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Thursday, May 14, 1998

THE HONOURABLE EYMARD G. CORBIN
ACTING SPEAKER

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THE SENATE

Thursday, May 14, 1998

The Senate met at 2:00 p.m., the Acting Speaker, Eymard G. Corbin, in the Chair.

Prayers.

SENATORS' STATEMENTS

HEALTH

HIRING OF FORMER PARTI QUÉBÉCOIS CANDIDATE AS ADMINISTRATOR OF OTTAWA HOSPITAL

Hon. Philippe Deane Gigantès: Honourable senators, something disgraceful is going on in Ottawa, and it should stop.

[*Translation*]

I am talking about the controversy surrounding the appointment of David Levine as CEO of the new Ottawa hospital. There are people in Ottawa who have openly opposed the appointment because he has a Péquiste background. Péquistes do the same thing, but we are not like them. We should not ape the misguided actions of a separatist government that inquires into a person's political beliefs before hiring him.

I once told a candidate that she had won a job competition. She replied "But, senator, did you know I was a separatist?" I said to her "You are a Canadian citizen. Will you be loyal to me when performing your duties as my secretary?" She said she would, and I told her she had the job. She was loyal, too. That is the Canadian reality, the Canadian ideal. It is shameful to attack someone because of their political beliefs.

[*English*]

THE ECONOMY

REPORT ON GROWTH OF BUSINESS ON PRINCE EDWARD ISLAND

Hon. Catherine S. Callbeck: Honourable senators, I rise today to express my thanks to the Certified General Accountants Association of Prince Edward Island and the Atlantic Provinces Economic Council for their recent report "Linked For the Good — Opportunities and Challenges for Prince Edward Island."

In their report, they highlight the fact that along with Alberta and British Columbia, Prince Edward Island has the strongest net rate of new business starts in the 1990s. It indicates that, in 1995, small- and medium-sized employers accounted for 36 per cent of total Island payroll, well above the Canadian average of

29 per cent. Productivity gains of workers have been impressive but hurdles remain to ensure that gains continue.

Much of the good growth they foresee is related to Confederation Bridge. However, the bridge, in the context of the report, is but a symbol for the global links that are being made and which must be maintained given what is happening on the economic front around the world. They offer four themes that I personally support to serve as a basis for building the Island's prosperity — trade readiness, skills readiness, business capabilities and fiscal responsibility.

In 1995 and 1996, when I was a member of Team Canada, I had the opportunity to see how important to our development are the links we have made as a country. The emphasis being placed on knowledge-based industries was one that was particularly striking. As the report points out, we are linked ever more closely with other peoples, cultures and economies and we must be prepared for the challenges ahead.

Now that we are improving links to the world and the rest of Canada, I would invite everyone to come and view these developments in action. The summer is a particularly beautiful time of the year to visit the Island.

Honourable senators, there is much more to do and see on Prince Edward Island than the marvels of this new business growth. Last year, 1 million people discovered the beauty of Prince Edward Island as a tourist destination. This year, we expect 1.4 million people. I invite all my honourable colleagues here and in the other place, as well as the good people of Canada, to enjoy our renowned hospitality this summer.

THE SENATE

COMMENTS OF LEADER OF GOVERNMENT

Hon. Consiglio Di Nino: Honourable senators, on May 12, 1998, Senator Ferretti Barth brought to our attention the very tragic incident that occurred in Italy in which many lives were lost. She made a very moving statement with which I associate, as I am sure do all colleagues on both sides of this chamber.

Honourable senators, on the same day, during a political debate on the visit of a number of parliamentarians of Italian origin to Italy with the Prime Minister and other ministers, in response to a question by Senator Kinsella, the Leader of the Government in the Senate referred to that statement by Senator Ferretti Barth. I think he used the statement of Senator Ferretti Barth in an inappropriate manner. I regret that. I wanted to bring to his attention that, in my opinion, his comments were inappropriate, particularly coming from a colleague who is held in such high esteem on both sides of this chamber.

INDEBTEDNESS IN DEVELOPING COUNTRIES

Hon. Nicholas W. Taylor: Honourable senators, I would like to draw to your attention a serious debt crisis that threatens the interests of Canadians. It is not Canada's national debt to which I refer, but rather the immense problem of developing countries' indebtedness. In 1996 the debt of developing countries was US\$1.5 trillion. Many countries are paying more than 20 per cent of their gross national product just to service their share of that debt. The International Monetary Fund counted 41 countries that were "heavily in debt." Of those 41 countries, some 32 are in Africa, in the sub-Saharan area.

•(1410)

In some parts of the world, no amount of belt-tightening can realistically be expected to solve the debt problem. On the contrary, the growth that is required to start paying off these debts can only be expected if there is a massive investment in human, physical and social capital.

There is a potential here, though, for a win-win solution for both debtors and debt holders, remembering that Canada is not only an exporter of materials but an exporter of capital. Industrial countries export an ever greater percentage of their products to developing markets. Obviously, therefore, prosperous economies in the developing world would be of benefit to Canadian businesses. The converse is also true: Collapse and stagnation in developing countries would cost Canada dearly. Not only would Canadians forego potential export earnings if the economies of these countries failed. Canadians would also face the cost of peace-keeping services provided to assist in foreign conflicts aggravated by poverty. As with many other things in life, we can do the right thing and make small sacrifices now or we can live with the consequences of inaction and pay large costs later.

I know that Canada is playing a role in helping these heavily indebted countries cope, but if I could make only three suggestions, they would be the following: First, we must work with our international partners to reschedule debt for heavily indebted countries. Second, we must ensure that developing countries borrow under the best terms possible. The governments of such developing countries must be able to call on experts who are independent of both the political process and of international lending organizations. In other words, honourable senators, they need the economic expertise, the "buy forwards" and all the other gimmicks that are used, and advice on what currencies should be paid back, not to mention a system to help control their debt.

Third, we must encourage the integration of developing countries into a world economy of information and services, and not just economies of resource exploitation. Given the appropriate investments in infrastructure and education, developing countries could meet the demand for clerical or long-distance services, such as data processing and software development.

On my recent trip to Namibia, in southern Africa, I saw firsthand the conflicts and poverty that severe indebtedness

generates. Let me suggest, honourable senators, that it is in the interests of both our enlightened self-interest as Canadians and our duty as fellow humans to prevent developing countries from drowning in debt.

ROUTINE PROCEEDINGS

AGRICULTURE AND FORESTRY

STUDY OF PRESENT STATE AND FUTURE OF FORESTRY—
REPORT OF COMMITTEE REQUESTING AUTHORIZATION
TO ENGAGE SERVICES AND TO TRAVEL PRESENTED
AND PRINTED AS APPENDIX

Hon. Leonard J. Gustafson, Chair of the Standing Senate Committee on Agriculture and Forestry, presented the following report:

Thursday, May 14, 1998

The Standing Committee on Agriculture and Forestry has the honour to present its

FOURTH REPORT

Your committee, which was authorized by the Senate on November 18, 1997 to examine matters relating to the present state and the future of forestry in Canada, and to present its final report no later than December 15, 1998, respectfully requests that it be empowered to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purpose of the committee's examination and to adjourn from place to place within Canada for the purpose of such examination.

Pursuant to Section 2:07 of the *Procedural Guidelines for the Financial Operations of Senate Committees*, the Budget submitted to the Standing Committee on Internal Economy, Budgets and Administration are appended to this report.

Respectfully submitted,

LEONARD J. GUSTAFSON
Chair

(For text of report, see today's Journals of the Senate, Appendix "A," p. 683.)

The Hon. the Acting Speaker: When shall this report be taken into consideration, honourable senators?

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

TOBACCO INDUSTRY RESPONSIBILITY BILL

[English]

REPORT OF COMMITTEE PRESENTED AND PRINTED AS APPENDIX

Hon. Lowell Murray: Honourable senators, I have the honour to present the seventh report of the Standing Senate Committee on Social Affairs, Science and Technology, which deals with Bill S-13, to incorporate and to establish an industry levy to provide for the Canadian tobacco industry community responsibility foundation.

I ask that the report be printed as an appendix to the *Journals of the Senate* of this day.

(For text of report, see today's Journals of the Senate Appendix "B," p. 693.)

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

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

**INTERNAL ECONOMY, BUDGETS
AND ADMINISTRATION**

NINETEENTH REPORT OF COMMITTEE TABLED

Hon. Pierre Claude Nolin: I have the honour to present the nineteenth report of the Standing Committee on Internal Economy, Budgets and Administration, regarding the various committee budgets for the fiscal year 1998-99.

(For text of report, see today's Journals of the Senate.)

The Hon. the Acting Speaker: When shall this report be taken into consideration?

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

[Translation]

ADJOURNMENT

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(h), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, May 26, 1998, at two o'clock in the afternoon.

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

Hon. Senators: Agreed.

Motion agreed to.

NATIONAL REVENUE

TREATMENT OF TAXPAYERS—NOTICE OF INQUIRY

Hon. Philippe Deane Gigantès: Honourable senators, on Tuesday, May 26, I will call the attention of the Senate to the shameful way Canadians are treated by the procedures of the personal income tax system. I shall suggest that the Senate propose corrective steps.

•(1420)

QUESTION PERIOD**INDUSTRY**

AGREEMENT ON INTERNAL TRADE—
FAILURE TO COVER PROCUREMENT IN THE MASH SECTOR—
REQUEST FOR TABLING OF AGREEMENT

Hon. James F. Kelleher: Honourable senators, my question is directed to the Leader of the Government in the Senate.

In their 1993 Red Book, the Liberal government told the Canadian people that it would eliminate interprovincial trade barriers on an urgent basis. Yesterday, the leader advised the Senate that:

The federal, provincial and territorial governments recently reached an agreement on procurement in the so-called MASH sector which, my honourable friend will know, covers municipalities, academic institutions, social and health services.

However, yesterday I noted that two of the most important elements of the MASH sector were excluded from the agreement, namely, social services and health. I also stated that, with the greatest respect, the people who supplied his answer did not supply him with the correct information.

Will the leader table this agreement in the Senate so that all honourable senators can carefully review what it contains and, more important, what it excludes?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, if it is available, I should be happy to table the agreement. Senator Kelleher questioned the accuracy of my information with respect to interprovincial trade, but I wish to make it perfectly clear that an agreement on procurement in the so-called MASH sector has indeed been reached. The agreement will apply to all jurisdictions except British Columbia and the Yukon Territories, as my honourable friend pointed out to me privately after the session concluded yesterday, and will cover all entities in the MASH sector.

I stress the word “entities.” My honourable friend may be confusing who is covered by the deal with what specific services are covered by the agreement. While it is true that health and social services are excluded, procurement by health and social service entities is indeed subject to the agreement.

By not including health and social services, the result is that such services as those provided by individual doctors and social care workers may be excluded. However, the entities in the sector, such as hospitals, are bound by the agreement. For instance, if a hospital wishes to purchase new computers, it will be bound by the agreement. There is a difference in terms of the entity and the procurement process.

Senator Kelleher: Honourable senators, I have now had an opportunity to review the official press release dated February 20, 1998, which announced the agreement to which the Leader of the Government in the Senate has referred today.

First, I note that article 517 of the agreement on internal trade required a MASH agreement to be concluded no later than June 30, 1995. However, contrary to their Red Book commitment, the leader’s government did not proceed on an urgent basis because they allowed this deadline to slip by over two and one-half years.

Second, the press release states that not all of the provinces and the territories have signed the agreement and confirms that the federal Minister of Industry and his colleagues have excluded “health and social services.”

The day after these exclusions were announced, *The Globe and Mail* reported the following reaction from the president of the Canadian Chamber of Commerce, and I quote: “They just knocked out 50 per cent of the MASH sector. It makes a mockery of the whole negotiations on the MASH sector.” *The Globe and Mail* also reported that the president of the chamber of commerce stated that he did not see many signs of progress in other areas of the agreement.

In light of these missed deadlines and significant exclusions, will the Leader of the Government in the Senate consult with the Prime Minister and report back to the Senate with correct information on the steps the government is currently taking to honour its Red Book commitment and implement article 517 of the agreement on internal trade?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, I would be happy to bring forward a complete report for my honourable friend. As the honourable senator indicated yesterday, he has considerable experience in this field as a former minister for international trade. However, I am advised that considerable progress is being made at the present time. Indeed, at the annual first ministers conference in August of 1997, there was a request by the parties to complete this work as soon as possible. Provincial negotiators are working to meet this commitment at the present time.

HEALTH

FEDERAL-PROVINCIAL COMPENSATION PACKAGE FOR VICTIMS OF HEPATITIS C—COMMENTS OF MINISTER—GOVERNMENT POSITION

Hon. Pierre Claude Nolin: Honourable senators, my question is for the Leader of the Government in the Senate.

