

Spaceman Had Ghostwriters

Astronaut Chris Hadfield's seemingly spontaneous performances in space were the product of a three-year marketing campaign complete with CBC collaboration and occasional tweets ghostwritten by government employees, *Blacklock's* has learned.

The Canadian Space Agency confirmed Hadfield was directed by communications staff as he ate spinach, clipped his nails and invoked *Star Trek* at the International Space Station – though employees rejected one publicity stunt proposed by Hadfield himself, to have snowmobilers spell out giant letters he would try to photograph from space: “I wouldn’t make a contest of it,” wrote an agency staffer; “We have enough contests as it is.”

Hadfield could not be reached for comment.

“It was a multi-faceted media campaign – yes, of course it was,” said Anna Kapiniari, a communications manager at the Canadian Space Agency. Documents obtained through the *Access to Information Act* indicate Kapiniari occasionally acted as Hadfield’s ghostwriter, though the agency publicly insisted all Hadfield’s activities were uncontrived.

“Canadians can tell he is authentic,” agency staffers wrote in a Jan. 25 email intended for distribution to reporters; “Chris writes all his tweets himself.”

Records show federal employees spent three years “actively planning and carrying out a series of actions to fully leverage social media and partnerships,” agency communications director Paul Engel wrote in an April 18 memo. “Key partners” included the CBC, wrote Engel, now retired from the agency.

The CBC program *The Nature of Things* in an April 25 website commentary and broadcast reported, “Chris Hadfield is making us love space again. He tweets, snaps stunning photos, and regularly connects with folks back home as he hurtles around the earth at 28,000 km an hour aboard the International Space Station.”

Space Agency staff praised the item as “excellent.” The CBC did not respond to questions.

In another publicity move, staff spent six months negotiating with actor William Shatner to call Hadfield in space. Shatner appeared to have little enthusiasm for the project: “The format will depend on Bill’s work schedule,” the *Star Trek* captain’s publicist told the Space Agency in a Sept. 4 email. Later Shatner agreed with conditions: “Mr. Shatner has agreed to do one public phone call...The call must be made from a private location to Chris and will not be on video.”

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Hadfield spoke with the actor on Feb. 7. “A link-up with William Shatner has pushed the envelope into another parallel universe,” the Space Agency wrote in a staff memo.

Publicists spent months arranging stunts for Hadfield. “There was definitely a focus on social media,” said Kapiniari, a former Liberal cabinet aide who was named “mission lead” in the campaign; “We wanted to talk about just regular stuff, and that’s what we did.”

The astronaut was instructed to “show how

astronauts brush their teeth”; to play guitar for a Space Agency video; and to cook spinach in space: “Couldn’t get the *Popeye* music but it still turned out nicely,” Kapiniari wrote in one March 20 memo.

However, one of Hadfield’s own ideas was rejected as impractical. In a Jan. 1 email Hadfield wrote staff, “What do you think of the idea of Canadians writing something big in the snow for me to photograph from orbit? Snowmobilers on a lake

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"Ghostwriters" from Pg.1



might work well. If so, I'll put out a request via Twitter :)"

Employees were unimpressed. "I wouldn't make a contest out of it," wrote staffer Magalie Renaud; "We have enough contests as it is. Wouldn't he need contrast to see the letters though? I've heard him say that they can't photograph the Great Wall of China because it's brown on brown."

The agency expressed more enthusiasm for Hadfield's twitter messages, carefully tracking his followers that grew to over a million – more than David Bowie, staff noted:

"Wow, no kidding! (Bowie) only has 173,370 followers?"

"We were expecting social interest in the mission but are overwhelmed by the huge response," Kapiniari wrote in a Jan. 11 memo. When TIME magazine mentioned Hadfield in an article *The 140 Best Twitter Feeds of 2013*, the astronaut emailed staff: "Thanks Anna – and Magalie!"

Staff said repeatedly Hadfield wrote his own material – "Here are Chris' own words: 'I write all my Tweets (original italics),' " noted one memo. Yet records indicate numerous instances in which Kapiniari acted as Hadfield's ghostwriter.

"I can think of four or five where they were related to an event," Kapiniari said; "I sent him a handful – that was it"; "You're talking 10 suggested tweets; I don't think you're being fair."

Among the ghostwritten messages:

- April 30: "Chris: The Bank of Canada asks that you tweet something like... 'Have you seen Canada's new \$5 bank note?'" Hadfield did;

- May 8: "Tweet conversation between @CalgaryStampede and @Cmdr_Hadfield... 'That's a great looking pic of Calgary you took in April, you should see it in July though!'... Follow-up tweets could include, 'Cowboys and astronauts have more in common than you think'; 'We're looking for one good man to lead our parade.'" The scripted twitter conversation went as planned; Hadfield tweeted, "I would be THRILLED to be the Stampede Parade Marshal! A great reason to come back to Earth!"

- January 18: "Hi Chris... here's an idea for a tweet that hits key hashtags. Also most Leafs fans don't speak French:

'Heureux de voir le hockey @NHL de retour au Canada ...#GoHabs!'" Hadfield sent the tweet.

In an interview, Kapiniari said it was "up to Chris to change the words if he wanted," and that the Space Agency never intended to misrepresent Hadfield's performance. "I sent up suggestions, they were his to take," said Kapiniari. "I'm glad he liked them. Great, I can write 140 characters. All those other tweets about his feelings in space, he wrote himself."

Hadfield retired from the Space Agency this summer, and announced a book deal with Random House Canada to publish his story, *An Astronaut's Guide to Life on Earth*, on Oct. 29.



BY TOM KORSKI

[IMAGE CANADIAN SPACE AGENCY]

GROCERIES UP 19 PERCENT

Grocery price spikes are the highest in a generation, rising 19 percent in the past five years, officials confirmed.

Statistics Canada said the rise in the cost of food nearly doubled the 10.7 percent hike in other living expenses in the 2007 to 2012 period. Analysts attributed the rise to higher fuel costs, droughts and profit-taking.

