SENATE SÉNAT

CANADA

DEBATES OF THE SENATE

1st SESSION • 44th PARLIAMENT • VOLUME 153 • NUMBER 44

OFFICIAL REPORT
(HANSARD)

Tuesday, May 17, 2022

The Honourable GEORGE J. FUREY,
Speaker

CONTENTS

(Daily index of proceedings appears at back of this issue).

Publications Centre: Publications@sen.parl.gc.ca

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

THE SENATE

Tuesday, May 17, 2022

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

Prayers.

SENATORS' STATEMENTS

THE HONOURABLE DAN CHRISTMAS

Hon. Colin Deacon: Honourable senators, I rise today to bring attention to what I believe is Nova Scotia's best-kept secret. Now, you might ask, "What is deserving of that illustrious moniker?" Might it be Nova Scotia's geographic grandeur or our fabulous seafood? Of course not. Those are not secrets.

As is often the case, Nova Scotia's best-kept secret is hiding in plain sight. It is none other than our friend and colleague Senator Dan Christmas. Senator Christmas's efforts as a champion for Mi'kmaq nations in his home community of Membertou, Cape Breton Island, precedes his appointment to this august chamber by decades. Five years ago this month, Senator Christmas noted in his very first speech in this chamber, "There was no economic development and no employment prospects of any kind. No hope, no future."

The community was in deep trouble, completely shackled by the oppressive measures in the Indian Act. Consider the facts: In 1995, Membertou had 37 employees, a budget of $4 million — 99% of which originated from government — and $1 million in operating deficit annually. Twenty-five years later, Membertou employs nearly 600 people — up sixteenfold — has a $112 million annual budget — up twenty-eightfold; three quarters of which is commercial revenue — and has famously led the transformative billion-dollar acquisition of Clearwater Seafoods.

How did they do it? Well, Membertou unlocked the most powerful natural resource that they had, the only resource they had actually been left with: they unlocked the power of their people. Through this remarkable and hard-earned transition, Dan served as senior adviser to Membertou's Chief Terrance Paul, his Director of Operations Bernd Christmas and his band council. The Membertou miracle, a complete economic and social turnaround, is now seen as very best practice in community economic development and Indigenous affairs.

Dan was very close to retirement when his community leaders asked him to consider applying to become a senator. Sure enough, shortly thereafter he received a call from the Prime Minister and the rest, as they say, is history.

Now, as we all know, Dan is a man of very few, very carefully chosen words. He is a devoted family man, who reliably exhibits calming wisdom, grace and kindness. He is dedicated to preserving Indigenous customs and laws with dignity and honour. He serves as one of the very best mentors many of us have ever had. Dan is also allergic to self-promotion.

In that light, I hope that he will forgive me for my words today, but I felt it important to acknowledge that the secret is getting out. This week, Cape Breton University will confer a Doctor of Letters, honoris causa, on Senator Dan Christmas.

Our deepest, heartfelt congratulations for this long- and well-deserved recognition, Senator Christmas. Your selfless service inspires countless. *Wela'lioq.* Thank you.

Hon. Senators: Hear, hear!

NATIONAL POLICE WEEK

Hon. Vernon White: Honourable senators, I wanted to speak for a few minutes about National Police Week, which we're in the middle of this week. During National Police Week, we often speak of policing by way of remembrance. We should remember those who have lost and often given their lives in the defence of others and themselves, and that is part of what we talk about during this period. There are other things we should speak to as well.

We have police officers working right now across the country who are willing to lose everything they have to defend the lives of those they serve. They are in big cities, small towns, rural and isolated communities. They are working in Toronto or Grise Fiord, with similar training from their communities' similar demands.

All too often, the public sees a police officer in a certain light — typically the light that the public is holding — but there are many other things at play: shift work, work-life balance or imbalance, long shifts, violence committed by some against the police and other members of the community, physical relocations — I could go on.

Just as an example, the former minister of public safety Bill Blair stated that policing is not a career but, rather, 10 careers, three years at a time. In fact, looking at the five people in this room who served in multiple police agencies across the country, there have been more than 40 physical relocations in almost every province and all three territories.

• (1410)

For generations, men and women of our nation's law enforcement community have dedicated their lives to protecting us in those big cities, small towns and isolated communities. It is easy for us to judge when the police are wrong. Like the rest of us, there will be times when they are wrong. It is fair to do so. But it is also fair that we look at the police for what they do right. While we must hold the police to account for their actions, we must as well recognize that living in this country with the policing models we have in place, we live in one of the safest places in the world — something we should celebrate.

This year, Police Week is celebrating the connections between the police and the public. Those connections are seen in their work every day, obviously, but as well in the thousands and thousands of hours, days and weeks that the police in Canada — both civilian and sworn — spend engaged with their communities as volunteers.

So for this week, I, for one, want to thank the civilian and sworn police employees across Canada for their service. Thank you.

Hon. Senators: Hear, hear!

[*Translation*]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of a group from La Maison des guerrières, a group from the Association des familles de personnes assassinées ou disparues, and Diane Tremblay. They are the guests of the Honourable Senator Boisvenu.

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

Hon. Senators: Hear, hear!

VICTIMS AND SURVIVORS OF CRIME WEEK

Hon. Pierre-Hugues Boisvenu: Honourable senators, I feel very moved to rise today to mark Victims and Survivors of Crime Week. We are joined by a number of women who have been victims of intimate partner violence and by families whose loved ones have been killed as a result of intimate partner violence. We just heard their names read out. They are a powerful example of strength and determination.

These women who are here today are part of a group of 100 or so other women who are watching us. My statement is dedicated to them because, one day, they decided to break the silence that imprisoned them. These courageous women are the authors of my bill, Bill S-205, which, as you know, aims to protect thousands of Canadians women who are currently forced to remain silent out of fear for their lives and those of their children.

These women here in the Senate today are heroines. They are role models for other women who have spoken out against the violence they experienced, saying, "Enough is enough." They are also heroines for facing up to a justice system that failed to protect them, given that they risked their lives by reporting their abusers.

There are two reasons they are here in the chamber with me today. First, they are here to be the face of women who have been injured as a result of intimate partner violence and in memory of the women who were killed, the ones the justice system failed to protect. These survivors are also here for a second reason: their tireless commitment to changing the law to better protect women who will one day want to report their abusers.

Let's recall that, in 2021, the Canadian Femicide Observatory for Justice and Accountability identified 173 homicides of women and girls, over 50% of which were attributed to intimate partner violence. This is a 30% increase over the past three years. The federal government is not doing enough to address the violence that is killing too many women.

In 2022, we can no longer hide the victims to hide the problem. In a few minutes, together with two colleagues from the other place, Ms. Dancho and Ms. Vecchio, we will officially launch national e-petition 4011, which calls on the federal government to pass my Bill S-205 to put a stop to the hundreds of femicides happening in Canada each year. Canada must catch up with other countries by showing leadership and making the right decisions to do a proper job of protecting 52% of the population: women.

I invite my honourable colleagues to demonstrate solidarity with all women across Canada by signing and sharing this petition. Without strong solidarity, we will continue to mourn the loss of women and children and ask ourselves why we didn't do enough to save them. We have lost too many of them. Now it is time to save them.

To my collaborators and to the families of murdered victims, I want to say that your courage is undeniable, and you deserve our full respect and commitment. Honourable colleagues, I'm sure you will all join me in saluting these deserving individuals.

Thank you.

Hon. Senators: Hear, hear!

[*English*]

WORLD BEE DAY

Hon. Marty Klyne: Thank you, Senator Boisvenu, for the awareness and for the call to action.

Honourable senators, I have just one question for you: Can you "bee-lieve" it?

Do you feel a buzz in the air? You are not imagining things. Friday is coming, and it's World Bee Day. If you are not familiar with World Bee Day, it is a celebration that occurs annually on May 20, and its purpose is to celebrate and raise awareness of bees and other pollinators and the important role they play in our ecosystem.

As we all know, bees carry pollen from one flower to another, but they do much more than that. Bees aid in the production of fruits, seeds, nuts and, of course, honey. In fact, a 2015 study by the Senate's highly regarded Standing Senate Committee on Agriculture and Forestry noted that of the 100 crop species that provide 90% of the world's food, over 70 are pollinated by bees. That gives you a sense of just how much we rely upon bees to help feed the world.

Unfortunately, bee populations across the globe are in decline. A combination of the overuse of pesticides, changing farming practices and higher temperatures associated with global warming have led to a sharp drop in bee populations.

This is a threat not just to the bees themselves, but to the crops we depend upon for everyday use. It is a global problem, and Canada must do more to reverse this trend. A sting from a bee may hurt, but the long decline of pollinating species will hurt us much more in the long run.

Honourable senators, when it comes to the protection of Canada's bee population, it is all of our "beeswax." We need to do more as a country to protect bees both here in Canada and across the world.

I call on the Government of Canada to do everything it can to promote the health and sustainability of Canada's bee population, and I hope that everyone in this chamber will join me in celebrating World Bee Day on May 20. Thank you.

Hon. Senators: Hear, hear!

[*Translation*]

ANNUAL MEETING OF THE UNION DES MUNICIPALITÉS DU QUÉBEC

Hon. Éric Forest: Honourable senators, I would like to take a moment to comment on the 100th annual meeting of the Union des municipalités du Québec, or UMQ, which took place last week in Quebec City.

It was the first opportunity for the new cohort of elected representatives to meet, and more than 1,500 delegates attended the event. It was refreshing to see so many women and young people from Quebec's major cities at the table.

The UMQ's chosen theme also reflects the fact that newly elected officials are particularly aware of the essential role of municipalities in addressing the climate emergency. Discussions focused on optimizing land use, fighting urban sprawl and increasing neighbourhood density.

In order to significantly reduce our greenhouse gas emissions, targeting emissions in the transportation sector is critical. Electrifying transportation is good; designing neighbourhoods that minimize the need for transportation is even better. The municipalities are ready to do their part. They just need the right legal tools and funding.

At this major forum, the UMQ also shared the results of a groundbreaking study on the impact of climate change on municipal finances. According to climate change economist Charles-Antoine Gosselin, the impact of weather events translates into a 30% average increase in security spending, the fourth-largest budget item for municipalities.

According to the study, 75% of Quebec's population will soon be living in a municipality likely to be exposed to a risk zone, such as flooding or ground movement. Governments need to empower municipalities to deal with the threat of climate change, for the sake of both the future of our planet and our public finances.

For now, all eyes will be on the Government of Quebec and its new national architecture and land use policy, which we hope will provide municipalities with new powers to fight climate change. In the medium term, we must come up with a new way of sharing revenue sources between Ottawa, the provinces and territories, and the cities if we want to effectively fight climate change.

• (1420)

We cannot ask the municipalities to be on the front lines of the fight against climate change and give them property taxes as their only resource. Those taxes don't even cover the basic services provided by the municipalities.

This year, the UMQ was once again able to prove its worth by advancing the concerns of Quebecers. Municipalities are coming together like never before, and they are determined to fight this important battle against climate change.

Thank you.

[*English*]

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Lori DeGraw. She is the guest of the Honourable Senator Deacon (*Ontario*).

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

Hon. Senators: Hear, hear!

THE LATE DAVID MILGAARD

Hon. Brent Cotter: Honourable senators, David Milgaard died this past Sunday at the age of 69. David Milgaard was an advocate for justice, but he was no ordinary advocate for justice. His story is well known. At age 17, David Milgaard was convicted of the murder of young nurse Gail Miller in Saskatoon in January 1970 — a crime actually committed by someone else.

He served over 22 years in prison, all the while protesting his innocence. Relentless efforts on the part of his mother, Joyce Milgaard, and on the part of his lawyers — most notably Hersh Wolch and David Asper — resulted in his conviction being reviewed and ultimately set aside by the Supreme Court of Canada in 1992.

After a number of reviews of the case, including one I initiated in 1993, David Milgaard was exonerated and affirmatively found to have been innocent of the murder. His exoneration was achieved by DNA testing — something I hope to return to when we discuss Senator Carignan's bill in the coming weeks. Our thoughts today are and must be about David Milgaard's tragic

22-plus-year ordeal — a third of his life — the suffering that should never have been visited upon him, or any of us, and about the man that David Milgaard became.

Almost from the day he was released from prison, David Milgaard began a journey to make the justice system better, and in particular for the wrongly accused and convicted. He spoke everywhere and to anyone who wished to hear his own story. He acknowledged his own suffering but, in a powerful and selfless way, called upon us to work harder to make the system better, fairer and more committed to identifying and addressing the wrongful convictions that will inevitably occur in our justice system.

He spoke many times at our law school, always to standing-room-only audiences, always to standing ovations and always bringing tears to the eyes of the attendees. He became a hero to my students. He became a hero to me. How could he not? Someone who had suffered so grievously, surely with such pain, turned not into that pain and darkness but to the light to try to make the system that took so much from him a better one for others.

There are others who have been wrongly convicted and who have suffered greatly for it. I think of one other from Nova Scotia, Donald Marshall Jr., again aided by courageous lawyers. Donald Marshall pursued a similar path, and the review of his case led to significant changes to the administration of criminal justice throughout our country.

A similar honour is possible for David Milgaard and his devoted family. He long crusaded for the establishment of an independent criminal case review commission to review cases of alleged wrongful convictions. We owe it to his legacy to make that commission a reality. Thank you.

Some Hon. Senators: Hear, hear!

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Shawn Davidson, Josh Watt and Isabelle Girard, representatives from the Canadian School Boards Association. They are the guests of the Honourable Senator Gagné.

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

Hon. Senators: Hear, hear!

[Senator Cotter]

[*Translation*]

ROUTINE PROCEEDINGS

SUBSTANTIVE EQUALITY OF CANADA'S OFFICIAL LANGUAGES BILL

BILL TO AMEND—NOTICE OF MOTION TO AUTHORIZE OFFICIAL LANGUAGES COMMITTEE TO STUDY SUBJECT MATTER

Hon. Raymonde Gagné (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 accordance with rule 10-11(1), the Standing Senate Committee on Official Languages be authorized to examine the subject matter of Bill C-13, An Act to amend the Official Languages Act, to enact the Use of French in Federally Regulated Private Businesses Act and to make related amendments to other Acts, introduced in the House of Commons on March 1, 2022, in advance of the said bill coming before the Senate; and

That, for the purposes of this study, the committee be authorized to meet even though the Senate may then be sitting or adjourned, with the application of rules 12-18(1) and 12-18(2) being suspended in relation thereto.

ONLINE STREAMING BILL

BILL TO AMEND—NOTICE OF MOTION TO AUTHORIZE TRANSPORT AND COMMUNICATIONS COMMITTEE TO STUDY SUBJECT MATTER

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, in accordance with rule 10-11(1), the Standing Senate Committee on Transport and Communications be authorized to examine the subject matter of Bill C-11, An Act to amend the Broadcasting Act and to make related and consequential amendments to other Acts, introduced in the House of Commons on February 2, 2022, in advance of the said bill coming before the Senate; and

That, for the purposes of this study, the committee be authorized to meet even though the Senate may then be sitting or adjourned, with the application of rules 12-18(1) and 12-18(2) being suspended in relation thereto.

[*English*]

IMMIGRATION AND REFUGEE PROTECTION ACT IMMIGRATION AND REFUGEE PROTECTION REGULATIONS

BILL TO AMEND—FIRST READING

Hon. Marc Gold (Government Representative in the Senate) introduced Bill S-8, An Act to amend the Immigration and Refugee Protection Act, to make consequential amendments to other Acts and to amend the Immigration and Refugee Protection Regulations.