Yesterday I referred to comments made by the Minister of Health in the other place on May 1, 1998. The Leader of the Government in the Senate referred to a decision taken by not only the government of the Province of Quebec, but also unanimously by all the parties in the National Assembly of Quebec, including the Honourable Jean Charest, as leader of the provincial Liberal Party. The Leader of the Government in the Senate referred to the unanimous decision on compensation to all infected Canadians by hepatitis C.

The Minister of Health has now indicated that this agreement was cynical, unacceptable and hypocritical; is that still the opinion of the government?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, I look forward to Minister Rock’s comments following the meetings which are taking place at the present time and which will also determine his phraseology.

FOREIGN AFFAIRS

REACTION OF GOVERNMENT TO NUCLEAR TESTING BY INDIA—CONTRAST IN REACTION WITH UNITED STATES GOVERNMENT—GOVERNMENT POSITION

Hon. Terry Stratton: Honourable senators, my question is addressed to the Leader of the Government in the Senate.

India’s detonation of five nuclear devices in the desert adjacent to the Indo-Pakistani border has shocked the world this week, prompting the United States and Japan to begin proceedings to impose serious economic sanctions against the Indian government.

Although the Prime Minister condemned these Cold War, primitive actions, he indicated that he did not want to cut any of the \$29 million in foreign aid which Canada gave to India last year. It seems that with each passing day this government’s position on linking Canada’s foreign relations to some standard of moral responsibility crumbles. As a comparison, the U.S. has cancelled aid for economic development, except for humanitarian aid involving food, medical and disaster relief. The U.S. has stopped sales of military equipment by U.S. companies. They have stopped loans from U.S. banks except for food purchases. U.S. government loans, credits and other financial assistance have been stopped.

Support of India's request for loans from the World Bank and the International Monetary Fund is no longer there. Canada, on the other hand, has so far stopped \$2.5 million in military exports, which is aimed at trade talks set for next week.

My question is: When the U.S. can move so quickly and harshly, as it should to deal with this issue, why are we not responding in kind?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, you will find that Canada is responding in kind. Canada condemns the nuclear testing by India. India has been playing a dangerous game which may trigger a nuclear arms race in South Asia.

Yesterday, the Prime Minister announced that Canada's relations with India have been put on hold. A range of ministerial contacts, bilateral consultations and negotiations have been cancelled. Military exports to India have been banned. Canada's High Commissioner to India has been ordered home. Canadian International Development Agency, CIDA, talks have been cancelled. Bilateral trade policy talks have been cancelled. Talks under the joint ministerial committee have been cancelled. Discussions on the bilateral understanding on the environment have been cancelled. Military exports have been banned. Further considerations are being given to what other restrictions may be imposed.

•(1430)

Senator Stratton: Honourable senators, those are all very nice but they deal with soft issues. The only way to hit folks in that situation is where it hurts: in the pocket-book. That is where we should be aiming our sanctions. We have only one item listed, the \$2.5 million in sales of defence products. Does the government not think it would be more appropriate to respond with economic sanctions? Those are the things that work.

Senator Graham: Honourable senators, I take the honourable senator's point. He mentioned the response by the United States. I should point out that the response by the United States appears rapid because there was legislation already in place forcing that government to apply sanctions automatically in the event a non-nuclear-weapons state exploded a nuclear device. Canada's response is being developed in the particular context of India's actions. We have been quick to condemn the tests and to apply appropriate unilateral measures. Other measures are being considered.

Senator Stratton: Honourable senators, when will more sanctions, particularly economic ones, be announced? Next week? Next month? Next year?

Senator Graham: Honourable senators, I am not in a position to comment at the present time.

REACTION OF GOVERNMENT TO NUCLEAR TESTING BY INDIA—
CONTRAST TO REACTION TO SIMILAR TESTING BY FRANCE
AND CHINA—GOVERNMENT POSITION

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, my supplementary question is to seek clarification on the government's attitude. When France set off some nuclear tests in the Pacific Ocean two or three years ago, there was just a "tut-tut" from the Canadian government, no sanctions. France, as far as I know, is a signatory to the treaty; India is not. Why is there this negative reaction to India and why was that same reaction not forthcoming when France set off its nuclear tests in the Pacific Ocean? The question is the same with regard to China.

Hon. B. Alasdair Graham (Leader of the Government): My understanding is that they became a signatory later.

Senator Lynch-Staunton: India is not a signatory.

Senator Graham: India, of course, is not. I believe that the authorities, led by the Prime Minister, should be commended for the actions that they have taken to date. This is a matter that will be discussed at G7 or G8 meetings in Birmingham later this week. I believe we can anticipate further communication from that particular meeting, and most particularly from our own Prime Minister.

Senator Lynch-Staunton: Honourable senators, perhaps the question was not clear enough. Why is there a different approach to different countries doing exactly the same thing? In India's case, we are getting all exercised over it. When France and China did the same thing, we let it go by. Why should India be singled out for the same kind of dangerous testing when France and China were not?

Senator Graham: What happened, happened in the past. What is important is the action that is being taken at the present time.

Senator Lynch-Staunton: The file is closed, is that what you are saying?

SAFEGUARDING OF NUCLEAR PARTNERSHIP WITH CHINA—
GOVERNMENT POSITION

Hon. Mira Spivak: Honourable senators, I did not finish my questioning yesterday on this matter. I have a question for the Leader of the Government in the Senate. India has cited Chinese aid to Pakistan's nuclear missile program and Beijing's own American-aided missile development as reasons why it has broken so aggressively into the nuclear club. Of course, fear that China is emerging as a regional, perhaps global, superpower with clear intentions to menace its neighbours has been the driving force behind a conventional weapons build-up throughout Southern and Southeast Asia.

The question is this: What confidence does the government have in the monitoring, both multinational and bilateral monitoring, and what new plan does it have to ensure that our nuclear partnership with China does not accelerate the dangerous arms race in Asia?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, our people in the Foreign Affairs Department have been in touch with the Chinese authorities. It should be pointed out that non-nuclear-weapons states, which include India, must make a binding commitment to nuclear non-proliferation. They must also agree to implement full International Atomic Energy Agency safeguards on all current and future nuclear activities, and that also applies to all countries that have signed the agreement.

Senator Spivak: Honourable senators, I am wondering also whether the government has its own intelligence, or is it relying on the CIA, the American intelligence service? The CIA's failure to detect preparations for India's underground tests in time to let policy-makers try to head them off has been called the intelligence failure of the century. What sort of intelligence, apart from these agreements, does the Canadian government rely upon or what does it have to ensure that we will not be caught by surprise yet again?

Senator Graham: The Government of Canada, of course, is relying on its own intelligence sources as well as those of its allies.

CITIZENSHIP AND IMMIGRATION

STATEMENT OF MINISTER REGARDING CITIZENSHIP OF CHILDREN BORN IN CANADA TO NON-CANADIAN PARENTS— GOVERNMENT POSITION

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, can the minister advise this house as to whether or not the Minister of Immigration was speaking on his behalf and on behalf of his colleagues and the Government of Canada when she stated, about one week ago, that children who are born in Canada of non-Canadian citizens would not be Canadian citizens?

Hon. B. Alasdair Graham (Leader of the Government): I will seek clarification on that matter as well, honourable senators.

Senator Lynch-Staunton: Two-tiered citizenship.

PRIVY COUNCIL OFFICE

INVESTIGATION OF UNAUTHORIZED DISCLOSURE OF CABINET CONFIDENCES BY RCMP—GOVERNMENT POSITION

Hon. Lowell Murray: Honourable senators, my question is prompted by the report that the government has called in the

RCMP to investigate cabinet leaks, specifically cabinet leaks regarding the TAGS program.

Will the RCMP, as its first order of business, be calling upon Premier Tobin of Newfoundland, who seems to know at any given moment what is happening in any given cabinet committee and is dispensing information freely to the media and anyone else who will listen?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, it is true that —

Senator Murray: That's it! Thank you!

Senator Graham: I certainly would not want to leave it there. The Privy Council has asked the RCMP to investigate the possible unauthorized disclosure of cabinet confidences. My honourable friend who sat in cabinet for several years, Senator Murray, would know of such matters. However, I want to assure my honourable friend that the RCMP has not been instructed on how to conduct its investigation or whom to interview.

Senator Murray: Honourable senators, I wanted to bring forward the name of Premier Tobin because of the circumstances that are well known, which I have just related, and also because he got his start in politics passing brown envelopes over transoms years ago in Newfoundland.

Senator Graham: That is what you call inside information.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, I have a response to question raised in the Senate on May 5, 1998 by the Honourable Senator Andreychuk regarding addition of caffeine to soft drinks, and a response to a question raised in the Senate on April 29, 1998 by the Honourable Senator Spivak regarding staffing and strengthening of new federal laboratories for human and animal health.

HEALTH

ADDITION OF CAFFEINE TO SOFT DRINKS— GOVERNMENT POSITION

(Response to question raised by Hon. A. Raynell Andreychuk on May 5, 1998)

Under the Canadian Food and Drug Regulations, the addition of caffeine to foods is considered to be a food additive application. Caffeine is now allowed to be used up to a level of 200 parts per million (0.02%) in cola-type beverages "to characterize the product." When used as an additive, a declaration of caffeine must be made in the list of ingredients appearing on the label of the beverage.

There are detailed preclearance procedures under the Food and Drug Regulations for food additives and anyone is entitled to offer a food additive submission to request the listing of a new food additive or extension of use of an existing additive. The Health Protection Branch (HPB) has received a submission from a company that wishes to use caffeine in citrus-based carbonated beverages. The HPB is required to process and consider any food additive submission that is offered to it.

This submission has been reviewed and the subsequent proposal has been published in the *Canada Gazette*, Part I for nation-wide consultation. In addition, a consultation targeted to a number of medical associations, consumer groups, regulatory agencies, government agencies and health professionals was conducted by the HPB. The comments received as a result of these consultations are currently under review.

STAFFING AND STRENGTHENING OF NEW FEDERAL
LABORATORIES FOR HUMAN AND ANIMAL HEALTH—
GOVERNMENT POSITION

(Response to question raised by Hon. Mira Spivak on April 29, 1998)

The Office of Biosafety publishes the Laboratory Biosafety Guidelines, now in its second edition, 1996, which are the Canadian reference for biological safety, containment and operational standards for work with any human pathogen.

These guidelines comply with and in many cases exceed other international standards including the World Health Organization and the U.S. Centers for Disease Control and Prevention.

Health Canada introduced regulations to control the importation of human pathogens into Canada and to ensure that adequate facilities exist for proper laboratory handling and containment of human pathogens.

These *Human Pathogen Importation Regulations* came into effect in August 1994.

These regulations allow the Office of Biosafety, Health Canada to assess, control and manage the risks associated with working with all human pathogens.

To ensure the health of the Canadian public and laboratory workers, an officer of Health Canada is allowed to inspect at any reasonable time, the physical biocontainment facility, the mechanical systems, operational protocols and laboratory waste disposal methods that the applicant proposes to use.

This formal certification process must be completed and approved of by the Office of Biosafety before these containment laboratories begin to operate.

The Office of Biosafety, Health Canada, maintains its regulatory function and impartiality by remaining at arms-length from all containment laboratories. This includes all Government of Canada facilities.

To further ensure objectivity to all Government of Canada facilities, the facility certification process includes an added outside non-government review.

The New Federal Laboratories for Human and Animal Health, Winnipeg, has been allocated a minimum of three Health Canada safety personnel to ensure all aspects of biocontainment are of the highest standard and will meet or exceed the requirements of the Laboratory Biosafety Guidelines, 2nd ed., 1996.

In keeping with the Report of the Auditor General of Canada, April 1998, the reporting authority of the Office of Biosafety has reverted back directly to the Director General, Laboratory Centre for Disease Control, and hence is more independent of the program managers such that there is no potential for conflict of interest.

ANSWERS TO ORDER PAPER QUESTIONS TABLED

ENERGY—FRESHWATER FISH MARKETING BOARD—
CONFORMITY WITH ALTERNATIVE FUELS ACT

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 92 on the Order Paper—by Senator Kenny.

ENERGY—DEPARTMENT OF FISHERIES AND OCEANS—
CONFORMITY WITH ALTERNATIVE FUELS ACT

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 95 on the Order Paper—by Senator Kenny.