"It's a mixed bag of factors," said Prof. Sylvain Charlebois, of the University of Guelph's College of Management. "Agriculture has become this investment haven for mutual funds; that's led to speculation."

StatsCan reported Canadians paid more for eggs, fats and oils (up 29 percent); baked goods, cereals, tea and coffee (up 27 percent); meat (29%); vegetables (15%); fish (14%) and dairy products (13%). Seafood saw the smallest price gains at 6 percent amid wholesale prices for lobster that fell below cost

at \$3 a pound or less.

"It's a Maritime-wide frustration," Mike McGeoghegan, president of the Prince Edward Island Fishermen's Association, earlier told *Blacklock's*.

Researchers called the overall jump in supermarket prices one of the steepest climbs in the postwar era, though not as severe as a 1972 food spike that occurred in a period of high inflation.

"What you're seeing is that agriculture has shifted to a much higher price environment," said Scott Ross, director of business risk management with the Canadian Federation of Agriculture. "We have high costs, and land prices keep increasing. Not all of the increase is directly linked to commodity price increases, but they are definitely a factor."

Farm fuel costs have risen at least 25 percent on average since 2010, according to the Department of Agriculture.



"Not all increases in food prices are ending up with farmers by any means," said Ross; "What people are getting on the farm compared to the food prices definitely would not align."

Higher retail prices resulted in costlier restaurant meals – about 15 percent more, researchers calculated. "It was a perfect storm: a downward economy, rising food prices then a decrease in

consumer spending that led to a real horrible 2009 to 2010 period for our members," said Garth Whyte, president and CEO of the Canadian Restaurant and Foodservices Association.

"Food costs are an issue, no question," said Whyte. "Costs have stabilized somewhat, but they never go down."



BY KAVEN BAKER-VOAKES

[IMAGE LIBRARY & ARCHIVES CANADA #1972-047 NPC]

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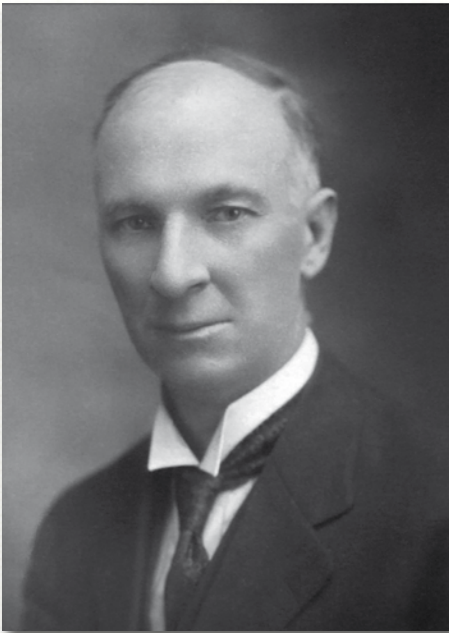


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Tom Hyland Blacklock

A pioneer publisher and war correspondent, confidante of three prime ministers and 1922 president of the Ottawa Press Gallery, Tom Blacklock was mourned at his passing in 1934 as "a keen observer blessed with a sense of proportion." Born in Halton County, Ont. in 1870, he became a frontier editor and first mayor of Weyburn, Sask. in 1903. Assigned to Parliament Hill by the Winnipeg Telegram in 1912 he remained a gallery man for life with columns published from Victoria to Halifax: "As Tom Blacklock used to say, 'That ain't the way I heard it.'"

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Senator Grant Mitchell

THE RINK THAT RUINED A LIFE



I don't want my child skating on a rink that ruined somebody's life.

In my province, gross profits from video lottery terminals are \$492,000,000 a year. The proceeds fund community projects like arenas. Isn't this an implicit acknowledgment there is something wrong with profiting from VLTs? We can only justify it if the money is used for particularly worthy causes.

As a boy in Shilo, Manitoba, I recall neighbours buying Irish Sweepstakes tickets. People were enthralled with the idea of winning the prize, though it was illegal in Canada then. That was my introduction to gaming.

I'm no gambler – though there are those who'd say running for public office in Alberta as a Liberal in 1986 takes a gambling streak. I am no good at cards. Out of university, my friends invited me to poker nights, but stopped after two sessions. I was such a poor card player they didn't even want my money. I've never been to Las Vegas. I have never used a VLT. I went to a horse track – once. I find casinos uninteresting. My wife Teresa and I buy a lottery ticket once every four years.

I understand the compelling entertainment feature of lotteries. For \$10 you buy a few days' worth of dreams. You can spend \$10 on hamburgers and fries, and that's value, too.

There is a philosophical principle we share: government must be careful in how it limits choice. I have a right to gamble if I want to gamble; I even have a right to go bankrupt doing it. The government cannot tell me not to

hurt myself. It isn't unreasonable that government would allow gaming, and it's good they regulate it.

But –

There is something pernicious about VLTs.

They are addictive.

They damage families.

There is ample evidence they are linked to suicide.

I've seen VLT lounges where customers sit by these machines, numb to their surroundings, obsessively pushing buttons. I would do away with VLTs. As Alberta Liberal leader in 1997 I campaigned on just such a pledge; we polled 33 percent in a province some saw as devoid of Liberal support.

In my political life I've always been motivated by the idea we have in our society an obligation to our neighbours. In Canada we've built that wonderful society, in part, by fairly paying taxes that have generally been well-spent. Now VLT revenues displace proportional taxation with a special tax on vulnerable people, with terrible effect.

In the 1990s we saw the emergence of dialogue on "family values."

I have a question: If Canadians believe in family values, what is our obligation to neighbours whose families are destroyed by a VLT addiction that is beyond their control? Do we support family values or don't we?

We can't have it both ways.

[Editor's note: the author is a former leader of the Alberta Liberal Party, and now deputy chair of the Senate energy committee]

Nice With Teriyaki Sauce

Canada Geese face the perils of a bigger bird hunt after being tagged as a nuisance by federal regulators. Environment Canada, mandated to protect the geese by law, says it will ease hunting limits on the iconic birds it blames for causing "a variety of conflicts with humans."

The department disclosed no national geese count, but estimated 400,000 are in Ontario alone.