(Bill read first time.)

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

(On motion of Senator Gold, bill placed on the Orders of the Day for second reading two days hence.)

QUESTION PERIOD

FINANCE

TRANSFER OF SMALL BUSINESS

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, my question is for the government leader in the Senate.

Leader, in June 2021, during the debate on Bill C-208 by Manitoba Conservative Member of Parliament Larry Maguire, you stated:

> Bill C-208 would provide considerable benefits to some taxpayers in the form of tax-free distributions of corporate surplus without adequately ensuring that a genuine intergenerational business transfer has occurred.

In the recent NDP-Liberal budget, the Minister of Finance announced that her government will consult on changes to be made to the Income Tax Act concerning this legislation that received Royal Assent last June.

• (1430)

Leader, after you urged the Senate not to adopt Bill C-208 last year, your government is now of the opinion that there is no urgency, the consequences are not that important and that a consultation with no set date will be sufficient.

Senator Gold, do you stand by your remarks of last June, and if so, how do you explain that your government doesn't share your view that it's urgent to correct this situation? Also, did you overstate the dangers of Bill C-208, or is the NDP-Liberal government leaving a loophole in place? Which is it, Senator Gold?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your questions.

I stand by what I said. I think the government's decision to consult is an appropriate one, given the complexity of the issues that the bill raised, which I tried to underscore in my remarks.

I forget the third question, but I suspect you'll repeat it if you have a chance.

Senator Plett: Did you overstate of dangers of Bill C-208, yes or no? It's actually four questions.

Leader, during the debate on Bill C-208, our colleague Senator Harder, who was defending the position of your government, stated, ". . . the bill becomes a substantial fiscal cost to the Government of Canada."

One year later, Senator Gold, what has been the estimated cost of Bill C-208 to the federal government?

Senator Gold: Thank you for reminding me of the question.

The answer to the first part of the question is no, I did not overstate it. Second, I do not know the figures, but I will make inquiries and report back.

[*Translation*]

PRIVY COUNCIL OFFICE

APPOINTMENT OF A UNILINGUAL LIEUTENANT-GOVERNOR

Hon. Rose-May Poirier: Senator Gold, on Friday, the federal government appealed the decision recognizing that the position of Lieutenant-Governor of New Brunswick must be held by a person "capable of executing all tasks required of the Role of Lieutenant-Governor in both the English and the French Languages." Despite the government's fine words, its intentions are now clear. The Prime Minister wants to retain the privilege of appointing lieutenant-governors who can't communicate in French. Senator Gold, why is the Liberal government dragging Acadians through an appeal rather than supporting them and recognizing their rights?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. That is a fundamental issue. The Government of Canada recognizes that it is essential to appoint lieutenant-governors who are proficient in both official languages, given New Brunswick's status as a bilingual province.

The decision to appeal the ruling of the Court of Queen's Bench does not in any way compromise the government's commitment to protecting and promoting linguistic duality, which includes our modernization of the Official Languages Act. Going forward, the government is committed to appointing bilingual lieutenant-governors in New Brunswick, starting with the next appointment process.

Senator Poirier: Senator Gold, the list of controversies is growing, and they include the appointment of a unilingual Governor General and a unilingual Lieutenant-Governor, a quasi-appeal as a result of a broad interpretation of Part VII of the Official Languages Act, concerns regarding child care agreements without language clauses for francophones, the unilingualism of CN and Air Canada executives, a press conference given by the Minister of Immigration in English only, and lastly, this decision to appeal Justice DeWare's ruling. How can Acadians and minority language communities be sure that your government is working to advance linguistic duality when its actions, including the decision it made on Friday to appeal the ruling, prove otherwise?

Senator Gold: Thank you for the question. As I said, the decision to appeal the ruling does not indicate a lack of commitment. The Minister of Justice said that there are some important principles at play in the reasons for judgment set out in the ruling that the government decided to appeal. These principles include the process for amending the Constitution and the Canadian Charter of Rights and Freedoms.

As for your question, more generally, I encourage you to take a close look at the official languages bill to see how committed the government is to minority language communities, including francophones in your province.

[*English*]

AGRICULTURE AND AGRI-FOOD

AVIAN INFLUENZA

Hon. Paula Simons: Honourable senators, my question is for the Government Representative in the Senate.

It's a question about avian influenza, which I don't think is a topic we have discussed here before. Alberta is in the midst of an avian influenza outbreak, with 24 farms affected to date and 900,000 — almost 1 million — birds having been destroyed. The hardest hit, primarily, have been turkey producers and hatching-egg producers.

Can the government representative tell us what the CFIA is doing to track and contain avian flu outbreaks, which I believe are happening in Alberta, Ontario and Quebec right now?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. Indeed, there was an outbreak not far from where I lived in the Eastern Townships in Quebec.

The government understands that the avian influenza is causing considerable stress to all poultry producers, even if they are — and they are — being vigilant and rigorous in their application of biosecurity measures to protect their animals. I am advised that the Canadian Food Inspection Agency is moving quickly to prevent the spread of the disease and to apply depopulation and disinfection protocols to affected facilities. If a poultry flock is affected by avian influenza, the agency follows a protocol to depopulate and disinfect the facility. The government continues to monitor the situation closely and is in continuous contact with the affected provinces and with industry.

Senator Simons: When you speak about depopulation and decontamination, those are expensive processes for the farmers who not only lose their livestock but have to pay for the cost of cleaning and decontaminating their facilities. Can you tell us what support the federal government is providing to farmers who are affected by this?

Senator Gold: Thank you, colleague, for the supplementary question.

I'm advised that businesses whose production is lost to depopulation efforts are being compensated at fair market value. Producers also have access to a series of business risk management programs. As previously indicated, the government is monitoring and actively engaged on this file, including working with the industry to provide timely compensation and to support the safe resumption of operations as quickly as possible.

JUSTICE

MANDATORY MINIMUM PENALTIES

Hon. Kim Pate: Honourable senators, my question is for the Government Representative in the Senate.

Yesterday, we launched a report representing a collaboration between our office, 12 Indigenous women with lived experiences of injustices and miscarriages of justice in the criminal legal system, Indigenous senators and leaders and numerous other experts and advisers. The report highlights the role of systemic colonialism, racism and misogyny in marginalizing, victimizing, criminalizing and institutionalizing women, including by failing to protect women experiencing violence and then subjecting them to a mandatory life sentence when they use force to try to protect themselves or others. The report calls for a group review of the convictions and sentences of these 12 Indigenous women by the Law Commission of Canada or the anticipated miscarriages of justice commission.

In light of the role that mandatory life sentences play in the miscarriages of justice for Indigenous women, will the government commit to amending Bill C-5 prior to referring it to the Senate in order to ensure that judges can do their job of assessing all circumstances when sentencing so that they are not unfairly handcuffed by mandatory minimum sentences, as they were in the cases of many of these 12 women?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question.

The government introduced Bill C-5 to address Indigenous overrepresentation, systemic racism and discrimination in the justice system. The bill aims to restore access to community-based sentences and repeal unnecessary mandatory minimum penalties that have unfairly affected Indigenous people, as well as Black and marginalized Canadians. The government is also

making important investments in this regard, including $9 million announced recently to support and expand the Indigenous Justice Centres in British Columbia.

Indeed, Bill C-5 is part of an overall justice strategy, particularly with respect to addressing systemic racism, which I note is an undertaking included in the minister's mandate letter. Further, my understanding is that the minister had positive discussions with Indigenous senators last week and that such engagement will continue. I'm further advised that the minister is open to broader discussions on justice strategy.

Senator Pate: Thank you, Senator Gold.

In fact, the government's own research shows that the bill will not decrease Indigenous overrepresentation, based on what it has introduced, so I'm also interested in what the timeline is and what steps remain before these commissions are operational. If the government is not planning immediate review of these women's cases by these commissions, how will they plan to remedy these miscarriages of justice?

• (1440)

Senator Gold: As I have said, the government is committed to addressing Indigenous overrepresentation, systemic racism, discrimination and the injustice that flows from that in our justice system.

With regard to your question, senator, I'm advised that the government is carefully reviewing the report to which you referred and its recommendations. As a result, I cannot provide information on timelines at this time. I am advised further, however, that the government is working to establish an independent criminal case review commission relying on the report received from former justices LaForme and Westmoreland-Traoré.

The government wishes to thank everyone who participated in the proceedings and consultations, including those who have been wrongly convicted, for sharing their insights, first-hand experiences and expertise.

[*Translation*]

FOREIGN AFFAIRS

APPOINTMENT OF AMBASSADORS TO FRANCOPHONE COUNTRIES

Hon. Amina Gerba: My question is for the Government Representative in the Senate. Senator Gold, last week the governments of Quebec and Canada welcomed Louise Mushikiwabo, the Secretary General of La Francophonie. She was visiting Quebec City to inaugurate a new office to represent the Organisation internationale de la Francophonie in the Americas, cementing Quebec's importance within the Francophonie.

Although the Government of Canada is very active in the Francophonie, it seems to overlook the importance of having representation in francophone countries.

Senator Gold, can you tell us why the government has yet to appoint ambassadors to 14 francophone countries, including France and Senegal, two very important embassies that have been without a head of mission since 2021?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. Canadians are well served by the dedicated men and women of our foreign service, who work hard to promote our values and interests, including the Francophonie, abroad. The bilingual nature of our diplomacy and the presence of two official languages in our embassies, high commissions and missions abroad are also important. I have been assured that an announcement will be made in due course regarding the appointment of ambassadors.

[*English*]

TRANSPORT

COVID-19 PANDEMIC—TRAVEL RESTRICTIONS

Hon. Leo Housakos: Honourable senators, my question is for the Leader of the Government in the Senate. Senator Gold, most if not all of us have seen the coverage of increasingly long lineups at major airports across Canada, most notably at Toronto Pearson International Airport.

Recently, your government's transportation minister blamed the delays and congestion on travellers themselves by saying, "They're out of practice," which is quite unbelievable.

The truth is, Senator Gold, with the processing time of incoming international passengers having quadrupled amid vaccination checks, pre-clearance security kiosks and the use of the ArriveCAN app, these delays are squarely on the shoulders of your government and the pandemic measures that are unnecessarily remaining in place. It has apparently become so chaotic today that your government is considering the cancellation of flights to alleviate some of the burden.

My question for you is simple: Why doesn't your government stop the political posturing and do the right thing instead of cancelling the flights of millions of Canadians who have been unable to travel and unable to see family and friends for two years? Why doesn't your government cancel their erroneous and unnecessary travel requirements?

Hon. Marc Gold (Government Representative in the Senate): With respect, honourable colleague, the government does not agree that the measures that remain in place are unnecessary. At such time as the government determines that the health and safety of Canadians and those who travel in our airspace no longer requires them, they will be dealt with.

Senator Housakos: Senator Gold, to hear your government tell it, you would think that the ArriveCAN app is alleviating some of the pressures at these airports and, somehow, that your measures are contributing in a positive way. It's actually adding to the delays. We continue to hear horror stories of its inefficiencies and ineffectiveness. Yet your government

continues to make use of this app, making it mandatory and insisting that airlines deny boarding to passengers with right of entry into Canada.

Senator Gold, ArriveCAN — like the proof of vaccine requirements — was supposed to be a temporary measure. Is this still the case? Instead of cancelling flights for Canadians who have been waiting for two years to see loved ones or to get work done requiring necessary travel, does your government have a date for when they will be cancelling the ineffective use of this ArriveCAN app and your ineffective proof of vaccine requirements? What date will you take these unnecessary requirements down?

Senator Gold: The Government of Canada is constantly reviewing the measures that it put in place to protect Canadians. When any decision to change those rules has been made, they will be communicated.

FINANCE

CREDIT CARD MERCHANT FEES

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, my question is also for the Leader of the Government in the Senate.

During the 2019 federal election campaign, the Prime Minister promised to eliminate the swipe fee on HST and GST for credit card transactions claiming this would save small businesses nearly $500 million annually. Following the NDP-Liberal budget last month, Dan Kelly of the Canadian Federation of Independent Business stated:

> Despite an election promise in 2019 and a budget commitment in 2021, no progress has been made in reducing credit card fees for small business other than yet another round of consultation.

So, leader, why didn't the NDP-Liberal government keep this promise to our local businesses? Why are you choosing more consultations instead of honouring the commitment you made to eliminate their credit card fees?

Hon. Marc Gold (Government Representative in the Senate): Thank you for raising the important question and issue of the viability and vitality of the small business sector in Canada.

Honourable senators, the government is pursuing consultations to ensure that any changes it introduces are effective and, again, will continue to do so.

Senator Martin: According to the Canadian Federation of Independent Business, 36% of small business owners say their credit card fees have increased during the pandemic. At this time of high inflation and ongoing supply chain issues, our small businesses need help and they need the Prime Minister to follow through on his promise to cut their fees, not more consultation.

So, leader, your government already ran a consultation process on credit card transaction fees from August to December of 2021. What are you expecting to hear differently in yet another consultation process when the last consultations concluded just five months ago? Could you also find out when the next consultations are set to begin?

Senator Gold: I'll certainly make inquiries and report back when I can.

[*Translation*]

CANADIAN HERITAGE

ADVISORY COMMITTEE ON VICE-REGAL APPOINTMENTS

Hon. René Cormier: My question is for the Government Representative in the Senate. Senator Gold, as my colleague mentioned, Canadians learned on Friday that the federal government will be appealing the decision of the Court of Queen's Bench, which ruled as follows, and I quote:

> . . . a Lieutenant-Governor in the Province of New Brunswick must be bilingual and capable of executing all tasks required of the Role of Lieutenant-Governor in both the English and the French Languages . . . .

Senator Gold, the government says it is committed to ensuring that the successor to the current Lieutenant-Governor of New Brunswick is bilingual, but as Minister Dominic LeBlanc has pointed out, including language requirements in legislation raises complex issues, particularly of a constitutional nature. That said, what process does the government intend to put in place to ensure the long-term bilingualism of this office?

Hon. Marc Gold (Government Representative in the Senate): I thank the senator for the question. Again, as I said earlier, the government recognizes that it is essential to appoint lieutenant-governors who are proficient in both official languages, given the status of New Brunswick as a bilingual province.

As you mentioned, and as I also noted, the government is committed to appointing bilingual lieutenant-governors in New Brunswick, starting with the next appointment process. As far as the format of that process is concerned, I will follow up with the government and come back to the chamber if such information is available.

Senator Cormier: Senator Gold, in 2012, Prime Minister Harper created the Advisory Committee on Vice-Regal Appointments, which was tasked with presenting recommendations to the Prime Minister on the selection of the governor general, lieutenant-governors and territorial commissioners. That committee has not met since 2015.

Senator Gold, in the interest of transparency with respect to a future process for appointing a bilingual Lieutenant-Governor of New Brunswick, does the government intend to reinstate an advisory committee on vice-regal appointments, whose mandate would be to recommend bilingual candidates to the Prime Minister? If so, when and how? If not, why not?

• (1450)

Senator Gold: Thank you for your question.

As I mentioned, I don't have any information on the process being considered by the government. However, I will ask the question and get back to you with an answer as soon as possible.

