



DEBATES OF THE SENATE

1st SESSION • 42nd PARLIAMENT • VOLUME 150 • NUMBER 79

OFFICIAL REPORT
(HANSARD)

Wednesday, November 30, 2016

The Honourable GEORGE J. FUREY
Speaker

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Published by the Senate
Available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Wednesday, November 30, 2016

The Senate met at 2 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

CANADIAN ELECTRICITY ASSOCIATION

ONE HUNDRED AND TWENTY-FIFTH ANNIVERSARY

Hon. Joseph A. Day (Leader of the Senate Liberals): Honourable senators, I am pleased to rise today to speak to you about the Canadian Electricity Association, or the CEA, who are celebrating their one hundred and twenty-fifth anniversary this year. So while our colleague Senator Plett often focuses on “flushing out” the issues of fellow plumbers, I would like to “enlighten” you on some of the work being done by the Canadian Electricity Association.

The CEA was founded back in 1891 with the initial goal of supporting the science of electricity. As you can well imagine, that meant something very different back in the days of oil lamps and steam-powered transportation than it does today. But while the technology may have changed and continues to change, the CEA's commitment to innovation and collaboration has remained steady.

Members of CEA fall into two categories, honourable senators: corporate utility members, those who market, generate, distribute and transmit electricity; and corporate partner members, those who manufacture or supply the materials, services or technology in this sector.

There are six areas that have been identified as priorities for the CEA which are important for honourable senators to be aware of: infrastructure, energy efficiency, technology, regulation, environment and security. These various domains show that many elements of the electricity industry touch on issues that interest all of us.

As they are the self-described “national voice for safe, secure and sustainable electricity for all Canadians,” I encourage you to find out more about the work being done by your regional CEA members.

A reception with CEA member utility representatives will be held today from 4:30 to 5:30 in room 256S. I hope to see you all there. Thank you, honourable senators.

HEATHER LEANNE MOYSE, O.P.E.I.

Hon. Diane Griffin: Today I rise to speak about Heather Moyse, a native of Summerside, Prince Edward Island, who has had a spectacular athletic career.

Last week on November 17, Heather was inducted into the World Rugby Hall of Fame, which is located in Rugby, England. She is only the second Canadian to be accorded this honour and the first female. She was the leading try-scorer in both the 2006 and the 2010 Women's Rugby World Cups in the fifteens division and took part in the 2013 Rugby World Cup Sevens tournament.

These are impressive achievements for someone who took up playing rugby when she was on the high school team at Three Oaks Senior High School in Summerside. Obviously, she had a lot of potential and had a very good coach in Garth Tuttle to be able to advance from the high school league to playing in three Rugby World Cups.

Induction to the World Rugby Hall of Fame is for those who are great athletes but who also impact the growth of the sport off of the field. Because of her work, Heather was awarded the Randy Starkman Olympian Humanitarian Award in 2014. In fact, she was the first recipient of that award.

As if all of that was not spectacular enough, Heather Moyse has actually represented Canada in three different sports.

She participated in the two-man women's bobsled event in several World Cup seasons and in three Winter Olympic Games, winning an Olympic gold medal on two occasions with bobsled driver Kaillie Humphries. These wins came in 2010 at the Vancouver Olympics and in 2014 in Sochi.

Heather has accumulated 16 World Cup medals for bobsledding, including six gold medals, so you could say Prince Edward Island is a hotbed for bobsledding.

So, what was Heather's third sport representing Canada? She competed in track cycling at the Pan American Cycling championship.

Heather is a member of the Order of Prince Edward Island. She had an illustrious career as a student athlete at the University of Ottawa and the University of Toronto. And I have to say, I don't know of anyone else who was ever selected as the female athlete of the year in two provinces, namely, Prince Edward Island and Ontario.

So in my home province, we are really proud of our native daughter, Heather Moyse, and we're not the least bit bashful in saying so.

DISTINGUISHED VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of the Honourable Jim Karygiannis, who is a Toronto City Councilor, and a former Member of Parliament for Scarborough-Agincourt.

On behalf of all honourable senators, I welcome you to the Senate of Canada.

Hon. Senators: Hear, hear!

HALIFAX EXPLOSION

NINETY-NINTH ANNIVERSARY

Hon. Terry M. Mercer: Honourable senators, December 6, 1917, is a sombre day in Nova Scotia's history. It was on that day almost 100 years ago that the Halifax Explosion killed thousands of people and wounded many more thousands.

A French cargo ship, the SS *Mont-Blanc*, was loaded with explosives and collided with the SS *Imo*, a Norwegian ship in Halifax Harbour. The devastation was brutal. To this day it is still the world's largest man-made accidental explosion.

On that day, my grandmother, who lived on Cornwallis Street in the north end of Halifax, was at home alone with her two children, my two uncles. She was bathing them in the morning. Usually she left the bathroom door open because she was home alone, but on that day, for some reason, she didn't. That decision ended up saving her life and the lives of my two uncles. The explosion created such a shock wave that shattered glass was sent hurling all over the city. There were large shards of glass stuck in the closed door. Thankfully they didn't make it through.

My father, you see, was the next to be born into that family, so I would not be here today if it were not for my grandmother's decision to close that door that morning.

Honourable senators, while remembering such disasters, we cannot forget the brave sacrifices made by those people who offered their help. Help came from all over Eastern Canada, but it's the city of Boston I want to speak about today.

Boston sent aid workers and materials to help in the aftermath of the disaster. In 1918, Halifax sent a Christmas tree to the city of Boston to thank them for their help. This tradition was started again in 1971, and since then, a Christmas tree is donated every year by the province of Nova Scotia and is lit on Boston Common in that city.

On November 15, a 47-foot-tall white spruce was cut down from land close to the Waycobah First Nation in Ainslie Glen, Inverness County. Not only was it the first time that the tree was taken from Cape Breton Island, but it is also the first from a nearby Mi'kmaq community.

• (1410)

Tomorrow, December 1, the seventy-fifth annual tree lighting ceremony will take place in Boston. As a proud Haligonian and a proud Nova Scotian, I am pleased that the Nova Scotia government has continued this tradition, a symbol of our gratitude to the city of Boston when Halifax needed it most. Thank you, Boston.

NEWFOUNDLAND AND LABRADOR

THE ROOMS

Hon. Fabian Manning: Today I am pleased to present chapter 9 of "Telling Our Story."

Honourable senators, opened in 2005, The Rooms in St. John's, Newfoundland, is an innovative and culturally relevant museum that represents and showcases Newfoundland

and Labrador to itself and to the world. With 2016 marking the one hundredth anniversary of the Battle of Beaumont Hamel, which had a profound impact on the people of my province, The Rooms was given the responsibility for creating a fitting commemoration of the sacrifices made in Newfoundland and Labrador and overseas.

Through the generous gifts of donors such as Newfoundland-born philanthropist, Ms. Elinor Gill Ratcliffe, who donated \$3.2 million; and the internationally well-known company with its roots in Newfoundland and Labrador, Fortis Inc., who donated \$3.25 million, The Rooms has been able to develop a new world class, permanent Royal Newfoundland Regiment Gallery. The 5,600 square-foot gallery houses the exhibition of the Battle of Beaumont Hamel and the Trail of the Caribou: Newfoundlanders and Labradorians at War and at Home 1914-1949. The exhibition documents the effects of the First World War on Newfoundland and Labrador and focuses on those who fought, the families and communities left behind, and on the politics, economy and future of Newfoundland and Labrador.

The exhibition opened on July 1, 2016, exactly 100 years to the day of the Battle of Beaumont Hamel. Visitors from our province and across Canada and throughout the world have given rave reviews, such as Cathy Kearns Allen, who said, "I lost two great uncles there, Thomas and Edward Lee of Witless Bay. It was a most moving experience." Or Steve Seitz, who said, "fascinating and engrossing history in a gorgeous, modern setting with amazing views. Beautiful."

