



The Probe

Est. September 1999

Sponsored by the Rotary Club of Ottawa

October 2014, #82

Notice of Annual General Meeting

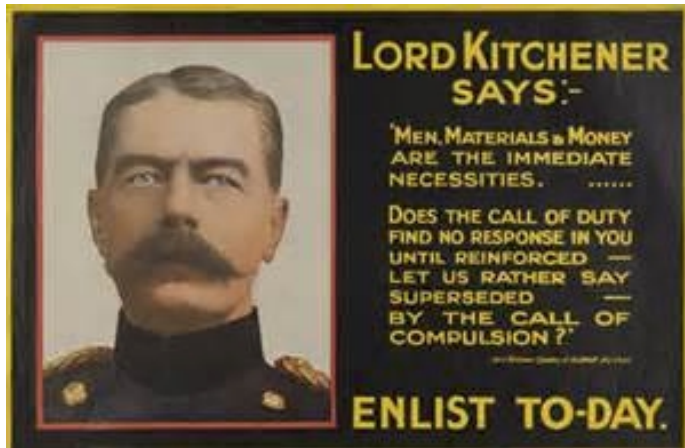
The Annual General Meeting of the Probus Club of Ottawa/Alta Vista will be held on Wednesday, November 26th, 2014 in the Church Hall of Gloucester Presbyterian Church after the regular club meeting.

The agenda will include:

- Minutes of the 2013 AGM and matters arising from the minutes.
- Treasurer's Report and Financial Business.
- President's Report and Review.
- Revised Constitution and By-laws
- Report of the Nominating Committee and Election of Officers and Management Committee members for 2015.
- Such other business as may properly be brought before the meeting.

Bonnie Barber - Secretary

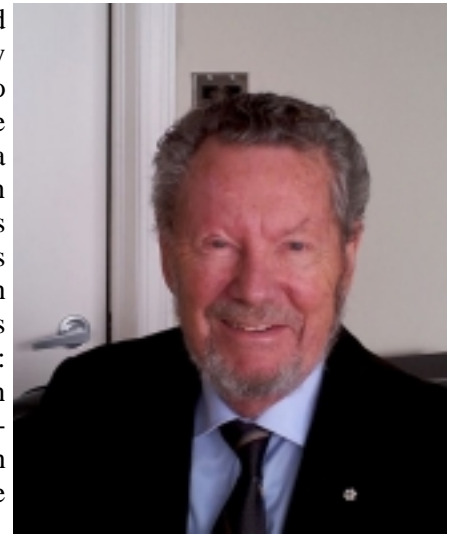
Please stay for the meeting, and join us for lunch afterwards



There are **Management Committee** positions which we need to fill. First is a VP to take over in 2016. **Wib Neal** wants to relinquish the membership desk (he will stay on as #2). **Kawsar Kruthof** would like to hand over responsibility for the Telephone Committee. Other committee members would be happy to step down so that we get renewal through new people with new ideas.

Jim Bruce - *The climate is changing*

Jim Bruce kicked off his speech by saying we tend to think of the atmosphere as a vast sea of air. In fact it is proportionately as thin as the skin on an apple. As Chris Hadfield puts it: "we are an incredibly self-important goldfish in a very fragile bowl."



The greenhouse gases in the atmosphere, particularly carbon dioxide and methane, have been increased directly by the burning of coal, oil and gas since the beginning of the Industrial Age. Consequently, more of the sun's energy is being trapped near the ground and the climate is warming. The carbon dioxide in the air fluctuated between 200 and 280 parts per million for almost all of the past 800,000 years*. It is well above those concentrations now, because of human activity, and is heading toward a doubling or tripling of pre-industrial levels in this century. For much of Canada, this would mean winter temperature increases of 4° to 5°C and summer temperature increases of 2.5° to 4°C.

Precipitation patterns are changing. In the course of this century, Canada is expected to have more snow, freezing rain events and rain in winter. On the other hand, southern Canada will have less precipitation in spring and fall. With less precipitation in summer and higher evaporation rates, the trend is toward more droughts in southern Canada.

Ice cover is declining everywhere, not only in the Arctic but in western Canada where the retreat of glaciers on the East Slopes of the Rockies lead to lower stream flows in late summer and fall and create what Jim called "a looming water crisis for the Prairies".

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The warmer the air the more water it can hold. This does not necessarily mean more annual precipitation everywhere but the frequency of heavy rain events has been increasing and is projected to continue increasing. Consequently flash floods, washouts and basement flooding are on the rise and insurance costs are following.

Higher water temperatures stimulate the growth of algae. That factor, along with the increasing discharge of nutrients after heavy rains, is causing algae blooms in lakes large and small – from Lake Winnipeg and Lake Erie to Sharbot and Big Rideau locally.