"Canada Geese damage

grass," authorities reported; "Goose droppings foul footpaths, docks, beaches and private lawns and may contribute to contamination of nearby water with parasites and coliform bacteria."

Environment Canada noted the birds also annoy farmers by damaging crops: "Increasing the harvest of Canada Geese is expected to contribute to reducing conflicts with humans."

The geese have been protected under the 1916

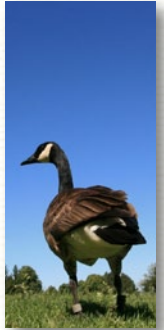
Migratory Birds Convention, enacted after over-hunting reduced their numbers.

Authorities said the Canada Goose hunting season will be extended, with bag and possession limits raised in Newfoundland & Labrador, Prince Edward Island, Nova Scotia, New Brunswick, Quebec, Ontario and Manitoba.

Environment Canada also raised bag limits on Snow Geese, estimating more than a million of the birds now

migrate north each spring. "The growth of the population has been stopped, but special measures have not succeeded in reducing the size of the population."

Canada's annual migratory bird hunt is worth \$94.4 million a year, by government estimate.



BY STAFF

FEDS DON'T GET IT: GROWERS



Greenhouse vegetable growers are appealing for federal research aid, saying the billion-dollar business receives paltry government support.

The potential of hothouse production is "poorly

understand by federal officials," said George Gilvesy, general manager of the Ontario Greenhouse Vegetable Growers that account for almost two-thirds of sector sales in tomatoes, peppers and cucumbers.

"Greenhouse vegetable farming is one of the most sustainable and productive forms of agriculture in Canada," Gilvesy said. "We are able to produce ten times more food per square metre than field producers."

The industry group

estimated it has received \$1.1 million in federal research and development funding in the past five years – "less than 0.03 percent of our total farm cash receipts," Gilvesy said.

Greenhouse vegetables are also produced in British Columbia, Alberta, Quebec and Maritime provinces.

"Innovation is critical," said Gilvesy.

Federal credits for scientific research and experimental development, dating from 1963, were reduced from 20 to 15 percent last year. The SR & ED program provides some \$4 billion a year in credits to

18,000 claimants, according to Canada Revenue data.

"We are committed to investment in labour and energy efficiencies which are our two largest production costs," said Gilvesy, "as well as investment in crop protection, product improvement and differentiation, and environmental sustainability."

National spending on research and development across all industries totals 1.7 percent of GDP by StatsCan estimate, well below the OECD average of 2.4 percent.

BY ALEX BINKLEY

15% Pipeline Pay Raise Just A Typo: Feds

Documents indicating cabinet awarded a large raise to the head of a panel studying the contentious Northern Gateway pipeline are not a bonus but a typo, officials say.

Cabinet minutes indicated Sheila Leggett received a 15 percent pay hike as vice-chair of the Calgary-based National Energy Board. However, staff said the cabinet order was an unusual mistake when contacted by *Blacklock's*.

Leggett declined an interview. And the Department of Natural Resources would not comment.

Leggett heads a joint federal panel due to issue a

recommendation to cabinet by year's end on the \$6 billion Enbridge megaproject, a 1,200-km long pipeline from Bruderheim, Alta. to Kitimat, British Columbia.

Leggett was granted an extension to her term till December 31 at a salary in the range of \$171,100 to \$201,200, according to June 6 cabinet minutes.

"There have been no salary increases," said Rebecca Taylor, National Energy Board spokesperson. "You have the correct information now at least."

However in a June 21 order only recently published, the

cabinet bumped Leggett's pay range to a maximum \$231,500 – the equivalent of at least a 15 percent pay increase.

The board spokesperson was unaware of the second order, and later said it merely "correctly identifies the remuneration range" for Leggett, who leads a joint panel studying the Northern Gateway proposal for the energy board and Canadian Environmental Assessment Agency.

Natural Resources Minister Joe Oliver would not take *Blacklock's* questions.

Leggett's panel ended final hearings in June on the pipeline, heavily favoured by cabinet but opposed by

sixty-six First Nations bands, environmental groups and members of the British Columbia legislature.

Enbridge proposes to pipe 525,000 barrels a day from Alberta's oil sands to Asia-bound tankers at the Kitimat terminal.

Leggett, founder of Sheila Leggett Environmental Consultants Ltd. of Calgary in 1993, was appointed to the National Energy Board by Prime Minister Stephen Harper in July 2006.

BY TOM KORSKI



Wireless Code Goes To Court

Only weeks after unveiling a wireless code that “puts consumers first”, Canada’s telecom regulator faces a lawsuit by some of the nation’s biggest wireless providers to void regulations.

In an application in the Federal Court of Appeal, the telecom giants – Bell Canada; Rogers Communications; Telus Inc.; Saskatchewan Telecom; Manitoba Telephone; Northern Tel and Télébec – asked that a judge overrule sections of the code detailed by the Canadian Radio-Television and Telecom Commission June 3.

Treasury Board President Tony Clement, who’d earlier praised the code for representing “more choice” for Canadians – “It puts consumers first,” he told Parliament – could not be reached for comment.

“People are really disappointed,” said David Christopher, spokesperson for the advocacy group OpenMedia. “There is more than enough time for Big Telecom to figure this out.”

The code, to take effect December 2, reduces the maximum term on cellphone contracts from three years to two. It also permits cellphone clients to cancel contracts after two years without penalty fees; caps data charges at \$50 a month and international roaming charges to a maximum \$100 a month; and requires that all contracting be in written in plain language.

An industry group, the Canadian Wireless Telecommunications Association, had praised the code as a “good balance.” However, telecom companies

said that regulators went too far in retroactively applying its provisions.

“The proposed appeal raises genuine and serious issues for determination with respect to the CRTC’s jurisdiction to render the wireless code applicable to contracts concluded before the code comes into force,” court documents state; “Wireless service providers that continue to offer three-year fixed term contracts with a heavily-subsidized device do not know whether these customers will be entitled to cancel those contracts after two years.”

The commission did not comment on the lawsuit.