This exhibition shares the thoughts, hopes, fears and sacrifices of Newfoundlanders and Labradorians who experienced those tumultuous years through their treasured mementos, their writings and their memories.

I would encourage any of you who will have the opportunity to visit my province to make time in your schedule to experience the magic of The Rooms. You will not be disappointed.

I want to sincerely thank Ms. Elinor Gill Ratcliffe and Fortis Inc. for their very generous contributions to this project and ensuring that Newfoundland's tremendous heritage and legacy will be remembered and enjoyed for generations to come.

DOG SLEDDING

Hon. Nancy Greene Raine: Honourable senators, I rise today to speak about dog sledding and to give you a little background to a story that ran in *The Globe and Mail* today about a documentary film that is touted as shining a light on the sled dog industry.

First, let me tell you that a red flag went up for me when the young woman who runs the dog sledding operation at Sun Peaks contacted me yesterday. She and her husband have built a very nice small business by providing a great experience for resort visitors. I know that they treat their dogs very well, almost as members of their family. So when she told me that they were being targeted with a boycott by the producer of this movie, I was concerned. It is just not right when a movie or its producer can threaten the livelihood of a young couple and their children.

There is no doubt that there have been some disturbing instances where commercial dog sled operations have done terrible things, including the cull of dogs after the 2010

Olympics in Whistler, but it is simply not right to infer that all dog sled owners are the same. I have seen how the dogs are treated at Sun Peaks and I am pretty sure that this represents the standard of care that is provided by many small businesses across Canada. Sled dogs are a special breed, and they love to run, to work hard and to live outside in the cold. This is not animal cruelty. Having these dogs relegated to becoming house pets might, in fact, be much harder on them.

When the Standing Senate Committee on Aboriginal Peoples travelled to Nunavut at the end of April last year, we saw first-hand the importance of husky dogs to the traditional Inuit way of life. While they are somewhat replaced by the snowmobile today, they are still a large part of most northern families.

Honourable senators, what concerns me is that this movie goes beyond focusing on some disturbing instances of animal cruelty, but what really disturbs me is that the producer has also been promoting a boycott on social media of all dog sledding.

We all know what happened when the seal hunt was targeted by misguided animal rights activists. Let's not let dog sledding be treated the same way. Thank you.

[Translation]

ROUTINE PROCEEDINGS

STUDY ON THE OPERATION AND PRACTICES OF THE COPYRIGHT BOARD

SEVENTH REPORT OF BANKING, TRADE AND COMMERCE COMMITTEE TABLED

Hon. Joseph A. Day (Leader of the Senate Liberals): Honourable senators, I have the honour to table, in both official languages, the seventh report of the Standing Senate Committee on Banking, Trade and Commerce entitled *Copyright Board: A rationale for urgent review*.

(On motion of Senator Day, report placed on Orders of the Day for consideration at the next sitting of the Senate.)

THE SENATE

NOTICE OF MOTION TO AFFECT QUESTION PERIOD ON DECEMBER 6, 2016

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, in order to allow the Senate to receive a Minister of the Crown during Question Period as authorized by the Senate on December 10, 2015, and notwithstanding rule 4-7,

when the Senate sits on Tuesday, December 6, 2016, Question Period shall begin at 3:30 p.m., with any proceedings then before the Senate being interrupted until the end of Question Period, which shall last a maximum of 40 minutes;

That, if a standing vote would conflict with the holding of Question Period at 3:30 p.m. on that day, the vote be postponed until immediately after the conclusion of Question Period;

That, if the bells are ringing for a vote at 3:30 p.m. on that day, they be interrupted for Question Period at that time, and resume thereafter for the balance of any time remaining; and

That, if the Senate concludes its business before 3:30 p.m. on that day, the sitting be suspended until that time for the purpose of holding Question Period.

[English]

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

Notice of Motion to Authorize Committee to Meet During
Sittings of the Senate

Hon. Richard Neufeld: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Energy, the Environment and Natural Resources have the power to sit at 5:00 p.m. on Tuesday, December 6, 2016, and Tuesday, December 13, 2016, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

[Translation]

OFFICIAL LANGUAGES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO EXTEND DATE OF FINAL REPORT ON STUDY OF THE CHALLENGES ASSOCIATED WITH ACCESS TO FRENCH-LANGUAGE SCHOOLS AND FRENCH IMMERSION PROGRAMS IN BRITISH COLUMBIA

Hon. Claudette Tardif: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, notwithstanding the order of the Senate adopted on Wednesday, April 20, 2016, the date for the final report of the Standing Senate Committee on Official Languages in relation to its study on the challenges associated with access to French-language schools and French immersion programs in British Columbia be extended from December 15, 2016 to March 30, 2017.

[English]

HUMAN RIGHTS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO DEPOSIT REPORT ON STUDY OF THE STEPS BEING TAKEN TO FACILITATE THE INTEGRATION OF NEWLY-ARRIVED SYRIAN REFUGEES AND TO ADDRESS THE CHALLENGES THEY ARE FACING WITH CLERK DURING ADJOURNMENT OF THE SENATE

Hon. Jim Munson: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Human Rights be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate, between December 5 and December 16, 2016, a report relating to its study on the steps being taken to facilitate the integration of newly-arrived Syrian refugees, and that the report be deemed to have been tabled in the Chamber.

• (1420)

[Translation]

QUESTION PERIOD

JUSTICE

MARIJUANA COMPANIES—INFORMATION LEAK

Hon. Claude Carignan (Leader of the Opposition): My question is for the Leader of the Government in the Senate. On November 16, the stock of six different marijuana companies spiked sharply, even though there was no obvious reason for that to happen, such as the announcement of a merger or an acquisition.

The stock rose so rapidly that it tripped circuit breakers, and transactions for these companies were halted multiple times that day. We know that the government expects to receive the report of the Task Force on Marijuana Legalization and Regulation today.

Can the Leader of the Government tell us whether the Minister of Justice will ask her department to conduct an investigation to determine whether an information leak from the task force could be responsible for the sudden volatility in the stock prices of these six marijuana companies?

[English]

Hon. Peter Harder (Government Representative in the Senate): I am not up to date with the answer to the question the honourable senator has posed, but I will make sure I am able to respond to him appropriately.

[Translation]

Senator Carignan: By way of additional information, we also learned that the Liberal government violated some of its own guidelines last spring when the Parliamentary Secretary to the Minister of Justice was approached by the Cannabis Friendly Business Association, a professional association that supports the sale of marijuana, at a Liberal Party fundraiser.

I understand that you cannot answer my question right now because you were not aware of these activities, but will you take the question on notice and get back to us about whether the six companies whose stocks were recently affected, namely Canopy Growth Corporation, Aurora Cannabis Inc., Aphria Inc., Mettrum Health Corp., Supreme Pharmaceuticals Inc., and OrganiGram Holdings Inc., participated in Liberal Party fundraisers over the past year?

[English]

Senator Harder: As the honourable senator suggested, I will indeed look into this.

NATIONAL DEFENCE

BUSINESS OF THE COMMITTEE—SEVENTH REPORT

Hon. George Baker: My question does not concern weed or the stock market. My question concerns a matter that I think, and a great many senators here think, should be asked every day during Question Period, and that concerns our committees.

I want to ask a question of the Chair of the National Defence Committee. A report was produced yesterday, and, as I understand it, the report says that in the matter of the deployment of Canadian soldiers, any deployment, it should be accompanied by a debate on a motion here in the Senate and in the House of Commons. I understand your report to say that it involves pre-deployment and post-deployment.

An Hon. Senator: Hear, hear.

Senator Baker: It was a unanimous report from the committee, and that makes it all the more important.