ORDERS OF THE DAY

CANADIAN TRANSPORTATION ACCIDENT INVESTIGATION AND SAFETY BOARD ACT

BILL TO AMEND—THIRD READING—
MOTION IN AMENDMENT—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Poulin, seconded by the Honourable Senator Forest, for the third reading of Bill S-2, to amend the Canadian Transportation Accident Investigation and Safety Board Act and to make a consequential amendment to another Act,

And on the motion in amendment of the Honourable Senator Spivak, seconded by the Honourable Senator Cochrane, that the bill be not now read the third time but that it be amended:

1. In clause 1, on page 1:

(a) by adding the following after line 17:

“(2.1) The definition of “transportation occurrence” in section 2 of the Act is replaced by the following:

“transportation occurrence” means an aviation occurrence, a railway occurrence, a marine occurrence, a pipeline occurrence or a highway occurrence.”; and

(b) by adding the following after line 19:

““highway occurrence” means

(a) any accident or incident associated with the operation of a truck, and

(b) any situation or condition that the Board has reasonable grounds to believe could, if left unattended, induce an accident or incident described in paragraph (a);”.

2. In clause 2, on page 2, by adding the following after line 14:

“2.1 Section 3 of the Act is amended by adding the following after subsection (4):

(4.1) This Act applies in respect of highway occurrences

(a) in Canada, if the occurrence relates to extraprovincial truck transport; and

(b) outside Canada, if Canada is requested to investigate the occurrence by an appropriate authority..”

3. In clause 3, on page 2, by adding the following after line 21:

“(1.1) Subsection 4(2) of the Act is replaced by the following:

(2) The Governor in Council shall appoint as members persons who, in the opinion of the Governor in Council, are collectively knowledgeable about air, marine, rail, pipeline and highway transportation.”.

4. On page 3, by adding the following new Clause after line 10:

“4.1 The portion of subsection 6(1) of the Act after paragraph (b) is replaced by the following:

and in this subsection, “transportation” means air, marine, rail, pipeline or highway transportation.”.

5. In clause 7, on page 3, by replacing lines 31 to 36 with the following:

“7. (1) Subsection 10(1) of the Act is replaced by the following:

10. (1) From among the employees appointed under subsection 9(1), there shall be

(a) a Director of Investigations (Air), a Director of Investigations (Marine), a Director of Investigations (Rail and Pipelines) and a Director of Investigations (Highway); and

(b) other investigators.

(2) Subsection 10(2) of the Act is replaced by the following:

(2) Each of the four Directors mentioned in paragraph (1)(a) has exclusive authority to direct the conduct of investigations on behalf of the Board under this Act in relation to aviation occurrences, marine occurrences, railway and pipeline occurrences, and highway occurrences, respectively, but

(a) the Directors’ authority under this subsection must be exercised in accordance with any policies established under paragraphs 8(1)(b) and (c); and

(b) the Directors shall report to the Board with respect to their investigations and shall conduct such further investigation as the Board requires under paragraph 8(1)(d).”.

6. In clause 13:

(a) on page 5, by replacing line 32 with the following:

“(2) Paragraphs 19(9)(a) and (b) of the Act are”;
and

(b) on page 6:

(i) by adding the following after line 4:

“(b) where the investigator believes on reasonable grounds that the medical examination of a person who is directly or indirectly involved in the operation of an aircraft, a ship, a rolling stock, a pipeline or a truck is, or may be, relevant to the investigation, by notice in writing signed by the investigator, require the person to submit to a medical examination;” and

(ii) by adding the following after line 18:

“(3.1) Paragraph 19(14)(a) of the Act is replaced by the following:

(a) to imply that a thing seized pursuant to subsection (1) may not be an aircraft, a ship, an item of rolling stock, a pipeline or a truck, or any part thereof; or”.

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, I rise today to speak to Bill S-2 because I want to give Senator Spivak a very full response to the questions she put on the record directed to Senator De Bané yesterday with regard to her proposed amendment to Bill S-2.

The reason for the decision made on this side not to accept the amendment proposed by Senator Spivak — a very thoughtful and concerned amendment — is that the review commission stated quite clearly that it did not envisage the Canadian Transportation Accident Investigation and Safety Board plunging into this area. The process must be slow and steady, characterized by open and frank discussion. The report of the Canadian Transportation Safety Board Review Commission, “Advancing Safety,” was very thorough and did raise the issues raised by Senator Spivak.

However, during clause-by-clause consideration of the bill to establish the board, the proposed amendments to include extra-provincial bussing and trucking were submitted to the Standing Committee on Transport in the other place. At that time they were ruled out of order as going beyond the scope of the bill.

In addition, while the proposed amendments may not impinge upon the jurisdiction of the provinces — which is a matter open to some question — since extra-provincial bussing and trucking fall within the legislative authority of Parliament, the current

wording of the proposed amendment, in our view, surely goes beyond the intent of Parliament to promote consultation with the provinces when making regulations respecting the safe operation of extra-provincial bus or truck undertakings.

In addition, whereas in the United States the NTSB performs selective investigations of highway accident in collaboration with the states, the same could be done in Canada with collaboration of the provinces. Local police forces are responsible for the investigation of most highway accidents where coroner’s inquests may be held for serious accidents involving a fatality.

Finally, the 1995 government response to the review commission’s proposal to expand the CTAISB’s jurisdiction to include extra-provincial motor vehicle occurrences was that the subject should be given a thorough review. Regrettably, they said at that time that that should be done when the act was opened at a future date and not at this particular time.

On motion of Senator Kinsella, debate adjourned.

[Translation]

CANADA MARINE BILL

THIRD READING—DEBATE ADJOURNED

Hon. Lise Bacon moved the third reading of Bill C-9, for making the system of Canadian ports competitive, efficient and commercially oriented, providing for the establishing of port authorities and the divesting of certain harbours and ports, for the commercialization of the St. Lawrence Seaway and ferry services and other matters related to maritime trade and transport and amending the Pilotage Act and amending and repealing other acts as a consequence.

She said: Honourable senators, in light of the evidence heard, the Standing Senate Committee on Transport and Communications saw a need to include comments and recommendations for the government and the minister in its report on Bill C-9.

[English]

Our greatest concern was for the future of small ports in small communities. We heard from some people who were very concerned about the impact of divestiture on the ports in their communities and offering little hope as a means for attracting the sort of investment they needed.

Others argued the need for another regime for ports; something between a CPA and a local or regional port, a regime more appropriate to ports essential to their region’s economy still developing and still needing financial support from government.

[Translation]

Therefore, the committee recommends that the minister be willing to recognize, on a case-by-case basis, some local and regional ports as essential to the local economy or the subsequent

development of the region and that these ports not be transferred before the minister has confirmed that the facilities meet appropriate operating standards; that, in the event the \$125-million fund established for transfer purposes is not enough to facilitate the transfer of these ports, the minister be authorized to request the necessary additional funding; that the minister be allowed to subsidize other projects considered essential to the future success of these ports; that the minister continue to maintain and run these ports until he has ascertained that a viable local authority is in place; and that the minister take steps to have a port transferred back if the local authority is unable to manage it so as to ensure its viability for the region.

Many ports and harbour communities are concerned about the additional financial burden resulting from becoming a Canadian port authority under Bill C-9. These concerns relate to anything from having to pay grants in lieu of taxes or dividends calculated on gross income, to not being able to obtain government subsidies or to use land titles as collateral on loans. Some view these additional obligations as a threat to their ability to raise capital for future projects, while others see them as a threat to their financial viability.

[English]

The committee notes that a review of this legislation is required under section 144 to be carried out during the fifth year that the act is in effect. Indeed, the minister made much of this review in his remarks to us, pointing out that it would offer an opportunity to put right any unforeseen problems that might arise in the next few years.

[Translation]

We are saying they should not wait four years to officially review the act. We want the process to begin now in the case of small ports and to include an evaluation of the economic health of the villages or ports that were closed or transferred. We would like the results of these evaluations incorporated in the minister's annual report on the transfers as required under clause 72.(7) of the bill along with comments on the sufficiency of assets in the transfer fund.

In the case of ports that become CPAs, we recommend that the minister examine thoroughly all potential negative effects of the bill once a port becomes a CPA.

We would like the matter of obtaining user opinion within CPA boards of directors to be monitored closely to ensure that the mechanism proposed is effective.

[English]

The committee is left with some concerns that the degree of environmental protection afforded for works within ports in the Seaway under Bill C-9 could be diminished if regulations to be

developed under the Canadian Environmental Assessment Act are not completed thoroughly and promptly. The committee asks that the Minister of the Environment ensure that when the Canada ports authority come into existence the full force of federal environmental protection is in place with a minimum of no deterioration over the situation which exists today.

[Translation]

The Minister of Transport replied to some of our concerns in a letter, which I received yesterday. In view of the importance of the subject, I should read it to you so that it is in the public domain.

[English]

Further to my May 7 appearance before your Committee on Bill C-9, and in taking note of the Committee's May 12 Observations and Recommendations on Bill C-9, I would like to make a number of comments with regard to public port divestiture and to environmental assessments.

First, let me reiterate that the public port divestiture process has been under way since early 1996. The process itself is one of inclusion that encourages all local stakeholders, including municipalities, port users, community organizations, and private businesses to take part in forming the organizations that will own and operate their ports. It is only if no local stakeholder interest is expressed in operating a port that Transport Canada would move to sale of its facilities by public tender or consider other options.

•(1450)

If a circumstance were to arise in which we have tried to divest a particular port and failed in this attempt, and I were to conclude that its continued operation was essential to the economy of a particular region, clause 72(8) of the Bill would permit me to continue operations while other options were explored. I therefore continue to have the management of public ports and public port facilities that I have not disposed of or transferred.

Given certain concerns raised by the Committee and by Senator Bryden in particular, I am prepared, on a case-by-case basis, to recognize that certain local/regional ports may well be essential to the economy or future development of their regions. In circumstances like these, such ports will not be divested until I am satisfied that their facilities have been brought to appropriate operating standards for such ports. In terms of funding, if the \$125 M Port Divestiture Fund is not sufficient to facilitate the transfer of such ports, I will seek necessary additional funding.

I may also provide other funding which I deem necessary for the future operational success of such ports. Furthermore, I will continue to maintain and operate such ports until I am satisfied a viable local entity is in place and will provide for the reversion of such ports to me if the local entity fails to continue such ports as viable operations in the region.

With respect to environmental assessment, I would like to reiterate that, in accordance with Bill C-9, Canadian Port Authorities (CPAs) will be subject to the regulatory authorities included in the *Canadian Environmental Assessment Act*. I have every confidence that the Canadian Environmental Assessment Agency will proceed with high priority to address environmental assessment requirements at ports. However, if the CEAA studies are not completed at the time that CPAs are established, it is my intention that regulations established under Section 62 would not negatively impact the environmental assessment requirements arising from the application of the *Navigable Waters Protection Act* to the extent that it currently applies to existing ports scheduled to become CPAs.

Yours sincerely,

Hon. David M. Collette, P.C., M.P.

Hon. John G. Bryden: Honourable senators, I rise only to suggest that while we are on our break, someone might want to investigate the sound system. Today, my reception has been breaking up, and I have heard whistles and so on. I notice some people on the other side are having the same difficulty.

The Hon. the Acting Speaker: I thank the Honourable Senator Bryden. That matter will be brought to the attention of the table officers, who will take whatever action is necessary, I am sure.

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, I rise to ask a question of the honourable chair of the committee. In particular, I should like to draw her attention to page 2 of the letter she read, and in particular to the fourth paragraph. I draw your attention to that paragraph because Senator Bryden's name is mentioned. If he did not hear because of the faulty sound system, perhaps the Honourable Senator Bacon might provide us with further explanation of that particular paragraph.

Would the honourable senator provide, in her own words, an explanation of the paragraph that alludes to the concerns raised by the Honourable Senator Bryden?

[Translation]

Senator Bacon: The minister wanted to mention the work done by Senator Bryden in particular during the course of the various meetings of the Standing Committee on Transportation

and Communications. If the honourable senator would like me to mention the opposition, the opposition worked well too. I have to say that all members of the committee worked well.

[English]

Senator Kinsella: I thank the honourable senator for her answer.

Senator Bryden had questioned the general principle around this issue during our debate at second reading. The minister is commenting, so these questions must have had some particularity about them in committee. As Senator Bacon has read, the minister says:

Given certain concerns raised by the Committee and by Senator Bryden in particular, I am prepared, on a case-by-case basis, to recognize that certain local/regional ports may well be essential to the economy or future development of their regions.

This, honourable senators, is exactly the situation of many ports that both Senator Bryden and I know very well in communities in the province of New Brunswick, and there are similar ports in the provinces of Nova Scotia and Prince Edward Island, those three provinces being more familiar to me than others.

When the minister tells us that, in circumstances like these, such ports will not be divested until he, the minister, is satisfied that their facilities have been brought to the appropriate operating standards for such ports, it seems to me that it would be helpful for us to know what the phrase "appropriate operating standards" means. Is there some hard criteria against which we are able to measure that commitment? This seems to me to be a fairly soft set of criteria.

Again, I say this because some of these ports are critical to the economic development of the many communities in the provinces of New Brunswick, Prince Edward Island, and Nova Scotia.

