbyists, because I was quite dismayed about what happened when I presented Bill S-19. I found out, very late in the process, that the bill had had 21 lobbyists, one of whom, according to his website, was in the service of the government while acting as a lobbyist. I contacted the Prime Minister's office and the dates on his website were changed the next day. Even so, it had not been one full year since the termination of that individual's government employment.

Does the honourable leader have a draft version of the proposed new rules in respect of lobbyists that the Liberal government wants to implement? Some say that there are fairly significant changes. As well, it has been said that the government does not have sufficient resources to apply the existing law. Does the honourable leader have any information to add?

If I may, I would like to ask my second question. Currently, individuals found guilty can choose between a fine or having the complainant go to the RCMP. Does the leader of the government think that it is better to lodge a complaint with the RCMP? What is the best way to lodge such a complaint with the RCMP? The cooling-off period is one year, but I found in my experience that some people are not waiting the full year before taking up as lobbyists. The people contacted are always the same at Finance Canada, Industry Canada, Justice Canada, et cetera. Is that monitored? Does someone check to determine whether the lobbyists are in the employ of the government or whether they have waited the full one-year cooling-off period? Further, is that only a directive or is it the law? If it is the law, does it have teeth?

**Hon. Jack Austin (Leader of the Government):** The honourable senator has raised a number of points. First, I am concerned if Senator Plamondon is suggesting that an official in the Prime Minister's office is acting both as an official and as a paid lobbyist for an organization. If she has further information for me on that, I would be happy to receive it.

With respect to the current law relating to lobbyists, as honourable senators know, I am not able to give the answers to legal questions in the chamber. However, the Minister of Industry, who is the minister responsible for the Lobbyist Registration Act, has substantial changes in mind for the practice of lobbying. There is no legislation to which I could refer at this time but there is active consideration of changes.

I would further say that the honourable senator's questions need to be precisely framed if she wants the answers that I am able to provide. The matter of the rules that apply to members of the Prime Minister's staff, or any minister's staff, are set out by the Prime Minister under the Code of Conduct, which has been made public and is widely circulated. The honourable senator can find it on the Internet on the Prime Minister's website.

**Senator Plamondon:** I was referring to the website when I called the PMO. That was where I found Nichola Ruskowski, Director of Communications, Office of the Leader of the Government in the House of Commons and Minister Responsible for Democratic Reform, December 2004 to September 2005. The bill was still pending during that time and, at the same time, he is registered as a lobbyist for Bill S-19. When I contacted the Prime Minister's Office, someone called me back and said that the date was wrong, although my office had called the individual and was told that the information was correct. However, information was requested from the Privy Council Office, and they confirm that the dates are January 12, 2005 to October 20, 2005. This was changed to December 2003 to August 2004. Yet, even if the second correction is right, it is still not one full year after his termination.

• (1450)

My concern is with the new law, and what the Prime Minister wants to do. I think it is quite good, and your government should be commended on that. However, I want to know if it will cover situations such as the one I have just described. The current registrar of lobbyists, Michael Nelson, in a recent article, said that he does not have enough resources to properly police the lobbying industry.

**The Hon. the Speaker *pro tempore*:** I am sorry, senator, but the time for Question Period has expired. If Senator Austin can reply briefly, I will take the answer.

**Senator Austin:** Certainly. I will study the honourable senator's question to see what she is seeking. I will make inquiries but perhaps, given the political circumstances, the best way for me to respond to the honourable senator would be by letter.

## DELAYED ANSWERS TO ORAL QUESTIONS

**Hon. Bill Rompkey (Deputy Leader of the Government):** Honourable senators, I have the honour to present two delayed answers to oral questions raised in the Senate. The first is in response to a question raised on October 18 by Senator ForreSTALL regarding the replacement of maritime helicopters. The second is in response to a question raised on November 24 by Senator Cochrane regarding Citizenship and Immigration, proposal to admit new immigrants.

## NATIONAL DEFENCE

### REPLACEMENT OF AIRCRAFT—OMNIBUS PURCHASE

*(Response to question raised by Hon. J. Michael ForreSTALL on October 18, 2005)*

On November 23, 2004 the Government signed two contracts to acquire 28 CH-148 Cyclones. The CH-148 is the right maritime helicopter for the Canadian Forces at the best price for Canadians.