A spokesman for Telus said the company “believes the code will give Canadians strong protection,” but questioned the timing of the regulations.

“We have been unable to get satisfactory clarification from the CRTC on the retroactive aspect of this position,” said Stewart Hall, Telus spokesperson.

Nearly 50 groups and individuals are also named in the case including Global Wireless, Thunder Bay Telephone, Media Access Canada, Public Interest Advocacy Centre, Quebecor, Canadian Wireless Telecommunications Association, the Commissioner for Complaints for Telecommunication Services, Consumers Council of Canada, the Competition Bureau and the governments of Alberta, Yukon, NWT, Ontario, Manitoba and Québec.



BY KAVEN BAKER-VOAKES

“A DUTY OF LOYALTY”

Canadian National Railways has won a Supreme Court fight against its own lawyers in a class-action case over freight rates.

The court ruled 9-0 that CN’s counsel McKercher LLP, one of the largest law firms in Saskatchewan, should have asked the railway’s permission before representing farmers in a lawsuit against CN.

“A law firm owes a duty of loyalty to clients,” wrote Chief Justice Beverley McLachlin.

McKercher LLP had taken the railway as a client on three occasions when, in 2009, it agreed to sue Canadian National on behalf of George Wallace, a Unity, Sask. grain grower who alleged the railway systematically overcharged farmers.

The growers sought certification of a \$1.75 billion class action lawsuit against CN. However, the railway challenged McKercher LLP’s

role in the case – a complaint upheld by the Supreme Court.

“The position taken by CN was that lawyers could not act in matters in which their current client’s interests were directly and immediately adverse,” said Malcolm Mercer, counsel with McCarthy Tétrault LLP in Toronto which acted for the Canadian Bar Association as intervener in the case.

Mercer said the lawyers’ association was concerned that an “overbroad” interpretation of the no-conflict rule “would deprive clients of their choice of counsel unnecessarily.”

“The bottom line, which was the position of the Canadian Bar Association, is that clients shouldn’t lose their lawyers without good reason,” Mercer said.

The grain growers’ lawsuit against CN had been in limbo pending the outcome of CN’s appeal.



Chief Justice McLachlin wrote that the railway’s law firm should have asked CN before it agreed to represent farmers.

“A lawyer or law firm owes a duty of candour to the client,” McLachlin wrote; “Nothing suggests that CN has been purposefully spreading out its legal work across Saskatchewan law firms in an

attempt to prevent Wallace or other litigants from retaining effective legal counsel.”

The justices ordered the Court of Queen’s Bench to find a remedy for Canadian National’s complaint.



BY DALE SMITH

Contract's A Contract

Employees are on notice to stick to contracts after the Supreme Court dismissed one executive's claims for compensation over a job gone awry.

Lauren Richards was CEO of Media Experts M.H.S. Inc., an ad agency with offices in Toronto, Montréal and Vancouver, when she was dismissed in 2011 after less than a year on the job. Richards sued for wrongful dismissal, noting her contract entitled her to payments if she was fired without cause – and also sued the company's chairman for "negligent inflection of nervous shock," though the same contract limited management's liability.

"She was trying to have her cake and eat it too," said

Stuart Rudner, partner with Rudner MacDonald LLP of Toronto specializing in employment law. "Richards was relying on the severance entitlements in the contract, but then completely ignoring the other part of the contract that seems to preclude any other remedies arising from her termination."

The Supreme Court waived further hearings in the case, in which lower courts ruled Richards could not bypass selective terms of her contract.

"When working with employers we'll often recommend that they consider including limitation of liability clauses like that," said Rudner. "Conversely, if we're working with an



employee, we want to make sure they understand what they're signing."

Rudner noted that, while management of any firm is responsible for its own conduct, "it's always open to parties to enter into a contract and to limit the liability of one party or another – and that's exactly what happened here."

Richards last year launched her own consulting firm, Pollin8, based in Toronto.

 BY DALE SMITH

**"WE CANNOT
RELY ON THE
RESULTS"**



The nation's municipalities say they are having difficulty calculating critical data in the fallout from 2010 changes to the way Canada collects statistics.

The Federation of Canadian Municipalities said new methods leave officials with little data on smaller communities.

"More than 1,000 communities do not have results," said Claude Dauphin, federation president.

The latest *National Household Survey*, a compilation of 2011 census information, saw a 25-point decline in participation after cabinet made it voluntary, rather than mandatory for Canadians selected at random.

Local authorities use the data in calculating per capita funding, consolidating school districts, targeting funds and other programs.

"We had big concerns and still have them," said Dauphin, mayor of Lachine, Que. "The federation is not only big cities but communities across the country. Some of them are very small, and because of the changes we cannot rely on the results anymore."

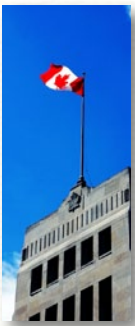
Analysts contacted by *Blacklock's* said the continuity of methods in gathering statistics is crucial to planning.

Wilf Falk, chief statistician for the Government of Manitoba, said users must ask: "Do these numbers look right when I know something about my community?"

"It's a new world out there now," said Falk. "Users have to be more vigilant and understand what can and cannot be used."

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FLAG LAW GOES TO COURT



A Canadian manufacturer is suing the government for allegedly using substandard flags on the Peace Tower, federal courthouses, and soldiers' caskets in violation of a 1985 law.

Randy Sloane, an Ontario contractor who's supplied national flags to the Department of Public Works, said federal agencies have ignored exacting standards enacted by Parliament to preserve the nation's best known symbol.

"It breaks my heart to see these non-compliant flags," said Sloane; "This is what we are supposed to be proud of."

Under the *National Flag of Canada Manufacturing Standards Act*, all Crown agencies and departments are forbidden from using any flag that fails to meet manufacturing requirements set by the public works department's Canadian

General Standards Board.

However, Sloane said he has evidence that substandard flags have become commonplace, even to honour soldiers killed in action: "Every day you see this flags."