In terms of funding, the minister goes on:

...if the \$125 M Port Divestiture Fund is not sufficient to facilitate the transfer of such ports, I will seek necessary additional funding.

I express my appreciation to the minister for making that commitment.

My colleague Senator Forrestall has received a copy of this letter, and I do know he will be studying it over the break next week. Therefore, I move the adjournment in Senator Forrestall's name.

On motion of Senator Kinsella, for Senator Forrestall, debate adjourned.

TOBACCO ACT

BILL TO AMEND—THIRD READING—DEBATE ADJOURNED

Hon. Philippe Deane Gigantès moved the third reading of Bill S-8, to amend the Tobacco Act (content regulation).

He said: Honourable senators, I was honoured to inherit this bill from Senator Haidasz.

•(1500)

This bill says that certain substances deliberately put into cigarettes to increase the taste or their addictive qualities, as we have heard in the hearings in the United States, should be regulated and limits for those substances should be defined. They are in the bill.

I have heard comments that this bill may contradict the bill sponsored by Senator Kenny. In no way does Bill S-8 contradict Senator Kenny's bill because Bill S-8 does not try to abolish cigarettes or to make it illegal to sell them. All it says is that the content of nicotine and other noxious substances should be regulated. In consequence, I think this bill should pass.

Honourable senators, I have a personal interest in this bill. I lost my father, my wife and my brother to cigarettes containing all these terrible substances, and I think we should pass the bill to save other people from being killed by these substances.

Hon. Lowell Murray: Honourable senators, I do not think we should vote this motion at the moment until we have had a chance to examine Bill S-13, which was reported today by the Standing Senate Committee on Social Affairs, Science and Technology.

Senator Gigantès does not see any contradiction between Bill S-8, the bill sponsored by Senator Haidasz and which is now before us, and Bill S-13. Senator Gigantès says that Bill S-8 would simply regulate the amount of nicotine in tobacco products. I think those things can be and are regulated now. The fact of the matter is, I believe, that Bill S-8 would have the effect of banning all the cigarettes that are now on sale in Canada.

Bill S-13, which we will be discussing when we return following the break — and not to put too fine a point on it — is to make some money by imposing a levy on the sale of those cigarettes and to use that money, in part, for a public education program to persuade people, especially young people, to quit smoking or to avoid smoking all together.

Honourable senators, these bills are not, as Senator Gigantès states, contradictory. If I were a member of the House of Commons and both of those bills arrived from the Senate, I would say that there is a certain incoherence between them. I would want to ask the Senate how it wishes to approach this problem. Are we trying to put a levy on these tobacco products,

the revenue from which is calculated by Senator Kenny, or are we trying to get rid of all these tobacco products and insist that new tobacco products be brought to the market with minimal nicotine content?

I will speak on Senator Kenny's bill when it comes to us, but I think that we ought to leave Bill S-8 where it is for the moment so we have an opportunity to canvass the problem to which I have alluded. We should know what it is we are doing, and if we have to make a choice, make a choice between one or the other. Indeed, if we want to approve both bills and send them to the House of Commons, we can do so, but I think we should do so only after carefully considering the issues to which I have referred.

On motion of Senator Carstairs, debate adjourned.

ROYAL ASSENT BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Lynch-Staunton, seconded by the Honourable Senator Balfour, for the second reading of Bill S-15, respecting the declaration of royal assent by the Governor General in the Queen's name to bills passed by the Houses of Parliament.—(*Honourable Senator Carstairs*).

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, I wish to speak to Bill S-15 and commend Senator Lynch-Staunton for his initiative in introducing this bill, respecting the declaration of Royal Assent by the Governor General in the Queen's name to bills passed by the Houses of Parliament. I should like to indicate support in principle for this bill.

The bill has two key elements. First, the bill permits Royal Assent by written declaration; second, it preserves the current Royal Assent ceremony as an important tradition of Parliament by requiring its use in each session of Parliament.

Replacing the former Royal Assent ceremony by a written declaration has long been the subject of discussion by members of this chamber and in the other place. In 1983, the Senate debated alternatives to the Royal Assent procedure. In 1985, the fourth report of the Standing Committee on Privileges, Standing Rules and Orders recommended a change in the Royal Assent procedure. In 1985, the McGrath committee report on the standing orders in the other place recommended the simplification of the Royal Assent procedure. In 1988, a bill identical to Bill S-15 was introduced in the Senate by Senator Murray, who was then the Leader of the Government in the Senate.

Honourable senators, there are at least three reasons why we should look positively at this bill in principle. First, written declarations would remove a significant constraint on the time of senators and members of the other House. As we all know, our business must be interrupted for about an hour for every Royal Assent ceremony.

Second, we are quickly approaching the time when the Houses of Parliament will begin meeting in different buildings. Beginning in the year 2001 or 2002 and for a period of at least eight years, the Houses of Parliament will have to meet in different buildings because of renovations to the Centre Block. For a period, it will mean that the Senate is here, but the House of Commons is in the West Block. Then we will reverse that process, with the House of Commons moving back into the Centre Block, while we move into the West Block. This will make the traditional ceremony somewhat more difficult, especially in inclement weather.

Third, the written declaration will reduce the burden the ceremony places on the Supreme Court justices who act as the Governor General's deputy in Royal Assent ceremonies. The justices have also raised a concern they have about giving Royal Assent to a bill which they then might be asked to deliberate on as members of the court. They have noted also that it is a significant burden which takes them from pressing issues facing the court.

This bill is also based on changes made by other jurisdictions that share our parliamentary heritage. The United Kingdom passed legislation 31 years ago that allows Royal Assent to be given by written declaration. In Australia, the Governor General's assent to bills is also usually made known by a message to the President of the House of Representatives and the Speaker of the Senate. Indeed, Canada is the only Commonwealth country that still uses the traditional Royal Assent ceremony on a regular basis.

•(1510)

I wish to comment now on a few technical issues. First of all, this would be a change in procedure only and would not affect the constitutional provisions respecting the office of the Queen or of the Governor General. Second, the use of a bill to authorize the written declaration of Royal Assent is consistent in its entirety with the approach used by the United Kingdom. The use of a bill is also appropriate given the importance of the Royal Assent procedure for the government, Parliament, and the Governor General. If a resolution were used to authorize the written procedure, rather than an act of Parliament, there could be litigation to challenge the validity of a bill assented to by that procedure. An act of Parliament avoids that risk.

Third, the traditional ceremony of Royal Assent is usually performed by a justice of the Supreme Court of Canada as a

delegate of the Governor General. The authority to substitute for the Governor General is found in section 14 of the Constitution Act, 1867, and article VII of the Letters Patent of 1947. The same authority would permit the Governor General to delegate the signing of the written declarations to the justices of the Supreme Court of Canada.

Fourth, a written declaration of Royal Assent will need to be given while the Senate and the House of Commons are sitting. The process for the written declaration will be consistent with the traditional Royal Assent ceremony, which requires the sitting of the House and the Senate. This is also the practice in the United Kingdom.

Honourable senators, while in principle I support Senator Lynch-Staunton's initiative, I believe there may be room for improvement in this bill. Therefore I wish to highlight two areas which I hope will be considered by the committee. The bill, as it presently exists, would require at least one traditional ceremony in each session of Parliament, for either the first bill to be given Royal Assent in a session, or for the first supply bill of a session. I noted that, in introducing the bill, Senator Lynch-Staunton interpreted the bill to mean that it would mandate at least two Royal Assent ceremonies during the session. I assume that he is interpreting clause 2(b) of the bill as requiring one Royal Assent ceremony for the first bill to be introduced, and one for the first supply bill to be given Royal Assent in each session of Parliament.

I hope the committee will examine this clause, and perhaps consider amending it in order to clarify that traditional Royal Assent ceremony be required for the first bill presented in a session, and for at least one bill in each subsequent calendar year in the session. This would preserve the Royal Assent ceremony as a special tradition of Parliament, and it will give Parliament more flexibility with written declarations.

The second issue to which I hope the committee will turn its attention is the requirement found in clause 3 of the bill for a written declaration to be reported to each house of Parliament within 15 sitting days. Our system of scheduled adjournments means that 15 sitting days would translate into at least six weeks, and as much as several months over the Christmas and summer adjournments. This provision could, therefore, undermine the usefulness of written declarations. I would note that the United Kingdom bill does not have this requirement, nor am I aware that the requirement for reporting within 15 sitting days serves any legal or parliamentary purpose.

In conclusion, I wish to congratulate Senator Lynch-Staunton for his work in introducing the bill. I am pleased to lend my support to the principle of the bill, and I look forward to its study in committee.

[Translation]

Hon. Gérald-A. Beaudoin: Honourable senators, Royal Assent is part of our legislative process, both federally and provincially. On the federal level, we have two legislative chambers, while the provinces have one. Any bill duly passed by the legislative chambers, however, must receive Royal Assent in order to become law. Our written Constitution and its conventions are very clear on this.

In this connection, the Supreme Court of Canada states in its ruling on the 1981 patriation:

In law, the Queen, the Governor General or the Lieutenant-Governor could refuse to grant assent for all bills passed by both Houses of Parliament or by a legislative assembly, as the case may be. By convention, however, they may not in their own right refuse to give assent to any bill on any grounds whatsoever, for example because they disapprove of the policy in question.

In case of conflict, it is the law and not the convention which takes precedence.

It is not my intention to spend time discussing the institution itself, which remains unchanged, but rather the ceremony of Royal Assent, which is what is addressed by Bill S-15, and can be changed. This ceremony has altered very little since 1867. On rare occasions, the Sovereign has given Royal Assent. The Governor General does so on behalf of the Crown. Increasingly, however, it is the Deputy Governor General, in this case a Supreme Court Justice, who comes to the Senate to give Royal Assent.

[English]

For the motives elaborated by Senator Lynch-Staunton and Senator Carstairs, the time has come to simplify this ceremony, but to keep the principle. We may get some inspiration from what was done at Westminster, the mother of Parliaments, in 1541 by the Royal Assent by Commission Act, and by the Royal Assent Act of 1967, and of course we may get some inspiration from other countries in the Commonwealth. Canada is in a unique situation, as Senator Carstairs has said very clearly, with respect to the ceremony of Royal Assent.

[Translation]

Senator Lynch-Staunton's bill calls for new procedures for Royal Assent to bills passed by both Houses of Parliament. A written statement by the Speaker of each House could be sufficient. The present traditional ceremony could also be used twice each session; this would be the case for the first appropriation bill and the first one of any other kind. This bill leaves the door open to a choice of mechanisms.

[English]

I agree with Senator Carstairs that we should study in committee other possible alternatives, and other possible technicalities, in that field. As has been stated, a similar bill was presented by the Conservative government, and Senator Frith agreed with the principle of that bill. I am glad to see that Senator Carstairs is agreeing also, in principle, with this bill.

I entirely support this bill, and I feel everything involving this matter should be studied at length in the appropriate committee of the Senate.

Hon. Anne C. Cools: Honourable senators, I wish to take the adjournment, but before I do, I wonder whether I could prevail upon Senator Beaudoin to take a question?

Senator Beaudoin: Yes.

Senator Cools: A few days ago, we were all here when there was a Royal Assent ceremony. Yesterday, May 13, 1998, there was an article in *The Ottawa Citizen* written by Jack Aubry entitled, "Sun sets on parliamentary tradition. Bill would free justices from royal assent duties."

•(1520)

Mr. Aubry quotes Senator John Lynch-Staunton. He then went on to quote Supreme Court of Canada Chief Justice Antonio Lamer and stated:

Earlier in the day, Chief Justice Lamer said Supreme Court chief justices, including himself, have been writing the government since 1947 to have the ceremony abolished.

"The main reason is we are busy," he told the *Citizen*. "The little time we do have, when we are not sitting, we are doing something else."

"The pomp had gone out of it. People were talking, crossing the room, joking. I think it had lost its gloss."

Could Senator Beaudoin enlighten me on the Chief Justice's very political comments on a bill moving through this chamber?

Senator Beaudoin: Honourable senators, the answer is simple. The bill does not at all change the substance of Royal Assent. It is aimed at the ceremony, that is, the way in which Royal Assent is given. Obviously, we have the right to change it.

Many questions may arise about this issue. However, I do not have any comment to make about the words of the Chief Justice of Canada as reported in *The Ottawa Citizen*. I should like to read the article to which the honourable senator refers.

Obviously, when a Supreme Court of Canada judge is giving Royal Assent it is as Deputy to the Governor General himself and not as a judge. That is the only thing I have to say at this time.

It is two different things. There is absolutely no problem with the division of powers between the executive and the judicial branches of government.

Senator Cools: I believe that the Chief Justice of the Supreme Court of Canada is also a member of the Privy Council of England. The position of the chief judge and the various offices which he holds are inseparable. That is a characteristic of being a part of the “sovereign.”