[*English*]

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

BUSINESS OF THE COMMITTEE

Hon. Marilou McPhedran: Honourable senators, my question is directed to Senator Marwah as Chair of the Standing Committee on Internal Economy, Budgets and Administration and is related to the climate crisis the world over, but also as it relates to the Senate.

The Sierra Club and six other non-profit organizations recently reported that fossil fuel financing from the world's 60 largest banks reached US$4.6 trillion since the adoption of the Paris Agreement. The latest report from the UN Intergovernmental Panel on Climate Change, released April 4, warned it's now or never and underscored the imperative to the financial sector to rapidly reduce its support for fossil fuels.

Senator Marwah, my question to you as chair of Internal Economy is informed by all of the big five banks in Canada — Scotiabank, RBC, CIBC, BMO and TD — being among the world's top 20 financiers of fossil fuel producers, and the Sierra Club report named three Canadian big banks among the "dirty dozen" of top international fossil fuel financiers. RBC is number 5, Scotiabank is number 9, and TD is number 11. Senator Marwah, could you please inform us as to the bank or banks that the Senate of Canada uses for administration of the Senate, including payment of salaries to senators and their staff?

Hon. Sabi Marwah: Thank you, senator, for that question. You are correct. There are several financial service providers that the Senate uses, but in terms of the climate, reducing our carbon footprint, I would imagine that many, many facets of the Senate's operations have to change if we are going to reduce the Senate footprint. To that extent, that's why we approved the environment working group to really look at all aspects of the Senate's operations to see what actions we could take, what we could do, and I assume that working group will look into our financial service providers — not just them but also all vendors, all contractors — to see what they plan on and what should be done in terms of hiring them for any future work.

Senator McPhedran: Senator Marwah, can you give us a sense, please, of the timing of the work of this special committee, and when we can expect to receive a report back to senators?

Senator Marwah: If my memory is right, we gave the working group until the end of December. Colin Deacon is the chair of the committee. We gave them to the end of December to report back to Internal Economy and then onwards to the Senate.

PUBLIC SERVICES AND PROCUREMENT

REHABILITATION OF 24 SUSSEX DRIVE

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, my next question is also for Senator Gold. The official residence of the Prime Minister, 24 Sussex Drive, has been vacant since Justin Trudeau became Prime Minister in 2015. In 2016 former heritage minister Mélanie Joly indicated a plan to renovate 24 Sussex. A recent answer to my written question on the Senate Order Paper shows that since 2016, Senator Gold, the Trudeau government has spent $767,000 to come up with a plan for what to do with 24 Sussex, and they don't even have a plan for that. This money was spent on engineering reports, feasibility studies, cost estimates, third-party validations and more.

Leader, how many more taxpayers' dollars will the NDP-Liberal government spend before it makes a decision about what to do with 24 Sussex?

An Hon. Senator: Bring in Mike Holmes.

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. It is a sad fact that not only the official residence of the Prime Minister but so many of Canada's buildings here and abroad have suffered from decades and decades of underinvestment and neglect, and as a result, those of us who have travelled internationally and had the privilege of being received in our embassies can attest to the sorry state they find some of them in, and it's shameful.

The official residence of the Prime Minister is simply unfit for use, and studies need to be done to make sure that the Prime Minister of this country, whoever he or she may be, has a residence that is worthy of the office that they occupy.

Senator Plett: In there somewhere, I suppose, you touched on the answer to my question. Of course, over the decades and decades that you are talking about, the majority of those decades we had Liberal governments.

Leader, when Canadian homeowners are considering what to do with their house, they don't have the luxury of six years and three quarters of a million dollars to spend to perhaps make a decision one day. When taxpayers are footing the bill, however, it's easy for this government — and we see this time and again — to spend unlimited time and unlimited money to develop a renovation plan.

Leader, these plans have been under development since 2016. How much longer — please, leader, not whose fault is it — does this NDP-Liberal government expect it will take before it comes to a decision on 24 Sussex? Will a decision come this year, next year, or are we going to have to wait for another government?

Senator Gold: I'll make inquiries and report back as quickly as I can.

CANADA MORTGAGE AND HOUSING CORPORATION

FIRST-TIME HOME BUYER INCENTIVE

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, my question for the government leader is a follow-up to the leader's recent response to Senator Ataullahjan regarding the First-Time Home Buyer Incentive. Last month's budget provided no details on how the NDP-Liberal government would change this program, or when these unknown changes will be in effect. The budget only says the government is exploring options on how to make the program more flexible and responsive for buyers, including single-led households.

Leader, potential first-time home buyers need assistance now. If the NDP-Liberal government is intent on keeping this failed program, why are you only promising vague changes at some unknown date?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. Of course, it is the exclusive jurisdiction and responsibility of the federal government to solve the housing crisis in Canada.

Colleagues, the federal government is doing its part along with provinces, municipalities and the private sector to address what is a serious issue for first-time home buyers. That's why the government has introduced measures to help those who are seeking to purchase their first home, measures to assist them: a $200 million investment to develop and scale up rent-to-own projects across Canada, the creation of a tax-free home savings account giving first-time buyers the ability to save up to $40,000 towards the purchase of their first home, a two-year ban on foreign buyers and the development of a home buyers' bill of rights with the provinces and territories.

Again, you will forgive the sarcasm at the beginning of my response. The truth is it's a serious problem, and it requires a serious response, not only from the federal government but the federal government working with all others. The hope is that working together we can address this for the benefit of Canadians seeking their first home.

ORDERS OF THE DAY

BILL TO AMEND THE CANADA ELECTIONS ACT AND THE REGULATION ADAPTING THE CANADA ELECTIONS ACT FOR THE PURPOSES OF A REFERENDUM (VOTING AGE)

SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator McPhedran, seconded by the Honourable Senator White, for the second reading of Bill S-201, An Act to amend the Canada Elections Act and the Regulation Adapting the Canada Elections Act for the Purposes of a Referendum (voting age).

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, I'm rising to speak to Bill S-201, voting age, as the opposition critic to this legislation. It has been adjourned in Senator Dean's name, and of course, if he would like it to be adjourned in his name again, I would be happy with that, but I will leave that for him to decide.

• (1500)

Colleagues, on October 23, 1969, the government of Pierre Elliott Trudeau lowered the voting age from 21 to 18. Although the change was made with little public consultation, it was broadly accepted as the right decision.

There were numerous factors that contributed to the ease with which this change was made. For starters, over 700,000 military personnel under the voting age of 21 were already permitted to vote due to their military service.

In addition, many provinces had been moving in this direction for some time. Alberta had lowered its provincial voting age to 19 back in 1944. Saskatchewan had changed theirs to 18 in 1945. British Columbia followed suit, lowering theirs to 19 in 1952, followed by Quebec, Prince Edward Island and Manitoba who all reduced their voting age to 18.

By the time the federal government changed the general voting age, it was far from a radical idea. But while the change in the general voting age from 21 to 18 took more than 100 years to transpire, it took less than two decades before a push began to see the voting age lowered even further — to the age of 16.

It's not clear what initially fuelled the efforts to see the voting age reduced to 16, but between 1969 and 1989 a significant development had taken place in Canada. We now had a Charter of Rights and Freedoms.

The Charter had given every citizen of Canada the right to vote in an election. This meant that, as explained in the 1991 report of the Royal Commission on Electoral Reform and Party Financing, the Charter had shifted the onus of the argument from "Why should we change the voting age?" to "Why should we not?"

In 1969, a case had to be made to extend the franchise. But now, as the report noted in 1991, ". . . a case must be made to restrict the franchise." Since every Canadian now had the Charter right to vote, the shoe was on the other foot.

The Royal Commission on Electoral Reform — known as the "Lortie Commission" — was the first to tackle the question: Why 18 and not 16?

According to the commission, when the government lowered the voting age from 21 to 18, three things were considered. The first was the question of the extent to which those to be enfranchised had a stake in the governance of society. The second was the extent to which they could be expected to exercise a mature and informed vote. And the third was their level of participation in activities of citizenship.

The commission then applied these same criteria to the idea of lowering the voting age further, from 18 to 16. On the first criterion of the extent to which 16-year-olds had a stake in the governance of society, the commission said:

> The nature and extent of 'adult' responsibilities entrusted to those under 18 are considerable. In 1990, for instance, almost 50 per cent of Canada's 700 000 16- and 17-year-olds were in the work force; close to 50 per cent of 16-year-olds filed income tax returns. Rights and responsibilities are also conferred on 16-year-olds under provincial laws on social and employment policy. The ability to obtain a driver's permit is one example.

On the second criterion, the extent to which 16- and 17-year-olds could be expected to exercise a mature, informed vote, they noted:

> . . . by the age of 15 or 16, most young people have acquired a view of the social and political world that is not significantly different from the perceptions and understanding of adults. In addition, although the amount and depth of civics education vary between and within provinces, courses are now generally offered in high schools across the country. . . . Moreover, as with the rest of the population, today's youth have more sources of information on current affairs than was the case even two decades ago. Thus, in terms of political competence, 16 could be just as defensible an age as 18.

And on the third criterion, the level of participation of 16- and 17-year-olds in activities of citizenship, they noted the following:

> The third criterion, responsible citizenship, raises the question of whether young people generally act responsibly when they participate in public affairs. There is no evidence to suggest that they act otherwise. Research on their political attitudes indicates that they tend to be less cynical about the political process and are more likely than older persons to have a sense of political efficacy — a feeling that participating in the political process is meaningful and worthwhile.

And yet, colleagues, even after acknowledging these positive qualities of 16- and 17-year-olds, the commission still came to the following conclusion:

> These arguments for lowering the voting age to 16 constitute the best case for this proposal, but they are not sufficiently compelling. Ultimately, any decision on the voting age involves the judgement of a society about when individuals reach maturity as citizens. Under most statutes, a person is not considered an adult until age 18; for example, a person under 18 is not an adult for purposes of criminal proceedings unless special application is made under the *Young Offenders Act*. Further, a minor requires parental consent for many important decisions, including applying for citizenship, getting married and seeking certain medical interventions. As expressed many times at our hearings, there remains a strong conviction that the time has not come to lower the voting age.

The primary point that the commission was making was that, even though all three criteria seem to be met, there was an overwhelming consideration: When do individuals reach maturity as citizens?

The commission did not provide any definitive answers to that question, but rather acknowledged that there was no consensus at that time to lower the voting age further.

Ten years later, in 2001, the question of whether 16- and 17-year-olds should be permitted to vote was brought before the courts by two 16-year-old Albertans. In *Fitzgerald v. Alberta*, Eryn Fitzgerald and Christine Jairamsingh challenged the age restriction's constitutionality. This was not the first Charter challenge around voting rights, but it was the first one that focused on whether the legislated age limits contravened the rights of Canadians.

In his decision, Justice Lefsrud agreed with the applicants that the age restriction on voting violated their rights under section 3 of the Charter. Section 3 says:

> Every citizen of Canada has the right to vote in an election of members of the House of Commons or of a legislative assembly and to be qualified for membership therein.

Furthermore, as the justice pointed out, if "every citizen" has the right to vote, then legislation that limits that right to those 18 or over is a violation of this Charter right. It is not only a violation of the Charter rights of 16- and 17-year-olds but, colleagues, of all Canadian citizens under the age of 18.

Justice Lefsrud also found that the voting age limit violated the rights of the applicants under section 15(1) of the Charter, which reads:

> Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

• (1510)

Those who argue that not allowing 16-year-olds to vote violates their Charter rights are correct; on that there is no debate. However, as many Canadians learned during the pandemic, Charter rights are not absolute. They are subject to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

In his deliberations in the 2002 *Fitzgerald v. Alberta* case, Justice Lefsrud had the advantage of decisions made in previous cases challenging the legislated limitations on voting rights. These limitations had already been tested by the courts, most notably in the 2002 case of *Sauvé v. Canada (Chief Electoral Officer)*, when the Supreme Court of Canada struck down the prohibitions on the rights of prisoners to vote.

In *Sauvé v. Canada (Chief Electoral Officer),* Chief Justice McLachlin noted the following:

> The framers of the *Charter* signaled the special importance of this right not only by its broad, untrammeled language, but by exempting it from legislative override under s. 33's notwithstanding clause.

The Chief Justice went on to say:

> *Charter* rights are not a matter of privilege or merit, but a function of membership in the Canadian polity that cannot lightly be cast aside. This is manifestly true of the right to vote, the cornerstone of democracy, exempt from the incursion permitted on other rights through s. 33 override.

The court was pointing out that not only is the right to vote protected by the Charter, but the language of the right is intentionally and unusually strong and cannot be overridden by governments choosing to use the "notwithstanding" clause.

As you know, the "notwithstanding" clause permits governments to override Charter rights in various matters and has been used many times at the provincial level. However, it cannot be invoked to override voting rights.

Furthermore, while the court often defers to the will of Parliament in its deliberations, Chief Justice McLachlin noted that such deference on the right to vote was not appropriate:

> While a posture of judicial deference to legislative decisions about social policy may be appropriate in some cases, the legislation at issue does not fall into this category. To the contrary, it is precisely when legislative choices threaten to undermine the foundations of the participatory democracy guaranteed by the *Charter* that courts must be vigilant in fulfilling their constitutional duty to protect the integrity of this system.

Colleagues, I point these things out for two reasons, the first of which is to underscore that any limitations on the right to vote are not taken lightly by our courts and should not be taken lightly by parliamentarians. The right to vote is, as the Chief Justice stated, "fundamental to our democracy and the rule of law."

But, second, these facts are significant to our consideration of Bill S-201 because all of them were taken under consideration in the 2002 *Fitzgerald* case, when the question of lowering the voting age from 18 to 16 was first considered by the courts.

When he made his ruling in *Fitzgerald*, Justice Lefsrud had the ruling of Chief Justice McLachlin in his hands. The *Sauvé v. Canada* decision had been released three months earlier in October of 2002.

And yet, even after noting the Supreme Court's decision that the voting age limit violated the Charter rights of Canadians under the age of 18, and even after concurring with the observations made by Chief Justice McLachlin about the sanctity and priority of the right to vote, Justice Lefsrud still found that limiting the right to vote to those aged 18 and over was justified under section 1 of the Charter.

Colleagues, the obvious question is: Why did the justice come to this decision, and his analysis in doing so relevant in our deliberations today? On that point, it is interesting to note that those who are advocating today for 16-year-olds to have the right to vote have not strayed far from the same arguments that were made in the 1991 Lortie commission's report, and in the *Fitzgerald* case.

Senator McPhedran said in her speech that, "Maturity and social responsibility should play the defining role in deciding whether to allow someone to vote . . . ."

On that point, I agree with Senator McPhedran. The Lortie commission noted the same in 1991, stating:

> Ultimately, any decision on the voting age involves the judgement of a society about when individuals reach maturity as citizens.

Justice Lefsrud also echoed this sentiment, saying:

> In drawing the line at age 18, it is clear that the legislature's objective was to ensure, as much as possible, that those eligible to vote are mature enough to make rational and informed decisions about who should represent them in government.

Colleagues, numerous other arguments have been made about why 16-year-olds should be allowed to vote. I would argue that most of them are simply not relevant to our consideration of this issue. For example, consider the argument we have been presented with a number of times where we are told that we should decrease the voting age in order to increase voter turnout. This same argument could be made for reducing the voting age to 14, or perhaps 12, or maybe even 10.