Board standards spell out minimum requirements for flag fabric, tensile strength, proportions, colour, sewing thread and stitching can add 50 percent to wholesale costs, and require the standards be updated every three years to keep pace with "technological advances in the production of materials and dyes."

The Department of Heritage in a *Flag Etiquette* guideline also details the exact type of dye that must be used in colouring the Maple Leaf flag.

"What we manufacturer meets the standards to the highest requirements," said Sloane, CEO of Flag Connection Inc. of Lion's Head, Ont.

In his Federal Court lawsuit, Sloane alleges government agencies have failed to comply with the law and

purchased substandard flags, including millions of paper flags that were the "wrong colour" and had incorrect proportions: "Other Canadian manufacturers have simply said, 'Why bother?'"

The public works department, the leading government purchaser of flags, did not take *Blacklock's* questions.

"This is sad," said Sloane; "This is slowly dismantling our flag standards."

"We manufactured the flag for Pierre Elliot Trudeau's casket when he was lying in state," Sloane continued; "Each step in the manufacturing of these flags must be correct."

A national flag made to standards for outdoor use has a three-month lifespan, Sloane said.

In his application, the manufacturer asks that a federal judge have the Department of Public Works comply with the 1985 law, and award damages for loss of contracts.

 BY STAFF

Nuclear Bomb Plotters To Be Fined Severely

Keeping technical notes on how to build a nuclear bomb will net a \$100,000 fine under new penalties from the Canadian Nuclear Safety Commission.

The agency for the first time detailed a schedule of fines announced last March 21 by Finance Minister Jim Flaherty as a revenue source.

Among the penalties is the \$100,000 fine for "possession of a nuclear substance or prescribed information or equipment capable of being used for nuclear weapons."

Natural Resources Minister Joe Oliver declined an interview. In a statement to reporters, Oliver said the fine schedule "protects Canadians and our environment." Under the policy, any corporation using nuclear material that "fails to take all reasonable precautions to protect the environment and health and safety of persons" faces fines of up to \$40,000.

The fine schedule under the *Nuclear Safety & Control Act* detailed charges for a range of offences, including:

- CATEGORY A violations with corporate fines from \$1,000 to \$12,000 for failure to keep necessary records; failure to post a license; failure to file reports on time;
- CATEGORY B fines from \$1,000 to \$40,000 including operating without a license; failure to assist a federal inspector; failure to comply with a federal order; making a false or misleading statement;



disciplining an employee who assists the Commission; "terminating or varying the terms of employment of a nuclear energy worker who has exceeded their radiation dose limit"; falsifying an order; "failure to ensure required staff is present to maintain a nuclear facility in a safe condition"; inadequate staffing; inadequate training; "failure to take all reasonable precautions to protect the environment and the health and safety of persons and to maintain security"; "failure to take reasonable precautions to control release of radioactive nuclear substances or hazardous substances"; "failure to implement measures to be alerted of sabotage or attempted sabotage"; failure to report an incident;

- CATEGORY C fines from \$1,000 to \$100,000 including "failure to comply with a condition of a license"; failure to comply with an order of the Commission; failure to comply with a court order; "possession of nuclear substance, or prescribed information or equipment, capable of being used for nuclear weapons or explosives."

The nuclear commission currently regulates power plants, labs and uranium mines and mills in New Brunswick, Québec, Ontario, Manitoba, Saskatchewan and Nunavut.



BY STAFF

[IMAGE LIBRARY & ARCHIVES CANADA #R1196-14-7E]

PESTICIDE CENSUS "CATCHING UP": FEDS

The Department of Health says it is slowly, surely compiling a database on tonnes of pesticides used in Canada almost seven years after manufacturers were ordered to provide sales data.

"We are catching up," said Frédéric Bissonnette, senior policy advisor with Health Canada's Pest Management Regulatory Agency; "It takes a while to compile this information."

Registered pesticide manufacturers have been required by law since November 15, 2006 to submit annual reports of chemical sales – a tool "as good as we can get" to monitor pesticide use, Bissonnette said. Canada was one of the last countries to mandate the reporting in the OECD, which previously relied on voluntary reports from larger manufacturers in Canada.

Health Minister Leona Aglukkaq was unavailable for comment.

Department records show 61 percent of companies complied with the *Pest Control Products Sales Information Reporting Regulations* in the first year. Compliance was 79 percent in 2009, the most recent data available.

"There was a lot of education," Bissonnette said; "Companies initially had concerns about the level of detail. We protect the confidentiality of business information. There was a bit of worry initially but I think we've satisfied those concerns."

Bissonnette added, "The bulk of non-compliance was with smaller companies."

Before mandatory reporting, the OECD had estimated Canada's pesticide consumption at 37,573 tonnes a year – one of the lowest rates of any industrialized country.

With mandatory reporting, Health Canada calculated actual pesticide sales

totalled 87,522 tonnes in 2008 with most of it, some 52,809 tonnes, intended for agricultural use.

The most recent data show agricultural pesticide sales rose to 53,723 tonnes, with a decline in total industry sales to 84,363 tonnes according to the *Pest Control Products Sales Report for 2009*. More recent figures for 2010 are contained in a draft report to be published shortly, the department said.

"We have products that are liquid, solid; we have to aggregate that," Bissonnette said. "It takes time."

The Pest Management Regulatory Agency said it anticipated an average 18-month delay in reporting the annual statistics moving forward.



BY TOM KORSKI

Health Tests Miss Toxins?

Health Canada is refusing comment on a report contradicting official findings on levels of pesticides in an unusual range of consumer products.

The Department of Health declined *Blacklock's* interview request on research by Greenpeace that indicated pesticide residues in randomly selected Chinese herbal products are nearly eight times in excess of World Health Organization standards.

"Frankly we were shocked," said Eric Darier, a Greenpeace organizer. "We were surprised by the results both in terms of quantities and the numbers of residues."

Health Canada has reported it found no detectable traces of pesticides in any traditional Chinese medicine products in the past eight years.

However, the Greenpeace testing found excessive levels in products selected at random from suppliers in Vancouver and Toronto.

