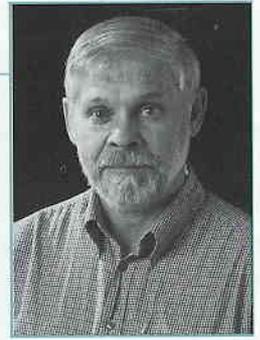


BILL C6 – AN UPDATE

By Richard DeSylva, R.H., D.NM



Last Summer, I reported on Bill C6 (The Consumer Product Safety Act), and how it would seriously erode civil, Charter and constitutional rights of Canadians. Many of the activist groups here in Canada raised a hue and cry in an effort to make our Members of Parliament (MPs) aware of this travesty. Unfortunately, on June 12th, the MPs from all four parties unanimously passed this Bill. Most were blithely unaware of the Trojan horse nature of the Bill, due in part to their not having really read the Bill, and assured by their party's whip that it was for the safety and well-being of all Canadians.

On June 12th, it was then sent to the Senate for its 1st reading; shortly thereafter, the Senate recessed for the Summer break; they promised to revisit it in the Fall upon their return. This recess gave all of the groups opposed to C6, a much-needed period of time to plan strategy for its return.

When the Senate did return, the Bill received 2nd reading. Concurrent with this, the offices of all the Senators were bombarded by thousands of emails from all of the various activist groups. So intense was this effort that the Senate voted to refer the Bill to a sub-Committee (Social Affairs, Science, and Technology Committee) for review. The official critic of the Bill, Senator Day, along with Senators McCoy and Grafstein, very quickly realized that our concerns were indeed valid. Thanks to their combined efforts, the Bill received far more debate than anticipated and created a veritable logjam for the Conservative party that had introduced this Bill.

While many of us had submitted requests to make presentations to this sub-Committee, the Federal government quickly stacked the hearings with their own bureaucrats and those favorable to its passage. With the exception of Shawn Buckley, the head of the NHPPA (Natural Health Products Protection Association) and a constitutional lawyer, we were all denied permission to address the Senators of this Committee. When Mr. Buckley was asked to attend, he was in the midst of a huge trial involving Health Canada, and he requested an alternative date. This request was denied.

At this point we again sent out e-mail blasts and phone calls, demanding that he be allowed to appear. While our efforts were successful, it bears pointing out that the record shows that 17 people who were in favor of its passage were allowed to attend, while Shawn Buckley was the only one opposed who was allowed to make a presentation. Democracy indeed!

Bill C6 was reviewed clause by clause, with votes on various amendments addressing the deficiencies of the pertinent sections. Finally, the sub-Committee presented its report to the full Senate on December 3rd, 2009. This report recommended over 20 amendments to the Bill that would have corrected some of the more glaring assaults on individual freedoms affecting both consumer and business people. Unfortunately, these amendments were defeated by a narrow vote of 44 to 42.

On December 10th, Senators Furey and Banks put forward two amendments for the Senate: one concerning the entry of inspectors into one's home; the other dealing with the issue of defense by due diligence. Thankfully, these amendments passed; and the Bill was sent back to the House of Commons for the Members' consideration.

At this point, however, Parliament had risen for the Christmas break, and would not be returning until late January 2010. Concurrent with this recess, a number of our contacts in Ottawa had heard rumors that Prime Minister Harper would again prorogue Parliament, such as he had done a year ago in September 2008. Our fears were confirmed when it was announced on January 31, 2009, that Harper had indeed used this measure, ostensibly to avoid increasing flack over the Iraqi detainee issue, and Canada's willful blindness to their torture.

Parliamentary procedure dictates that whenever this happens, all Bills not passed into law will die on the Order Table. While this gives us another chance to regroup and plan our next step, most assuredly, this Bill – which was the revamped version of Bill C52 – will be re-introduced in the next session of Parliament, most likely sometime in late March 2010, after the Winter Olympic games have finished. This battle is not over, but we have given this government a serious lesson in Democracy 101. Never underestimate the power of the people! 

The terrific urge to prevent another person from making a "mistake" must be resisted if liberty is to be preserved.

The "protective spirit" that leads a fond parent to prohibit his child from acquiring mature judgments, as he substitutes his own opinions for those of the child, leads the dictator to act as he does in "protecting" his political children.

—F.A. Harper