Increasing voter turnout is commendable, but it is not an appropriate standard to use in a decision to lower the voting age. If we have a problem with voter turnout, we should be addressing the root causes behind that, not simply broadening the voting criteria to inflate the numbers of those who turn out on election day.

Another argument that we hear is that if you allow 16-year-olds to vote, they are likely to continue voting later in life and will take a greater interest in their civics education. Again, this is interesting and voter engagement is important, but the same argument could be applied to 14-year-olds and probably even 10-year-olds. I am certain that by giving 14-year-olds the right to vote, you are likely to increase the attention of at least some of them in their social studies classes. But, again, as commendable as this objective may be, it is irrelevant as a criterion regarding whether the voting age should be lowered to 16.

During debate on this bill, one senator advocated that since our youth are eloquent, confident and asking to be included in our democratic process, they should be allowed to vote. I applaud the eloquence, confidence and the eagerness of our youth. But, once again, I disagree strongly that this constitutes a solid rationale for reducing the voting age. I have seen eloquent and confident four-year-olds on YouTube, but I doubt anyone would be advocating for them to be able to vote. Eloquence, confidence and interest are not the metrics we should be using when determining who should be able to vote.

My point, senators, is that we must be precise in how we assess whether the voting age should be lowered. This is not whether we value the voices and the engagement of young people, as I know we all do. It is not about our respect for them and the fact that they are already leaders in their own right. It is not about making them feel good or included or some other emotional metric. This decision turns on the question of maturity.

• (1520)

As I noted earlier, Justice Lefsrud was clear on this point, stating that:

> The objective of the age requirement is similarly clear if one considers that, in the absence of an age requirement, babies meeting the citizenship and residency requirements would be eligible to vote. In drawing the line at age 18, it is clear that the legislature's objective was to ensure, as much as possible, that those eligible to vote are mature enough to make rational and informed decisions about who should represent them in government. A rational and informed electorate is essential to the integrity of the electoral process, the maintenance of which is "always of pressing and substantial concern in any society that purports to operate in accordance with the tenets of a free and democratic society."

Justice Lefsrud concluded by saying:

> . . . I find that the government's objective of ensuring, as much as possible, that individuals eligible to vote will have sufficient maturity to make rational and informed voting decisions is pressing and substantial.

With the understanding that Charter rights are being infringed upon by the age restriction, and that the purpose of that infringement is to ensure a sufficiently mature voting population, the next question is, to quote Justice Lefsrud:

> . . . whether setting the age at 18, rather than 16, 17 or some other age, impairs the right to vote and the right to equality as little as reasonably possible.

This is the crux of the issue before us in this chamber: Are 16-year-olds mature enough to make rational and informed decisions about who should represent them in government?

Colleagues, I will concede that, as noted by the Lortie commission in 1991, the issue is somewhat arbitrary, which makes it difficult to be dogmatic on either side of the debate. How do you define maturity? How do you address the fact that in every age demographic there will be a wide array of maturity? These are issues that have been examined by academics for years.

In her lengthy article published in 2012 in the *Brooklyn Law Review*, Professor Vivian Hamilton — who advocates for dropping the voting age to 16 — noted that ". . . no principled conception of electoral competence exists . . . ." Professor Hamilton explained — as others before her have done — how age has become an imperfect proxy for competence. She wrote:

> It is thus young people's lack of the relevant competence that must justify their electoral exclusion. There can be little dispute that newborns lack that competence, or that the typical person acquires it at some point over the course of his or her development. Age and cognitive development are predictably correlated. There is, then, a temporal element to the attainment of electoral competence, for which age is arguably the most reasonable proxy. The impracticality of widespread individual competence assessments, moreover, makes an age-based qualification reasonable.
>
> A voting-age qualification thus helps ensure that voters will satisfy the criterion of electoral competence. What electoral competence entails, however, remains ill-defined, even among voting experts.

This poses significant challenges for those who are attempting to change the voting age. With no clear criteria by which to define and measure "maturity," it is simply difficult to justify lowering the voting age further. Perhaps that is why at least 15 bills to lower the voting age to 16 have been presented in Parliament since 1998 and not one has made it past committee stage in the originating chamber.

If you ask the average person on the street whether 16-year-olds should vote, you will get a range of responses. I do not have an official study to back this up, but I suspect that for most people their response is based on their impression of the 16-year-olds whom they know personally.

Even young people themselves are divided on the issue. While a survey by Children First Canada indicated that the majority of young people supported lowering the voting age, many did not. It is simply difficult to get around the subjectiveness of the question.

These are not new challenges. In *Fitzgerald v. Alberta*, Justice Lefsrud made some astute observations that I believe continue to inform the debate today. With your indulgence, I would like to read three paragraphs from his judgment:

> Since an age-based voting restriction is necessary, the only matter remaining to be considered is whether setting the age at 18, rather than 16, 17 or some other age, impairs the right to vote and the right to equality as little as reasonably possible. Since individuals mature and develop at different rates, and their life experience varies greatly, any reasonable age-based restriction is going to exclude some individuals who could cast a rational and informed vote, and include some individuals who cannot.
>
> Common sense dictates that setting the restriction at age 18 does not go further than necessary to achieve the legislative objective. In general, 18 year olds as a group have completed high school and are starting to make their own life decisions. They must decide whether to continue with their schooling or join the workforce. This often coincides with the decision whether to remain at home with their parents, or move out on their own. It makes sense that they take on the responsibility of voting at the same time as they take on a greater responsibility for the direction of their own lives. Experience is a legitimate consideration in evaluating a voting restriction.
>
> Furthermore, it can be assumed that by age 18 most individuals will have completed high school social studies courses giving them some information about our political system and our history as a nation. The completion of these courses gives these individuals important background knowledge for rational and informed voting.
>
> I am aware that age 18 does not coincide for every individual with graduation from high school. Some graduate when they are younger than 18, some turn 18 after they graduate, and some do not graduate at all. I am also aware that many individuals are forced to make difficult life choices, such as moving away from home, before graduation from high school. However, as stated above, any age-based restriction will be imperfect in its application, and no other age relates more closely to this relevant changing point in an individual's life. As such, I am satisfied that 18 is the appropriate age at which to draw the line.

I would point out that this decision was later appealed by the applicants, and in 2004, the Court of Appeal of Alberta upheld the original judgment, stating:

> Upon a thorough review of his reasons, we find no error and are in substantial agreement with his analysis and his decision.

Colleagues, this is an excellent summary of why the voting age should remain at 18, and it is as relevant today as it was 20 years ago when it was written.

In fact, if anything, since that time, the societal definition of when a person becomes a fully responsible citizen has coalesced further around the age of 18, not moved lower.

For almost 20 years after the voting age was lowered to 18, 17-year-olds who were in the Canadian Forces were allowed to vote. The Lortie commission noted that this was problematic under the Charter, stating:

> "This is discrimination with respect to those under 18 years of age who are not in service as members of the forces. It would be difficult to support such discrimination by applying the criteria identified in section 1 of the Charter." Given this inconsistency, the question arises whether the voting age should be lowered to 17 for all citizens or raised to 18 for those in the forces to ensure equality before the law. Colleagues, the outcome was the latter. The right of 17-year-olds in the Canadian Forces to vote was removed in the 1990s, and the voting age reverted to 18.

• (1530)

Consider also the evolution of driver's licences in Canada. Prior to 1994, when you got your driver's licence at age 16, you immediately had unrestricted driving privileges. In 1994, provinces began introducing graduated driver's licences, which restricted your driving privileges for certain periods of time and contingent upon additional testing. Sixteen-year-olds have had their rights to drive walked back, not forward, over the last 30 years. In Ontario, these enhanced driving restrictions are not lifted fully until the age of 20. In Alberta, it's 18.

Also, as I mentioned earlier, under the Youth Criminal Justice Act, 16- and 17-year-olds are treated differently than 18-year-olds. In three provinces, the minimum legal drinking age is 18, and in the rest, it is 19. In most provinces, the age of majority is 19, while federally, it is 18. Everywhere you look, the evidence indicates that society still believes that its citizens reach maturity around the age of 18.

Colleagues, as I said earlier, this decision is neither clear-cut nor scientific. But on balance, I believe that we have already struck the right compromise at the age of 18 and that this is consistent with the societal consensus regarding what constitutes adulthood. To borrow a quote from Justice Lefsrud:

> . . . any age-based restriction will be imperfect in its application, and no other age relates more closely to this relevant changing point in an individual's life. As such, I am satisfied that 18 is the appropriate age . . . .

— and we should not be lowering it any further.

In closing, I would like to draw your attention to one other consideration. As parliamentarians who are appointed and not elected, I do not believe that a bill which attempts to change the legal voting age should originate in this chamber. That, in my view, is the prerogative of the elected house, not this one.

I would further note that Bill C-210, which is identical to this bill before us today, is currently proceeding through second reading in the other place, which begs the question: Why are we using precious Senate time and resources to duplicate what is already under way in the other chamber? We should wait and allow the other place to render its decision on Bill C-210. If they pass the legislation, it will come to us for consideration. If they do not, then we have the decision we are looking for.

Colleagues, as most of you know, I normally support sending bills to committee for further study. However, in this case and for the reasons I just mentioned, I cannot and will not be doing so. Thank you, colleagues.

Hon. Marilou McPhedran: Senator Plett, would you take a question?

Senator Plett: Certainly.

Senator McPhedran: Thank you. There are numerous cases of the Senate introducing bills that sought to amend the Canada Elections Act, and my question is geared to whether you recall that many of those were actually introduced by Conservative senators.

If we're to accept that any legislation that deals with the Canada Elections Act should originate in the other place, how do we account for former senator Linda Frum's proposed legislation in Bill S-239 that sought to open up the Canada Elections Act, former senator Lowell Murray who, in the 40th Parliament, introduced Bill S-202, a bill to repeal fixed elections, or former senator Wilfred P. Moore who, in the 39th Parliament, introduced Bill S-224, which sought to amend the Parliament of Canada Act by setting time limits? Any of these bills would surely impact the conduct of elections in this country, yet all of them started here, and all of them were debated here.

Senator Plett, why is what's good for the goose, with previous senators, not also good for the gander?

Senator Plett: I'm not sure who is the goose and who is the gander here, but let me try to answer.

I think, Senator McPhedran, that nowhere in my speech did I say I was speaking on behalf of the Conservative Party or Conservative caucus. I was speaking on behalf of myself and my opinion. I didn't introduce any one of those pieces of legislation, so I stand by what I said.

I believe that legislation such as this, that deals with voting age or electoral processes, should originate in the other chamber, just as I do not support many other private member's bills for similar reasons, not necessarily because I'm opposed to the objective.

Senator McPhedran: Senator Plett, my supplementary question is based on recent reports that I brought to your attention, albeit recently, from Conservative thinkers such as the Tory Reform Group, a U.K. Conservative Party–affiliated think tank, that concluded that lowering the voting age would be a positive outcome for both political engagement in general and their Conservative Party membership specifically. There's another report that was authored by Conservative MPs from Wales, Scotland and England about the processes and results that they have seen by lowering the voting age where they lay out very convincing arguments that non-partisan rights-granting action is, in fact, the core issue for lowering the federal voting age. These Tory MPs refuted common misperceptions, with all due respect, some of which were repeated in your speech just now, and they concluded that lower voting ages do not disproportionately advance left-of-centre parties. In fact, it is arguably the other way around.

Senator Plett, have you considered the findings in reports such as these?

Senator Plett: Again, Senator McPhedran, I don't know that you said it, but there was almost a suggestion there that I am doing this because it would hurt our electoral chances. I don't think I mentioned that. I can bring a number of 16-year-olds forward that would vote for our party and a number that wouldn't. That is not my reason. My reason, I think, was very clear. It had nothing to do with whose electoral chances would be enhanced or taken away.

Let me suggest this, Senator McPhedran. I think we're starting at the wrong area. Let's change some of our other laws. We could make 16-year-olds adults, but we don't. Sixteen-year-olds are youth offenders. We can't try them as adults unless there is special provision made and, obviously, a most serious and heinous crime. The same thing would apply for drinking, the same thing in the military. We're going to suggest, or you're suggesting, that we allow a person to vote, but we don't allow that person to sit in Parliament. Maybe we should start with municipal elections, and we should lower the voting age of a person being able to represent me.

I don't think somebody should be able to vote for me if they can't take my spot in the House of Commons. Clearly, they can't here. We have different ages here as well, but if they can't take their place in the House of Commons, I don't think they should vote.

Therefore, your idea of saying 16-year-olds are mature enough is laudable, and they may well be. However, if they are mature enough and if they are adults, then let's treat them like adults all the way through. Let's start from the beginning and move to here. Starting from this end and going backwards is the wrong way. We start from here and move forward.

Hon. Marty Deacon: Would Senator Plett take a question?

Senator Plett: Certainly.

Senator M. Deacon: It's a very compelling debate. We've been doing this for a long time. I'm thinking about some of the information and the legal proceedings you've shared with us today that I think we've all reviewed, and most are 20 or 22 years in the making.

What I'm trying to wrestle with on this is in talking to thousands of young people, in getting a better sense from coast to coast of the curriculum we have in our schools and in the development in schools on institutional knowledge, government functions and civic learning, I've learned that has progressed so much in the last two decades.

• (1540)

Today, Senator Plett, you've talked about a number of things that should not be used as criteria. Do you think that criteria for making this decision has shifted from those legal proceedings in 2000-02 to 2022 and what we see in our young people?

Senator Plett: Let me suggest that when I was 16 I believed at that time that I was mature enough to vote, and I believed I was mature enough to do almost anything except going to adult court. At that point, I was a child offender or whatever the terminology is.

Do I believe it has shifted? By all means it has shifted, Senator Deacon. When I talk to my grandchildren — and I bragged about one of them a week ago — she is much more mature than I was at the age of 17. There is no doubt in my mind.

I wish today that I had maybe asked some of my grandchildren, "Do you think you're old enough to vote?" I haven't; I probably should and probably will.

But, as I said in my speech, we will probably base our judgment on the 16-year-olds we know personally. I would like to believe that my three 16-year-old and 17-year-old grandchildren, two boys and a girl, are the most mature 16- and 17-year-olds around. They aren't, but I would like to believe they are.

Are they old enough to make these decisions? Yes. Are they old enough to be a member of Parliament? No, by no means. As I said to Senator McPhedran, I think we're starting at the wrong end. I'm not saying they're not mature. Neither did the justices say they're not mature. They said they felt they had reached a good balance. The first one, as I said in my speech, took 100 years to move; the next one started in 20 years. I think we need a bit more time. I think we need to start at a different spot than this.

Senator M. Deacon: I would say then to my colleague that I look forward to further discussion on what that focused, targeted criteria are for making this decision in 2022, working through this together.

Senator Plett: I would certainly support that, and I hope there will be many senators who will stand up in the chamber and speak to that. It doesn't change my opinion about where I believe a bill should start. It doesn't change my opinion about the fact that there is a bill that mirrors this one.

Even if I accept Senator McPhedran's assertion that we should be able to start them here as well as over there, I don't think it makes a lot of sense for the House to use resources over there to study what we are studying here. Clearly, the bill has to pass both chambers. If there is a bill in the House — which I believe is where it should start — and they turn it down there, they would probably turn ours down if we sent it over there. If they turn it down, we won't receive it; if they accept it, we will have an opportunity to give it sober second thought here.

Hon. Pat Duncan: Will Senator Plett take an additional question?