"There are huge populations of Chinese people living abroad, and many non-Chinese consumers who use these

products," said Darier. "We felt not only was it appropriate to test products in China, but products for export."

The study was jointly conducted by Greenpeace organizers in Canada, the U.S., U.K., France, Germany, Italy, the Netherlands and the People's Republic of China, where Darier said an independent lab conducted testing.

Greenpeace did not name the testing facility, but said it was internationally certified and regularly tested agricultural products for corporate clients.

Traceable pesticide residues were identified in KW-brand honeysuckle and Chinese dates; san qi powder sold on the Tune Ren Hong label; as well as chrysanthemum, dried lily bulb, rosebud and wolfberry.

"Some of the samples were about eight times the European levels," said Darier. Testing results also identified restricted chemicals like the insecticides fipronil and phorate rated "highly toxic"; and the pesticide ethoprophos.

Health Canada said in a statement that



all manufacturers and distributors of natural health products are "responsible for ensuring that their products adhere to these limits."

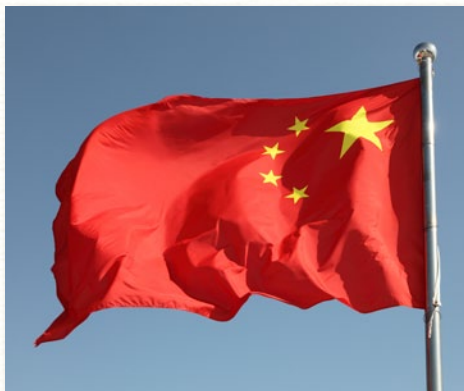
"If contamination is suspected or a complaint is received, Health Canada conducts tests on product samples in our laboratories," officials added.

The department would not say if it would conduct testing on the products identified as toxic by Greenpeace.



BY KAVEN BAKER-VOAKES

GOING, GOING -



Trade Minister Ed Fast is refusing comment on the apparent lapse of a China investment agreement. The pact was signed ten months ago but still awaits ratification by cabinet.

Fast declined *Blacklock's* interview request on the pact, which would fix Canada and China investment rules for decades.

"This is unusual," said MP Don Davies, New Democrat trade critic. "They are delaying ratification without explanation. I think they know it has internal flaws and political problems."

Fast signed the *Canada-China Foreign*

Investment Promotion and Protection Agreement last Sept. 9 in an initiative his department called an important element in "creating the right conditions for Canadian businesses to compete internationally."

The agreement, already tabled in Parliament, requires only a cabinet order for ratification.

"Now there is radio silence," said Davies, MP for Vancouver-Kingsway. "I think they hoped nobody would make a big deal out of this."

British Columbia's Hupacasath First Nation filed an application in Federal Court for judicial review of the agreement, arguing it weakens environmental regulations and aboriginals' constitutional right to have input on the treaty.

Critics noted the agreement, once ratified, is binding for at least fifteen years with cancellation requiring a minimum sixteen years' additional notice.

"We can get out of NAFTA on six months' notice but are stuck with this one for 31 years," said MP Elizabeth May, Green Party leader. "You can't get out of this with an act of Parliament; no prime minister is going to be able to get out of this."

The agreement forbids exclusionary treatment of foreign investors, including state-owned enterprises like

China National Offshore Oil Corp. that completed a \$15.1 billion takeover of Calgary-based Nexen Inc. last Feb. 11.

"All the so-called 'investors' from China are the same entity run from the same brain, and the brain is the Communist Party of China," said May, MP for Saanich-Gulf Islands, B.C. "This treaty, once ratified, will mean future municipal, provincial and federal governments will be looking over their shoulder, wondering if they bring in a new environmental law or investment regulation it will be grounds for the People's Republic of China to go to arbitration."



BY STAFF

"Results" from Pg.7

Falk noted in one anomaly, data for the Census Metropolitan Area of Ottawa and nearby Gatineau, Que., separated by the Ottawa River, fail to mirror statistics for Ottawa and Gatineau proper.

"You see differences there," Falk said.

The change of census methodology prompted the resignation of Canada's chief statistician, Munir Sheikh, in 2010.



BY KAVEN BAKER-VOAKES

Sale? Who Said Anything About A Sale?

The Department of Finance is withholding dozens of documents from public release on the question of privatizing Canada Mortgage and Housing Corporation, the public home insurer.

A request for department records under the *Access to Information Act* concerning any sale of the insurance business saw 83 of 122 pages censored.

Cabinet has repeatedly denied speculation it has pondered the privatization of CMHC. In department briefing notes for the Deputy Minister of Finance, senior staff spelled out correct answers that should be recited when asked the question:

"Q. The Fraser Institute recently called for the privatization of CMHC. Does the government have any plans to do this?"

"A. The government has no plans to privatize CMHC."

Elsewhere the deputy is advised to

state, "I am not aware of any government plans to privatize the Canada Mortgage and Housing Corporation."

Authorities did not explain the large number of censored pages from the CMHC file. However, the department noted the documents were redacted under provisions of the *Access Act* that permit records to be withheld if they contain "advice or recommendations... for a minister" (Sec. 21.a); "an account of consultations or deliberations" (Sec. 21.b); and "information the disclosure of which could reasonably be expected to be materially injurious to the financial interests of a government institution" (Sec. 18.d).

The Vancouver-based Fraser Institute has repeatedly advocated the privatization of CMHC, founded in 1946 to ease a postwar housing shortage for returning WWII veterans.

"The Canadian mortgage insurance



market is dominated by CMHC because the Crown corporation enjoys regulatory advantages not available to private-sector companies," the institute wrote in a 2010 report.

The mortgage insurer in its last annual report cited net income of \$1.7 billion on revenues of \$13.45 billion.

BY TOM KORSKI

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"HYPOTHETICAL WORDING"

Industry Canada has released details of its proposal for the transfer of wireless spectrum with documents showing a clear division among telecom companies large and small.

The department proposed a new framework that would consider issues from network size to population levels, density and spectrum sharing agreements.

It also places a completion time for "normal" transfers

at twelve weeks, with all applications for transfer to be made on a case-by-case basis.