My particular question to the honourable senator concerned the phenomenon of the Chief Justice’s remarks. I have here in my hand four or five articles in which the same Chief Justice is reported making strong political statements: For example, *The Toronto Star* article of April 10, 1998, entitled “Chief Justice predicts verdict in Quebec case to be thorny.” I could go on.

I am asking Senator Beaudoin, an eminent constitutionalist, what are his views on the Chief Justice’s active, consistent and persistent political statements in the media.

The Hon. the Acting Speaker: I take the liberty of cautioning honourable senators. Comments or questions following a senator’s speech should relate to the senator’s speech. In my opinion, Senator Cools is introducing an entirely new matter arising from newspaper articles. That seems to go beyond the spirit of the time allotted for questions and comments.

Nevertheless, I will allow the Honourable Senator Beaudoin to respond to the question. However, in the future, the Chair may have to remind honourable senators that there is a longstanding parliamentary practice that questions and comments have to arise specifically from the points made by the honourable senator who had the floor.

Senator Beaudoin: Honourable senators, I agree entirely with the Acting Speaker. The question is quite irrelevant. I do not think I have to answer it because it is not related to Bill S-15. That is all.

On motion of Senator Cools, debate adjourned.

CANADIAN WAR MUSEUM

CONSIDERATION OF REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE—DEBATE CONCLUDED

The Senate proceeded to consideration of the sixth report (Interim) of the Standing Senate Committee on Social Affairs, Science and Technology entitled: “Guarding History,” tabled in the Senate on May 13, 1998.

Hon. Orville H. Phillips: Honourable senators, I would have liked to have delivered this report earlier when the interest in the hearings was greater. Unfortunately, my heart required a retreat and our report was delayed.

First, I should like to thank the members of the subcommittee who came back early from the Christmas recess to attend the

committee meetings. Senator Jessiman was on the golf circuit in Florida. He gave that up and returned a week early. In spite of health problems in her family, Senator Forest came back to attend the hearings. The honourable senator’s husband is a navy veteran, as is Senator Jessiman. The two sat together at the table which is why we called them the navy section. The Deputy Chair, Senator Cools, as usual, played a very active part. Senator Chalifoux, a new member of the Senate, made an excellent contribution.

In addition, we were fortunate to have two senators who were not members of the committee attend our meetings. I refer to Senator Kelly, who is a veteran of the Canadian army. He attended and participated actively. Senator Prud’homme, who was recovering from health problems shortly before Christmas, had 100 per cent attendance and active participation. In fact, on occasions, his participation was a little too active and I had to curb his enthusiasm.

Since we were preparing for these hearings over the Christmas recess, a number of the staff volunteered to help out. In particular, I should like to mention Janelle Feldstein, Bruce Carson, Joe Verner and Laura Fox, who was the former secretary of Senator Marshall, past chairman of the subcommittee.

My own assistant, Chad Rogers, spent a good deal of time as well as overtime on this issue. If he had done things right in the first place, he would not have had to spend so much time in overtime.

On the first day of the hearings, we heard from the Department of Canadian Heritage, the museums and the Friends of the War Museum. The second day we devoted to the major veterans’ organizations. On the morning of the third day, we heard from Jewish groups and Ukrainian groups. In the afternoon, we heard from the military historians. On the fourth day, we heard from various individuals who had strong views which they wished to present.

•(1530)

On the last day, we wound up with Mr. George MacDonald and Ms Adrienne Clarkson from the Museum of Civilization board. We invited the Minister of Veterans Affairs, the Honourable Fred Mifflin to attend. Unfortunately, he found it convenient to avoid the committee.

The Minister of Heritage, the Honourable Sheila Copps, did agree to appear but could not do it in the week we were having the hearings and attended the following week. There again, Senator Cools had a great deal to do with bringing her into the committee.

The veterans groups were unanimous on a number of points. First, they were very much concerned that the 1991 task force report on the War Museum was completely ignored. Its recommendations, like many others, were shelved and forgotten.

They also felt that the funding for the museum had gone down and the museum had been neglected for a number of years. A number of them objected to the inclusion of a Holocaust gallery in the War Museum because, as the historians said, the two could not coexist. One would eventually overcome the other. While most of the organizations had no objection to a free-standing, independent Holocaust Museum, they did not wish it in the War Museum. The first five recommendations in our report attempt to meet the concerns of the veterans.

The members of the Jewish community indicated that they did not approach the Canadian War Museum, that it was vice versa; the museum had approached them and asked them to participate and contribute to the expansion. I will refer to that matter later on.

I should mention that one particular member of the Jewish community in Ottawa, for whom I have a great deal of respect, told me that the Jewish community did not wish to arrive at a disagreement with veterans because of their great respect for veterans, and that they felt it would reflect badly on the memory of the 6 million people who perished in the Holocaust.

The evidence and testimony of the Department of Canadian Heritage emphasized that the museum operated at arm's length from the minister's office, and that perhaps this was part of the problem. Mr. MacDonald and Ms Clarkson operated in an atmosphere entirely removed from Parliament and could initiate procedures and plans that were not satisfactory to the majority of Canadians.

Funding for the War Museum has been declining over the past few years. I notice that prior to the announcement of the proposed expansion of the War Museum was made, the Minister of Heritage announced a \$25-million grant for the arts community, and that community was not required to contribute or raise any portion of that \$25 million. However, when the War Museum expansion was announced, the federal government put in \$7 million and required the veterans to raise \$5 million. I find it rather strange that the arts community can receive 100 per cent of their funding, and the veterans are placed on almost a 50/50 footing. This is a matter which should receive greater attention from Parliament.

The building in which this museum is housed was not designed to be a museum, is deteriorating and continues to be a great problem for the staff. They started out on a program of attempting to obtain funding. This fund-raising group began with \$1.5 million from General Motors, and they named the courtyard after that company. This was to commemorate the fact that General Motors made trucks during the war. They made them before and have been making them since, of course, but for a profit.

The expansion to the War Museum was to contain a theatre, and the fund-raisers decided to target the Dutch community in

Canada. This fell through. They then turned to the Jewish community who had been considering some form of a memorial or a gallery, and proposed to provide 30 per cent of the expansion in return for \$1 million.

This idea of collecting funds by targeting a specific group or corporation was disturbing to the committee.

The Hon. the Acting Speaker: Honourable senators, would the members who need to converse amongst themselves please do so outside the bar. Thank you.

Senator Phillips: The committee felt that if a specific part of Canadian military history was worthy of a place in the museum, it should be there without sponsorship. The military museum is not a sports arena, where you see an advertisement for Air Canada or Corel. It should be a shrine to those who contributed to Canada's military history and not be commercialized.

During the hearings, the Minister of Heritage announced the appointment of the Honourable Barnett Danson to the board of the CMCC. This caused confusion. Some veterans groups felt that the hearings were over; that was not the case. However, I am pleased with the appointment of Mr. Danson. I knew him when he was a minister. I often opposed him, but that is the beauty of Parliament: You can oppose someone and still respect them and their ability. I have a great deal of respect for Mr. Danson. I am sure that he will make a great difference in the War Museum.

The Minister of Heritage also announced the appointment of an advisory board to the War Museum. This is a step in the right direction. However, I see a sort of parallel between the advisory board and the Senate; the Senate can offer advice to the government, but there is no way of insisting that they take it. This advisory board is in the same position; it can offer advice, but has no authority to enforce it.

•(1540)

Another appointment which has pleased me is that of Dr. Jack Granatstein as Director General of the War Museum. This appointment has been very well received by all Canadians, and particularly by veterans' organizations. They have great respect for his ability as a military historian.

Honourable senators, it is to be hoped that these appointments will bring about increased funding for the War Museum and a new competence in its management. When I speak of competence of the management, I want to mention that during the years of preparation for the expansion to the War Museum, there were several architects and consultants brought in and many meetings held, and yet it ended up that the expansion blocked the right of way to the mint. To me, if you are planning an expansion to your home or to a building, the first thing you would do is check to make sure you are putting it on your own land. I think that speaks to the competence of the management. I hope that the new management and the advisory board will change many things about the War Museum.

It is my hope that some day, in the not too distant future, we will find paintings and artefacts from the War Museum going out to other towns in Canada. It is not always possible for the children, grandchildren, and, yes, great-grandchildren of war veterans to visit the museum here in Ottawa, and if many of the artefacts, paintings and stories could be taken out to cities across Canada, it would be a tremendous asset to those who are interested in the military contribution of their ancestors.

I feel that the Senate hearings contributed greatly to this change and, in this regard, I am particularly pleased with our hearings. The letters and phone calls that have come into the office from veterans and various groups have convinced me that our efforts were worthwhile, and I hope that our expectations are achieved.

Hon. Anne C. Cools: Honourable senators, I should like to endorse Senator Phillips's remarks, and commend this report to senators for their support and adoption.

This report, entitled, "Guarding our History," is especially fitting in this particular era, as the veteran population is ageing and moving into the fall of its years.

I would especially like to thank Liberal Senators Chalifoux, Forest and Johnstone for their efforts both on the committee and in the production of the report. I should also like to remind Liberal senators that this is a case where they really made a difference.

I would also like to thank Senator Jessiman and Senator Phillips for lending their expertise as veterans of World War II. I know that Senator Johnstone also served, but those two senators were on the committee during its hearings. I should like to thank both of them for not only preserving history but also making history, and for defending all of us. It is a stunning thing that young men went out willing to die for this country. I am sure that as they reach their later years, they reflect on it and wonder that they could have done such a thing. I think their contributions as veterans are remarkable.

I should like to thank Senator Prud'homme as an independent senator for attending the committee hearings, as did Senator Kelly.

I should like to thank Minister Sheila Copps for appearing before the committee, and also for what I thought was swift, corrective action on her part. I thought she was open, affable, warm and brave in the face of what could have been a very nasty situation. She acted very well in the face of a potentially disturbing situation.

Honourable senators, this is an instance where the senators on this committee made a remarkable difference.

Last, but not least, I should also like to thank Senator Phillips for his contribution in this matter as chairman of the committee,

for his courage and for continuing the work that Senator Jack Marshall had begun, in Senator Marshall's own specialty of taking up the cause of the veterans of Canada.

Having said that, honourable senators, I am prepared to support adoption of the report.

[*Translation*]

Hon. Marcel Prud'homme: Honourable senators, I was expecting to speak after the parliamentary break. I agree with Senator Cools. I shall speak without my notes. I thank Senator Phillips for referring to my modest contribution, I hope, to the work of the committee, and Senator Cools for mentioning this as well.

[*English*]

First, I should like to start on a cheerful note. It was during that week that I had the honour of totally interrupting the meeting for a very special question of privilege. Everyone was surprised but, as some said, you never know what to expect with me. However, it was a very moving moment for me to be able to bring to the attention of all those present that, on that day, February 5, 35 years ago, if my memory serves me correctly, the Right Honourable John Diefenbaker had called our chairman to sit in the Senate. On that day, he could have been celebrating anywhere else but in that committee, but Senator Phillips, whom we know to be dutiful, was there as if nothing else was happening in his life. We celebrated for a few moments his 35 continuous years of service in the Senate, and that besides having been a member of the House of Commons and having served his province in such a distinguished way.

I was very proud to be a "non-member" of that committee, yet still able to participate. I must tell you why I went there. I had left the hospital and was just resting, as I was instructed, but then I saw what was happening, that there was about to be a very sour debate — an unhappy, unfortunate debate — where we were close to pitting Canadians against Canadians. Senator Chalifoux was listening closely to these points of view expressed by me. People were accusing each other of horrible crimes; others of not understanding. Legionnaires were very sad to be accused of being anti-Semitic because it seemed that they were objecting to having a special gallery commemorating the holocaust within the War Museum.

•(1550)

All military people across Canada felt that these were two completely separate exhibits which could stand on their own feet. They were very concerned that if the two were mixed, one would take over and diminish the other. One would lose out, although we did not know which it would be. We received hundreds of letters and telephone calls on this matter.

While the committee was doing its duty on behalf of Canada, the Senate, the War Museum and veterans, many things were happening on the side that were not helpful to our chairman or our committee. Many unsigned documents were distributed. We did not know what those documents were about or the source of them. They were sabotaging the good work that we were doing on behalf of the Canadian military.

As well, our chairman was taken to task by a top official of the museum who, during that week, wrote an open letter about our chairman. As I said to the chairman, if a bureaucrat had done that to me, I would be heard yelling across Canada about his lack of understanding of parliamentary work.

Much pressure was exerted on committee members not to do the work they were expected to do on behalf of the military. Members of the committee do not want to talk about that. However, since I am not a member, I will talk about it.