Sikorsky was selected the winner as a result of a fair, open and comprehensive evaluation. Canada's new Maritime Helicopter meets all of the Canadian Forces' operational requirements.

Delivery of the first helicopter is required to be no later than November 2008. The contract has a series of bonuses for early delivery but also imposes penalties for late delivery, making it in the company's interest to deliver the helicopters as soon as possible.

The total value of the two contracts is approximately \$5 billion. The acquisition contract covering the 28 helicopters is valued around \$1.8 billion, while the 20-year In-Service Support contract is approximately \$3.2 billion.

Awarding a long-term, in-service support contract to the same company supplying the helicopters is designed to promote the lowest cost over the life-cycle of the aircraft, place accountability for the quality of the product on the manufacturer, and thereby reduce the risk to the Government.

The contract covering the acquisition of the new helicopters will conclude with the delivery of the equipment, while the contract for in-service support is for an initial period of 20 years, with an option to extend for as long as the helicopter remains in service with the Canadian Forces.

## CITIZENSHIP AND IMMIGRATION

### PROPOSAL TO ADMIT NEW IMMIGRANTS— ABILITY TO PROCESS APPLICANTS

*(Response to question raised by Hon. Ethel Cochrane on November 24, 2005)*

The Department of Citizenship and Immigration is resourced to deliver on the levels that are tabled each year in Parliament and has consistently reached its targeted immigration levels for each of the past five years. In order to achieve these levels, the overseas network has processed an average of 275,000 applications for permanent residence each year for the past five years. The 2005 Annual Report on Immigration, as presented to Parliament on October 31, 2005 indicates that in 2006 Canada intends to admit between 225,000 and 255,000 new permanent residents. CIC expects to meet this planning range.

Despite the fact that the Department consistently meets the targeted immigration levels as approved by Parliament, there remains a significant inventory of applications to be processed overseas and in Canada. Applications for over 745,000 persons are currently waiting to be processed overseas. At the same time, application intake in many categories is increasing.

In categories that have been made priorities for the Department, processing times are good and continually improving. For example, processing times for spouses, partners and dependent children at overseas visa offices have shortened considerably. While in 2003 44 per cent of applications were processed in 6 months or less, in the last 12 months 61 per cent were processed in 6 months or less.

Processing times in certain categories remain lengthy and are getting longer because some programs have demands that exceed current policy objectives and service delivery capacity.

The Minister has announced plans to raise levels in the future, to move toward a long-term approach on immigration planning and to improve the current system so that applicants can be processed more quickly. If Parliament approves increased levels for immigration, the Department will deliver, as it has for each of the past five years.

### Parents and Grandparents

On April 18, 2005, following the Minister of Citizenship and Immigration's announcement, visa offices were given instructions that tripled previous visa targets for parents and grandparents, with the goal of increasing landings from 6,000 to 18,000 persons. Targets were assigned so that the oldest applications would be processed first. As a result, the New Delhi office's target was quintupled — a reflection of its large inventory of cases.

Increased output began immediately after the announcement and visa offices have approved in principle the applications of over 19,000 parents and grandparents, and have already issued over 13,000 visas. As of November 13, over 8,300 parents and grandparents have landed in Canada in 2005.

Due to the timing of the announcement CIC estimates that the large majority of visas would be issued in the August to December period. Permanent residence visas are issued with a validity period of 8-12 months for most applicants, based on their medical results. Thus, issuing 18,000 visas in 2005 does not necessarily translate into 18,000 immigrant landings by December 31, 2005. Given the fact that many visa recipients wait months before departing for Canada, total arrivals are likely to fall within the range of 12-16,000. The remaining holders of visas issued in 2005 will arrive in 2006.

Prior to the announcement, sponsorship applications received after June 2003 at the Case Processing Centre in Mississauga (CPC-M) had not yet been processed since there was already a large inventory of cases at visa offices abroad. Subsequent to the Minister's announcement, CPC-M began requesting updated information and, in September, recommenced the assessment of applications. CPC-M will process about 1,020 cases (over 2,300 persons) per month.

Citizenship and Immigration is looking at ways to recognize the labour market contributions made by out-of-status workers — individuals living and working in Canada without legal status. However, moving forward on this issue will require a balanced approach that recognizes their contributions while maintaining the integrity of the immigration program and making it clear that breaking the rules is not acceptable. CIC is presently developing options and will continue to work toward a solution with its key partners.



