

**OFFICIAL REPORT (HANSARD)**

*Monday, October 16, 2006*

**Hazardous Materials Information Review Act**

**Ms. Ruby Dhalla (Brampton—Springdale, Lib.):**

Mr. Speaker, I thank the hon. member for providing some insight into this important legislation, which is an act to amend the Hazardous Materials Information Review Act.

I listened intently to what the member had to say and was quite surprised that a substantive part of his speech, word for word, was actually written and given by a member in the Senate, the hon. James Cowan, during second reading to amend the bill.

I also realized that the senator was not recognized during the member's speech. I do not know if that would be a form of plagiarism taking place in the House but I would be interested in finding out from the member whether he had any new insights into this particular debate on some of the other important issues versus reading a speech, word for word, from Senator James Cowan that took place in the Senate?

(1605)

**Mr. Steven Fletcher:**

Mr. Speaker, certainly if there was redundancy, I would acknowledge the senator's speech if that was indeed the case.

The fact is this is a pretty straightforward issue. I hope the member opposite will not cause undue delay or become partisan in the debate just for the sake of becoming partisan. There are times when we can work together here to pass important legislation. This is not exciting legislation, but it is important to the workers who have to deal with hazardous materials.

I will acknowledge the senator's comments. I hope the member will work with the government to ensure the safety of workers.

I will also take a moment to point out that it is not uncommon to find very similar comments in the Senate and the House of Commons. I believe we could find dozens of examples where this was the case with the previous government.

More important, we want to ensure the safety of workers, and this government will do that.

**Ms. Ruby Dhalla (Brampton—Springdale, Lib.):**

Mr. Speaker, I want to take this opportunity to express the support of our party, the official opposition in the House, for Bill S-2, An Act to amend the Hazardous Materials Information Review Act. It is very similar to Bill S-40 which was introduced in the previous Parliament by the Liberal government. The bill seeks to change the process whereby manufacturers of hazardous materials can become exempt from

providing full disclosure of the nature of their products where that disclosure would force them to reveal trade secrets.

I know the Parliamentary Secretary to the Minister of Health has very eloquently put forward some of the changes that would take place, but perhaps I could also divulge some information in regard to this piece of legislation.

As was mentioned by the member opposite, the Hazardous Materials Information Review Commission is an independent quasi-judicial agency of government. It plays a very important role in ensuring that we protect the safety of our workers in Canada. Ultimately that is what this legislation is about; it is about protecting workers, both their safety and their health in Canada.

The commission is part of the Workplace Hazardous Materials Information System which provides workers with information about health and safety. There are product labels which are available to employees and workers who handle hazardous materials, along with material data safety sheets. They provide workers with information that is important for their protection, such as the different types of hazardous ingredients that they perhaps are working with, the specific risks that may be encountered when utilizing those products, and precautions on how to store and transport those products, and also how to ensure the proper disposal of those products. The labelling sheets and the data safety sheets also provide information on first aid measures that one can take if there is any type of accidental exposure.

The commission has played a vital and important role in terms of educating workers and ensuring their safety. The legislation that is before us wants to implement three amendments. The first amendment reduces some of the administrative burden that one requires for documentation. The second amendment deals with the voluntary correction of material safety data sheets and product labels. The third amendment improves the appeals process.

With respect to the first change regarding reducing the amount of administrative burden, when employers put forward information on how to provide for an application for hazardous materials, they must apply for an exemption. One of the difficulties with the exemption is that when they reveal what the chemical compounds are in those hazardous materials, they may end up revealing trade secrets and therefore, they apply to the commission for an exemption. However, the commission has only denied two of the 2,200 applications that have been put forward to the commission. There is an amendment to allow individuals to label their applications as confidential and the commission would only then review those applications if they were challenged on the basis of confidentiality.

The second amendment being put forward is the voluntary correction of material safety and data. As the Parliamentary Secretary to the Minister of Health told the House, if a correction is required to the product labels or the material safety data sheets, it has to appear in the *Canada Gazette* through a formal order and it is not binding until 75 days after it has been publicized. Thus workers cannot receive the appropriate information until 75 days after it has appeared in the *Canada Gazette*. This bill would ensure that workers would receive information in a timely manner because instead of having to go through the *Canada Gazette*, one could make a voluntary undertaking.

The third improvement is in regard to improving the appeals process. Right now the commission cannot have any type of interference. However, if it were able to provide some sort of factual clarification it would actually speed up the whole process.

(1615)

In conclusion, we support this piece of legislation. It would provide definite improvements to the whole process. It would absolutely ensure that workers in this country had access to safe and effective

information that would ensure their health and safety. Also, the information would be made available in a timely manner.

We will be supporting Bill S-2.