Could the chair give us a complete explanation? I don't have a supplementary question to ask. I'm sure he can give a complete answer as to why the Senate has taken this position and released this report publicly yesterday, and explain to us what the committee meant and the ramifications of it as far as government policy is concerned.

Senator Stewart Olsen: Good question.

The Hon. the Speaker: Senator Baker, this is really a substantive question about the report. It's not really a question about the activities of the committee. The proper place for that sort of question or debate is in debate on the report.

If Senator Lang wants to comment on your question he may, but it's not necessary because it's really not appropriate to get into the substance of the report now.

Senator Baker: Your Honour, could I change the question a bit?

I meant to ask, in compliance with the *Rules of the Senate*, could the chair explain to the Senate the recent activities of the standing committee of which he is the chair?

Hon. Daniel Lang: Colleagues, I would like to thank the honourable senator for his question. I would point out that later in the proceedings today we will be discussing the report in its totality. I will be referring to the question that he put to me earlier in respect of the Senate's right to debate and vote on the question of deployment if we have significant numbers of the military going on a mission of deployment, especially with the United Nations.

I should point out that it was, as Senator Baker pointed out, a unanimous recommendation put forward by our committee. We had done extensive hearings on the issue of UN peace operations and the question of deployment. The issue of whether or not we should be involved took a fair amount of debate. We had a number of witnesses who came forward and felt that the more parliamentary debate ensued, in respect of the question of us becoming involved in a peace operation, the better off the public was served and the better off the military was served.

I should point out further — and I will speak to this later — that one of the major recommendations we made in that report is asking the Government of Canada, if they decide to deploy, to bring forward what we referred to as a statement of justification that entails all the commitments that were being made by government and all government ministers signing off on that particular document so that there could be a wholesome debate. We would then understand, and Canadians and all parliamentarians would understand, the full context of what we are about to undertake.

I think it's very important for the country. This is not a new idea. I should point out that in the Netherlands that's exactly what they did a number of years ago, and I'll refer to that in my remarks later on today. When they made the decision to go to Mali in 2013, a letter of intent was brought to their Parliament, and all parliamentarians were made fully aware of the context of the decision that was being taken.

That's basically where the idea came from, and I feel that Canadians have the right to know. First, is it in the national interest? Second, if it is in the national interest, to what degree is it in the national interest, and what are we about to commit in the way of men, women and civilians in the military going into a situation such as Mali?

I will refer to that later in the proceedings today.

HEALTH

HEALTH ACCORD

Hon. Elizabeth (Beth) Marshall: Leader, my question is on the health accord. On Monday I brought to your attention recent comments from the Minister of Health for Newfoundland and Labrador, Dr. Haggie. Dr. Haggie had said in an interview that

since the meeting of the federal, provincial and territorial health ministers in mid-October there's been deafening silence in the federal government on a new health accord.

Yesterday I saw in the media that a first ministers' conference will be held here in Ottawa on Friday, December 9. The statement from the Prime Minister said the meeting will be on climate change, but it made no mention of talks on the health accord.

Does the federal government intend to discuss health care funding with the first ministers at the meeting next week?

Hon. Peter Harder (Government Representative in the Senate): Let me simply refer to the Prime Minister's comments on the meeting. It's anticipated that that meeting will be with respect to climate change as a follow-up to the meeting that was held. I have known premiers long enough and well enough to know that they are not always constrained by the agenda.

• (1430)

Senator Marshall: Health ministers were hopeful that a deal could be reached by the end of the year. Since the discussions weren't held with the health ministers and it doesn't look like it will be discussed with the first ministers, what's the practicality of something happening by the end of the year?

Senator Harder: It remains the hope of the minister responsible and the government as a whole to achieve a health accord with the provinces. Those discussions have been ongoing in the last number of weeks and months. Like all senators, I hope the discussions can conclude in a positive outcome so there can be meaningful and stepped-up efforts to both reform and to modernize health care across the country, and provide assurances to administrators of the health system with respect to funding.

CITIZENSHIP AND IMMIGRATION

INTERNATIONAL EXPERIENCE CANADA

Hon. Percy E. Downe: My question is for Senator Harder as Government Representative in the Senate.

As you know, Senator Harder, I filed a written question some time ago that you were kind enough to speed up the answer on. It had to do with International Experience Canada, the youth exchange program.

The problem with the program, as I see it, is that we have a large number of young people coming in, but we don't have an equivalent number of Canadian young people going overseas. People coming to our country have opportunities for employment and work while they're here. It's a very good program for Canada diplomatically and to explain our country to foreigners.

Unfortunately, youth unemployment is double the national average, and it's suppressing wages and opportunities for Canadian young people who can't find opportunities for employment in our country. Is the government considering changing the program?

Hon. Peter Harder (Government Representative in the Senate): Not to my knowledge, but I will inquire.

Senator Downe: Thank you.

I have a final, brief supplementary. So colleagues understand, there's a host of countries that young Canadians are interested in going to: Australia, France and the United Kingdom. Then the numbers drop off dramatically.

The problem we have is that there's a host of countries around the world with even higher unemployment for young people than Canada. I look, for example, at the numbers from Croatia: 200 positions were available for Croatia. They were completely filled. One Canadian went to Croatia.

I understand the positions are filled within minutes of the openings, so people are rushing for these opportunities. And why wouldn't they? Who wouldn't want to come to Canada to work?

I would fully support the program other than for the fact we have so many young people with no opportunities for employment. As I said earlier, my opinion is that it's suppressing wages and opportunities. I look forward to the answer from the government.

Senator Harder: If I could just take a minute to reflect to all senators how important the opportunity of experience abroad for young Canadians is. I share the honourable senator's concern that not as many young Canadians are taking advantage of the opportunities these agreements provide. I hope we can find ways as senators of encouraging participation by Canadian youth in the abroad experience that these negotiated agreements provide.

We seem to be more able to host young people coming to Canada, and Canadians, for some reason, are not taking full advantage of the opportunities. In a global labour force, I would encourage young Canadians to go abroad and learn a third language and to experience the cultures of other parts of the global economy so that they can participate more fully in the economy as it evolves into a more globalized space.

Senator Downe: I just have a minor quibble with that. It's not a cultural exchange program; it's a work program. There's not much opportunity for young people to go to a country like Spain, which has 40 or 45 per cent youth unemployment. You are unemployed for two years. You come here and you get a job. That's what I'm concerned about. While 31,000 additional young people came to Canada for work, we sent a little over 11,000 out to the rest of the world, and the majority of those were only to three countries.

NATIONAL DEFENCE

AIRCRAFT PROCUREMENT—CONSULTATION

Hon. Daniel Lang: Colleagues, I'd like to direct my question to the government leader. It has to do with the capacity gaps faced by our current military. The government, as he knows, made the

decision to buy new fighter jets from Boeing to fill a capacity gap, which appears to have been a surprise to many, including the Commander of the Royal Canadian Air Force. The RCAF commander, Lieutenant-General Mike Hood, never mentioned this capacity gap when he appeared and testified before our committee in April.

This past Monday, Lieutenant-General Hood told our National Security and Defence Committee that it was the Liberal government that brought in a "policy change" which required the RCAF to meet both its NATO and North American air defence commitments at the same time.

When asked for more information as to the reason behind the change, the Commander of the RCAF and the man in charge of our fighter jets and air defence said:

I'm not privy to the decisions behind the policy change.

Later in the week, there was an article written by the *Ottawa Citizen* journalist David Pugliese in which he stated:

After all, Lt.-Gen. Hood is only the head of the Royal Canadian Air Force. Why would he be consulted about changing a key policy involving air defence and fighter jets?

Can the government leader tell us why the government did not consult with the Commander of the Royal Canadian Air Force on such an important decision within his command?