Senator Plett: Certainly.

Senator Duncan: Thank you, Senator Plett. In your remarks, you made reference to support for referring bills to committee, and we've had many discussions recently about the different committees and their different mandates. There is currently a very wide difference in the workload of committees. I note that Social Affairs has a very heavy workload as does National Finance.

Senator Plett, would you elaborate on which committee you feel this bill should be referred to once it has been reviewed by senators?

Senator Plett: I don't want to contradict myself here, because I don't think it should go to a committee. I guess if I were to lose that fight and that argument, my first suggestion would be that it go to the Legal Committee, which is probably the busiest committee we have.

Senator Duncan: I just wanted to thank Senator Plett for his response and to clarify that for the record. Thank you very much.

Hon. Denise Batters: Senator Plett, in your speech you talked about the Lortie commission and how in 1990, I believe it was, when they did that particular study, they talked about the significant number of 16- and 17-year-olds who were in the workforce at that point. Having been someone slightly older than 16 in 1990, I think the number of 16- and 17-year-olds who were in the workforce then, it is probably a lower number of 16- and 17-year-olds who are in the workforce now, given how things have shifted over time. As a result, that would tend to lead credence to the suggestion that an 18-year-old voting component is probably where it should stay at the current time.

I'm wondering if you have any sense of that, whether there are more 16- or 17-year-olds in the workforce now than there would have been in 1990.

Senator Plett: I would suspect that there probably are. I think if we go back further, Senator Batters, there would have been an even larger percentage of them in the workforce when your grandfather — and it could have been my father then because you are much younger than me — were that age. For sure they were in the workforce. Many of them didn't go past grade school, so I think the percentages certainly would have gone down.

Although I don't have the exact numbers here, Senator Batters, I think even back then, with the percentage I gave you and people filing tax, it did not necessarily mean that they were full time in

the workforce. They were in the workforce. Even today, my grandchildren I spoke about are in the workforce in the summertime, and they are in school when it is in session. I think you're right, yes.

Hon. Ratna Omidvar: Would Senator Plett take a question, please?

Senator Plett: Certainly.

Senator Omidvar: Senator Plett, I listened carefully to your comments, and I think you're drawing a line between the past, present and the future. I'm reminded that Winston Churchill said, "If we open a quarrel between past and present, we shall find that we have lost the future." This debate is about the future of our young adults, 16, 17, 18 — however you may call them.

My question, though, is about what I think I heard you say, which is that you were speaking as an individual and not as a member of your caucus here. Is it correct, then, to assume that when the question is called to send this bill to committee, your caucus will vote as each individual thinks?

Senator Plett: Senator Omidvar, I struggle with that. My caucus votes as individuals on all legislation, not just this one. I'm wondering whether yours will or whether yours will be whipped. Ours will not be, as they have not been whipped on any legislation.

Senator Omidvar, for the record, since we're talking about going back and going into the future, check the records and see how we voted. I'll use one of the most challenging pieces of legislation that has come through here, and that is assisted suicide bill. We were probably maybe 40 to 60. So, yes, we will be voting as individuals.

(On motion of Senator Patterson, debate adjourned.)

• (1550)

POST-SECONDARY INSTITUTIONS BANKRUPTCY PROTECTION BILL

SECOND READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Moncion, seconded by the Honourable Senator Dean, for the second reading of Bill S-215, An Act respecting measures in relation to the financial stability of post-secondary institutions.

Hon. Ratna Omidvar: Honourable senators, I rise to speak in support of Bill S-215, An Act respecting measures in relation to the financial stability of post-secondary institutions. I would like to thank Senator Moncion for her initiative because it opens the doors for a necessary and imperative conversation.

I know that we can all agree on a lot of things, but we can agree that education, especially post-secondary education, is one of the most essential pillars of nation building. It is the bedrock of our prosperity, our innovation and our place in the world in economic, scientific and cultural terms.

For individuals, it leads to careers and jobs, but simply measuring the value of a good post-secondary education cannot be done simply in economic terms because that misses the mark. It builds people; it builds a whole person and a whole community. The fact that education is a provincial responsibility should not and must not allow us here in Parliament to simply sit back and shirk our responsibility to the nation.

We can do this in a respectful manner, as Senator Moncion has proposed in her legislation.

Underpinning the health of our post-secondary educational institutions is their financial viability. The scene here is not pretty. In fact, it's a bit of a mess. If we were to be completely honest about this mess that universities and colleges — especially small and rural institutions — find themselves in, then we would perhaps look at ourselves here on the Hill. We have allowed ourselves to be sucked into a financial model that is unsustainable and needs a serious rethink and reboot.

The system relies on federal transfers, provincial grants to institutions and on tuition fees. The federal government also funds research fellowships directly, and if there is a silver lining in the cloud, it is the announcement in Budget 2022 of an increase of funding for research that is allocated to universities. A mix of revenue streams is generally considered to be a good business model, but this is sadly not the case here.

Outside of federal funding of research fellowships, the rest of the revenue model is in distress. First, government funding from all levels of government, which is their mainstay, has been either stagnant or decreasing. Between 1992-93 and 2015-16, the federal government's contribution decreased by 40% per student.

Second, some provinces have capped tuition fees and the demand from domestic students is limited. These cuts hurt students the most. Many universities lean now on part-time or adjunct professors, which no doubt has a knock-on effect impacting the quality of education our students are getting.

In fact, research studies show that one in four, and maybe even one in five, students in Ontario colleges and universities are graduating with literacy and numeracy levels that do not meet the OECD standards; just imagine that.

Provincial funding for universities is a patchwork. Some provinces fund by quotas, others by student enrolment and others give grants, but regardless, the system is under stress.

For example, the Province of Alberta last year cut $135 million from operating budgets for universities. Manitoba has cut $10 million in funding for post-secondary institutions over the last three years.

Let's then layer over this stressful financial situation the impact of the COVID crisis. Nationwide, universities and colleges faced a $2.5 billion shortfall. In my province of Ontario, the shortfall was $1.7 billion. The University of Alberta is facing a significant shortfall of $120 million and the same is true for Dalhousie University in Halifax.

Of course, post-secondary institutions have looked to other ways to generate revenue, and for many this means international students. Tuition fees for international students are five times higher than those of domestic students. On average, international students pay $32,000 in tuition annually compared to an average of $6,500 for Canadian kids.

For an international student, Canada is an attractive place. Expensive as the fees are, they are much cheaper than other comparable jurisdictions. In addition, students are allowed to work here under certain conditions and there is a clear pathway to permanency for foreign students. No wonder, then, that we've seen a dramatic increase in the number of international foreign students coming to Canada. In 2010, there were just 142,710 international students, but by 2019 this number had grown to 388,782 students who collectively contributed $22 billion to our economy.

This is a good thing. It is to our credit because it was a national imperative to give Australia and the U.S. some competition in this field.

However, most of the schools that attract international students are the big urban schools such as the University of Toronto, McGill or UBC. Smaller and sometimes more rural schools struggle to attract their share of these students. At Laurentian University, whose bankruptcy precipitated this bill, international students comprised only about 3% of the student population.

Nipissing University, which is also under financial stress, has a total of roughly 60 international students out of a student body of 4,500. Smaller institutions are missing out on the only other source of alternative revenue.

Perhaps Immigration, Refugees and Citizenship Canada should consider fast-tracking student applications, giving preference to student applications who are destined for smaller institutions as an incentive to study and stay in smaller places. We all know how very fed up international students are with the backlog of approvals. Programs such as this could get the train moving in the right direction.

I am all in favour of attracting the best and the brightest to Canadian schools, but I am appalled that the general financial health of our post-secondary institutions depends so much on international students. It's a bit like predicating that all hip surgeries in Canada will be paid for by international patients. I hope we all realize that the outsourcing of revenue is neither healthy nor desirable for Canada in the long term.

And it's not good for students either, whether they are international or not. And lest we are left with the impression that these international students are all rolling around in fancy cars and staying in fancy mansions, that is not the case. Many scrape together the fees, their families face significant hardship and the parental expectations of these poor, lonely students are extreme.

The *Toronto Star* has documented these experiences and they have determined that, despite the fact that many are from modest backgrounds, they pay hefty tuition fees not just for a chance to study, but to stay in this country. But they face difficult challenges, unforgiving timelines, social isolation, parental stress and are often prone to exploitation by employers and others.

If you lived in my city, you would have heard about the suicides by international students and, in fact, the sex-trafficking ring that is operated by exploiters of female foreign students who are here, have no protection and cannot meet their rent.

This is a tragedy of our own making. We shouldn't be burdening international students without providing adequate supports for them just so our institutions can stay afloat. The end in this case may not justify the means.

I don't want to go further on the plight of international students because I believe very firmly that this is a wonderful subject and an important subject for a committee study all on its own, but I do think we need to rethink the financial health of our post-secondary institutions.

This is why I welcome the intent of this bill and support that, if passed, the minister would develop a proposal for federal initiatives to reduce the risk of bankruptcy and insolvency; protect students, staff and faculty in the event that an institution becomes bankrupt or insolvent; and support communities that would be impacted by an institution becoming bankrupt or insolvent.

Further, in deliberating on this matter, the designated minister may also want to think about the role of the federal government in supporting universities that promote French-language degrees and diplomas as more than simply places of education but as an essential imperative foundation of a bilingual nation. A different consideration, apart from student enrolment or a decline in the francophone population outside Quebec, needs to be considered.

• (1600)

Senator Moncion has mused about direct transfers to French language departments at colleges or university. A case could be made that this falls within federal jurisdiction because it is about strengthening the bilingual foundation of our country.

We feel the impact of this on the Hill. We have debated, discussed and bemoaned the lack of French-language interpreters, which means that we cannot do our work as much as we would like to. I think the Hill plays an important role in this challenge as well. Of course, we always need to stay within our constitutional boundaries and not wander too far out of our lane, as Senator Martin has warned us. But this proposal calls for the federal minister to engage with provincial governments, consult with stakeholders and propose federal solutions and initiatives so that the sustainability of our post-secondary education systems is strengthened.

Colleagues, the second component of Senator Moncion's bill is a very important loophole that she has identified and that needs to be looked at. This component seeks to prevent publicly funded post-secondary institutions from having recourse to the Companies' Creditors Arrangement Act, or CCAA, or the Bankruptcy and Insolvency Act, the BIA — not to be mixed up with the other BIA that we are focusing on — to prevent similar situations to what happened at Laurentian University.

The question is really whether the CCAA, which is under federal jurisdiction, is the right place for colleges and universities to go if they are facing financial issues. I browsed the web and looked at a list of companies that have claimed insolvency protection under the CCAA in the last three months, and here is what I found: a sports franchise, a real estate corporation, a water management company and a pizza company.

The act is, in essence, for the private sector. One must really ask how a publicly funded university fell into this crowd.

As we know from Senator Martin's speech, it did not have to be this way. The Auditor General of Ontario studied Laurentian University and concluded that it did not have to file for CCAA protection. Instead, despite being offered more money by the province, it strategically planned and chose to take steps to file for creditor protection. This prompted the Auditor General of Ontario, Bonnie Lysyk, to comment that the repercussions of this filing were profound and stirred up strong reactions, especially in Sudbury where the university is an important employer and contributor to the social and economic fabric of the community.

By opting for creditor protection under the CCAA, Laurentian was able to bypass provisions in its collective agreements, allowing the administration to effectively terminate more senior employees and clear a number of long-standing union grievances. Laurentian removed 36% of its programs and fired 195 staff, which severely impacted the aspirations of over 930 students.

The Auditor General concluded that there is a strong argument that the CCAA, an important tool used in the private sector, is an inappropriate remedy for public entities. There are certain principles held high in the public sector — transparency, accountability and the primacy of the public interest — that make the CCAA court-ordered protection a detrimental choice for public entities.

Today it is Laurentian that has chosen this path, and tomorrow it could be a hospital or a museum for all we know. We need to protect the public interest in ensuring the health of our public institutions and close this loophole.

In conclusion, colleagues, I support this bill and wish to have your support in sending it to committee.

Some Hon. Senators: Hear, hear!

The Hon. the Speaker pro tempore: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

The Hon. the Speaker pro tempore: Honourable senators, when shall this bill be read the third time?

(On motion of Senator Moncion, bill referred to the Standing Senate Committee on Banking, Trade and Commerce.)

[*Translation*]

JANE GOODALL BILL

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Klyne, seconded by the Honourable Senator Harder, P.C., for the second reading of Bill S-241, An Act to amend the Criminal Code and the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (great apes, elephants and certain other animals).

Hon. Julie Miville-Dechêne: Honourable colleagues, I rise today to speak to Bill S-241, the Jane Goodall Act, which was introduced by my colleague, Senator Marty Klyne.

To start, I believe it is necessary to strengthen the protection of wild animals in captivity and to outright ban the purchase and breeding of elephants, great apes and cetaceans. In a world increasingly concerned with animal welfare, keeping wild animals in captivity for human enjoyment is less and less acceptable.

One shameful example of this situation occurred in the heart of Quebec and clearly demonstrated the importance of taking action. In May 2018, 200 neglected and abused animals were seized from the Zoo de Saint-Édouard in Mauricie. It was the largest seizure in Canada. These exotic animals, which included lions, tigers, bears and kangaroos, had been deprived of veterinary care and kept in inadequate and unsanitary facilities. The investigation was sparked by a tip about mistreatment from a woman who had visited the zoo.

This scandal raised many questions about good practices at zoos. The Zoo de Saint-Édouard had been flagged several times, but always managed to hang onto its permits.

How can we prevent such abuse from happening? Some would like to close all zoos and aquariums. However, that is not the intent of Senator Klyne's bill.

Instead, the bill proposes a complex, comprehensive reform with regard to prohibited species and the necessary permits. The legislation would impose much stricter national regulations regarding the possession of certain species of cats, primates and canines.

The bill would enable zoos and aquariums to keep the wild animals they already have, but it would impose stricter conditions on their captivity for the future.

• (1610)

[*English*]

Bill S-241 would ban nearly all zoos from keeping more than 800 species of wild animals, including big cats, bears, wolves, seals, sea lions, certain reptiles, like crocodiles, and venomous snakes. These animals were selected because some are more dangerous, or they need more space or a different climate than ours.

If they want to override this ban, the 100 or so wildlife attractions in Canada will have to apply for licences from the federal or provincial government, with strict conditions related to scientific research and the interests of the animal.

Institutions will also be able to obtain a designation as an eligible animal care organization provided they meet a series of conditions, including animal care recognized at the highest standards, best practices and the establishment of a mechanism protecting whistle-blowers employed in zoos.

Some believe that obtaining permits will be complicated. The owner of Parc Safari in Hemmingford, Quebec, also believes that the Bill S-241 project is a first step towards the end of zoological institutions due to restrictions on the import and export of animals.

Personally, I have nothing against raising standards and implementing additional restrictions aimed at better protecting animals, but I'm concerned about the deferential treatment given in this bill to Canadian zoos and aquariums. On the one hand, almost all zoos and aquariums will have to try to obtain permission from the federal administration once the law is enforced. However, the law grants exemptions to seven zoos and aquariums in Canada because they are members of a private American organization: the Association of Zoos and Aquariums, or AZA. These seven organizations are the Zoo de Granby, the Calgary Zoo, the Montréal Biodôme, the Toronto Zoo, Ripley's Aquarium of Canada, the Assiniboine Park Zoo in Winnipeg and the Vancouver Aquarium. These are generally larger institutions with more resources. Obtaining an AZA accreditation costs around US$12,000, but above all, it takes dedicated staff and months, if not years, of preparation.