## NATIONAL DEFENCE

### AFGHANISTAN—LOSS OF LIVES—TRIBUTE

**Hon. Marcel Prud'homme:** Honourable senators, just before we proceed to Orders of the Day, and I am sure Your Honour will tell me if this is not an appropriate time, but I am sure honourable senators would like to have a moment of silent prayer because a Canadian soldier has just been killed in Afghanistan. One Canadian was killed and four were injured in an accident.

I think it would be appropriate to remind ourselves, while we celebrate Christmas, of the tragedy that some Canadians serving their country are going through at the moment, and offer their families our sympathy and prayers.

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I thank Senator Prud'homme for his statement. If it is agreeable to the chamber, I believe recognition would be appropriate by a moment of standing silence.

*Honourable senators stood in silent tribute.*

[Translation]

## ORDERS OF THE DAY

### TELECOMMUNICATIONS ACT

#### BILL TO AMEND—THIRD READING

**Hon. Claudette Tardif** moved the third reading of Bill C-37, to amend the Telecommunications Act, as amended.

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

**Hon. Senators:** Question!

Motion agreed to and bill, as amended, read third time and passed.

[English]

## LIBRARY OF PARLIAMENT

### SECOND REPORT OF JOINT COMMITTEE ADOPTED

The Senate proceeded to consideration of the second report of the Standing Joint Committee on the Library of Parliament (appointment of Mr. William Robert Young to the office of Parliamentary Librarian) presented in the Senate on November 23, 2005.

**Hon. Marilyn Trenholme Counsell:** I move the adoption of the report.

[Translation]

**Hon. Eymard G. Corbin:** Honourable senators, I would like to make a few comments and question some things. First, I want to say that I do not personally know the proposed candidate for the office of Parliamentary Librarian. This individual may have

been present at some meetings, including those of the Joint Committee on the Library of Parliament, but I have no recollection of that. So, the comments that I am about to make are non personal in nature, and I want to stress that.

What are of interest to me are the position and its requirements. Before continuing, I want to point out to the Senate that, in the second report submitted by our colleague, Senator Trenholme Counsell, paragraph three provides that a copy of the relevant minutes of meeting No. 5 is tabled in the House of Commons. Those minutes were not tabled in the Senate. I find that unacceptable. I was told that this document must be tabled in the House of Commons under its Standing Orders. Why not table it in the Senate at the same time? Since this is a joint committee of the Senate and the House of Commons, we have a right to take into consideration the minutes of the committee's proceedings, or at least to be informed of them.

Having said that, I have with me the so-called unedited version of the evidence of the Standing Joint Committee on the Library of Parliament. That version does not include the minutes. Moreover, after its public hearing, the committee held an in camera meeting. We do not know what happened during that meeting, but surely some decisions were made. We are in the dark as regards certain quasi legal procedures.

• (1500)

We have the committee's second report, as I mentioned earlier, the second paragraph of which states, "The Committee approves the appointment of Mr. Young to the office of Parliamentary Librarian."

The office of Parliamentary Librarian is a very prestigious one, both nationally and in parliamentary circles. This is one of the most prestigious positions in the library community. I must assume that there was an open and public call for candidates for the position. I made inquiries. Apparently some individuals had asked how many candidates had applied and were told that this information was not available. These are just a few preliminary comments that may prove relevant later.

I examined the linguistic profile required for this bilingual position. I noted, upon examination, that candidate had Public Service of Canada qualification "ECC." I asked what this qualification meant and, unfortunately, I did not receive the explanation of this linguistic profile in time. However, informally, I was told that "E" stands for exemption.

I met privately with various members of the committee, whom I will not name — the conversation was confidential and, as a senator, I think I have the right to get information from the appropriate sources. I was told that the candidate was perhaps bilingual but not very strong in French. I want to insist on this point here.

As I indicated, the office of Parliamentary Librarian is a prestigious one. We know the care that the House has taken over the years in examining candidates for parliamentary positions, including that of Auditor General, Commissioner of the Official Languages and Privacy Commissioners, to name just four or five that you know as well as I do. I believe that, in each case, the

Senate ensured that the applicants had not only satisfactory but rather exceptional linguistic qualifications; meaning that the candidate is able to function in both languages, in terms of both oral and written proficiency.