Hon. Peter Harder (Government Representative in the Senate): Let me just repeat for all senators that the decisions taken by the Government of Canada and announced by the Minister of National Defence with respect to the negotiations that have begun on an interim solution with the Hornets is part of the overall refurbishing of the CF-18 fleet.

Regarding the discussions that took place within the department as those policies and options were developed, I have no insight into except to reference the comments made by the minister as recently as yesterday in the other place where he assured the other place that the capacity gaps that we are, through the acquisition, attempting to fill go very much to the core of the missions of the department, both with respect to North American defence and our NATO obligations.

It is the expectation of the department and the minister that, hopefully, we will negotiate successfully for this interim solution and continue to participate in the longer-term acquisition in the context of the soon-to-be-published defence policy paper.

Senator Lang: I want to follow up on that, if I could. In all deference to the government leader, I don't think he answered my question. My question was pretty clear: Why wasn't the commander of our air force consulted prior to that decision being made? It seems to be a reasonable question to ask, and I think there should be an answer why he wasn't.

Senator Harder: You may not like the answer but that's the answer.

As to the specific supplementary that you've asked, I have no particular insight into who was consulted within the hierarchy of the military. I believe that the Chief of the Defence Staff is managing those relationships appropriately.

[Translation]

CANADIAN HERITAGE

OFFICIAL LANGUAGES—CENSUS

Hon. Paul E. McIntyre: Honourable senators, my question is for the Government Representative in the Senate. I had intended to ask the Minister of Canadian Heritage this question yesterday when she appeared before the Senate, but unfortunately, time ran out and I was not able to. I therefore ask you to bring this to her attention.

As you know, enhancing the vitality of official language minority communities is crucial. That being said, it is important to determine the number of children with at least one parent who has the right to register their children in a French-language school outside Quebec. The right to education in French outside Quebec depends on the ability to prove that the potential number of students would be high enough. The only way to do so is through the federal census, which is why modernizing the census is so important. I understand that the census falls under Statistics Canada and therefore the Minister of Innovation, Science and Economic Development.

Government Representative, could you ask the Minister of Canadian Heritage, who is responsible for official languages, whether a change to the 2021 census would constitute a positive measure under Part VII of the Official Languages Act?

• (1440)

Hon. Peter Harder (Government Representative in the Senate): Thank you for your question, senator. I will pass it along to the minister.

Senator McIntyre: While you're at it, would you also ask the minister if she plans to meet and consult with the Minister of Innovation, Science and Economic Development to discuss this pressing matter?

Senator Harder: Certainly.

[English]

FOREIGN AFFAIRS

DEVELOPMENT ASSISTANCE—FOOD SECURITY

Hon. Thanh Hai Ngo: My question is for the Leader of the Government in the Senate.

Minister Dion was in Peru recently as part of the foreign minister's meeting at the APEC summit. During his trip the minister announced several new foreign aid programs including \$15.3 million for the safe food growth project in Vietnam. This project aims to bring food safety regulations in Vietnam in line with international standards.

Minister, you will note that food security is one of the critical challenges of the 21st century. The relationship of food security to political and economic freedom and promotion of human rights is well established.

Under the Official Development Assistance Accountability Act, all foreign aid classified as ODA must contribute to poverty reduction, take the perspective of the poor into account and uphold and promote international human rights standards.

Is this program classified as official development assistance? If so, what steps have been taken to ensure that this expensive project advances the human rights criteria required in the act?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. The question is very appropriate and he will know because he knows how the OECD develops the development assistance definition and what fits within ODA amounts and what does not. I will inquire with respect to this specific program.

I do know that, in the past, programs of food security have fit very well because, as the question itself asserts, the ability of a developing country to assure a potential export market of its photosanitary standards is a prerequisite of developing an export market.

With respect to this specific question, I will have to inquire and make an appropriate response in due course.

VIETNAM—DEVELOPMENT ASSISTANCE

Hon. Thanh Hai Ngo: Thank you for your answer, Mr. Leader.

My second question is related to Vietnam having been listed as a country of focus for Canadian international development for a long time. All of the development projects we undertake there have primary focuses on promoting economic growth, environmental protection, food security and education. These are all commendable goals, but they overlook the lack of political and civil liberties in Vietnam, including the freedoms of speech and religion. The government should know that a greater respect for human rights in Vietnam will act as the precursor to the successful completion of all these development goals given the millions of dollars we are investing.

Why is the government not investing or undertaking any project primarily dedicated at advancing human rights and protecting civil liberties in Vietnam?

Hon. Peter Harder (Government Representative in the Senate): Without getting into a broad discussion of foreign and development policies, I would underscore the view of the Government of Canada that with respect to our engagement with Vietnam, it is important that Canada be an active partner in promoting the development of Vietnam. Its role in the region is significant, and the size of its economy is surprisingly large for many Canadians who don't have the insight the honourable senator does with respect to the role Vietnam is playing and has historically played in the region.

The broader discussion about what is appropriate for the Government of Canada's foreign policy and development policy in Vietnam is perhaps a subject that we could have a broader

debate on in another forum or in committees. But I want to assure all members, in response to the question being asked, that it is the government's view that engagement with Vietnam is a foreign policy and development priority and one that will benefit Canadians in the longer term as we engage in the evolution of the economic entities of the region.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Peter Harder (Government Representative in the Senate): Honourable senators, I have the honour to table the following answers to oral questions raised by Senator Lang on April 19, 2016, concerning potential electromagnetic pulse attack; by Senator Martin on May 11, 2016, concerning the Portfolio for Seniors; by Senator Downe on May 18, 2016, concerning Veteran Affairs leadership; by Senator Dagenais on June 16, 2016, concerning elder abuse in the New Horizons Program; by Senator Andreychuk on September 27, 2016, concerning protocol during the visit of the Chinese delegation and the right to protest; by Senator Doyle on September 28, 2016, concerning the appointment process for Supreme Court justices; by Senator Moore on September 28, 2016, concerning the appointment process for Supreme Court justices; by Senator Tkachuk on September 29, 2016, concerning capital markets regulatory authority; by Senator Carignan on October 6, 2016, concerning the Zika virus; by Senator Ngo on October 19, 2016, concerning the International Civil Aviation Organization, with respect to Taiwan; by Senator Andreychuk on October 19, 2016, concerning the International Civil Aviation Organization, with respect to Taiwan; by Senator Tkachuk on October 20, 2016, concerning the number of refugees; by Senator Ngo on October 26, 2016, concerning the appointment of citizenship judges; by Senator Mockler on November 1, 2016, concerning Atlantic salmon; and by Senator Patterson on November 2, 2016, concerning Inuit fishery enterprises.

PUBLIC SAFETY

POTENTIAL ELECTROMAGNETIC PULSE ATTACK

(Response to questions raised by the Honourable Daniel Lang on April 19, 2016)

Question: Is the electromagnetic pulse threat from a natural cause such as a solar flare or a nuclear explosion?

The EMP threat has parts that can be classified as “nuclear EMP” and “natural EMP or geomagnetic disturbances.”

A nuclear EMP creates disruptive currents in long electricity transmission lines, resulting in damage to the high-voltage electricity system.

Question: What steps is the Government taking to confront it?

Under the *Emergency Management Act* and the National Strategy and Action Plan for Critical Infrastructure, Canada's Minister of Natural Resources has a statutory obligation to identify risks that are within or related to his

area of responsibility (including those related to critical energy infrastructure) and to develop policies, programs and initiatives to address them.

The Earth Sciences Sector of Natural Resources Canada (NRCan) operates the Canadian Hazards Information Service and Canadian Space Weather Forecast Centre, providing short- and long-term forecasts of geomagnetic disturbances.

Question: Are the risk mitigation in the face of that threat a priority for the newly elected government?

Yes. Protecting the security, resilience and integrity of Canada's critical electricity grid is a shared responsibility with the private sector (the owner and operator of 85% of the infrastructure) and with industry associations and provincial and territorial governments.