According to Senator Marty Klyne and the groups he consulted, the treatment given to the seven establishments is justified because AZA applies very high criteria before granting its stamp of approval. AZA is based in Maryland and accredits mainly American attractions but also those in a dozen other countries. Its standards are higher in some respects than those of its Canadian counterpart, Canada's Accredited Zoos and Aquariums, or CAZA.

I repeat that when it comes to animal welfare, it is very important to put forward the highest standards, as Bill S-241 does. This is not what is at issue, and that is why I support this bill. However, it seems to me to be unfair to favour certain establishments over others. In my opinion, all zoos and aquariums should face the same administrative procedures. Either they all have to go through the same process to obtain a permit or all those who meet the criteria should be exempted, regardless of their AZA accreditation.

The two-tiered system proposed by the bill gives these seven zoos and aquariums a significant advantage, because even if some of them do not respect their obligations in the future, it might be necessary to modify the law, which is not always a quick procedure.

[*Translation*]

Truth be told, that is the part of the bill that was deemed to be rather unfair by some zoos that have fewer resources but that are making an effort to improve their animals' living conditions. The Zoo sauvage de Saint-Félicien is one of them. I thank Senator Klyne's office for taking the time to meet with Lauraine Gagnon, the zoo's chief executive, who is very concerned that this bill will jeopardize the future of her zoo. She started by contacting her MP, Alexis Brunelle-Duceppe, who also did not understand the differential treatment set out in Bill S-241, and that began a dialogue.

The Saint-Félicien zoo is a major tourist attraction in Saguenay —Lac-St-Jean. It drew over 200,000 visitors a year before the pandemic. It is a not-for-profit organization that treats its animals in an exemplary manner. All of the animals are native to the boreal forest, and they have a lot of space. In fact, at this zoo, the visitors are the ones in cages. They ride through the park in a train, while the animals roam relatively freely within a 324-hectare park. The animals are kept in spacious enclosures that far exceed the requirements. The Saint-Félicien zoo participates in scientific research and is collaborating on a reputable foreign program for endangered species.

Bill S-241 would affect 10 of the 75 species at the Saint-Félicien zoo, which is why the zoo's director is concerned. She pointed out that her zoo is a not-for-profit organization and that obtaining permits would take time and resources. She would like the zoo to be treated the same as the seven zoos and aquariums that are exempt from the administrative procedures. She doesn't understand why organizations that meet the standards set out in Bill S-241 are at a disadvantage solely because they are not members of AZA.

The Saint-Félicien zoo is just one example, of course, and I am not claiming to know what kind of living conditions exist for animals in the hundred or so other zoos and aquariums across Canada. However, I think it is worth reviewing the process for issuing the permits to ensure that all of the organizations that meet the standards are treated fairly, without any undue administrative advantage.

Benoît Pelletier, a law professor at the University of Ottawa, says that this special treatment depending on whether an organization belongs to a foreign private association could be challenged on the basis of the principles of natural justice within our own administrative laws.

This legislation could also be complicated to implement. The federal government shares jurisdiction over wild animals in captivity with the provinces. How will the provinces react if the federal government refuses or is slow to grant a designation of animal care organization to an attraction that contributes to regional development? Will the Environment Minister have the means to inspect zoos regularly, or will he rely solely on whistle-blowers, visitors or animal rights organizations? The zoos that will be required to comply with the new rules will have some time to make the transition. They will be able to keep prohibited animals until the animals die. However, the movement towards enhanced standards is unstoppable. The public is increasingly interested in animal welfare, and Indigenous peoples have been for far longer.

Valéry Giroux, a University of Montreal professor who specializes in animal ethics, spoke to this issue on Radio-Canada. She said:

> Parents who take their children to the zoo usually have excellent reasons for doing so. They want to foster their children's interest in nature, their respect for animals. The problem is that the animals in zoos are psychologically disturbed, so they don't accurately represent their cousins living in the natural environment. Visiting the zoo is not like going out into nature; it's more like visiting a prison or a psychiatric hospital. By taking children to the zoo, we're not teaching them to develop compassion for animals or to respect biodiversity. Instead, we're teaching them that wild animals are meant to be kept in captivity to entertain us. We're teaching them that it's okay to capture animals, to deprive them of their freedom, to interfere in their social bonds, all for our own entertainment.

This new vision of animal welfare stands in stark contrast to the way that we saw it as children and that many of us have passed on to our children.

I thank Senator Klyne for this ambitious effort. Further study in committee will help us assess whether amendments are needed to make the bill fairer and to ensure that its implementation is as smooth and efficient as possible.

Thank you.

[*English*]

The Hon. the Speaker pro tempore: Senator Klyne, do you have a question?

• (1620)

Hon. Marty Klyne: Yes, I have a question, if the senator will take one.

Senator Miville-Dechêne: Yes.

Senator Klyne: Thank you, and thank you for your observations. They are greatly appreciated.

I have a couple of questions. This is a quick one: Are you aware that the Toronto Zoo is currently going through a renewal of its recertification under the Association of Zoos and Aquariums, or AZA?

Senator Miville-Dechêne: No.

Senator Klyne: Thank you for that.

The outcome of that might jeopardize that it will be granted a licence. There is no granting of exemptions just because they are a member of AZA. AZA sets a very high standard, so if you are in compliance with AZA, you would be provided a licence, not an exemption.

All of those zoos need to go through recertifications. Ideally, most of them will pass. Some might have some difficulties, and there will be an abeyance that then causes the minister responsible, if the bill passes, to perhaps question whether they can still keep their licence.

There is no two-tiered system. You do not have to be a member of AZA. In fact —

The Hon. the Speaker pro tempore: Do you have a question, senator?

Senator Klyne: I had a question in there, yes.

I just wonder if you understand that there are not two tiers. All zoos are welcome to apply for a licence, and the minister will attend to that.

So the issue here is that there is no two-tiered system, and I want to know if you were aware that all zoos are eligible to apply for a licence.

[*Translation*]

Senator Miville-Dechêne: Yes, there is a two-tiered system because the only zoos listed in the bill are those with AZA certification. You name them in the bill. By doing that, you give them additional protection because, even if they lose their certification at some point, they will always be listed in the bill as designated, while the other hundred or so zoos will have to go through a certification program. I know you have adapted the standards, but you have also given the seven zoos listed in the bill a special privilege and a free pass. I see that as a problem, but I think we can continue to think about it.

The Hon. the Speaker pro tempore: The senator's time is up.

(On motion of Senator Martin, debate adjourned.)

[*English*]

RADIOCOMMUNICATION ACT

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Patterson, seconded by the Honourable Senator Cormier, for the second reading of Bill S-242, An Act to amend the Radiocommunication Act.

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I rise today to speak to Bill S-242, An Act to amend the Radiocommunication Act.

I would like to thank our colleague Senator Dennis Patterson for introducing this bill, which I hope will finally help motivate the government to take action on this important issue.

Senator Patterson's bill proposes to create a legal disincentive for companies in order to encourage them not to disconnect Canadian communities, notably rural communities, from broadband infrastructure. In my view, this bill would finally ensure what many have been advising for a long time: namely, for the government to apply a "use it or lose it" approach to the allocation and development of spectrum. If we can finally achieve that, the bill would help ensure that spectrum allocation benefits rural parts of our country.

The problem, as Senator Patterson articulated in his speech, is that too many communities in this country, particularly rural communities, lack connectivity to broadband. For telecommunications companies to deliver wireless services like cell services or wireless broadband, they require sufficient spectrum to deliver high-quality wireless services.

As Senator Patterson stated, limitations on the availability of spectrum might affect the big telcos, but it also affected small businesses that are present in so many rural communities. In our increasingly digital world, these businesses require access to spectrum to stay competitive, and this is certain to become more critical in the years and decades ahead as we advance toward 5G and beyond.

Given that many innovative businesses can now effectively be located anywhere in Canada, we cannot afford to leave major parts of our country without an effective broadband infrastructure. The problem, as expressed by Senator Patterson, is that rural Canada is not well positioned for the implementation of 5G.

A large part of the problem is that we are faced with spectrum squatting. The government is responsible for auctioning off spectrum, and by doing so, it raises money for the federal government. The money raised is significant. Canada's last auction of 3,500-megahertz spectrum generated a record $8.9 billion, with the country's three dominant telecom companies accounting for more than 80% of the amount raised.

What are those funds being used for? Were the entire $9 billion to be allocated toward improving connectivity, could we address many or all of the problems related to ensuring equitable connectivity in Canada? Almost certainly.

However, we are likely to be disappointed were we to attempt to track how those funds are being allocated. I fear that this revenue is simply regarded as a cash cow to fuel ever more unaccountable spending by an unaccountable government.

There is also no evidence that much of the funds being taken in by government through spectrum auctions are being used to improve connectivity for Canadians.

And what of the importance, when it comes to public policy, of holding the buyers of spectrum to account?

The problem is that there is little incentive for many of the spectrum buyers to use it within a meaningful time frame. The reality is, as Senator Patterson pointed out, that less than 20% of rural spectrum is utilized by regional carriers. Companies either do not have the resources to deploy it or they decide, for strategic reasons, not to do so.

Senator Patterson is quite right in arguing that we require a policy environment where this spectrum squatting, as he has called it, is no longer permitted. In that context, we need to also consider what the implications of this spectrum squatting are for our most vulnerable communities.

As a recent *Policy Options* article by James Hobart and Cindy Woodhouse explained, "Many Indigenous communities in remote areas are digitally disconnected . . . ."

The United States government recently decided to give American Indigenous communities in rural areas priority access to unused and unassigned spectrum. Should Canada follow suit? Reflecting on this question, we need to consider the harsh reality that only 37% of rural and 24% of Indigenous communities have access to high-speed internet. We know that the lack of connectivity exacerbates socioeconomic inequities, including business opportunities, employment, education and physical and mental health.

If we are being honest about true reconciliation efforts for Indigenous peoples, this inequality must be addressed, and the government must take active measures to close these serious gaps for our most vulnerable communities. Addressing this inequality gap was a policy proposal in the Conservative Party election platform last year. The platform stated:

> As technology continues to advance, the infrastructure of the future — broadband and 5G — will be increasingly critical to job creation.

The platform proposed to:

> Build digital infrastructure to connect all of Canada to High-Speed Internet by 2025 . . . .
>
> Accelerate the plan to get rural broadband built.

> Speed up the spectrum auction process to get more spectrum into use and apply "use it or lose it" provisions to ensure that spectrum (particularly in rural areas) is actually developed . . . .

The current government has also made a commitment to the "use it or lose it" approach, and that commitment is incorporated in Minister Champagne's mandate letter, which specifically directs the minister to:

> Accelerate broadband delivery by implementing a "use it or lose it" approach to require those that have purchased rights to build broadband to meet broadband access milestones or risk losing their spectrum rights.

So we have widespread agreement that this should be done, yet we are simply not moving fast enough, and the gap is growing ever larger. We should be under no doubt that, due to the current government's delays, Canada now has considerable catching up to do. According to University of Ottawa Professor Michael Geist, Canada is at the low end of countries when measured by mobile broadband subscriptions per 100 inhabitants, ranking well below the Organisation for Economic Co-operation and Development average and ahead of only six other OECD countries. Canada also lags behind most OECD countries as measured by mobile data usage per broadband subscription.

• (1630)

In contrast, 5G is already being rolled out in countries like Korea and Japan to name two. Japan has officially committed itself to the efficient and effective use of spectrum allocation to meet the needs of "Society 5.0" and beyond. Korea is already working ahead to 6G considerations, with government and universities engaged in planning and the study of applications for end users.

Canada's sluggish approach will have major implications for Canada's global competitiveness. Spectrum is a critical resource in the economy of today and of the future. In an article entitled "Governing Connectivity: How is Spectrum Policy Impacting the Lives of Canadians?" recently written in *Policy Magazine* by Helaina Gaspard, Alanna Sharman and Tianna Tischbein of the University of Ottawa, the authors noted that:

> Spectrum has a direct or indirect role in most areas of industrial development and economic activity. From connectivity to medicine to transport and shipping, spectrum policy — the policies shaping how spectrum is allocated to different users and uses — has implications for economies and people.

As we develop this resource to make our country more competitive, we must ensure that the opportunity is available to Canadians in all parts of our country, including in rural and more remote areas. If we fail to do so, it will impact not only our economic competitiveness but also the government's own ability to ensure effective online services in order to meet ministerial mandates. This is already evident in the health sector.

The Centre for Addiction and Mental Health, CAMH, for example, has found that a growing number of Canadians seeking mental health services have been unable to receive them.

According to the Indigenous Services Canada website, mental health providers ". . . must be enrolled with Express Scripts Canada . . ." an online health management tool:

> . . . in order to bill the [Non-Insured Insurance Health Benefits] program for services provided to eligible First Nations and Inuit clients. Please note that providers who are not enrolled with Express Scripts Canada **will no longer be able to submit claims** for the NIHB program.

As more and more services go online, Inuit and remote First Nations will not be able to access those critical, life-saving services. To exacerbate that, a survey released by the Canadian Institute for Health Information suggests that in 2019 through to 2020:

> . . . half of Canadians waited for up to 1 month for ongoing counselling services in the community while 1 in 10 waited more than 4 months.

This critical lack of internet service must be addressed for the well-being of Canada's remote communities. As the article written by Helaina Gaspard, Alanna Sharman and Tianna Tischbein pointed out:

> If Canada wants to change outcomes in connectivity, it should start with consideration of how spectrum policy links to instruments and incentives (including subsidies) for deployment.

The authors further explained that:

> How spectrum is allocated should then be about more than revenue generation alone, but about achieving the intended outcomes of spectrum, e.g., connectivity for all.

This is obviously vital for many of our social and health services, but it is also critical for all other areas of our economy. And it is crucial for our rural and remote areas.

I would argue that in the new economy that is being created because of the global pandemic, where Canadians are, and will be, working from home more than ever before, this is now crystal clear. This, then, is where Senator Patterson's bill is very useful in establishing a legal framework for the policy outcome that the government claims it wants.

Specifically, Senator Patterson's bill would do two things. First, it would clarify the minister's powers to ensure the minister takes away licences when companies refuse to connect at least 50% of Canadians in a given licence area. Second, it would permit Canadians to sue companies that underinvest in connectivity.

As Senator Patterson noted, while the minister already technically has the power to take licences away from companies for underperformance, this principle would now be set out in law. The law would give the minister the explicit mandate to withdraw licences when it becomes clear that the company that bought the spectrum has no intention of using it.

For the company that fails in its responsibilities, there would then be an opportunity for a community or First Nation to seek compensation for that failure to address the loss in connectivity. With that, I believe it is vital that this legal and policy environment be put in place to impact the next spectrum auction which is scheduled for next year.

There are undoubtedly many dimensions to this proposed solution that need to be fully explored, and we should undertake to doing that during committee study. Sending this bill to committee should be our focus to light a fire on this issue.

Therefore, honourable senators, I hope that you will agree to supporting Bill S-242 at second reading. Thank you.

(On motion of Senator Dean, debate adjourned.)