Jim quoted Dr. Kim, President of the World Bank, as saying recently that carbon emissions must be priced correctly because otherwise “global warming imperils all of the development gains we have made”. Jim also implied that it is a mistake to think of climate change only as an environmental issue. He quoted Christine Lagarde, Managing Director of the International Monetary Fund, as declaring in Davos: “Climate change is the greatest ECONOMIC challenge of the 21st century.”

CONCLUSIONS:

The Climate is Changing

The impacts on Earth, and Canada, are set to increase for many decades

Greenhouse Gas Emission Reductions are needed to slow the rate of change



December 10th Christmas Party



Continuing our recent custom, we have brought our Annual Christmas Party forward by two weeks.

The details are not yet settled but we have a pretty firm commitment from an interesting group and we do know that the massed voices of the Alta Vista Probus Club Choir will ring out loud and clear.

We ask that you provide the Christmas fare. Trying to divide our membership list into three equal halves, we came up with:

... if your last name starts with:

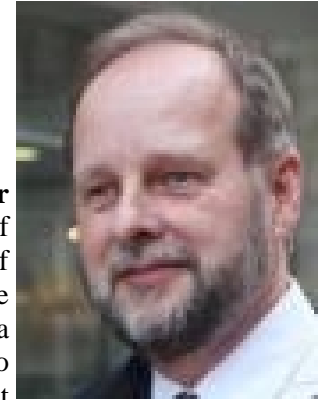
- **A to F**, please bring appetizers, cheese, crackers, dips, veggie bites.
- **G to R**, please bring sandwiches
- **S to Z**, please bring Christmas goodies, cake and squares (i.e. finger food - no pies).



See the November Flyer for details



The Public Service: The duty of loyal service in the context of unlawful conduct



The first question **Edgar Schmidt** posed to himself when he was asked to sign-off on legislation which, he opined, would not pass a *Charter* challenge, was, "To whom does a public servant owe this duty of loyal service?"

Before a federal judge last week, Schmidt maintained that government lawyers are instructed to raise possible Charter conflicts only when the violations are unambiguous. Even if a bill is deemed to have a 95-per-cent probability of contravening the Charter, as long as some argument, however dubious, can be made in its defence, the minister is not to be notified.

The Toronto Star, 2013/01/19

That question, and its ramifications got him fired and took him to the Supreme Court of Canada to argue his case.

A complexity is that Edgar was employed as a lawyer. The Department of Justice suggested that in commencing the action he was being disloyal to his employer and breaching solicitor-client privilege.

The implication is that the ‘government’ was both his employer and client. But Public Servants are paid from the Consolidated Revenue Fund which is all the public moneys belonging to Canada. So, he argues, his employer is Canada and his loyalty is to the State. Who acts for Canada?

The issue which caused Edgar to take his stand was the level of probability that a given piece of legislation would withstand a Charter Challenge. This what is expressed in the paragraph from the Toronto Star quoted above.

The Department of Justice Act requires that, “(The) Minister of Justice shall, in accordance with such regulations as may be prescribed by the Governor in Council, examine every regulation transmitted to the Clerk of the Privy Council for registration pursuant to the *Statutory Instruments Act* and every Bill introduced in or presented to the House of Commons by a minister

More on page 3

Edgar Schmidt (Cont.)

of the Crown, in order to ascertain whether any of the provisions thereof are inconsistent with the purposes and provisions of the *Canadian Charter of Rights and Freedoms* and the Minister shall report any such inconsistency to the House of Commons at the first convenient opportunity.

John Turner, then Minister of Justice, speaking in the House about the *Statutory Instruments Act*, said, "One of the main features of this bill is that it is designed to protect the public from the improper or unusual exercise of power that has been delegated by Parliament."

If the test for reporting is as described in the Toronto Star, then there is little or no protection for the public.

Edgar's conclusion is that as long as there is even a faint hope that a provision could be upheld (even though the opinion is that it is "likely" or even "almost certain" not to be upheld), the Department, since 1993, considers that the Minister has no duty to report the provision to the House of Commons.

Quoting again from the Toronto Star:

"For saying so - and, ostensibly, for violating a confidentiality agreement - the government suspended Schmidt without pay. That did not sit well with the presiding judge, Simon Noël. "The day after the filing of this statement [by Mr. Schmidt], bang: 'You're suspended,' " said Noël. "It's unbelievable . . . [the government] has done everything it can to kill this thing. The court doesn't like that . . . We see that in different countries and we don't like it . . . Canada is still a democracy."

It is not yet over.

Other Clubs

We are in Ontario District #1, as defined by Probus Centre Canada. This covers 11 clubs from Gananoque to the Quebec Border. Our closest clubs are:

Western Ottawa (Kanata), 3rd Tuesday, 10 am

Ottawa Rideau Valley (Manotick), 1st Wednesday, 9:30

North Grenville (Kemptville), 3rd Wednesday, 9:30

Cornwall, 4th Thursday, 10 am

Leeds & Grenville (Brockville), 4th Monday, 10 am

Brockville (Men), 3rd Monday, 10 am

Most clubs welcome visitors. If you want to make a visit, details are on the PCC web site (www.probus.org/canada.htm), but give the club a call to make sure that they are not at capacity.