Question: When will electromagnetic pulse information be declassified?

The Department does not do any work related to nuclear EMP.

The scientists at NRCan do research on geomagnetic disturbances. This work is not classified and available to the public through the following website: www.spaceweather.gc.ca.

PRIVY COUNCIL

PORTFOLIO FOR SENIORS

(Response to question raised by the Honourable Yonah Martin on May 11, 2016)

The Honourable Jean-Yves Duclos, Minister of Families, Children and Social Development is the lead federal Minister on seniors' issues.

The Government of Canada is committed to supporting the wellbeing of seniors through the New Horizons for Seniors Program, which has a \$50 million annual budget.

In March 2016, the Government of Canada approved more than 1,850 projects across Canada from last year's annual community-based call for proposals. This year's call for proposals closed on July 29, 2016. As a result of the Call, more than 3,500 applications were received and are currently under assessment.

The Government of Canada has also approved over forty pan-Canadian projects that support community partners to work collaboratively to reduce social isolation among seniors.

Furthermore, Budget 2016 contained several measures to invest in a more secure retirement for seniors, which includes increasing the Guaranteed Income Supplement by

10 percent for the lowest income single seniors, and restoring the age of eligibility for Old Age Security to 65.

Budget 2016 committed \$200.7 million over two years, to support the construction, repair and adaption of affordable housing for seniors. This investment is expected to help improve housing conditions for more than 5,000 low-income senior households.

VETERANS AFFAIRS

LEADERSHIP

(Response to question raised by the Honourable Percy E. Downe on May 18, 2016)

The majority of senior management positions (42 of 61) are located in the National Headquarters in Charlottetown and these executives continue to provide effective leadership and direction to the Department. Although the Deputy Minister, Associate Deputy Minister and Assistant Deputy Minister, Strategic Oversight and Communications are located in Ottawa, these senior executives travel to Charlottetown on a regular basis. They also take advantage of the technology available to them. With video, messaging and email, there are several avenues available for virtual and instant communication between the two offices.

It is important to maintain a senior level presence in Ottawa as many of the decisions made at the pinnacle levels of the Department require input from other federal partner departments (Canadian Armed Forces, Department of National Defence, Royal Canadian Mounted Police), central agencies (Treasury Board Secretariat, Privy Council Office, Prime Minister's Office, Department of Finance) and Veterans organizations (Royal Canadian Legion, National Council of Veterans Associations, War Amps) whose head offices are also located in Ottawa.

HEALTH

ELDER ABUSE—NEW HORIZONS PROGRAM

(Response to question raised by the Honourable Jean-Guy Dagenais on June 16, 2016)

The Government of Canada values the many contributions made by seniors to our country. That is why we are working to implement measures to help improve the lives of seniors and their families. We recognize that elder abuse is a serious issue affecting many seniors.

This Government is committed to helping protect vulnerable Canadians and prevent their mistreatment. That is why under the New Horizons for Seniors Program we have supported a national prevalence study on elder abuse and neglect to increase our understanding of these issues and the challenges faced by seniors who are vulnerable. The results of this landmark study provide new evidence to inform the Government of Canada and all partners working to address elder abuse. This Government

has also approved over \$1.2 million in funding for 62 elder abuse awareness projects across Canada from the New Horizons for Seniors Program's 2015-16 Community-Based Call for Proposals.

FOREIGN AFFAIRS

CHINA—PROTOCOL DURING VISIT OF CHINESE DELEGATION—RIGHT TO PROTEST

(Response to question raised by the Honourable A. Raynell Andreychuk on September 27, 2016)

The Royal Canadian Mounted Police (RCMP) was not responsible for erecting any barriers or fencing during the visit of the Chinese delegation. That said, the RCMP has specific responsibilities and authorities to erect a security perimeter during major events. The RCMP is granted this authority under the *Foreign Missions and International Organizations Act*, the *Criminal Code* and the *Royal Canadian Mounted Police Act* as well as the *RCMP Regulations 2014*.

It is important to note that each major event is unique and must be evaluated on a case-by-case basis. The RCMP considers a broad range of factors to determine the specific security requirements, including the need for fences or barriers. This evaluation includes, among others, the threat risk environment, the location of the event and lessons learned from previous events.

The RCMP works closely with its domestic security partners such as the local police of jurisdiction in planning the appropriate security requirements for major events.

PRIME MINISTER'S OFFICE

APPOINTMENT PROCESS FOR SUPREME COURT JUSTICES

(Response to question raised by the Honourable Norman E. Doyle on September 28, 2016)

A priority in the Minister's mandate letter was to ensure that the process of appointing Supreme Court of Canada justices is transparent, inclusive and accountable to Canadians, and that those appointed to the Supreme Court should be functionally bilingual.

In the new, open and transparent process, regional representation is important. In their mandate letter from the Prime Minister, the Advisory Board was asked that when making their selections, they consider the custom of regional representation on the Court as being one of the factors to be taken into consideration. As well, the list of three to five qualified and functionally bilingual candidates the Advisory Board developed and submitted was to include candidates from Atlantic Canada.

On October 17th, the Prime Minister announced the nomination of Mr. Justice Malcolm Rowe. Mr. Rowe's remarkable depth of legal experience in criminal and public

law will complement the extensive knowledge of the other Supreme Court justices. As well, he is the first person from Newfoundland and Labrador to be appointed to the SCC. The custom of regional representation was one of the factors used in arriving to this choice.

APPOINTMENT PROCESS FOR SUPREME COURT JUSTICES

(Response to question raised by the Honourable Wilfred P. Moore on September 28, 2016)

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FINANCE

CAPITAL MARKETS REGULATORY AUTHORITY

(Response to question raised by the Honourable David Tkachuk on September 29, 2016)

The Governments of British Columbia, Ontario, Saskatchewan, New Brunswick, Prince Edward Island, Yukon and Canada are working together to implement the Cooperative Capital Markets Regulatory System. All provinces and territories are invited to participate in the Cooperative System. The Government of Canada believes that effective oversight of capital markets through a collaborative capital markets regulator will help grow Canada's economy by attracting investment, protecting investors, and managing systemic risk.

The participating jurisdictions are committed to moving forward and taking the necessary time to ensure a successful launch of the Cooperative System with a smooth transition for market participants. The initial board of directors for the Capital Markets Regulatory Authority (the Authority) was announced in July 2016. Pending the creation of the Authority, members will serve as the board for the Capital

Markets Authority Implementation Organization, which will assist in the transition to and implementation of the Authority. The revised timeline reflects the current state of the project and the work remaining to be done to launch the Cooperative System. It contemplates that all participating jurisdictions will enact the Cooperative System legislation by the spring of 2018, with the launch of the Cooperative System expected in 2018.

HEALTH

ZIKA VIRUS

(Response to question raised by the Honourable Claude Carignan on October 6, 2016)

Communicating the risk of the Zika virus to travelling Canadians is an ongoing activity for the Public Health Agency of Canada. We are actively advising all travellers to take measures to prevent mosquito bites. We have strongly recommended that pregnant women or those planning a pregnancy should avoid travel to countries or areas in the United States with reported mosquito-borne Zika virus due to potential adverse impacts on fetal development. In addition to the information posted on Canada.ca and through social media, the Government is working with travel health experts and those caring for pregnant women across the country to provide patients with timely and accurate advice on the risks of the disease, especially to fetal development. We have a number of additional tools in place as the risk to Canadians increases. These include proactive media outreach, advice on travel websites, notices in airports, and other public awareness activities. Awareness resources for Canadian travellers and education materials for health care professionals are some of the products that will be posted on the Zika virus Canada.ca web page and promoted through social media and shared and promoted for use with established partners and stakeholders.