[*Translation*]

DEPARTMENT OF EMPLOYMENT AND SOCIAL DEVELOPMENT ACT EMPLOYMENT INSURANCE ACT

BILL TO AMEND—SECOND READING—DEBATE ADJOURNED

Hon. Diane Bellemare moved second reading of Bill S-244, An Act to amend the Department of Employment and Social Development Act and the Employment Insurance Act (Employment Insurance Council).

She said: Honourable senators, this bill is the result of discussions between several groups, representatives and labour market stakeholders, all with an interest in employment insurance.

The Canadian Labour Congress played a leading role for the unions. The FTQ, the CSN, Unifor and Canada's Building Trades Unions also participated in the discussions.

For employers, the Canadian Chamber of Commerce was the main contact point. The Fédération des chambres de commerce du Québec, the Conseil du patronat du Québec, the Canadian Federation of Independent Business and the Canadian Manufacturers and Exporters also took part in the discussions.

I would also like to thank the two EI commissioners, Pierre Laliberté, the Commissioner for Workers, and Nancy Healey, the Commissioner for Employers, for their thoughtful contributions to the discussions. I also want to thank my team, the law clerks and my special adviser, Michel Cournoyer, a long-time contributor to the consultations.

The purpose of the bill is to enhance social dialogue within the Canada Employment Insurance Commission. Its current structure, based on consultation, does not meet today's needs. This system is funded entirely by the employers and the workers, and it plays a major role in the labour market with respect to compensation, but also with respect to employment policies that facilitate transitions. It failed at that task during the pandemic, so a major reform is needed. The effectiveness of the changes will depend on the stakeholders' participation in defining and implementing these changes. The bill is a response from labour market partners. As I was saying, the commissioners actively participated in it.

This bill is rather simple. Through federal legislation, it seeks to create a council that will be in charge of providing advice to the current Canada Employment Insurance Commission. The bill proposes that this council, which will be co-chaired by the Commissioner for Workers and the Commissioner for Employers, be made up of an equal number of labour and employer representatives. Unlike the current commissioners, the members of the council will not be paid. The creation of this council will therefore have no specific budget impact.

What is social dialogue? Often when I talk about social dialogue, people say, "What are you talking about?" It's true that social dialogue is not something we hear about every day in Canada. However, it's a fairly common practice, especially in Quebec, and it's even more widespread in most industrialized nations.

• (1640)

The International Labour Organization, the ILO, an agency of the United Nations, proposes the following definition of social dialogue:

> Social dialogue is defined by the ILO to include all types of negotiation, consultation or simply exchange of information between, or among, representatives of governments, employers and workers, on issues of common interest relating to economic and social policy. Social dialogue takes many different forms. It may exist as a tripartite process, with the government as an official party to the dialogue, or it may consist of bipartite relations between the representatives of labour and management at company level (or trade unions and employers' organizations at higher levels). Social dialogue may be informal or institutionalized, and often involves both. It may take place at the national, regional, international, cross-border or local levels. It may involve the social partners in different economic sectors, within a single sector or in a single company or group of companies.

The ILO further states:

> The main goal of social dialogue itself is to promote consensus building and democratic involvement among the main stakeholders in the world of work. Successful social dialogue structures and processes have the potential to resolve important economic and social issues, encourage good governance, advance social . . . peace and stability and boost economic progress.

When we read about how social dialogue is a collective bargaining or information exchange process, we can see that Canada does practise social dialogue to a significant extent. Consultation, as it is often understood, is just the beginning of an ongoing social dialogue intended to achieve consensus. A second reading of the ILO definition makes it clear that social dialogue is not a unilateral or one-way process, unlike the consultation processes that governments in Canada carry out as they are developing bills.

Consultation is less effective than consensus. It is the beginning of the process, and it is less effective, but why? The short answer is that consultation produces many answers, whereas consensus zeroes in on a solution or solutions that are mutually acceptable and generally mutually beneficial.

Consider labour relations in a business. Labour relations experts understand right away that a negotiated contract is always better than a contract imposed by an arbitrator after consulting the parties. More often than not, when the balance of power is even and the process is undertaken in good faith, negotiation results in mutually beneficial agreements with respect to productivity and equity. The result often resembles a positive-sum game in the way labour, production and compensation are organized.

That is not necessarily the case with arbitration. The arbitrator listens to both parties' official versions and then splits things down the middle, producing a less-than-optimal outcome.

[*English*]

In short, social dialogue is a form of negotiation at the national level which results in the determination of more effective and fairer labour market policies than would otherwise be the case.

It is an effective process because it reveals the multiple facets of the same reality. It allows for innovation in mutually beneficial solutions. It allows the unexpected effects of policies to be taken into account and the losers to be compensated. Social dialogue also ensures greater social acceptability among companies and the workforce, facilitating its implementation.

[*Translation*]

The actual process of social dialogue is very different from the specific, time-limited public consultations that are carried out by elected officials or civil servants to support political decisions that have sometimes already been made. Consultation generally puts all of the information in the hands of decision-makers and, more importantly, it does not allow for innovative solutions because it does not encourage dialogue between the parties.

Consultation, as it is typically practised, is not a consensus-building process; on the contrary, it often results in opposing positions from those being consulted. As a result, the public servants and politicians who decide on the strategies to use will very often make someone unhappy. There may be winners and losers, which will make it more difficult to implement the strategies.

In short, social dialogue is a more transparent process than consultation because every stakeholder has access to the information provided by the others. Feedback is provided at the same time that information is being validated around the table. This process encompasses the concerns of the various stakeholders. Social dialogue results in common solutions and promotes social consensus, which bilateral consultation simply can't do. It also facilitates policy implementation. In short, it is a positive-sum game.

I will now shift from theory to things that are more tangible. I had the opportunity to observe social dialogue in the context of labour market policies in Quebec. I would like to tell you a bit about the accomplishments of the Commission des partenaires du marché du travail.

The Commission des partenaires du marché du travail has existed in Quebec since 1993. It started out as the board of directors of the Société québécoise de développement de la main-d'œuvre, or SQDM, a public organization whose mandate was to manage the labour and training programs funded by Ottawa and Quebec. In 1994, at the request of Quebec's employer and worker associations, the composition of this public organization's board of directors was changed so that the members would be representatives of associations instead of individuals. The government of the day agreed to that request and, at the same time, I became the chair of this organization during its restructuring.

At that time, the minister responsible for this file supported the priorities of the Forum pour l'emploi, a non-profit organisation created in 1987 to provide a framework for social dialogue in Quebec. To be clear, the Forum pour l'emploi was born out of a collective desire on the part of Quebec's economic players to help lower the unemployment rate and stimulate growth and productivity.

The catalyst for this movement was the publication of a book called *Le défi du plein emploi — un nouveau regard économique*, which offered a new economic perspective on the challenge of full employment. I co-wrote it with my colleague Lise Poulin-Simon, who left us too soon in 1995. Our book compared the economic policies on employment of countries that had managed to weather the economic period of the 1976 oil crisis relatively well, while Canada had been experiencing stagflation since 1976. The book generated a lot of public interest, so two former federal officials came to us and challenged us to carry out what we had proposed in the book. We decided to take on the challenge, so we brought together a group of people who came from different backgrounds, but who were all interested in collective action.

The non-profit organization was initially co-chaired by Claude Béland, who will be familiar to some of you and who was president of Mouvement Desjardins at the time, and by Louis Laberge, then president of the FTQ and the Fonds de solidarité. It was composed of all the key players in Quebec's labour market. Union and employer associations were all represented, as were the municipalities, some large companies, youth and women's associations, and the vocational training sector.

• (1650)

The Forum pour l'emploi was eager for a major reform of labour programs and for the federal and Quebec government to coordinate or even merge their programs in order to focus their efforts on obtaining concrete results in terms of workforce integration and reduction of unemployment, rather than compliance with the programs.

Consequently, employer and labour representatives lobbied the federal government to decentralize its programs and measures and download them onto the provinces.

The objective was to create a labour development fund that would be managed by Quebec. In 1996, an agreement was signed to create the fund, with funding from the federal and Quebec governments. The agreement included and still includes results-based objectives, and program-based management was replaced by results-based management. At the time, more than 100 programs were abolished. Those programs were designed for certain categories of people, and they bore the imprint of the minister who had wanted to create them. There was no budget flexibility, so, at the end of the year, the unspent amounts of money allocated to each program were returned to the public treasury, even if the dire needs of the people in the labour market had not been met.

Needless to say, the official evaluations of these programs were negative. The social partners made it possible to transition to results-based management of public funds, as opposed to program-based management. That is a huge achievement.

The SQDM has now been replaced by Emploi-Québec, which combined SQDM staff, staff from federal employment services offices and social assistance workers. The Commission des partenaires du marché du travail is still involved in managing Emploi-Québec, more specifically in the area of training and employment services. Results-based management is still being used, and the labour market partners have to ensure that governments don't indirectly erode their progress by once again creating politically motivated programs targeting specific categories of people.

They ensure that the socio-economic logic of the labour market takes precedence over politically motivated objectives.

[*English*]

In short, this story aims to show that social dialogue in the labour market and at a national level is more than consultation. Social dialogue is about consulting each other to give advice that respects the collective logic of the labour market and to find — together — optimal solutions for specific needs. In many cases, in many countries, social dialogue is used to manage unemployment insurance programs as well as investments in labour force development.

[*Translation*]

What we can learn from this story is that society wins when economic and social partners are involved in making decisions regarding labour market policies.

The partners collect information on the ground that is not reflected in statistics. They put policies into practice, incorporate them into their human resource management practices, and live with the impact of these policies. Their participation is necessary for the programs to be successful.

[*English*]

Public intervention in employment and labour must respect the logic of the labour market and not the electoral logic in the number of votes. Our sustainable prosperity depends on it. Programs cannot change every four years and follow political logic.

[*Translation*]

However, social dialogue is not a spontaneous practice. Initiating productive social dialogue requires various conditions, one of which is mutual trust between the parties. Not all employers have a good relationship with their employees, and vice versa. Social dialogue can be a powerful antidote to the polarization generated by social media. However, in order to thrive, social dialogue needs an environment that fosters mutual trust. Governments have a role to play in creating environments that foster this trust. That is not always easy when the politicians leading government institutions are often simultaneously involved in divide-and-conquer strategies.

[*English*]

As an OECD report for the Global Deal mentions:

> . . . social partners and the government cannot build and maintain an effective dialogue without mutual trust. While there is no single recipe to build up trust, OECD studies have identified some key determinants of trust in one specific institution, namely the national government. These include integrity of high-level government officials' . . . government's reliability in case of crisis, openness to citizen's voice . . . as well as responsiveness to citizen's concerns . . . . In addition, the following factors enhance trust . . . i) availability of institutions and structures where social partners can regularly meet and discuss to arrive at a common understanding (from work places level up to national level); ii) access to accurate information by all sides . . . iii) mechanisms that ensure enforcement of collective agreements and other commitments . . . iv) institutional stability to create shares and anchored expectations; v) respect for autonomy of social partners; and vi) avoidance of excessive mutual strife and competition between social partners themselves.

[*Translation*]

Every study that has examined social dialogue has found that at least two conditions must be met in order for it to be sustained and effective. The first is the recognition and willingness of governments to engage in social dialogue as a means of determining public policy on labour issues.

The second is the importance of institutionalizing this practice in order to sustain mutual trust and develop a culture of consensus building.

Esteemed colleagues, at the risk of repeating myself, social dialogue is one of the best ways to achieve efficiency and equity in the production system and the labour market. That is why the International Labour Organization, the ILO, has always promoted social dialogue at the international level in every country, even the least developed. The ILO has produced recommendations and conventions identifying best practices in this field, and Canada has signed numerous ILO conventions. The government of Canada supports the practice and recognizes the importance of social dialogue through its international commitments.

For example, in 2016, the federal government supported the Global Deal for Decent Work and Inclusive Growth, an initiative launched by Swedish prime minister Stefan Löfven and developed in cooperation with the OECD and the ILO. The objective of the deal is to harness the potential of social dialogue as an instrument for promoting better quality jobs, fairer working conditions and more inclusive growth, in line with the UN 2030 agenda.

In addition, the ILO Declaration on Social Justice for a Fair Globalization, which expresses the contemporary vision of the ILO's mandate in the era of globalization, was adopted in 2008 by all of its members, including Canada. The declaration promotes decent work through a coordinated approach to achieving four strategic objectives: employment, social protection, social dialogue, and fundamental principles and rights at work.

As the declaration states, social dialogue and tripartism are the most appropriate methods for adapting the implementation of the strategic objectives to the needs and circumstances of each country and translating economic development into social progress, and social progress into economic development, for example. Canada ratified the Tripartite Consultation (International Labour Standards) Convention, No. 144, in 2011. The convention recognizes social dialogue between representatives of the government, employers and workers in operating these procedures with respect to matters concerning ILO activities.

• (1700)

Employment Service Convention, 1948, No. 88, was ratified by Canada in 1950. Article 4 stipulates that representatives of employers and workers on these national advisory committees shall be appointed in equal numbers after consultation with representative organizations of employers and workers.

Honourable colleagues, social dialogue plays an important role in many societies, and not just democratic societies. History has shown us that private market institutions and the principle of competition do not function optimally in the labour market, especially when we are talking about compensation, employment insurance or skills development. By the same token, central planning of production and of the labour market does not work either in countries that are considered undemocratic.

There are social dialogue institutions all over the world at several levels of government. Many are national and help define major issues with economic and social policies as well as the strategies that are needed in response. Several countries practise social dialogue to deal with more specific issues, such as workforce development.

[*English*]

As an example of the importance of social dialogue on the macro level, the International Association of Economic and Social Councils and Similar Institutions is an organization that assembles economic and social councils from 72 countries in Africa, Europe, Latin America, the Caribbean and Asia. It was created in 1999 and has its head office in Brussels, Belgium.

[*Translation*]

Many countries, such as France, Belgium, Greece, Cameroon, Brazil, Mexico and China, are part of this association. The Scandinavian countries are leaders and pioneers on labour matters, as are Germany and Austria, both of which are countries that I studied and observed in action in a previous career. More than half of European countries have established tripartite institutions that are actively involved in managing labour and employment insurance programs.

Over the past few years, we have seen increased interest in social dialogue on the international stage. This is not surprising, given the challenges associated with mobilizing collective action to achieve a common objective as important as the sustainable development of our planet.

The UN sustainable development goals and 2030 agenda will require us to develop a common strategy and engage in constructive, robust social dialogue at all levels. To make the transition to green economies, we will have to adopt sustainable labour market practices, because this is where wealth is created and distributed.

What about social dialogue at the federal level in Canada? Before I get to that part, I want to pay tribute to an economist I never knew personally but would have enjoyed meeting in the context of this bill. I am talking about Donna Wood, who passed away in 2019. After spending 25 years in the public service in Alberta and then Northwest Territories, in the field of public policy, she taught in the political science department at the University of Victoria. She published several books on social policy, both in Canada and internationally, and on federalism.

Professor Donna Wood extensively analyzed the evolution of social dialogue in Canada. For this reason, for the next part of my speech, I will be drawing freely on her writings and on the scientific studies I conducted when I was a university professor alongside Professor Lise Poulin-Simon. I will also draw on my professional experience in the employment sector.

At the federal level, the first tripartite experiment began when unemployment insurance was created in 1940. At that time, the unemployment insurance program was established under the direction of the tripartite, arm's-length Unemployment Insurance Commission.