I am very happy with the resolution. I was honoured that the five members of the committee accepted my participation. I am very grateful to the chairman for his patience with me. I am very grateful to Senator Cools, the Deputy Chairman of the committee, for allowing me to ask as many questions as any member. I am very thankful to have discovered that one of our new senators, Senator Chalifoux, is a great defender of the little people.

Senator Chalifoux did remarkable work for the forgotten people of Canada. She told us things we had never heard about with regard to the participation of the first Canadians, the Indians. She made me understand the difference between Indian and Métis, about which there is great misunderstanding. Her great contribution was to teach us about the contribution of the Métis and the Indians during the war effort.

I am grateful to Senator Jessiman for the intricacies of his legal mind. Some people from the Museum of Civilization treated us like second class citizens who would believe anything they said. Senator Jessiman dealt with them with his good, legal mind.

Senator Forest asked the most astute questions. She spoke much less than I, but was much more efficient.

We did something extremely important on behalf of the Senate. We did something even more important on behalf of those who gave their lives for freedom and liberty. That is important. We in the Senate should be the ones to carry the memory of these people.

Only a few hundred veterans are left from the First World War, and the veterans of the Second World War are in their seventies. Some people may think, therefore, that we need pay them less attention.

We heard from a young man named Harold Leduc who represents the veterans of the United Nations. He reminded us of the Canadians who serve so well around the world. He talked about the great role that Canada plays at the United Nations, and reminded us that those members of the military become veterans as well.

Honourable senators, we have helped to defuse a situation in which Canadians were pitted against each other. We had private conversations with representatives of the Ukrainian community, and other communities that felt left out of the great debate that was taking place. We heard about other atrocities, like the rape of Nanking. Everyone has their own story and they would like us to pay attention to it.

Senator Phillips and the members of that committee did a great service for Canada and the Senate because they fulfilled the desire of people to be heard. When will we understand that Canadians want to be heard? Last night, I watched Sheila Finestone and Senator Cools on television doing a fabulous job on CPAC on the question of custody and access. People have a feeling that they have a connection with the institution. People are being heard.

Senator Phillips, thank you very much for allowing me to participate.

•(1600)

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

CANADIAN WHEAT BOARD ACT

BILL TO AMEND—REPORT OF COMMITTEE PRESENTED
AND PRINTED AS APPENDIX AND ADOPTED

Leave having been given to revert to Presentation of Reports from Standing or Special Committees:

Hon. Leonard J. Gustafson: Honourable senators, I have the honour to present the fifth report of the Standing Senate Committee on Agriculture and Forestry, which deals with Bill C-4, to amend the Canadian Wheat Board Act and to make consequential amendments to other acts.

(For text of report, see today's Journals of the Senate, Appendix C, p. 696.)

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

Senator Gustafson: With leave, now.

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

Hon. Senators: Agreed.

Senator Gustafson: Honourable senators, the Standing Senate Committee on Agriculture and Forestry has had extensive hearings in the Prairies. I commend the senators on the committee for the excellent work that was done.

We have had in-depth hearings. We heard from 100 individual farmers. We heard from 30 farm groups, three ministers of agriculture — from Alberta, Saskatchewan, and Manitoba — officials, and, of course, three times from the Minister of Agriculture.

We have significant amendments, with which I am very pleased. The cooperation of the committee in achieving these amendments and recommendations has been outstanding, and I thank the members for this.

I will simply list the amendments. The inclusion/exclusion clause in the bill is deleted. The appointment of the President is done in consultation with the board of directors, relieving some areas of that recommendation from the minister, and the Auditor General has a right to look into the books of the Canadian Wheat Board.

I will not hold the house up today with a long speech. Again, I thank the committee members for an excellent job. They have been a credit to the Senate of Canada, and we have received many compliments. I want to say this: A prophet is not without honour in his own country, nor should our own lips commend us, but let another man's lips commend you. The members who sat on that committee have done an excellent job. They attended sincerely and put their hearts into the work. I am well pleased.

Hon. Nicholas W. Taylor: Honourable senators, I echo what Senator Gustafson said. An excellent job was done by the committee, by Senator Gustafson as chairman, and by Senator Whelan as deputy chairman. They did a great job of controlling the senators. It is not always easy to keep politicians quiet while people make their submissions. We heard submissions in seven cities and, as Senator Gustafson said, from hundreds of people.

One of the interesting parts of Bill C-4 is on marketing of grain. There is really no such thing as compromise, but there is accommodation. The extremes on this side are for the free market, and the extremes on the other side for single-desk selling or an OPEC-type agreement. It is amazing that we on both sides of the house were able to reach an agreement. I suppose part of that is because both parties have people who strongly believe one way or the other in regards to free market.

We have come up with three amendments which we hope the House of Commons will accept. We also have two recommendations. One recommendation would put a limit on the contingency fund so that the farmers would not feel that they would be contributing indefinitely. The other recommendation deals with the 10 elected directors. We accepted what the House

put forward and recommended that five be from Saskatchewan, three from Alberta, and two from Manitoba. We found it not too difficult to think it through because, after all, who would want to deny poor little Saskatchewan the right to have the most directors in something which markets most of the grain?

I again echo Senator Gustafson's remarks that it was a joy to work with this committee. The publicity that we received in the west showed what the Senate can do, what the Senate is doing, and what the Senate has done.

Hon. Terry Stratton: Honourable senators, I wish to express my thanks to the committee as well. It was very collegial, and we worked well together. Particularly, I think it was the push from this side to get out there to travel in the west that really accomplished a lot.

Much of the credit belongs to and resides with the chairman, Senator Gustafson. He did a superb job of running the committee hearings and keeping this thing loose but positive, to a very good end.

Hon. Mira Spivak: Honourable senators, I also want to tell you how admirable was the process of this committee. I give credit to everyone on the committee. I give special thanks to our chairman who carried on with an amiable spirit while paying close attention to the issues.

Also, we must give credit to Minister Goodale, who asked us for advice, as well as to the process which Senator Hays and others went through with the minister. We worked in close cooperation. I think this is a shining example of how the Senate can review legislation and get results that I hope will benefit the country.

•(1610)

I have to repeat what I said in committee. It is actually Senator Dan Hays' expression, but I said that I hoped we were not being brilliant allies to our own gravediggers. By that, I meant that I hope the changes and amendments brought forth by the government to the Canadian Wheat Board will enhance and strengthen the Wheat Board and that the Wheat Board will continue to be what it has always been — a tremendous marketing agency and a support for farmers.

The Hon. the Acting Speaker: With leave of the Senate and notwithstanding rule 58(1)(g), it is moved by the Honourable Senator Gustafson, seconded by the Honourable Senator Jessiman, that this report be now adopted.

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

Hon. Senators: Agreed.

Motion agreed to and report adopted.

THIRD READING

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

Hon. Sharon Carstairs (Deputy Leader of the Government): With leave of the Senate and notwithstanding rule 58(1)(b), I move that the bill be read the third time now.

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

Hon. Senators: Agreed.

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

VETERANS HEALTH CARE SERVICES

CONSIDERATION OF INTERIM REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE— DEBATED ADJOURNED

The Senate proceeded to consideration of the fourth report (Interim) of the Standing Senate Committee on Social Affairs, Science and Technology entitled: "The State of Health Care for War Veterans and Service Men and Women — First Report: Long-Term Care, Standards of Care and Federal-Provincial Relations," tabled in the Senate on April 2, 1998.

Hon. Duncan J. Jessiman: Honourable senators, today we are receiving a lot of information about veterans. Not many days ago, we were celebrating the Battle of the Atlantic, and then in early May, VE day. Now we are hearing about the War Museum and the work the Senate did there. I will tell you about something else the Senate has done, and it has to do with veterans and their health care.

I rise today to speak to the first report of the Subcommittee on Veterans Affairs of the Standing Senate Committee on Social Affairs, Science and Technology, respecting the state of health care for war veterans and service men and women.

This reference to the said committee was first recorded in the *Journals of the Senate* on Wednesday, November 5, 1997, and in the Minutes of the Proceedings of the Standing Senate Committee on Social Affairs, Science and Technology on November 25, 1997. Its mandate was to:

...examine and report on the state of health care in Canada concerning veterans of war and Canadian Service persons; that the study concern itself with the availability, quality and standards of health care available to those veterans and Service persons.

The committee conducted hearings in Ottawa, and three of its members — namely the chairman, Senator Phillips; the deputy

chairman, Senator Bonnell, and myself — attended in Toronto, Ontario, at the Sunnybrook Health Science Centre, in Sainte-Anne-de-Bellevue, Quebec, at Sainte-Anne's Hospital, and in Charlottetown, Prince Edward Island, at the head office of the Department of Veterans Affairs. The three members of the committee spent a good part of a day at each place gathering information and discussing this important subject with both veterans receiving these services and persons delivering such services to veterans.

Given how our laws are structured, with some matters falling exclusively to the provinces under section 92 of the BNA Act and other matters falling exclusively to the federal government under section 91 of the same act, the responsibility for the delivery of health care to veterans is not crystal clear. Under section 92, which gives exclusive jurisdiction to the provinces, subsection 7 gives responsibility exclusively for "The Establishment, Maintenance, and Management of Hospitals..." Under section 91, which gives exclusive jurisdiction to the federal government, subsection 7 gives exclusive jurisdiction to the federal government respecting "Militia, Military and Naval Service, and Defence." However, thanks to the manner by which the federal government has accepted its responsibility to care for the military after they have retired from active service, a strong case has been made, particularly by several veterans' organizations, that veterans, and particularly veterans who have served overseas, have the right to health care services of a quality equal to that that was given by the many veterans' hospitals previously and is being given today by the veterans' hospital at Ste. Anne's in Quebec.

To the credit of the federal government — not necessarily just this federal government, but it can take credit as well — we have one of the world's most comprehensive and generous programs for veterans' benefits. The following is a short list of the services provided by the federal government through the Department of Veterans Affairs.

Disability pensions: Pensions are awarded to current and former members of the Canadian Armed Forces, or their survivors, for disability or death related to wartime and peacetime military service. Civilians who served in close support of the armed services during wartime or their survivors may also qualify. Veterans and certain civilians who were prisoners of war who avoided capture by the enemy or who escaped may receive compensation. Veterans of allied forces may also be entitled to pensions and compensation if they lived in Canada prior to their service in the First or Second World War. Additional benefits may be awarded if the veteran has a spouse, or dependents, or both.

Allowances: Veterans and certain civilians who need income, service, age or health, and residency requirements may be eligible to receive an allowance and related benefits. Allied veterans of the First or the Second World War may also be eligible to receive benefits if they were domiciled in Canada when they joined the armed forces.

Survivors' allowances: Widows, widowers and orphans of qualified veterans and civilians may be also eligible for allowance. Following the death of an allowance recipient, the surviving spouse receives payment at the married rate for one year. After that, the spouse may qualify for the single rate allowance.

Assistance fund: When funding is not available from other sources, allowance recipients may receive financial help for emergencies such as shelter and health care.

Health care: The Veterans Independence Program is a program designed to help eligible veterans and certain civilians remain healthy and independent in their own homes or communities. Under VIP, the department pays for services such as grounds maintenance, housekeeping, meals-on-wheels, personal care, care by health professionals, transportation for social activities, and nursing home care.

Treatment benefits: Treatment benefits may include medical, surgical and dental care, prosthetic devices, home adaptations, supplementary benefits such as travel costs for examinations or treatment, and other community health care services and benefits. Palliative and respite care may also be provided.

Income-qualified veterans and certain civilians may be eligible for treatment benefits not provided under a provincial health insurance plan. Disability pensioners receive treatment for their pensioned condition.

Long-term care: Long-term care is provided in departmental or community facilities for eligible veterans and certain civilians. They also give out certain information and advice.

There are also a number of other programs that I will skip over at the moment.

The commencement of World War II, which was September of 1939, brought about a rapid expansion of the number of veterans' hospitals, from eight hospitals caring for about 2,000 patients at the beginning of the war to 11 hospitals and 25 treatment centres with 25,000 patients by 1946.

•(1620)

The following is a list of the 11 hospitals which were administered by the federal government, and these figures are as of 1961. There was Camp Hill in Halifax, which had 410 patients; Lancaster Hospital in Saint John, New Brunswick, 400; Sainte-Foy Hospital, Quebec City, 325; Queen Mary Hospital, Montreal, 700; Sunnybrook Hospital, Toronto, 1,563; Westminster Hospital, London, 1,520; Deer Lodge Hospital, Winnipeg, 640; Colonel Belcher Hospital, Calgary, 400; Shaughnessy Hospital, Vancouver, 950; Veterans Hospital in Victoria, 300; Sainte-Anne's Hospital, Sainte-Anne-de-Bellevue, Quebec, 1200, which today only has 606 beds. In addition, the

federal government also administered veterans pavilions at Regina General Hospital, with 186 beds, and the University Alberta Hospital with 318 beds, resulting in the department administering 8,912 beds for veterans.