INTERNATIONAL COOPERATION

INTERNATIONAL CIVIL AVIATION ORGANIZATION—TAIWAN

(Response to question raised by the Honourable Thanh Hai Ngo on October 19, 2016)

Taiwan is an important civil aviation hub. Canada welcomes all relevant actors in global civil aviation to the International Civil Aviation Organization (ICAO) and made its position with respect to Taiwan clear to ICAO's President prior to the 2016 Assembly. Invitations are issued by and at the discretion of the President and Secretary General of ICAO. The Government of Canada does not control invitation or operation decisions of the ICAO. Canada is disappointed that Taiwan was not permitted to attend.

Regarding media accreditation, this decision also rests with ICAO, however, the Government of Canada still made a formal request for explanation on ICAO's access decision.

Consistent with Canada's headquarter agreement with ICAO, the 1994 ICAO Privileges and Immunities Order made under the Foreign Missions and International Organizations Act, granted ICAO's premises the same inviolability as any diplomatic mission in Canada, thus making ICAO immune from any form of interference by the host country. This means that access, invitations and media accreditation are determined solely by ICAO.

Canada has consistently supported Taiwanese participation in international organizations where there is a practical imperative and where Taiwanese absence would be detrimental to global interests. The Government of Canada strongly supports the right of journalists to conduct their work freely in Canada and abroad and will continue to defend open reporting of public proceedings.

INTERNATIONAL CIVIL AVIATION ORGANIZATION— TAIWAN

(Response to question raised by the Honourable A. Raynell Andreychuk on October 19, 2016)

Canada's policy towards Taiwan has not changed. Since 1970, Canada's One China policy has recognized People's Republic of China as the sole legitimate government of China, noting — but not endorsing or challenging — its claims on Taiwan. Although Canada does not have official, government-to-government relations with Taiwan, our shared interests are extensive, and we have been able to maintain unofficial but valuable economic, cultural and people-to-people ties with Taiwan.

Generally speaking, Canada supports Taiwan's participation in international organizations where there is a practical imperative and where Taiwanese absence would be detrimental to the interests of the global community.

With respect to the International Civil Aviation Organization (ICAO), while Taiwan is not a member of ICAO, it is an important civil aviation hub. Canada welcomes all relevant actors in global civil aviation to ICAO and made its position with respect to Taiwan clear to ICAO's President prior to the 2016 Assembly. However, invitations are issued solely at the discretion of the President and Secretary General. Canada is disappointed Taiwan was not permitted to attend.

IMMIGRATION, CITIZENSHIP AND REFUGEES

NUMBER OF REFUGEES

(Response to question raised by the Honourable David Tkachuk on October 20, 2016)

The Government and private sponsors brought in the following number of refugees [Government Assisted Refugees (GARs), Blended Visa Office Referrals (BVORs)

and Privately Sponsored Refugees (PSRs)] from countries other than Syria and Iraq who were not in process previously:

- from November 4, 2015, to December 31, 2015, a total of 2,187 GARs, BVORs and PSRs;
- from January 1, 2016, to February 29, 2016, a total of 1,381 GARs, BVORs and PSRs; and,
- from March 1, 2016, to March 31, 2016, a total of 840 GARs, BVORs and PSRs.

The year before, Canada and private sponsors brought in the following number of GARs, BVORs and Privately PSRs from countries other than Syria and Iraq:

- from November 4, 2014, to December 31, 2014, a total of 1,967 GARs, BVORs and PSRs;
- from January 1, 2015, to February 28, 2015, a total of 1,074 GARs, BVORs and PSRs; and,
- from March 1, 2015, to March 31, 2015, a total of 851 GARs, BVORs and PSRs.

CITIZENSHIP AND IMMIGRATION

APPOINTMENT OF CITIZENSHIP JUDGES

(Response to question raised by the Honourable Thanh Hai Ngo on October 26, 2016)

In February, 2016, the Government announced a new process for Governor in Council Appointments. Immigration, Refugees and Citizenship Canada (IRCC) has been working closely with the Privy Council Office to fill citizenship judge vacancies through the new appointment process.

Vacancies are being closely monitored and future appointments will be made where a judge is required.

Since August 2014, public servants make decisions on the vast majority of citizenship applications and as a result, a smaller complement of judges is required than previously.

To ensure that successful citizenship applicants have timely access to a citizenship ceremony, IRCC uses eminent Canadians, such as Order of Canada recipients, to preside at citizenship ceremonies in offices where citizenship judges are not available.

IRCC is meeting its service standard of processing 80% citizenship applications received on or after April 1, 2015, within 12 months. In fact, it is processing them within 10 months.

FISHERIES, OCEANS AND THE CANADIAN COAST GUARD

ATLANTIC SALMON

(Response to question raised by the Honourable Percy Mockler on November 1, 2016)

Fisheries and Oceans Canada (DFO) is committed to applying the 2009 DFO Precautionary approach (PA) policy framework to all key harvested fish stocks. DFO establishes limit reference points (LRPs) for various salmon stocks, based on scientific advice and assessments.

1) A 2.4 eggs/m² Limit Reference Point has been established in Maritimes Region, which has only limited Food Social and Ceremonial allocations and no recreational retention since 1998. Limit Reference Points are being established for key index rivers in the Southern Gulf for 2017-2018, and subsequently in other regions.

2) DFO analysis does not show that salmon is a dietary preference for grey seals. A new grey seals survey is being undertaken and science literature is monitored for the impact of seals on salmon.

3) Canada engages Greenland via the North Atlantic Salmon Conservation Organization (NASCO) to ensure that it implements the regulatory measures adopted in 2015. Saint Pierre and Miquelon are also being encouraged to join NASCO and to institute sustainable harvest levels.

FISHERIES AND OCEANS

INUIT FISHING ENTERPRISES

(Response to question raised by the Honourable Dennis Glen Patterson on November 2, 2016)

Introduced in 1992, in response to the 1990 Sparrow decision and other objectives, the Aboriginal Fisheries Strategy program (AFS) provides a framework for the management of fishing by Indigenous groups for food, social, and ceremonial purposes and provides a small amount of support for commercial fisheries opportunities (through the Allocation Transfer Program part of AFS introduced in 1994). The AFS program serves, in part as a “bridge to treaty” and is applicable in areas where the Department of Fisheries and Oceans (DFO) manages the fishery and where land claims settlements have not already put in place a fisheries management framework.

DFO's investments in Nunavut have focused on commercial scientific research. The federal government contributed \$40.5 million towards the construction of Nunavut's first commercial fishing harbour in Pangnirtung, which opened in 2013. Between 2009 and January 2016, the Canadian Northern Economic

Development Agency also committed over \$8.6 million in support of commercial fisheries projects in Nunavut.

DFO has begun working with its Federal partners, Nunavut Tunngavik Incorporated, and the Government of Nunavut to explore the needs and opportunities of Inuit of Nunavut with respect to commercial fisheries.

ORDERS OF THE DAY

FOOD AND DRUGS ACT

BILL TO AMEND—THIRD READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Black, seconded by the Honourable Senator Fraser, for the third reading of Bill C-13, An Act to amend the Food and Drugs Act, the Hazardous Products Act, the Radiation Emitting Devices Act, the Canadian Environmental Protection Act, 1999, the Pest Control Products Act and the Canada Consumer Product Safety Act and to make related amendments to another Act.

Hon. A. Raynell Andreychuk: Honourable senators, I'm simply going to note that I spoke to Bill C-13 and made the comments that I did in support of the bill and continue, after introduction of third reading debate, to be of the same opinion: that Canada needs to be part of the World Trade Organization and this, the trade facilitation act, is the first agreement that has been reached.

Canada's standards and our laws were substantially compliant with the act, but there was a gap in certain in-transit portions of goods that would come into Canada, and that is the substance of Bill C-13, which I think was explored at second reading. I would simply refer my colleagues to the statements made by senators in this chamber.