It is my duty to bring attention to this matter. I am the chair of the Standing Senate Committee on Official Languages. This is not a matter of narrow interest, but a matter of official policy of the Government of Canada and its parliamentary institutions. It has been established since 1969 that federal parliamentary institutions are bilingual in character. As a result, the government has a primary obligation, when proceeding by order-in-council, to ensure that applicants meet that high standard. This is primarily in the public interest, but also in the interests of each of us.

Judging by the evidence of that meeting of the Official Languages Committee, it seems the Senate is the top customer of the Library of Parliament, ranking even above the House of Commons. I personally make use of its services rather often. I have had the opportunity of meeting the former Parliamentary Librarian, Mr. Richard Paré, who retired last year. Mr. Paré was perfectly bilingual.

That said, I would like someone to assure me that the candidate recommended by cabinet for this position does indeed possess a high degree of competency in both official languages. I attach a great deal of importance to that qualification, not only for myself, and not only out of concern for the members of the Standing Senate Committee on Official Languages, but also for the employees of the Library of Parliament. Obviously, this person will need to be in contact daily with subordinates, and to organize both public and private meetings. His duties will often require him to receive foreign delegations. I therefore feel it is vital for the Parliamentary Librarian to be able to communicate readily in both official languages.

I was amazed to see that this ability was not looked into when the candidate was examined in the joint committee. I think that the Senate should verify this point. When we examine the candidate for Commissioner of Official Languages or Auditor General in the Senate, we can satisfy ourselves immediately that the individual does possess the language requirements, because we can hold a conversation with him or her.

I would therefore have a question for our esteemed colleague, the Honourable Senator Trenholme Counsell. Could she tell us whether the committee is fully satisfied with the language skills of the candidate for the position of Parliamentary Librarian?

**Senator Trenholme Counsell:** Honourable senators, I will attempt to answer in French. You will notice that I have some difficulty with my second language. However, I appreciate your question.

The committee heard Mr. Young during more than 30 minutes. In our discussions, both official languages of this country were used. Mr. Young answered each question clearly, exhaustively and satisfactorily, in French and in English alike. This satisfied the committee as to his ability to communicate effectively in both our official languages. Of course, like me and many other English speakers, he had some difficulty. But I think that this is true of members of both linguistic communities in our country. I will tell you also that M. Young made his presentation to our committee

in both official languages. I want to assure you that the committee was satisfied with his ability to communicate in both official languages.

• (1510)

**Senator Corbin:** Thank you.

**Hon. Marcel Prud'homme:** Honourable senators, first I want to thank and commend Senator Trenholme Counsell. When you make the effort, you can express yourself in either language and Senator Trenholme Counsell is a fine example of that. When I first arrived in Ottawa, I did not speak English. With some effort, we manage to understand one another. I often ask her how to pronounce certain words in English. That is how Canadians can work together in harmony.

[*English*]

I do not want to cast any doubt on the integrity and the suggested wisdom, which I believe my colleague has shown in the high job she has occupied in a province where it has not always been easy to be French speaking. She was the Lieutenant Governor of that province. Therefore, my comments have nothing to do with personality or criticism. They are about the process.

Again, this is not a criticism; it is a comment. Honourable senators will remember that I said, prior to this being sent to committee, that I would have preferred to have this high officer, as Senator Corbin has pointed out — appear here because I deal with the library. My office is always dealing with the library. As Mr. Trudeau used to say, “Do not start bothering me with bilingual elevator people.” Go to the top, and at the top it flows back down to the elevator people, who I had a great deal of respect for in the old days. We do not have elevator people anymore; we have to push our own buttons. However, when I arrived, people used to run the elevators. People were mad and they always attacked the wrong person. If you insist on that from the top down, the message gets down. That was the Trudeau way and that is my way.

I regret that my esteemed colleague, Senator Kinsella, did not insist this time. It was because of his precedent that we had these high officers appear in front of the Senate. It may serve us in the future to be slow and not to be afraid to take our time because we may have to live with this man for 20 years. Long after I am gone, he will still be there.