However, the industry framework reveals clear divisions among wireless participants. Telus, Public Mobile, Eastlink, MTS Allstream and Explornet showed support for the proposal, while Bell Mobility, Rogers, Quebecor and Mobilicity all opposed.

Rogers, which is seeking to acquire Shaw's wireless

spectrum, suggested Industry Canada "should clearly state whether it would approve or deny a deemed transfer, rather than using the hypothetical wording as set out in the consultation paper."

Bell Mobility recommended maintaining the status quo; and Public Mobile suggested that where a company breached its license terms its application would be rejected.

Despite calls for more transparency by some participants, previous rules concerning transfer details from applications will be "treated as confidential" until a decision is

made by the department.

Industry Minister Christian Paradis on June 4 blocked the sale of wireless spectrum in a prospective \$380 million takeover of Mobilicity by Telus, assuring Canadians: "Spectrum set aside for new entrants was not intended to be transferred to incumbents, and as such will not now nor will it likely be approved in the future."

Ontario Superior Court earlier okayed the Telus takeover subject to federal approval.



BY KAVEN BAKER-VOAKES

LOOKS LIKE A QUORUM

The Canadian Transportation Agency is for the first time assigning single members to hear disputes, saying it anticipates so many new complaints it must cut the size of panels to meet its workload.

The agency, which once assigned three-member panels to investigate disputes, said even two-member hearings are "not an efficient or effective use of limited resources."

"Our purpose is to modernize," said Jacqueline Bannister, agency spokesperson; "Having one member does not sacrifice the

quality of a decision."

The agency noted that, with passage of Bill C-52 the *Fair Rail Freight Service Act*, "It is anticipated that the agency's mandate in the area of arbitration will increase... placing additional pressure on the existing complement of members."

Bill C-52 permits commercial shippers to request contracted terms of service from railways, with resort to binding arbitration and \$100,000 fines for non-compliance.

The transport agency

currently has five members, including its \$256,100-a year chair Geoff Hare, an Etobicoke, Ont. attorney; and Sam Barone of Ottawa, the \$196,800-a year vice chair and former CEO of the Air Transport Association of Canada.

"From a cost-effective point of view I think a lot of cases can be handled by one person," said Keith Penner, an agency member from 1989 to 2003. "In the courts a lot of judges sit alone and still make good decisions."

The agency conducts quasi-judicial investigations of disputes involving federally-

regulated transport, often involving the public. Members adjudicated 250 disputes and applications last year.

"All the years I was with the Canadian Transportation Agency we sat in three's," said Penner, now a member of the License Appeal Tribunal of Ontario. "The reason was if there was a dissent, you would still have a written judgment go forward with a dissent written as an addendum."

"I've had both experiences in sitting on panels of three, and by myself," Penner continued. "Three is less lonely."



BY STAFF

ANOTHER SECURITY BREACH

Authorities are only now confirming another criminal security breach, the theft of a Department of Fisheries-issued laptop on a VIA passenger train. The department would not tell *Blacklock's* what files were stored on the computer, yet considered the theft serious enough to call in the RCMP.

Newly-released incident reports obtained through the *Access to Information Act* show in June 2010 police were summoned to investigate the theft aboard a VIA train travelling between Thompson

and Gillam, Manitoba. RCMP investigators reported the computer was believed stolen from an overhead luggage bin: "There is...no idea who may have taken it, or where it may have been lost."

The fisheries department would not say who owned the laptop, what files were stored on it or whether it was ever recovered.

"Fisheries and Oceans Canada was made aware of the theft," said a department official. "No sensitive material was contained on the laptop."

The RCMP censored 11

pages of a 12-page report, in whole or part, detailing its investigation of the theft.

In earlier unrelated federal security breaches, the Department of Human Resources acknowledged losing track of a computer hard drive believed to contain data on 583,000 Canada Student Loan recipients; misplaced a USB key with personal data on more than five thousand employment insurance beneficiaries; and ordered staff to surrender and destroy 15,600 USB keys and 159 portable hard drives in a campaign to track and control data storage.

Privacy Commissioner Jennifer Stoddart, in a May 23 report *The Case for Reforming the Personal Information Protection & Electronic Documents Act*, recommended the statutory reporting of all corporate violations of privacy law. And a private New Democrat bill now before Parliament, *C-475 An Act To Amend The Personal Information Protection And Electronic Document Act*, proposes mandatory reporting of private sector data breaches.



BY STAFF

An agency of the Government of Ontario

Baay, Paul — of Calgary, reappointed a trustee, National Gallery of Canada, June 27

Balsillie, James — of Waterloo, Ont., appointed chair, Sustainable Development Technology Canada, June 25

Beaulne, Philippe — of Ottawa, appointed Ambassador to Senegal, July 12

Belisle, Richard — of Longueuil, Que., appointed a member, Parole Board of Canada, Quebec Division, July 2

Biggs, Margaret — of Ottawa, appointed Senior Advisor, Privy Council Office, with a salary in the range of \$216,900 to \$255,100, July 8

Biguzs, Anita — of Ottawa, appointed Associate Deputy Minister of Citizenship & Immigration, with a salary in the range of \$118,600 to \$221,800, June 24

Brisebois, Marcel — of Montreal, reappointed chair, Canadian Cultural Property Export Review Board, June 27

Cunningham, Lynne — of Calgary, reappointed a member, Immigration & Refugee Board, Calgary Office, effective Sept. 1

Décary, Robert — of Gatineau, Que., reappointed Commissioner of the Communications Security Establishment, with a per diem in the range of \$500 to \$600, June 18

Devine, David — of Ottawa, appointed Ambassador to Vietnam, July 12

Feltham, Dr. Glenn — of Edmonton, appointed a member, Standards Council of Canada, June 20

Gagnon, Yves — of Ottawa, appointed Ambassador to Cuba, July 12

Gignac, Pierre — of Gatineau, Que., appointed acting president and CEO, Export Development Canada, June 14

Giles, Nicole — of Ottawa, appointed High Commissioner to Guyana, July 12

Glover, Paul — of Ottawa, appointed Associate Deputy Minister of Health, with a salary in the range of \$188,600 to \$221,800, July 8