The Standing Senate Committee on Foreign Affairs and International Trade, having conducted hearings and received evidence, concluded its deliberations and voted to pass the bill and bring it here for third reading. I appreciate that Senator Black has spoken to that.

However, what I wanted to put on the record was not the content of the bill but the process and the procedure. We were given very little time to deal with the bill, and I think I can include Senator Black in my statements, but can he correct me if I am wrong. The committee was not aware of any time frames that had to be met. We simply knew that we wanted to deal with the bill expeditiously, as we always do here, but we also wanted to do our job properly within the committee.

During the course of that, we are advised that there were time frames that had to be met by the government. Subsequently, we're

not even sure whether these are mandatory time frames or objectives of the government.

• (1450)

We tried to meet the deadlines. We accommodated the minister, but there were some questions. The questions arose from questions of the senators but also of one association that questioned whether the bill would go beyond the intent. The intent was supposed to be in-transit goods and certain goods that are not used in Canada but that would be in transit through Canada, probably to the American market. So they wanted to be assured that the goods and the bill itself could not be extended to goods for use in Canada.

So that was one of the questions that were put to us. We asked the department. We were not satisfied in the first go-round of the questions, and we asked for them either to return written answers or to come before us. In this case, they did finally have the answer that we needed — and certainly to a question that I had raised — and they stated sufficiently that the Justice Department and all of the drafters were reasonably certain that the bill could not be interpreted to go beyond transit goods.

That was our concern because the witnesses at the start could not tell us that there had been a Justice review or a drafting review. They were simply talking from a subject-matter point of view.

Another area of concern was how these goods transit through Canada. Are there reasonable measures, safety protections, and have there been, in the last five years, any incidents that we should know about? The department did not provide that answer but took it away, and we had some considerable negotiation, if I may say, to get an answer quickly. Because here we were told there were time frames, but we wanted to do due diligence. We wanted to do our duty within the committee about the subject matter.

In the end, with the assistance, I may say, of the minister who came to testify — and she undertook that she would provide us with that information — we did get, I think, a satisfactory answer.

Senator Downe had specifically talked about five years and asked whether there were any incidents. The government came back and said that a new tracking system was put in place at the start of 2015, which could definitively tell us how goods went through and how they are tracked. They had 1,000 test cases and not one problem with it.

But that didn't answer the question put in our committee about five years. So we went back to them again, and, finally, we were told that the tracking system was only started in 2015. They could not accommodate us on the other information. But the to-ing and fro-ing was, let me tell you, difficult, and I thank Senator Downe for his persistence. I thank Senator Black for his accommodation and taking up my issues. I thank the committee for doing due diligence, because I think that's what we did.

We put on the record the question of whether, since there's been only one year of tracking, this bill should pass. We will continue to track to ensure that that one year is not a one-off and that, in fact, Canadians can be assured that goods transiting through

Canada have the pre-clearances and the documentation, that they are accompanied in bond through Canada and that they are again dealt with at the port or wherever the material goes.

They are small items within the bill, but I think it's indicative of what happens. We should be aware that there are other, broader issues that were not covered by these specific ones because this was the trade facilitation bill, not a total look at goods in Canada.

My point in bringing this up is that the committee has asked me — and I am doing so — to bring this to the attention of all the leaders in the Senate. If we are to know that there are some time constraints, we need the time. We are asking the government to take into account the processes and procedures needed in the Senate. Bills are introduced in the other place. They sometimes sit there in first reading for quite some time, as this bill did; then the House committee is afforded time to deal with the bill. Then we are found right at the end, and they are saying "But this bill is necessary."

I think it is not symptomatic of this government alone. This has been a constant issue for some of us — and I'm looking at Senator Baker who has been here almost as long as I have — that we are often put in that position. I think it is unfair; it's certainly not proper parliamentary procedure.

So we are addressing it to the minister involved, but we say it on the record here to all ministers and to the leaders here, that the Senate needs time to do its work. If there is an overwhelming need on one bill, I think we will understand and accommodate. And we do that. We sit out of time. I've sat until midnight and 2 a.m. on bills because the time frames came up immediately. In this case, I think we were sufficiently convinced that we should have been alerted earlier and that we should have been given more time.

I think that that should be instructive to new senators and a reminder to all of us that our work needs the same constitutional scrutiny that the house does. I'm convinced that we have now done that job and that this bill is a necessary bill and that we can proceed at this time.

Hon. Percy E. Downe: Very briefly, as the deputy chair I want to reinforce the comments of the chair of the committee because I think she captured the spirit of the committee. She correctly identified that this is not a recent occurrence; it's been going on for some time. But, under the new leadership of Senator Harder, I'm hoping that he shares these concerns — and I believe he does — about the problem with this bill, which is a reflection of the problem we have in the Senate and have had for some time.

I checked on this bill. Bill C-13 was introduced in the House of Commons in April. So it spent six months in the House of Commons, and we were given roughly six weeks. It didn't appear to be a controversial bill. We asked various committee members, as Senator Andreychuk indicated, a series of questions. The question I asked the officials they simply didn't answer when they returned the answers to three of the four questions. The question I asked, I thought, was important — that's why I asked it, obviously — and it was: Given the current in-transit transportation of items in Canada, are there any problems? Are there any hijackings, any mistakes, anything that is entering our environment that should not be entering our environment? Are

workers in Canada exposed to items they should not be exposed to because items are just simply passing through Canada and the containers are never opened?

There was simply no answer to that. When the minister showed up — and I don't want to put words in her mouth, but — she seemed rather upset about what had happened. But to me it was, again, a reflection of the attitude, particularly entrenched in the bureaucracy, of, “Well, it's already passed. It passed the House of Commons. This place is just going to run it through and rubber-stamp it. What's the problem? Get it done. Get it out.”

The minister then made the argument — and again I'm not picking on her; other ministers have argued similar points on their bills — “We need it right away.” If you need it right away, you should have gotten it to the Senate earlier so that we could have done more studies on it.

She made the argument that 110 countries have to ratify the World Trade Organization agreement, and 96 had done so. It was an argument I had a lot of time for. That is, if Canada is not one of the 110, then it's a bit like losing face because we weren't there at the get-go.

• (1500)

I asked a couple of times, but we could never quite determine it. I assumed that if we were 112, we could still approve it without the sky falling. However, we did approve it. The minister indicated that the day she was there 96 countries approved it, and she thought that the remaining 14 countries would approve it within the week. That has not happened, obviously. When I checked today, 100 of 110 have approved the measure, so it's not implemented. There will be time for Treasury Board and others to do what they have to do, assuming we pass it at third reading.

The point I want to make is not so much on the bill or about this particular minister. It's about the treatment that the Senate continues to receive on documents and bills. As a chamber of sober second thought, we need time. At some point we're going to have to stop bills and stop folding, as I often say, like a cheap suit and hold our ground so that we can do all the work we have to do. This is not a bill to die on, but it's an indication of the problems that we continue to have — particularly, as I said earlier, with the bureaucracy; less so with the ministry — through the House of Commons. We even had one of the witnesses in our committee say, “Well, we covered that off in the House of Commons,” as if that means anything. When was the last time you watched a House of Commons committee that didn't end up in chaos, with partisan bickering? We are well known in the Senate — everyone here — for the higher quality of analysis and work on our committees.

Honourable senators, I want to reinforce what Senator Andreychuk has said: No one is holding up the bill, but we didn't have enough time to do what we had to do. I know Senator Harder is well aware of the problems we had, as is Senator Black who is working on it. It was a bit of a donnybrook, but we got through it, as we always do. I hope it won't be repeated.

Thank you, honourable senators.

The Hon. the Speaker: Are senators ready for the question?

An Hon. Senator: Question.