For the people who are masters of a language, to work for someone who may take a long time to answer their request, do as I do when people are too slow in French at a cocktail and dinner reception and they think I am a teacher. They start speaking in French very painfully and I would rather switch to English: otherwise the evening is ruined. Most likely the same goes for people who do that with broken English. The process and the fact that the person is appointed and then, after that, staff, it reminds me of what is going on in the justice committee at the moment. It is a small committee *tenu au secret*.

They are given a list of six possible names that are pre-chosen, and they chose among these six. “Recommend some to me, Minister of Justice, and I shall recommend to the Prime Minister who should be the next justice for the Supreme Court from

Western Canada.” I totally disagree with the process. I like the old process, where the Prime Minister takes ultimate responsibility for a bad nomination and a good nomination. I will stand all my life for the old choice. The Prime Minister, and every Prime Minister, have made good choices for the Supreme Court of Canada. I defend the process because people are under the impression that these people come from a patronage list. Well, the process is much different.

Judge Antonio Lamer was a long-time friend in the Young Liberals, and then he forgot about politics. He used to tell me that the process is much more elaborate than that. The consultation is unbelievable, with the local bar, the national bar, the RCMP and CSIS. When the Minister of Justice arrives with a proposal to the Prime Minister, the Prime Minister exercises, as he should, his ultimate choice, and then he takes the ultimate responsibility. That is what I want: ultimate responsibility.

We cannot blame Senator Trenholme Counsell. She was given that name. They listened to him and they found out that maybe he is the best man. I do not know the gentleman. Maybe I dealt with him, because I deal with the library often. Again, I want to wish him good luck if he is the successful candidate, and it seems he will be. However, next time there is an officer appointment I call on Senator Kinsella — to reinstitute his very good proposal. If by any chance he was to sit on the other side after the next election — you never know what happens in life — he will have the same idea that Senator Kinsella had of by continuing the process that works well in the Senate. In the Committee of the Whole we have seen these high officers appear and be treated, not like in the House of Commons, like a circus atmosphere, but highly treated. It was good for the Senate; it was good for our reputation, and then senators take their responsibility. They are either for or against. We have done that in the past. I only want it to be positive. Perhaps it is my positive day, but after yesterday I am told I went too far, if that is the senator’s inference. I mean my neighbour here.

I hope in the future, the Leader of the Government, Senator Austin, who I have known for so long, will reflect on that. If there are any other officers, it is a good way to enhance the role of the Senate because then we even bring in television and Canadians see the seriousness of the debate of the Senate. I regret that many of the major debates that took place in the Senate were not televised. Canadians will immediately say, “My God, what a serious bunch of people they are there.” They should really put in the effort to be serious and show what the Senate is all about.

Honourable senators, I have said enough, but, again, I acted on the spur of the moment because when I was younger, in Manitoba, I used to pronounce differently and make everyone laugh on television. However, on the spur of the moment I said that we should have had this officer here on the floor of the Senate. Then everyone would be satisfied with the recommendation that is put forward now. That is taking nothing away from the comments made by Senator Corbin, because every time Senator Corbin speaks — and I have known him since 1968 — he is not as excited as I may be.

[Translation]

He is level-headed and thoughtful. He shares his wisdom and his thoughts with us. I thank him. I thank Senator Trenholme

Counsell for representing us with dignity at the official languages committee. I cannot say the same about certain members of the other place that I saw in action on that committee.

[English]

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I want to commend Senator Corbin for his intervention, and also, of course, our colleagues Senator Trenholme Counsell and Senator Prud’homme. Of course I support the motion, but I would like to give the chamber some information about this situation because, frankly, there is a total lacuna in our rules with respect to the Parliamentary Librarian.

• (1520)

Section 75(1) of the Parliament of Canada Act provides:

The Governor in Council may, by commission under the Great Seal, appoint a Parliamentary Librarian to hold office during pleasure.

Therefore, this is purely the function of the Governor-in-Council.

Honourable senators will know that in parliamentary practice the other place has claimed a role through its rules. Of course, that is not something that legally a government need heed, but in terms of wise process the government of whatever day does pay attention.

Article 111.1(1) of the *Standing Orders of the House of Commons* provides:

Where the government intends to appoint an Officer of Parliament, the Clerk of the House, the Parliamentary Librarian or the Ethics Commissioner, the name of the proposed appointee shall be deemed referred to the appropriate standing committee, which may consider the appointment during a period of not more than thirty days following the tabling of a document concerning the proposed appointment.