George, Roland — of Calgary, reappointed a member, National Energy Board, effective August 8

Glover, Paul — of Ottawa, appointed Associate Deputy Minister of Health, with a salary in the range of \$188,600 to \$221,800, July 8

Hallman, Ron — of Ottawa, appointed president, Canadian Environmental Assessment Agency, with a salary in the range of \$192,600 to \$225,500, July 8

Hannan, Michael — of Calgary, appointed a director, Canadian Tourism Commission, June 20

Hart, James — of Vernon, B.C., appointed a member, Parole Board of Canada, Pacific Region, July 2

Helfand, Lisa — of Ottawa, appointed Ambassador to Hungary, July 12

Kowal, Brig.-Gen. (Ret'd) Harry — of Ottawa, appointed principal, Royal Military College, July 13

Lucas, Dwayne — of Abbotsford, B.C., appointed a director, Canadian Commercial Corporation, June 14

Lyons, Deborah — of Ottawa, appointed Ambassador to Afghanistan, July 12

MacIntyre, Jennifer — of Ottawa, appointed Ambassador to Switzerland, July 12

McGovern, Peter — of Ottawa, appointed Ambassador to Italy, July 12

McKenzie, Guy — appointed president, Economic Development Agency of Canada for the Regions of Quebec, with a salary in the range of \$216,900 to \$255,100, July 1

Menzies, Peter — of Calgary, appointed a commissioner, CRTC, with a salary in the range of \$196,800 to \$231,500, June 17

Morrish, Deborah — of Toronto, appointed acting Assistant Deputy Chair, Immigration & Refugee Board, Toronto office, with a salary in the range of \$121,700 to \$143,100, June 27

Natynczyk, Gen. (Ret'd.) Walter — of Ottawa, appointed president, Canadian Space Agency, with a salary in the range of \$216,900 to \$255,100, effective Aug. 6

Oden, Marie — of Vancouver, appointed a director, CBC, July 30

O'Sullivan, Susan — of Ottawa, reappointed Federal Ombudsman for Victims of Crime, with a salary in the range of \$121,700 to \$143,100, effective Aug. 16

Paradiso, David — of Ottawa, appointed interim chair, RCMP External Review Committee, with a salary in the range of \$139,900 to \$164,500, Aug. 1

Parrish, Shane — of Calgary, appointed a member, National Energy Board, June 20

Paul, David — of Perth Andover, N.B., appointed Deputy Chief Commissioner, First Nations Tax Commission, Aug. 6

Payette, Julie — of Montreal, appointed CEO, Montreal Science Centre, and vice president, Canada Lands Company, July 15

Poupart, Isabelle — of Ottawa, appointed Ambassador to the Organization for Security and Co-operation in Europe, July 12

Reeder, Neil — of Ottawa, appointed Ambassador to the Philippines, July 12

Rochon, Paul — of Ottawa, appointed president, Canadian International Development Agency, with a salary in the range of \$216,900 to \$255,100, July 8

Saccomani, Bruno — of Ottawa, appointed Ambassador to Jordan & Iraq, July 12

Savage, Stuart — of Ottawa, appointed Ambassador to Guatemala & Belize, July 12

Smith, Dr. Kevin — of Kitchener, Ont., reappointed chair, Canadian Foundation for Innovation, June 20

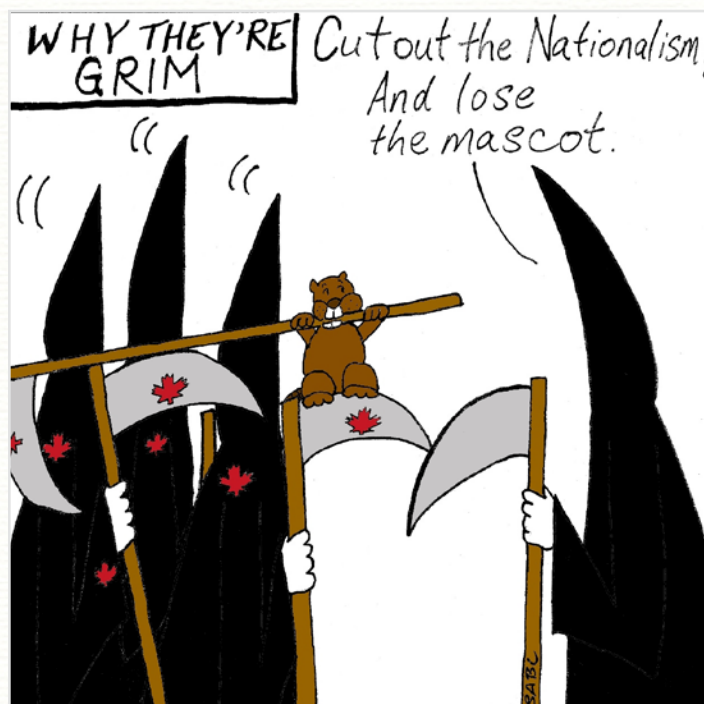
Sokolyk, Diane — of Montréal, appointed acting Assistant Deputy Chair, Immigration & Refugee Board, Montreal Region, with a salary in the range of \$121,700 to \$143,100, June 27

Sylvester, Peter — of Ottawa, appointed Special Advisor to the Deputy Minister of Justice, with a salary in the range of \$188,600 to \$221,800, June 24

Uppal, Atam — of Toronto, reappointed a member, Immigration & Refugee Board, Toronto region, July 17

Young, Don — of Winnipeg, appointed a member, National Energy Board, June 20

Best of Sheree



"TOURIST ATTRACTION"

a poem
by Shai Ben-Shalom

Fairmont Hotels offers authentic, non-westernised Chinese cuisines to attract tourists from Asia.

They may have figured it out...

I imagine:
Mandarin-speaking staff
and pagoda-shaped facilities;
anything to make them feel
like they never left
China.

(Editor's note: the author, an Israeli-born biologist, recently published his first collection of poems, *Martians Among Us* with In/Words Press)



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