The program was originally funded through equal contributions from employers and employees, equivalent to 40% of the cost of the program for each group, and the federal government provided the remaining 20%. The federal government stopped contributing to the plan in 1990.

This tripartite commission carried out important responsibilities with respect to managing unemployment insurance from 1940 to 1976. In 1965, the tripartite commission lost the responsibility for employment and placement services, which were transferred to the Department of Labour and subsequently to the Labour and Immigration Department.

In 1976, the commission's responsibility for managing compensation was transferred to the Department of Employment and Immigration. The commission's composition was changed

from three members to four, with one representative for employers, one representative for labour, and two departmental representatives. The chair of the commission was the deputy minister of the department. It was then that the commission came to closely resemble the commission of today. In short, its responsibilities are to assess the employment insurance program, approve policies, make certain regulations, set the premium rate and, until recently, oversee the administrative appeal tribunal, although that responsibility was taken away from it in a roundabout way. More on this later.

For almost 35 years, employment insurance was a tripartite institution that the government steadily stripped of its powers to govern a system that the partners currently fully fund. The year 1976 is also when the employment insurance system began to undergo many transformations in response to political problems that were often not aligned with the logic of the labour market. The coverage rate of that system was about 80%, but it fell to under 50%.

In addition to the former tripartite Unemployment Insurance Commission, several advisory committees were established between 1941 and 1998. The last one was the Canadian Labour Force Development Board, which was established in 1991 and dissolved in 1998.

[*English*]

For various reasons, these institutions ended up dissolving. According to the late Professor Donna Wood's analysis, the most influential factor to cause the demise of advisory bodies was the propensity of the Government of Canada to reorganize and realign government responsibilities, abandoning or changing advisory committees in the process. As UI, as it was then known, and its various component pieces were moved around organizationally by the federal government, advisory committees were recast and weakened. The lack of legislation establishing these advisory committees most likely contributed to their easy dismantling.

However, in the case of the Canadian Labour Force Development Board, Professor Wood gathers that the government may have unwelcomed some of the messaging and therefore reduced its financial support, which ultimately led to business stakeholders pulling the plug.

For almost 20 years, the Canada Employment Insurance Commission has worked to facilitate business and labour input into employment policy in Canada. When input on larger issues than EI is needed, the Government of Canada has set up ad hoc consultations or has referred the issues to committees, such as the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities, or HUMA — because we do not have a committee on human resources in the Senate — in the lower chamber, which serve as fast-track options for governments seeking more specialized advice on short notice instead of permanent advisory bodies that tend to have broad and long-term expertise.

I would be remiss if I did not mention the Economic Council of Canada as an example of multipartisanship in Canada.

• (1710)

This organization, financed by the federal government, was created in 1963 and dismantled in 1992, when the studies of the council did not please the government of the day or the Department of Finance. The council was first composed of labour, business and other groups' representatives. Its composition was changed later by the appointment of individuals instead of representatives of institutions. It produced applied studies on issues of growth equity in the labour market and other issues of the day. Its mandate was to help build consensus in Canada. I had the privilege to be appointed for two mandates of three years each to the economic council, once by former prime minister Pierre Trudeau and reappointed by Prime Minister Mulroney.

To conclude this section of my speech, let me quote Professor Donna Wood from one of her last articles, entitled, *The Seventy-Five Year Decline: How Government Expropriated Employment Insurance from Canadian Workers and Employers and Why This Matters*:

> There are many reasons why business and labour oversight and input into EI has diminished over time. Certainly, the combination of Cabinet government and executive federalism creates in Canada a closed, elite dominated process involving primarily politicians and bureaucrats in any policy area. The absence of vertically integrated, highly representative encompassing 'peak' pan-Canadian business and labour organizations exacerbates the business-labour divide and impedes their capacity to interact with government and with each other. The dismantling over the past 20 years of all pan-Canadian advisory committees and research institutions responsible for employment has eliminated spaces where fruitful conversations used to occur.

To conclude my speech, let me again cite Donna Wood's report:

> Putting the business-labour-government partnership on a more formal footing through a National Labour Market Partner's Council would go a long way towards optimally re-positioning Canada's labour market programming for the 21st century.

[*Translation*]

That's exactly what this bill does.

Employer and worker organizations have enthusiastically welcomed this bill.

[*English*]

The Honourable Perrin Beatty, President and Chief Executive Officer of the Canadian Chamber of Commerce, stated that:

> With the creation of an employment insurance advisory council, Senator Bellemare's Bill S-244 will enshrine a true and meaningful tripartite approach between business, labour and government. This will ensure that the Employment Insurance program is sustainable, responsive, non-partisan, inclusive and relevant for current and future generation of Canadian employers and employees.

The president of the Canadian Labour Congress, Ms. Bea Bruske, declared that:

> Bill S-244 will absolutely strengthen the voices of the social partners in the work of the tripartite EI commission. In turn, by inscribing social dialogue at the heart of the EI system, Senator Bellemare's bill will improve the efficacy and responsiveness of labour market policy-making in Canada to the benefit of workers in our economy.

[*Translation*]

This bill was officially endorsed by these two major organizations, as well as all the other organizations that participated in the consultations. It's up to the government to take it from here.

This bill is important because the employment insurance system is in need of an overhaul and the people who contribute to the system need to be involved in reforming it, not only as a matter of principle, but also to ensure it is equitable and effective.

Honourable colleagues, I would ask that you quickly support this bill at second reading so it can make its way to committee as soon as possible.

Thank you. *Meegwetch*.

Hon. Pierrette Ringuette: Would Senator Bellemare take a question?

Senator Bellemare: Absolutely.

Senator Ringuette: Let me start by congratulating you for introducing this bill, as well as on your speech.

I fully support the idea of having a socio-economic dialogue between the communities, the provinces and the federal government. In fact, I support dialogue between all our organizations.

However, I wonder if you could explain something about your proposal to create an advisory council. How will our remote regions, our Indigenous communities, our forestry workers, our agricultural workers and our fisheries workers have a voice? They have been affected, and are still being affected, by the changes to the EI system over the past 20 years. These changes have been made to the detriment of workers in these regions. How will they be included in the bill you're proposing?

Senator Bellemare: Thank you for the question. I was anticipating it.

There was much discussion among all the groups. I had several Zoom meetings with the groups that helped me prepare this bill. The important thing was to find a way to reach the territories, First Nations populations, the remote regions, and so on. At first, we were looking for a way for the advisory council to be able to specifically include and connect with the Forum of Labour Market Ministers, while also including First Nations representatives. That was impossible for all sorts of legal reasons. The Forum of Labour Market Ministers has no legal status. What's more, they're not contributors. The group was concerned about ensuring that when we discuss Part 1, on contributions, it would be possible to invite groups from remote provinces or regions so that they could participate in the debate.

The federal tripartite council will be composed of a minimum of 12 members, including the two commissioners and five representatives from major associations. That's the formula used by Quebec's Commission des partenaires du marché du travail. It doesn't include all the regions, but it is associated with regional councils and equity committees, so that's a good starting point for responding to this major concern. Experience has shown that, from the outset, it's essential to ensure that the tripartite issues of this large labour market system are considered.

This bill would give the council the power to invite whoever it wants to attend meetings. I think this will be what happens, since it's important to bring the different parties together.

This is an advisory council, not a decision-making committee. The advisory council would have a mandate to provide advice and make recommendations to the commission regarding its assessment of programs and policies. The council could potentially also make assessments on its own initiative and present its findings to the minister and to Parliament.

This council will not manage employment insurance. We are not there yet. This is an advisory council that will support the two commissioners in carrying out their duties.

[*English*]

Hon. Frances Lankin: Senator Bellemare, I very much support the intent of what you are doing. I believe that in many areas it is important to have the players at the table, and certainly with respect to EI where these are employer and employee funds. It is critical that they have a major role. This may not be a fair question, but I wonder if you have had an opportunity to look at Division 32 of the Budget Implementation Act, which deals with the establishment of the direction for an executive head to report only to the head of the Canada Employment Insurance Commission and not the tripartite body. It is a concern to many. It was Senator Yussuff who raised concern and is working on it the hardest in our chamber. I wonder if you share those concerns, and in light of where you intend to go, if we need to look at Division 32 in more depth.

• (1720)

Senator Bellemare: Absolutely, Senator Lankin. This is an example where there is no sensitivity for the social partners, because at the beginning the social partner had the oversight of the appeal mechanism. I can tell you that both the union side and the employer side had a lot of problems with this Division 32, section 5 of Bill C-19. I can assure you of that.

It's another example of why social partners are important in those areas, and in training, too. For example, the government, some years ago, proposed the allocation for training. It was a very nice program, I thought, but it succeeded in creating unanimity against it on both sides, because it did not answer a need, and it did not take into account their reality.

(On motion of Senator Martin, debate adjourned.)

CITIZENSHIP ACT

BILL TO AMEND—SECOND READING

Hon. Yonah Martin (Deputy Leader of the Opposition) moved second reading of Bill S-245, An Act to amend the Citizenship Act (granting citizenship to certain Canadians).

She said: Honourable senators, I'm honoured to once again sponsor and speak to Bill S-245, formerly Bill S-230, An Act to amend the Citizenship Act (granting citizenship to certain Canadians).

In the last parliamentary session, Bill S-230 was adopted in the Senate following debate and a thorough study at the Standing Senate Committee on Social Affairs, Science and Technology. The bill was unanimously supported and sent to the House of Commons but died on the Order Paper when the election was called.

As I said previously for Bill S-230, this current bill, Bill S-245, will address a specific gap in the Citizenship Act to capture a small group of Canadians who have lost their Canadian citizenship or became stateless because of changes to policy.

Many of these individuals were raised in Canada from a young age. Though they were born abroad, some came to Canada at a young age, as infants, in some cases. They went to school in Canada. They raised their families in Canada. They worked and paid taxes in Canada, and yet, they turned 28 without knowing that their citizenship would be stripped from them because of the change in policy to the Citizenship Act of 1977 that required Canadians born abroad to apply to retain their citizenship when they turned 28. As previously explained, this age-28 rule was passed, then forgotten. Those who did not apply to retain their citizenship before their twenty-eighth birthday subsequently became "lost Canadians" on their twenty-eighth birthday.

Bill C-37 of 2008, which repealed the age-28 provision and grandfathered all those Canadians who had not yet turned 28 to be included in the policy change, left out a small group of Canadians who had already turned 28, specifically those born in the 50-month window between February 15, 1977, to April 16, 1981. This small cohort of lost Canadians is the group for whom this bill was brought forward in this Parliament once again.

With the passage of S-245, we can reinstate this last cohort of "lost Canadians" affected by the age-28 rule and ensure that they are given the rights and opportunities that they deserve, as do all Canadians across our great nation.

I would like to thank Senator Omidvar for once again being the critic of this important bill and working in collaboration with me and tireless advocates like Don Chapman on such an important issue.

Honourable senators, I ask you to support this bill once again and, rather than send it to committee, that we expedite this bill straight to third reading and to the House of Commons, as we did earlier in this current Parliament with other familiar bills that also died on the Order Paper in the other house, namely Bill S-202, An Act to amend the Parliament of Canada Act (Parliamentary Visual Artist Laureate); Bill S-214, An Act to establish International Mother Language Day; Bill S-216, An Act to amend the Income Tax Act (use of resources of a registered charity); and Bill S-223, An Act to amend the Criminal Code and the Immigration and Refugee Protection Act (trafficking in human organs).

After Senator Omidvar speaks, I will seek leave to expedite this bill in support of the "lost Canadians," who have been waiting far too long for this bill to become law. Thank you.

Some Hon. Senators: Hear, hear.

Hon. Ratna Omidvar: Thank you, Senator Martin, for being indefatigable in your defence of "lost Canadians." I am the official critic of the bill, and I always thought of a critic as someone who is unfriendly or opposed to the bill, but this is certainly not the case. I am very friendly to the bill, as you well know.

When I became a senator in 2016, and because of my established interest in citizenship, I started to get a lot of emails about "lost Canadians." I had never heard the term before, to be honest. I was, frankly, lost when I heard that terminology. For those of us who have found Canada, who know what a privilege it is to be a Canadian, to have inadvertently lost citizenship because of what I can only describe as bureaucratic fumbling and missteps is unimaginable.

When I rose subsequently — it was, I think, my first major speech in the Senate — as a sponsor for a major citizenship bill, I described citizenship as a home. I drew a picture of a house, a home, that has a strong door and a lot of windows to let the sun shine in, but also a very strong roof to keep the danger out. The foundation of this welcoming but safe home is grounded in a few essential principles.

The first and most important is equality among citizens. Equality sees all citizens — by birth or naturalization, mono-citizens or dual citizens, whether they've been citizens for 50 years or a month — treated equally under the law. Equal rights, equal responsibilities and, when necessary, equal punishments. These are not aspirational goals. These are the floor, the absolute foundation of how equality is expressed in Canada.

The second is the principle of facilitating citizenship or making it easier for people to get citizenship. I think of this, again, as the main floor of the house, a welcoming home with a big fire, blazing to keep out the wretched cold, and with a big welcoming

door. However, “lost Canadians” have lost the warmth of this fire. In fact, they were kicked out of the home. Think of it as an eviction.

As we know, our immigration system and our citizenship laws are incredibly complex. Because of this complexity, they sometimes catch people in their net, and it is hard for people to get out and deal with this devastating yet unintended outcome. I will admit that this was not intended. This was accidental, but how often do we in this chamber deal with unintended but devastating outcomes of legislation that was passed either in the other house or here?

Senator Martin has already provided you with the background of how “lost Canadians” came to be lost. I am not going to repeat that. I will just tell you about how currently “lost Canadians” deal with becoming found. It is on a case-by-case basis. They have to make an application to the minister and to the ministry to get their citizenship back. I wonder about the equity of a case-by-case basis, when what we really need is a systemic solution. A case-by-case basis means that everybody who is lost needs to have the same kind of determination and agency as Byrdie Funk, who was a famous “lost Canadian.” She petitioned the court, she petitioned the minister and got her lost citizenship back, but again, it is taken case by case. Senator Martin’s proposal is a systemic fix.

Senator Dalphond last time asked a reasonable question: How many people does this impact? Not that many actually. Maybe a few hundred. Maybe 200. We don’t know, because maybe the “lost Canadians” don’t even know that they’re lost until they have to apply for a passport, and then they find out.

• (1730)

The consequences of losing your citizenship are also severe. While waiting to get your citizenship, you may not have a social security number that is valid. You may not be able to get a job. You may not be able to travel, and you may have limited access to health care — all this at a time when a potential deportation could be in the works. So this is very severe, even if it is for a few hundred people. I think we all understand that injustice to one person, a few people or even a hundred people is intolerable in our system.

I also want to point out that there are other lost Canadians, and I congratulate and commend Senator Martin for being focused and practical on dealing with those whom we can help most immediately. Legislation is never the art of perfection. I believe it is the art of what is possible. This legislation is in our reach. Colleagues, I urge you to support it. Thank you.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

BILL TO AMEND—THIRD READING

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(b), I move that the bill be read the third time now.

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to and bill read third time and passed.)

(*At 5:33 p.m., the Senate was continued until tomorrow at 2 p.m.*)

CONTENTS

Tuesday, May 17, 2022

PAGE

SENATORS' STATEMENTS

ROUTINE PROCEEDINGS

QUESTION PERIOD

CONTENTS

Tuesday, May 17, 2022