Those are all appointments that can be made by the Governor-in-Council, but the House of Commons, in this instance and in others, has claimed a right to process. We have not done so.

Accordingly, in bringing the motion, Senator Trenholme Counsell brought a step to the chamber which claims a role, and appropriately so. I concur with the submission that this chamber should have a role with respect to parliamentary officers. Of course I agree with the arguments of Senator Prud’homme that the Parliamentary Librarian is a particularly important officer in the practices of the Senate.

I would like to suggest to the Standing Committee on Rules, Procedures and the Rights of Parliament and to Senator Smith, its chairman, that the committee take under its own authority consideration of a rule of the Senate that parallels the processes provided in the standing orders of the other place so that we can claim an entitlement to officially consider this appointment and put the Governor-in-Council on notice that we do have a role.

[*Translation*]

**Hon. Noël A. Kinsella (Leader of the Opposition):** Honourable senators, I fully agree with the suggestion made by the Leader of the Government. In this second report, I found the last paragraph interesting. It reads:

A copy of the relevant Minutes of Proceedings (*Meeting No 5.*) is tabled in the House of Commons.

As a senator, if I want to look at the minutes of the preparatory work of that committee, I must go to the other place to do so. This is a good example. I agree with Senator Austin's suggestion that the Standing Senate Committee on Rules, Procedures and the Rights of Parliament should review this issue.

As regards Mr. Young's appointment to the Library of Parliament, it would be advisable to have a meeting of the Committee of the Whole in the Senate. This is one option, but there are others. We also have the Standing Joint Committee on the Library of Parliament, on which both houses are represented.

It is important that we have access to the minutes of this joint committee. Of course, the proceedings of standing or special Senate committees are an extension of the work of the Senate itself. In this sense, the review made by our colleagues on the joint committee is the equivalent of a review made in the Senate. This is why I support the adoption of this report.

[*English*]

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

Motion agreed to and report adopted.

### CANADIAN HUMAN RIGHTS ACT

#### BILL TO AMEND—SECOND READING— SUBJECT MATTER REFERRED TO COMMITTEE

On the Order:

Resuming debate on the motion of the Honourable Senator Kinsella, seconded by the Honourable Senator Meighen, for the second reading of Bill S-45, to amend the Canadian Human Rights Act.—(*Honourable Senator Rompkey, P.C.*)

**Hon. Bill Rompkey (Deputy Leader of the Government):** Honourable senators, we propose that the subject matter of this bill be referred to the Standing Senate Committee on Human Rights, and that the item stand in its place on the Order Paper pending the return of the report of the committee.

**The Hon. the Speaker *pro tempore*:** Is that agreed, honourable senators?

Motion agreed to.

• (1530)

### THE SENATE

#### MOTION TO EXTEND GREETINGS AND BEST WISHES TO MEMBERS OF ARMED FORCES ADOPTED

**Hon. Bill Rompkey (Deputy Leader of the Government),** for Senator Di Nino, pursuant to notice of November 3, 2005, moved:

That the Senate extend greetings and best wishes to the members of the Canadian Forces for their invaluable contribution to international peace and security;

That the Senate offer praise in particular to the brave group of men and women serving in Afghanistan, a dangerous and difficult mission, but one which is improving the lives of millions of Afghans and directly contributing to the safety and security of all Canadians; and

That a message be sent to the House of Commons requesting the House to unite with the Senate for the above purpose.

He said: Honourable senators, I previously had words with Senator Di Nino, and I know that he would like to have this motion passed today, particularly in view of the sad news raised by Senator Prud'homme at the beginning of the session and the honour that was paid by the chamber. I move that we adopt this motion.

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

Motion agreed to.

The Senate adjourned until tomorrow at 9 a.m.