November 26th - David Newland - "Newfoundland & Labrador"

Canada's easternmost province, Newfoundland and Labrador is a study in contrasts. English, French, Irish, Basque, Portuguese, Inuit, First Nations and Viking peoples have all left their marks. Tiny fishing outposts and abandoned missions nestle along rugged coastline fringed with tuckamore*. Puffins, polar bears and whales are all to be found here, and icebergs dot the horizon. Rich in UNESCO World Heritage sites, charming villages, jaw-dropping geology and glorious scenery, Newfoundland and Labrador's culture and coastline beckon the curious traveller with a taste for adventure.

David Newland of Adventure Canada is a writer, musician and storyteller with a passion for the Canadian experience. He has hosted Adventure Canada expedition cruises to the Northwest Passage, Greenland, Newfoundland and Sable Island.

* If you don't know what 'tuckamore' is, you could look it up, or better still, come and hear David's talk.

Oopses!

Oops #1 - Too many Grenvilles

Spring Fling 2015 will be hosted by the **North Grenville** (Kemptville) Probus Club on May 12th, not **Leeds & Grenville** as mentioned in the August *Probe*. **Granville** was the role played by Sir David Jason in the TV series, "Open All Hours" which he reprises as the shop owner in "Still Open All Hours". The new series is currently being filmed by the BBC.

Oops #2 - Strolls and Trolls

The caption to the photo at the foot of page one of the August issue was "A #troll in the Park". Obviously this should have been, "A Stroll in the Park". Trolls do not exist. However, a recent survey in Iceland revealed that 34% hold the contrary belief. It may be that Leprechauns manipulated the results.



How to find us

We meet on the 4th Wednesday of each month except December (2nd Wednesday) in the Hall of Gloucester Presbyterian Church, 91 Pike Street.

Constitution & By-laws

It is a condition of our charter that we use a Standard Constitution provided by Probus Center Canada. PCC have provided a new constitution which we are required to adopt.

The most significant changes are:

III Membership

The Club shall be for men and women (with professional or business backgrounds, and other men and women) who have had some measure of responsibility or achievement in any field of worthy endeavour.

The part inside parentheses has been dropped in the new version.

X Amendment

The old version read, in part:

“Every three years, members of the Board of Probus Centre - Canada, Inc. shall consult with the Clubs within their regions as to amendments the Clubs may wish to suggest. Following this consultation, the Legislation Committee of Probus Centre - Canada, Inc. shall review the Standard Constitution in the light of these and any of their own suggestions.

Any amendment made by the Board of Probus Centre - Canada, Inc. upon receipt of the report of its Legislation Committee shall, upon communication to the Clubs, become an amendment to each Club's Constitution.”

The new version removes the responsibility of the PCC Board members to consult with the clubs and removes the reference to the Legislation Committee. In its place Clubs may propose amendments at any time and, if approved by the PCC Board, they will become part of the Standard Constitution without any further consultation.

Other Changes

The other changes are mainly “word-smithing”.

Net Effect

The changes, in total, will have no effect on our day-to-day operations.

By-laws

PCC “strongly recommends” that we include terms of office in our By-laws. The proposed wording is:

“The term of office for the President shall be one year except that the President shall continue to hold office until a successor is elected or the position is filled by resolution of the Management Committee under Article III.6 of the constitution. The President

may not be elected for a successive year.

Terms of office for other members of the Management Committee shall be one year. These members may stand for re-election.”

Availability

Copies of both the proposed Constitution and the By-laws will be available at the AGM. On adoption they will be published on our web site.

Poetry(?) Corner - Weather

Forecast:

From January until May, the rain it raineth every day.

and

Dirty days hath September

April, June and no wonder

All the rest have peanut butter

Anon

Ed. I'm not even going to try to explain that.

November Luncheon

As the November meeting will be followed by the AGM it will be close to lunch time when we finish. This makes it a good day to have one of our occasional lunch-time get-togethers.

By the time you read this the location will have been announced. It will be posted on our web-site.

Based on previous lunches we can give them a rough estimate of the number, but **Robin** will be asking for a show of hands at the November meeting, to confirm.

Dues 2015

At our October meeting, we normally open the books for the payment of membership fees for the following year which are due by January 1st. This year **Wib** found that many members were so eager to pay that he opened the books in September.

Just as a reminder, the fees are \$20 (single) and \$30 (family).

Any new members joining after October 1st 2014 will have their membership extended to December 31, 2015.

PROBUS' Vital Purpose ...

To stimulate thought, interest and participation in activities at a time in life when it is easy to become complacent and self-centered.