



THE JOHN MCKAY REPORT

Member of Parliament
Scarborough-Guildwood



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HOW GOVERNMENTS SHOULD WORK

A Parliamentary session begins with the Speech from the Throne, in which the government describes in broad terms what it hopes to accomplish for the next period of time. It is usually followed by a Budget, in which plans to pay for new initiatives and all ongoing expenses are outlined.

When Parliament has dealt with all or most of the legislation resulting from the Speech from the Throne and the Budget, the custom is to “prorogue” or declare the sessions of the House of Commons and the Senate ended. This gives the government an opportunity to look at the future and plan for new legislation to reflect the needs of a rapidly changing society.

Properly used, prorogation is a valid part of ordering the business of governing Canada. Unfortunately, it can also be mis-used, and the present Prime Minister has devised a way of bending it to his own will.

Twice in the past twelve months he has shut down Parliament by prorogation, simply because he has found himself in an uncomfortable and indefensible position.

FIRST IN 2009

As 2009 began, he attempted to push through legislation on election funding which would have crippled attempts by Opposition parties to mount a meaningful campaign. As a result of public indignation over this blatant action, he faced a united Opposition which could have defeated him very quickly.

AGAIN LAST NEW YEAR'S EVE

Now, in the early days of 2010, he cannot hide his government's untrue assertion that they had no knowledge of mistreatment of prisoners in Afghanistan. In trying to silence and/or discredit a loyal civil servant before a parliamentary committee, he and

his ministers showed a disdain for the system which every Canadian could see.

In each of these cases, his response to the valid actions of elected MPs was to declare the Parliamentary session ended and lock the doors of the House of Commons.

HOUSE OF COMMONS, SENATE AND PRIVATE MEMBERS' BILLS IN LIMBO

This had the effect of also shutting down committee hearings and voiding all Bills currently proceeding through the House and Senate. Private Members' Bills, while not directly affected, are unlikely to emerge again. Dozens of Bills, many of them declared by him in the Throne speech to be important, are now in limbo. His vaunted crime Bills, whether we liked them or not, were basic to his election, but they met the same fate as all the others. My Private Member's Bill, C-300, the Corporate

Accountability of Mining, Oil and Gas Corporations in Developing Countries Act, may never be enacted now.

WHY IS THIS HAPPENING?

Because we have a Prime Minister who does not really believe in the democratic process on which our system of government is built. As your elected Member, I am denied the right to speak for you by a man who is changing the face of Parliament by assuming powers our forefathers never intended a Prime Minister to have.

I can only hope that Canadians will demonstrate, by their votes in the next election, that our system is precious to us, and that you want your voice to be heard.



HERE ARE SOME OF THE "LOST" BILLS

NAME	SUBJECT	STATUS AT PROROGATION
BILLS RELATED TO THE CRIMINAL CODE		
C-26	An Act to amend the Criminal Code (Auto theft and trafficking in property obtained by crime)	Passed in the House - Second reading in the Senate - referred to committee
C-34	Protecting victims from sex offenders Act	Committee report tabled in the House
C-36	Serious time for the most serious crime Act	Passed in the House - First reading in the Senate
C-42	Ending conditional sentences for property and other serious crimes Act	Second reading in the House - referred to committee
C-52	Retribution on behalf of victims of white-collar crime Act	Second reading in the House - referred to committee
C-54	Protecting Canadians by ending sentence discounts for multiple murders Act	First reading in the House
S-205	An Act to amend the Criminal Code (Suicide bombings)	Passed in the Senate - Second reading in the House - referred to committee
S-209	An Act to amend the Criminal Code (Protection of children)	Second reading in the Senate - referred to committee
OTHER BILLS		
C-6	Consumer Product Safety Act	Passed in the House - Third reading in the Senate
C-15	An Act to amend the Controlled Drugs and Substances Act	Passed in the House - Third reading in the Senate
C-45	An Act to amend the Immigration and Refugee Protection Act	First reading in the House
C-58	Mandatory reporting of Internet child pornography by Internet service providers	Second reading in the House - referred to committee
S-202	An Act to amend the Canada Elections Act (Repeal of fixed election dates)	First reading in the Senate
S-208	An Act to amend the Food and Drugs Act (Clean drinking water)	Passed in the Senate - First reading in the House
S-236	An Act to amend the Canada Elections Act (Election expenses)	First reading in the Senate

This is a small sample of the many Bills left unresolved when the doors of Parliament were locked.

Bills preceded by 'C' originated in the House of Commons. Those preceded by 'S' originated in the Senate.

JOHN MCKAY CONSTITUENCY OFFICE
 3785 Kingston Road Unit 10
 Toronto, ON M1J 3H4
 Tel: 416-283-1226 Fax: 416-283-7935
 Email: jmckay@johnmckaymp.on.ca
 Hours Monday to Friday 10 am to 4 pm

JOHN MCKAY LEGISLATIVE OFFICE
 549-D Centre Block, House of Commons
 Ottawa, ON K1A 0A6
 Tel: 613-992-1447 Fax: 613-992-8968
 Email: mckayj@parl.gc.ca
 Website: www.johnmckaymp.on.ca

THE LEGISLATIVE PROCESS

FIRST READING

The Bill is considered read for the first time and printed. There is no debate at this stage.

SECOND READING

Members debate the Bill's principle. If it passes at second reading, it goes to a committee of the House.

COMMITTEE STAGE

Committee members study the Bill clause by clause. They may hold hearings to gather information, ask government officials and experts to answer questions,

THIRD READING

Members debate and vote on the Bill.

SENATE

After the House has passed the Bill, it goes to the Senate, where a similar process takes place.

ROYAL ASSENT

The Bill receives Royal Assent after being passed by both Houses, and becomes law.

Bills originating in the Senate follow a similar path, going to the House of Commons only after they have passed all stages in the Senate.