## CONTENTS

Thursday, November 24, 2005

	PAGE		PAGE
<b>SENATORS' STATEMENTS</b>		<b>Internal Economy, Budgets and Administration</b>	
<b>Government-Aboriginal Conference</b>		Thirteenth Report of Committee Presented.	
Hon. Jack Austin . . . . .	2181	Hon. George J. Furey . . . . .	2185
<b>Russian Famine-Genocide of 1932-33</b>		<b>Wage Earner Protection Program Bill (Bill C-55)</b>	
<b>World War I Disenfranchised Ukrainian-Canadians</b>		Report of Committee.	
Hon. A. Raynell Andreychuk . . . . .	2181	Hon. Jeremiah S. Grafstein . . . . .	2186
<b>Appointment of Mr. Bhupinder Liddar as Consul General to Chandigarh, India</b>		Hon. Fernand Robichaud . . . . .	2187
Hon. Marcel Prud'homme . . . . .	2181	Hon. Madeleine Plamondon . . . . .	2187
<b>National Addictions Awareness Week</b>		<b>First Nations Oil and Gas and Moneys Management Bill (Bill C-54)</b>	
Hon. Ione Christensen . . . . .	2182	Report of Committee.	
<b>Indian Residential Schools</b>		Hon. Nick G. Sibbeston . . . . .	2187
Hon. Pat Carney . . . . .	2182	Hon. Fernand Robichaud . . . . .	2187
<b>Recognition of Speaker's Parade</b>		Hon. Madeleine Plamondon . . . . .	2187
Hon. Tommy Banks . . . . .	2183	<b>Energy Costs Assistance Measures Bill (Bill C-66)</b>	
<hr/>		Report of Committee.	
<b>ROUTINE PROCEEDINGS</b>		Hon. Tommy Banks . . . . .	2188
<b>Study on Government Policy for Managing Fisheries and Oceans</b>		Hon. Fernand Robichaud . . . . .	2188
Government Response Report of Fisheries and Oceans Committee Tabled.		Hon. Madeleine Plamondon . . . . .	2188
Hon. Fernand Robichaud . . . . .	2183	<b>Study on Issues Related to Mandate</b>	
<b>Public Safety and Emergency Preparedness</b>		Interim Report of Energy, the Environment and Natural Resources Committee Tabled.	
Air India Plane Crash—Report of Independent Advisor Tabled.		Hon. Tommy Banks . . . . .	2188
Hon. Fernand Robichaud . . . . .	2183	<b>Business of the Senate</b>	
<b>Treasury Board</b>		Notice of Motion to Authorize Sunday Sitting.	
2005 Annual Report Tabled.		Hon. Fernand Robichaud . . . . .	2188
Hon. Fernand Robichaud . . . . .	2183	Notice of Motion to Extend Friday Sitting.	
<b>Criminal Code (Bill C-49)</b>		Hon. Fernand Robichaud . . . . .	2188
Bill to Amend—Report of Committee.		<b>Canada-Europe Parliamentary Association</b>	
Hon. Lise Bacon . . . . .	2183	Fourth Winter Session of OSCE Parliamentary Assembly, February 24-25, 2005—Report Tabled.	
Hon. Madeleine Plamondon . . . . .	2183	Hon. Consiglio Di Nino . . . . .	2188
<b>Criminal Code</b>		<b>Canada-China Legislative Association</b>	
<b>Controlled Drugs and Substances Act (Bill C-53)</b>		Asia-Pacific Parliamentary Conference on Renewable Energies, June 4, 2005—Report Tabled.	
Bill to Amend—Report of Committee.		Hon. Joseph A. Day . . . . .	2188
Hon. Lise Bacon . . . . .	2184	<b>Canada-Europe Parliamentary Association</b>	
Hon. Fernand Robichaud . . . . .	2184	Fourteenth Annual Session of OSCE Parliamentary Assembly, July 1-5, 2005—Report Tabled.	
Hon. Madeleine Plamondon . . . . .	2184	Hon. Consiglio Di Nino . . . . .	2189
<b>Remote Sensing Space Systems Bill (Bill C-25)</b>		<b>Canada-Japan Inter-Parliamentary Group</b>	
Report of Committee.		Twenty-sixth General Assembly of ASEAN Inter-Parliamentary Organization, September 18-23, 2005—Report Tabled.	
Hon. Peter A. Stollery . . . . .	2184	Hon. Vivienne Poy . . . . .	2189
Hon. Fernand Robichaud . . . . .	2184	<b>Canadian NATO Parliamentary Association</b>	
Hon. Madeleine Plamondon . . . . .	2184	Spring Session of NATO Parliamentary Assembly, May 27-31, 2005—Report Tabled.	
<b>Public Servants Disclosure Protection Bill (Bill C-11)</b>		Hon. Jane Cordy . . . . .	2189
Report of Committee.		Hon. Marcel Prud'homme . . . . .	2189
Hon. Joseph A. Day . . . . .	2185	<b>Business of the Senate</b>	
Hon. Fernand Robichaud . . . . .	2185	Notice of Motion to Deal with Bill C-331 and Bill C-259.	
Hon. Madeleine Plamondon . . . . .	2185	Hon. Terry Stratton . . . . .	2189
<b>Study on State of Health Care System</b>		<b>Tibet</b>	
Fourth Interim Report of Social Affairs, Science and Technology Committee Tabled.		Notice of Motion in Support of Autonomy.	
Hon. Michael Kirby . . . . .	2185	Hon. Consiglio Di Nino . . . . .	2189