The Hon. the Speaker: It was moved by the Honourable Senator Black, seconded by the Honourable Senator Fraser, that the bill be read the third time.

Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: No.

The Hon. the Speaker: All those in favour of the motion will signify by saying “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: Those opposed to the motion will signify by saying “nay.”

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the “yeas” have it.

And two honourable senators having risen:

The Hon. the Speaker: Is there an agreement on the bell?

Senator Mitchell: Half an hour.

The Hon. the Speaker: Honourable senators, the vote will take place at 3:32 p.m. Call in the senators.

• (1530)

Motion agreed to and bill read third time and passed, on the following division:

YEAS THE HONOURABLE SENATORS

Andreychuk
Ataullahjan
Baker
Batters
Bellemare
Beyak
Black
Boisvenu
Boniface
Bovey
Brazeau
Campbell
Carignan
Cools
Cordy
Cormier
Dagenais
Dawson
Day
Dean

Lankin
Lovelace Nicholas
MacDonald
Maltais
Manning
Marshall
Martin
Marwah
Massicotte
McCoy
McInnis
McIntyre
Mercer
Merchant
Meredith
Mitchell
Mockler
Moncion
Moore
Munson

Downe	Nancy Ruth
Doyle	Neufeld
Duffy	Oh
Dupuis	Pate
Dyck	Patterson
Eaton	Petitclerc
Eggleton	Plett
Enverga	Poirier
Forest	Pratte
Fraser	Raine
Frum	Ringnette
Gagné	Runciman
Green	Seidman
Griffin	Sinclair
Harder	Smith
Hartling	Stewart Olsen
Housakos	Tannas
Hubley	Tardif
Jaffer	Wallin
Joyal	Wells
Kenny	Wetston
Lang	White—84

NAYS

THE HONOURABLE SENATORS

Nil

ABSTENTIONS

THE HONOURABLE SENATORS

Bernard—1

• (1540)

INCOME TAX ACT

BILL TO AMEND—THIRD READING—
DEBATE ADJOURNED

Hon. Peter Harder (Government Representative in the Senate) moved third reading of Bill C-2, An Act to amend the Income Tax Act.

[Translation]

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I would like to briefly speak to this matter. I know that the bill's sponsor is Senator Day. However, he is currently busy in committee studying other bills. I will simply provide some context for Bill C-2 to remind our new senators in particular of the purpose of the bill.

Bill C-2 was introduced in the House of Commons in December 2015 to honour some of the promises made during the election. To summarize, this bill contains two main provisions: it reduces

the second tax rate from 22 per cent to 20.5 per cent for individuals earning between \$45,000 and \$90,563, and it raises to 33 per cent the tax rate for individuals earning in excess of \$200,000. These are two of the important provisions in Bill C-2.

The bill contains other consequential provisions related to the changes in taxation rates. These consequential provisions concern the charitable donation tax credit, income earned by a child, income earned by a trust, taxation of corporations and shareholders, and others.

The second key amendment concerns Tax-Free Savings Accounts, or TFSA. The government is going to lower the contribution limit to its previous indexed amount, \$5,500. This limit will be indexed later on.

Why were these measures presented in December if they are part of a set of budgetary measures? I asked Minister Morneau that question when he appeared before the Standing Senate Committee on National Finance. I also asked him about the impact of these new budget measures.

This is what he said in response to my two questions.

[English]

We have the figures and we will keep you up to date on the outcome of those changes.

As for the question as to why we have it outside the budget, the reason is simple: It's because people need to understand where they stand before the beginning of the year. For taxes, it is best to start before January 1 because that is the beginning of the financial year.

That is why we made the announcement in advance for families and individuals. As a result, they are able to understand their situation better.

[Translation]

As far as the impact is concerned, when studying a bill made up of two measures, the committee tends to study both at the same time. The committee heard a great many witnesses on the subject of lowering and increasing the tax rate.

I attended many of those meetings. It noted with interest a lack of consensus among the witnesses, independent of political leanings. They said they would have done things differently. Each had their own preferred approach. The one thing they could all agree on was the fact that, some day, honourable colleagues, we will undoubtedly have to overhaul the tax system because it is too complex. Everyone present agreed on the importance of simplifying the tax system. Other senators focussed on the fact that the impact of these measures should be studied in the general context of the budget and that it would be very interesting to get the data on these impacts.

Minister Morneau followed up on the combined effects of the various budgetary measures, all of those that have a financial impact on individual Canadians. He talked about the combined

impact of lower taxes and higher transfers, including family allowances, on personal income. He considered the results of some previous budgets and the results of the proposed measures.

• (1550)

The department considered the tax cut for the middle class and the fact that tax rates would drop to 20.5 per cent for the \$45,000 to \$90,000 tax bracket. The new tax rate was the second thing the department considered.

It also took into account the implementation of the Canada Child Benefit or CCB. This is a targeted benefit that provides up to \$6,400 tax free for children under the age of six and up to \$5,400 tax free for children between the ages of six and 17. The amount of the benefit is determined on a sliding scale; as such, those with taxable incomes of just under \$200,000 a year do not receive the benefit.

This targeted benefit replaces the Canada Child Tax Benefit, which was calculated based on income, the National Child Benefit Supplement, and the Universal Child Care Benefit. This new measure will have a bigger impact on the income of families with children than the three previous measures.

The government also eliminated income splitting for couples with children. Senators will recall that, in Budget 2014-15, the previous government introduced a tax provision that allowed couples with children to split their incomes to a maximum of \$2,000 per child. This measure mainly benefited those who were in a position to split their income, namely, high-income earners.

Other tax measures include reducing the maximum eligible expenses for the children's art and fitness tax credits by half and increasing the Guaranteed Income Supplement top-up benefit for seniors living alone. We will study the measure more closely in the near future when we tackle Bill C-29. These measures will have a positive impact on 13.5 million people, 4.1 million of whom live alone and 9.4 million of whom live as couples.

The minister provided us with tables broken down by demographic profile: people living alone or with a partner, single people under 65 without children, single people over 65, couples with children, and single-parent families. I will not explain all of the information available, but I can say that there are major winners and major losers.

The winners are families with children. Whether partnered or single, people with children are winners. The big winners are single parents and couples with children whose annual taxable income is between \$30,000 and \$60,000. People in all other income brackets will not benefit as much. Let's look at single parents. They will benefit if their income is under \$150,000.

People in other segments will benefit as well, only at a lower rate. The major winners are people whose annual taxable income is between \$30,000 and \$60,000. They will gain, on average, \$3,195. The losers are those who earn more than \$200,000. Ninety-seven per cent of single parents earning over \$200,000 per year will lose an average of \$6,394.

The outcome is the same for couples with children. The major winners are couples with children whose annual taxable income is between \$30,000 and \$60,000. Such couples will gain \$4,458. People whose annual taxable income is over \$200,000 will lose the most. Seventy-eight per cent of them will lose an average of \$6,271.

Thus, in order to really gauge the full impact, it is very important that we examine all of these measures together rather than individually. Bill C-2 will have varying impacts. However, the tax breaks will translate into an extra \$679 for those who earn over \$90,000. That amount will be slightly lower for those who earn under \$90,000. When we look at all of these measures taken together, the big winners are middle-class and even lower-middle-class Canadians.

That is what I wanted to illustrate today in my contextual remarks. It will soon be time for us to vote on these measures. I will end my short intervention here, because I know Senator Day would like to continue the debate.

(On motion of Senator Martin, debate adjourned.)

[English]

The Hon. the Speaker: Honourable senators, it being almost 4 p.m., rather than proceed to the next item and have to interrupt a senator, pursuant to the order adopted on Thursday, February 4, 2016, I declare the Senate continued until Thursday, December 1, 2016, at 1:30 p.m., the Senate so decreeing.

(The Senate adjourned until Thursday, December 1, 2016, at 1:30 p.m.)

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