Unfortunately, over the years, all such hospitals and institutions, with the exception of the Sainte-Anne's Hospital in Quebec, have been turned over to the provinces for administration. Although contracts have been entered into between Veterans Affairs and the various hospitals and institutions caring for veterans that guarantee the availability of these 7,650 beds, the quality of care is not consistent across the country. Further, because of the various cut-backs in health care by the provinces, the quality of care is not as high as that given previously by federal veterans hospitals and institutions, nor as that given at the Sainte-Anne's Hospital in Quebec.

Another difficulty is that, although there are these 7,650 beds, they are all occupied and waiting lists are prevalent across the country. This problem was with us four years ago. I will read from a report called "Keeping the Faith into the Future." It reads:

Just 20 years after its construction, the Sunnybrook Hospital in Toronto was transferred to the University of Toronto as a teaching hospital in 1966 and Sainte-Foy Hospital was transferred to the University of Laval. In these first transfers and in those that followed there were assurances of priority to the remaining veterans in the institutions and of dedicated beds in other provincial institutions. Nevertheless, the decision of the department to transfer its medical facilities was controversial at the time, and echoes of this controversy were repeated in the hearings of the subcommittee. Veterans may no longer have needed full-service general hospitals by the late 1960s and 1970s, but many veterans continue to feel that the government missed the opportunity to play a leading role in the development of smaller chronic care facilities suitable for a population of aging veterans, and eventually for an aging civilian population. For some, the transfer of these hospitals and other facilities still represents an abdication of the government's responsibility, and the loss of an atmosphere particularly sensitive to the needs of veterans.

Unfortunately, as I said, the agreements that the government has made with the various provinces and other provincial entities respecting the level of care to be given to veterans is not defined. As a result, the level of care that the provinces provide to veterans varies from province to province. There is no question that this was a mistake. When these agreements come up for renewal it is important that the level of care be a standard that is consistent in all provinces and should favourably compare with the care given at the hospital of Sainte-Anne. In our report in this regard, we say as follows:

One of the reasons why the Subcommittee has grave reservations about the transfer of Sainte-Anne's, the last federally administered, chronic care facility, is that, lacking national, clearly stated and enforced standards of institutional care for veterans, Sainte-Anne's remains an invaluable benchmark of an acceptable level of care. Such a benchmark has become essential, given the increasing disparities between the health care programs of one province and another. These differences have become so substantial that one can no longer say that the Department is dealing with a national care system; instead, it must negotiate with and adjust to the strengths and weaknesses of the ten distinct provincial systems.

As provinces cut back on their funding of medical care (and as federal cuts to transfer payments to the provinces bite deeper) individual hospitals are faced with the reality of reduced resources, are forced to close beds, reduce staff, and eliminate or reduce the cost of services. The result is that unacceptable differences might emerge between the quality of care in facilities within the same province, and even within the same institution.

Before the federal government actually transfers that facility at Sainte-Anne to the Province of Quebec, the committee wanted to inspect both a facility contracted out to a province — and we chose Sunnybrook in Toronto — and a facility that continues to be operated under the federal jurisdiction, and that is the one at Sainte-Anne's Hospital in Quebec. There is no question that both are outstanding facilities, but there is also no question that the service at the Toronto hospital, although in some aspects exemplary, had aspects to it that were the responsibility of the facility itself, in the case of veterans. There was one ward that was primarily the responsibility of the province and there was another ward that was primarily the responsibility of the federal Department of Veterans Affairs. The quality of the equipment was different. There was a different feeling at that hospital compared to the one in Quebec, which is for veterans and run by the federal government.

In fairness to those in Toronto, they had had a terrible experience just a few months earlier. You must understand these veterans are of an average age of 75 and some of the people are much older than that. Some have dementia, Alzheimer's, and what have you. One veteran had, just a few months before our visit, gone into a ward where there were four other patients, started a fire, and three of them died. Not all three who were in that room died, another died close by as a result of the smoke.

The administrators of the Sunnybrook Hospital were under some constraint while discussing the matter with us because the matter was still under investigation by the police and fire departments. They did not have all the reports back, which made

the situation difficult, and, therefore, we did have some problems with the hospital administrators on that account.

There was another sad incident where a patient had fallen out of bed. Senator Bonnell, being a medical doctor, was not satisfied with the treatment of that particular aged patient. Also, the Sunnybrook Hospital, although it did comply with the regulations of the particular municipality in which it is located, did not have a sprinkler system, as we found at Sainte-Anne's.

It was interesting just how amazing some of these people are. We went into one room which happened to be a ward where a gentleman was by himself, in a bedroom with twin beds. He was dressed in a blue blazer and grey slacks, he stood perfectly straight and he was 98 years old. He was a marvellous old man and we had a great time visiting with him.

There was another young lady, who had been a nursing sister, and she talked to all three of us separately. We were told later she had called all her friends who lived close by, and she was 102. They seemed to be happy, both there in Toronto and also at the hospital in Sainte-Anne-de-Bellevue.

I wish to say one other thing about Sainte-Anne's. They are better organized. The Department of Veterans Affairs is happy with them. Certainly, their evacuation procedures were better. They had special equipment to get people out, which they demonstrated to us. When some of these veterans reach this age, they cannot swallow. Therefore, special food had to be devised. It looks tremendous. They had a beer there in a glass, and they had various types of food. It looked delicious. The chairman was able to eat it, but I just took a taste of it. It was dreadful. These people have what is called dysphagia.

•(1630)

This food looks good and they can get it down. It will now be used in many hospitals across the country. This has been undertaken at a veterans hospital run by Veterans Affairs.

The Hon. the Acting Speaker: Honourable senators, I regret to inform the honourable senator that his speaking time has expired. He could continue, with the consent of the Senate. Is it agreed, honourable senators?

Hon. Senators: Agreed.

Senator Jessiman: Even though the overall population of veterans is decreasing because of death, the number requiring medical care is increasing substantially due to aging.

Another problem that will face the government in the near future is taking care of those veterans who, to date, have not required any assistance from the Department of Veterans Affairs. I am glad to say that I am one of those. That group represents two-thirds of veterans alive today, and numbers 322,000. The total number of veterans is 475,000.

It was this group that the Auditor General told the government in 1996 that it should plan to take care of as the veterans become older and their need for medical assistance increases in intensity. The Auditor General warned at that time that the government was devoting limited resources to determining the needs of its future population, and it could face significant unplanned costs.

There are 16 recommendations in our report. However, I wish to emphasize only three.

Recommendation No. 4 states:

That the Department establish a detailed federal standard of care for implementation in long-term care facilities. This standard must meet the needs of veterans to the same or a higher degree than was the case before the Department transferred its facilities to the provinces. Regardless of whether the standard is expressed in terms of patient outcomes or in terms of hours of care per resident per day, etc., it must be readily understandable;

Recommendation No. 6 states:

That the Department negotiate updated Transfer Agreements with the provinces that enshrine the departmental standards referred to above.

The last but very important recommendation is number 16 which states:

That the Department indefinitely postpone the transfer of Ste Anne's Hospital to the Province of Quebec...

On motion of Senator Carstairs, debate adjourned.

[*Translation*]

HEALTH

COMMISSION OF INQUIRY ON THE BLOOD SYSTEM
IN CANADA—COMPLIANCE WITH RECOMMENDATIONS—
MOTION IN AMENDMENT—DEBATE ADJOURNED

On the Order:

Resuming debate on the motion of the Honourable Senator Lynch-Staunton, seconded by the Honourable Senator DeWare:

That the Senate endorses and supports the findings and recommendations of the Commission of Inquiry on the Blood System in Canada;

That the Senate for humanitarian reasons urges the Government of Canada and the Governments of the

Provinces and of the Territories to comply with these findings and recommendations; and

That a copy of this motion be forwarded to each federal, provincial and territorial Minister of Health.—(*Honourable Senator Bacon*).

Hon. Lise Bacon: Honourable senators, the motion introduced by the Leader of the Opposition urges the Government of Canada and the provincial and territorial governments to comply with the conclusions of the Krever commission on the Canadian blood system.

If I may, honourable senators, I would like to take a few moments to review the approach taken by Justice Krever. He had a very special mandate, which he carried out, but which also limited him. His final report was the culmination of almost four years of meticulous examination of evidence and he explains with great clarity why we are in the situation we are in today. Thanks to his work, we have all learned a great deal about the past and about how to improve the safety of the system.

However, the Minister of Health and his colleagues in the other place also had a mandate and a set of very serious responsibilities. This is true as well of their provincial and territorial colleagues. In dealing with the past together, they also had to be clairvoyant and foresee that hasty, injudicious decisions could have very serious consequences in the future not only for the blood supply system but for the entire health care system.

So, honourable senators, when it became necessary to establish a basis for making a decision on the whole issue of hepatitis C, they decided on the strength of principles such as clarity, reasonableness and viability, making sure that the approach was appropriate to the problem. Lumping together all those infected would not solve the problems of the past. The issue before us is totally separate from the injury caused by the blood supply system in general and must be dealt with on its own terms.

The principle was to go with infections that might have been avoided had things been done differently. When did these infections occur exactly? I think it is always easy with hindsight to judge past events very harshly. The period between January 1, 1986 and July 1, 1990 was chosen by the complainants on the basis of what could be considered reasonable moral responsibility. If we take the time to consider the facts as noted by Mr. Justice Krever, it is clear that the period between 1986 and 1990 is different from all the others.

It was in fact early in 1986 that the American blood supply industry decided to do surrogate testing on a national scale. This point of reference is the most suitable and the choice of any other date results in a less viable basis. Those advocating dropping dates altogether are, perhaps unwittingly, advocating a sort of retroactive insurance, without regard to responsibility, which should apply to the entire Canadian health care system. It would be irresponsible to let such a thing happen accidentally without appropriate examination.

While health systems are struggling to find ways of reducing the number of errors in care, they are also trying to determine what society should do with respect to the harm that results. Medicine is no more perfect than the systems surrounding health care.

Increasingly, people expect guaranteed results, but we are still a far cry from achieving that.

As Canadians, we are accustomed to turning to the health system, in the knowledge that it does everything it can to obtain the best results possible. We also use this system in the knowledge that it will not necessarily be able to deliver the desired results every time we set foot in a hospital or are treated by a physician.

The payment of financial assistance, when the health system has caused harm, is the subject of heated discussion. Canadian jurists who have been studying the matter for eight years are wondering if it is really appropriate to use the system of tort liability to resolve cases of harm caused by the health system.

There are many opinions on this, but Canada has not yet decided what must be done, because the Canadian public has not discussed the matter thoroughly. Also, adopting this kind of approach to right the wrongs caused by the health system is fraught with danger.

The Canadian health care system, honourable senators, can be said to be among the best in the world. It is considered a model to be copied, and it plays that role well. It is an integral part of the Canadian identity.

We must therefore invest the necessary effort in improving this system, enhancing the positive impacts and reducing the potentially negative ones. We must also admit that the health system, with all its advantages, also comes with some risks. As a nation, it is up to us to decide how to react to the harm caused when those risks turn into reality.

We need to protect and improve the health care system, taking care not to do harm to it accidentally at the same time.

That said, I am convinced that the Honourable Leader of the Opposition and all my colleagues are aware that the Minister of Health is today meeting with his provincial and territorial counterparts in order to resume discussions regarding those who contracted hepatitis C prior to 1986. No doubt we all hope their discussions will move along well.

You are certainly aware that, last Tuesday in the other House, the government supported an opposition motion that representatives of the Hepatitis C Society of Canada be invited to meet with the ministers of health to discuss the problem. They are indeed attending today's meeting of the ministers. We must hope for a good outcome to all these undertakings.

[English]

•(1640)

Hon. Mabel M. DeWare: Honourable senators, I have a few remarks I should like to make. We have all been following with close interest the debate in this house on the issue of compensation for victims of hepatitis C who contracted this disease through our blood system.

I feel that this important debate could be further advanced by an amendment to the motion of my colleague Senator John Lynch-Staunton.

MOTION IN AMENDMENT

Hon. Mabel M. DeWare: Therefore I move, seconded by the Honourable Senator Kinsella:

That the motion be not now adopted, but that it be amended in paragraph two by removing and replacing the words "to comply with these findings and recommendations" with the following:

"to not exclude in determining compensation any person who has contracted Hepatitis C from blood components or blood products."

For further clarity, I will read the paragraph as it would read:

That the Senate for humanitarian reasons urges the Government of Canada and the Governments of the Provinces and of the Territories to not exclude in determining compensation any person who has contracted Hepatitis C from blood components or blood products.

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

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, I move that the debate on the amendment be adjourned.