	PAGE
<b>Banking, Trade and Commerce</b>	
Notice of Motion to Authorize Committee to Meet During Sitting of the Senate.	
Hon. Jeremiah S. Grafstein . . . . .	2189
Hon. Madeleine Plamondon . . . . .	2189
Hon. Consiglio Di Nino . . . . .	2189

<b>Treatment of Autism</b>	
Presentation of Petition.	
Hon. Gerald J. Comeau . . . . .	2190

---

## QUESTION PERIOD

<b>Transport</b>	
Pearson International Airport—Rent Fees.	
Hon. David Tkachuk . . . . .	2190
Hon. Jack Austin . . . . .	2190

<b>Health</b>	
Canadian Food Inspection Agency—Asian Farm Fish—Presence of Malachite Green.	
Hon. Gerald J. Comeau . . . . .	2191
Hon. Jack Austin . . . . .	2191

<b>Fisheries and Oceans</b>	
Processing and Marketing of Fish Products.	
Hon. Gerald J. Comeau . . . . .	2191
Hon. Jack Austin . . . . .	2191

<b>The Environment</b>	
Policy on Emissions Reduction Targets—Use of Renewable Energy—Offset Policy.	
Hon. Elaine McCoy . . . . .	2192
Hon. Jack Austin . . . . .	2192

<b>Finance</b>	
Proposal to Reduce Goods and Services Tax.	
Hon. Lowell Murray . . . . .	2192
Hon. Jack Austin . . . . .	2192
Hon. Marcel Prud'homme . . . . .	2192

<b>National Defence</b>	
Proposed Equipment Expenditures.	
Hon. J. Michael Forrestall . . . . .	2192
Hon. Jack Austin . . . . .	2192

	PAGE
<b>Industry</b>	
New Rules for Lobbyists—Process for Lodging Complaints—Policing of Industry.	
Hon. Madeleine Plamondon . . . . .	2193
Hon. Jack Austin . . . . .	2193

<b>Delayed Answers to Oral Questions</b>	
Hon. Bill Rompkey . . . . .	2193

<b>National Defence</b>	
Replacement of Aircraft—Omnibus Purchase.	
Question by Senator Forrestall.	
Hon. Bill Rompkey (Delayed Answer) . . . . .	2193

<b>Citizenship and Immigration</b>	
Proposal to Admit New Immigrants—Ability to Process Applicants.	
Question by Senator Cochrane.	
Hon. Bill Rompkey (Delayed Answer) . . . . .	2194

<b>National Defence</b>	
Afghanistan—Loss of Lives—Tribute.	
Hon. Marcel Prud'homme . . . . .	2195
Hon. Jack Austin . . . . .	2195

---

## ORDERS OF THE DAY

<b>Telecommunications Act (Bill C-37)</b>	
Bill to Amend—Third Reading.	
Hon. Claudette Tardif . . . . .	2195

<b>Library of Parliament</b>	
Second Report of Joint Committee Adopted.	
Hon. Marilyn Trenholme Counsell . . . . .	2195
Hon. Eymard G. Corbin . . . . .	2195
Hon. Marcel Prud'homme . . . . .	2196
Hon. Jack Austin . . . . .	2197
Hon. Noël A. Kinsella . . . . .	2198

<b>Canadian Human Rights Act (Bill S-45)</b>	
Bill to Amend—Second Reading—Subject Matter Referred to Committee.	
Hon. Bill Rompkey . . . . .	2198

<b>The Senate</b>	
Motion to Extend Greetings and Best Wishes to Members of Armed Forces Adopted.	
Hon. Bill Rompkey . . . . .	2198