Hon. John Lynch-Staunton (Leader of the Opposition): Can we not speak to the amendment?

Hon. Philippe Deane Gigantès: Senator Carstairs asked that it be adjourned.

Senator Lynch-Staunton: Do you have any objection to our speaking to the amendment?

Senator Carstairs: If Senator Lynch-Staunton wishes to speak to the amendment, of course, I will defer to him. Then I will take the adjournment motion because I think it is necessary for this side to study the amendment in some detail.

Senator Lynch-Staunton: Honourable senators, I really wanted to find an opportunity to thank Senator Carstairs for her kind support of my suggestion that the Royal Assent procedure have an alternative. Flush with that kind of enthusiasm, I would like to move the adjournment of the debate.

On motion of Senator Lynch-Staunton, debate adjourned.

THE HOLOCAUST

STATEMENT ISSUED BY VATICAN VIEWED
AS TEACHING DOCUMENT—INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Grafstein calling the attention of the Senate to the Statement of the Vatican on the Holocaust as a teaching document.—(*Honourable Senator Carstairs*).

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, it was never my intention to speak to this particular motion. I was asked to adjourn the debate as Senator Grafstein indicated that someone on the other side wished to speak to it but he could not remember who it was. He has now spoken with Senator Spivak, and Senator Spivak does indeed wish to speak to this motion, so I would like to adjourn this debate in the name of Senator Spivak.

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, this is not really a point of order. Perhaps it would be acceptable to my colleague opposite if I were to move the adjournment of the debate in the name of a member sitting on this side.

Senator Carstairs: Absolutely. Unfortunately the debate was standing in my name, and that is why I had to get up and speak.

The Hon. the Acting Speaker: Honourable senators, I gather that there is agreement to have Senator Kinsella adjourn the debate in Senator Spivak's name.

Hon. Senators: Agreed.

On motion of Senator Kinsella, for Senator Spivak, debate adjourned.

RECOMBINANT BOVINE GROWTH HORMONE

AGRICULTURE AND FORESTRY COMMITTEE AUTHORIZED TO
STUDY EFFECT ON HUMAN AND ANIMAL HEALTH

Hon. Eugene Whelan, pursuant to notice of May 7, 1998, moved:

That the Standing Senate Committee on Agriculture and Forestry be authorized to examine and report on the

Recombinant Bovine Growth Hormone (rBST) and its effect on the human and animal health safety aspects.

He said: Honourable senators, I do not intend to take very much time today because several senators have already spoken on this important issue. I hope that when the issue goes to committee it will get a thorough study, which I do not feel the issue has received in the past.

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

Hon. Senators: Agreed.

Motion agreed to.

ABORIGINAL PEOPLES

COMMITTEE AUTHORIZED TO MEET
DURING SITTING OF THE SENATE

Hon. Jean B. Forest, pursuant to notice of May 13, 1998, moved:

That the Standing Senate Committee on Aboriginal Peoples have power to sit at 3:30 p.m. on Tuesday, May 26, 1998, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

She said: The committee, in its examination of Bill C-6, has agreed to hear from 12 different groups who wish to provide their particular views of the bill. All the groups being heard from reside in the Northwest Territories, and a number who are residing in isolated communities have requested to be heard by videoconferencing, since otherwise some of them would be required to travel for three or four days in order to come to Ottawa and then return to their communities. The committee has agreed to this request in the interest of being accessible to concerned groups who reside a long way from Ottawa, and also in the interest of reducing the high cost of bringing witnesses to Ottawa.

The committee, therefore, made a request to use the video conferencing equipment and facilities which the Fisheries Committee had already rented for the month of May. The Fisheries Committee were gracious enough to allow us to use it; however, other committees such as the Banking Committee also have requested the use of these facilities. Thus the aboriginal committee would like to hold their hearings at this time so that they can use the equipment when it is available.

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

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned to Tuesday, May 26, 1998 at 2:00 p.m.

**THE SENATE OF CANADA
PROGRESS OF LEGISLATION
(1st Session, 36th Parliament)
Thursday, May 14, 1998**

**GOVERNMENT BILLS
(SENATE)**

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
S-2	An Act to amend the Canadian Transportation Accident Investigation and Safety Board Act and to make a consequential amendment to another Act (Sen. Graham)	97/09/30	97/10/21	Transport and Communications	98/04/02	four			
S-3	An Act to amend the Pension Benefits Standards Act, 1985 and the Office of the Superintendent of Financial Institutions Act (Sen. Graham)	97/09/30	97/10/21	Banking, Trade and Commerce	97/11/05	seven	97/11/20		
S-4	An Act to amend the Canada Shipping Act (maritime liability) (Sen. Graham)	97/10/08	97/10/22	Transport and Communications	97/12/12	three	97/12/16	98/05/12	06/98
S-5	An Act to amend the Canada Evidence Act and the Criminal Code in respect of persons with disabilities, to amend the Canadian Human Rights Act in respect of persons with disabilities and other matters and to make consequential amendments to other Acts (Sen. Graham)	97/10/09	97/10/29	Legal and Constitutional Affairs	97/12/04	one	97/12/11	98/05/12	09/98
S-9	An Act respecting depository bills and depository notes and to amend the Financial Administration Act (Sen. Graham)	97/12/03	97/12/12	Banking, Trade and Commerce	98/02/24	one	98/03/19		
S-16	An Act to implement an agreement between Canada and the Socialist Republic of Vietnam, an agreement between Canada and the Republic of Croatia and a convention between Canada and the Republic of Chile, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income	98/05/05	98/05/12	Foreign Affairs					

**GOVERNMENT BILLS
(HOUSE OF COMMONS)**

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-2	An Act to establish the Canada Pension Plan Investment Board and to amend the Canada Pension Plan and the Old Age Security Act and to make consequential amendments to other Acts	97/12/04	97/12/16	Committee of the whole 97/12/17	97/12/17	none	97/12/18	97/12/18	40/97
C-4	An Act to amend the Canadian Wheat Board Act and to make consequential amendments to other Acts	98/02/18	98/02/26	Agriculture and Forestry	98/05/14	five	98/05/14		
C-5	An Act respecting cooperatives	97/12/09	97/12/16	Banking, Trade and Commerce	98/02/24	none	98/02/25	98/03/31	01/98

C-6	An Act to provide for an integrated system of land and water management in the Mackenzie Valley, to establish certain boards for that purpose and to make consequential amendments to other Acts	98/03/18	98/03/26	Aboriginal Peoples				
C-7	An Act to establish the Saguenay-St. Lawrence Marine Park and to make a consequential amendment to another Act	97/11/25	97/12/02	Energy, Environment and Natural Resources	97/12/09	none	97/12/10	97/12/10 37/97
C-8	An Act respecting an accord between the Governments of Canada and the Yukon Territory relating to the administration and control of and legislative jurisdiction in respect of oil and gas	98/03/17	98/03/25	Aboriginal Peoples	98/03/31	none	98/04/01	98/05/12 05/98
C-9	An Act for making the system of Canadian ports competitive, efficient and commercially oriented, providing for the establishing of port authorities and the divesting of certain harbours and ports, for the commercialization of the St. Lawrence Seaway and ferry services and other matters related to maritime trade and transport and amending the Pilotage Act and amending and repealing other Acts as a consequence	97/12/09	98/03/26	Transport and Communications	98/05/13	none		
C-10	An Act to implement a convention between Canada and Sweden, a convention between Canada and the Republic of Lithuania, a convention between Canada and the Republic of Kazakhstan, a convention between Canada and the Republic of Iceland and a convention between Canada and the Kingdom of Denmark for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and to amend the Canada-Netherlands Income Tax Convention Act, 1986 and the Canada-United States Tax Convention Act, 1984	97/12/02	97/12/08	Banking, Trade and Commerce	97/12/09	none	97/12/10	97/12/10 38/97
C-11	An Act respecting the imposition of duties of customs and other charges, to give effect to the International Convention on the Harmonized Commodity Description and Coding System, to provide relief against the imposition of certain duties of customs or other charges, to provide for other related matters and to amend or repeal certain Acts in consequence thereof.	97/11/19	97/11/27	Banking, Trade and Commerce	97/12/04	none	97/12/08	97/12/08 36/97
C-12	An Act to amend the Royal Canadian Mounted Police Superannuation Act	98/04/28	98/04/30	Social Affairs, Science & Technology				
C-13	An Act to amend the Parliament of Canada Act	97/10/30	97/11/05	Legal and Constitutional Affairs	97/11/06	none	97/11/18	97/11/27 32/97
C-15	An Act to amend the Canada Shipping Act and to make consequential amendments to other Acts	98/05/05						
C-16	An Act to amend the Criminal Code and the Interpretation Act (powers to arrest and enter dwellings)	97/11/18	97/12/11	Legal and Constitutional Affairs	97/12/16	none	97/12/17	97/12/18 39/97
C-17	An Act to amend the Telecommunications Act and the Teleglobe Canada Reorganization and Divestiture Act	97/12/09	98/02/24	Transport and Communications	98/03/25	none	98/04/29	98/05/12 08/98

C-18	An Act to amend the Customs Act and the Criminal Code	98/02/10	98/02/18	Legal and Constitutional Affairs	98/04/02	none	98/04/28	98/05/12	07/98
C-21	An Act to amend the Small Business Loans Act	98/03/19	98/03/25	Banking, Trade and Commerce	98/03/26	none	98/03/31	98/03/31	04/98
C-22	An Act to implement the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction	97/11/25	97/11/26	Foreign Affairs	97/11/27	none	97/11/27	97/11/27	33/97
C-23	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1998	97/11/26	97/12/04	—	—	—	97/12/08	97/12/08	35/97
C-24	An Act to provide for the resumption and continuation of postal services	97/12/02	97/12/03	Committee of the whole	97/12/03	none	97/12/03	97/12/03	34/97
C-28	An Act to amend the Income Tax Act, the Income Tax Application Rules, the Bankruptcy and Insolvency Act, the Canada Pension Plan, the Children's Special Allowances Act, the Companies' Creditors Arrangement Act, the Cultural Property Export and Import Act, the Customs Act, the Customs Tariff, the Employment Insurance Act, the Excise Tax Act, the Federal-Provincial Fiscal Arrangements Act, the Income Tax Conventions Interpretation Act, the Old Age Security Act, the Tax Court of Canada Act, the Tax Rebate Discounting Act, the Unemployment Insurance Act, the Western Grain Transition Payments Act and certain Acts related to the Income Tax Act	98/04/28	98/05/12	Banking, Trade and Commerce					
C-31	An Act respecting Canada Lands Surveyors	98/05/07							
C-33	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1998	98/03/18	98/03/25	—	—	—	98/03/26	98/03/31	02/98
C-34	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1999	98/03/18	98/03/26	—	—	—	98/03/31	98/03/31	03/98

COMMONS PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-220	An Act to amend the Criminal Code and the Copyright Act. (profit from authorship respecting a crime) (Sen. Lewis)	97/10/02	97/10/22	Legal and Constitutional Affairs					

SENATE PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
S-6	An Act to establish a National Historic Park to commemorate the "Persons Case" (Sen. Kenny)	97/11/05	97/11/25	Energy, the Environment and Natural Resources					
S-7	An Act to amend the Criminal Code to prohibit coercion in medical procedures that offend a person's religion or belief that human life is inviolable (Sen. Haidasz, P.C.)	97/11/19	97/12/02	Legal and Constitutional Affairs					
S-8	An Act to amend the Tobacco Act (content regulation) (Sen. Haidasz, P.C.)	97/11/26	97/12/17	Social Affairs, Science & Technology	98/04/30	two			
S-10	An Act to amend the Excise Tax Act (Sen. Di Nino)	97/12/03	98/03/19	Social Affairs, Science & Technology					
S-11	An Act to amend the Canadian Human Rights Act in order to add social condition as a prohibited ground of discrimination (Sen. Cohen)	97/12/10	98/03/17	Legal and Constitutional Affairs					
S-12	An Act to amend the Criminal Code (abuse of process) (Sen. Cools)	98/02/10	98/05/06	Legal and Constitutional Affairs					
S-13	An Act to incorporate and to establish an industry levy to provide for the Canadian Tobacco Industry Community Responsibility Foundation (Sen. Kenny)	98/02/26	98/04/02	Social Affairs, Science & Technology	98/05/14	seven			
S-14	An Act providing for self-government by the first nations of Canada (Sen. Tkachuk)	98/03/25	98/03/31	Aboriginal Peoples					
S-15	An Act respecting the declaration of royal assent by the Governor General in the Queen's name to bills passed by the Houses of Parliament (Sen. Lynch-Staunton)	98/04/02							
S-17	An Act to amend the Criminal Code respecting criminal harassment and other related matters (Sen. Oliver)	98/05/12							

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