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Legislative Summary

BILL S-202: AN ACT TO AMEND THE PARLIAMENT OF CANADA ACT (PARLIAMENTARY VISUAL ARTIST LAUREATE)

44-1-S202-E

11 October 2023

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For clarity of exposition, the legislative proposals set out in the bill described in this legislative summary are stated as if they had already been adopted or were in force. It is important to note, however, that bills may be amended during their consideration by the Senate and House of Commons and have no force or effect unless and until they are passed by both houses of Parliament, receive Royal Assent and come into force.

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Legislative Summary of Bill S-202
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PRELIMINARY VERSION
UNEDITED

CONTENTS

1 BACKGROUND1

1.1 The Position of Parliamentary Visual Artist Laureate2

2 DESCRIPTION AND ANALYSIS.....2

LEGISLATIVE SUMMARY OF BILL S-202: AN ACT TO AMEND THE PARLIAMENT OF CANADA ACT (PARLIAMENTARY VISUAL ARTIST LAUREATE)

1 BACKGROUND

Bill S-202, An Act to amend the Parliament of Canada Act (Parliamentary Visual Artist Laureate),¹ was introduced on 24 November 2021 by the Honourable Patricia E. Bovey, a former senator. The Senate gave it third reading on 8 December 2021 and sent it to the House of Commons, where it was read for the first time on 14 December 2021. On 7 June 2023, the bill was referred to the House of Commons Standing Committee on Canadian Heritage (CHPC). The bill was considered in committee on 28 September 2023 and on 5 October 2023.

The bill amends the *Parliament of Canada Act*² to create the position of Parliamentary Visual Artist Laureate and to correct a reference to the Canada Council for the Arts in the English version. CHPC made amendments to the bill to:

- entrench the principle that the primary official language spoken by the holder shall alternate; and
- specify that digital creations are included in the definition of arts, and that visual arts “reflect the diversity of Canada, including with respect to the languages in use and its ethnocultural composition.”³

The bill was sent back to the House of Commons on 5 October 2023 for report stage.

Bills similar to Bill S-202 have been introduced in the Senate on three previous occasions: the first during the 42nd Parliament,⁴ then during the 1st Session of the 43rd Parliament,⁵ and lastly during the 2nd Session of that same parliament.⁶

According to the bill’s sponsor in the House of Commons, Bill S-202 would create is to create “an opportunity to celebrate Canadian visual arts and artists, and project a global image of open-mindedness, creativity and innovation.”⁷ The creation of the position of Parliamentary Visual Artist Laureate would recognize “the importance of visual arts to the Canadian creative economy,” support “diverse artistic expression by Canadian artists,” and raise “the profile of Canadian visual arts in Canada and abroad.”⁸ Lastly, the arts are seen as a lever for change, a tool for teaching and inspiration. The Honourable Patricia E. Bovey, a former senator, told CHPC that

the visual artist laureate will be a bridge to our youth regarding the role of democracy, the workings of Parliament and [parliamentarians’]

commitments, and will assist in addressing the gap in knowledge about civics. It would be a connector across this country and across generations, and open doors to bring us together at a time when that has never been needed more.⁹

1.1 THE POSITION OF PARLIAMENTARY VISUAL ARTIST LAUREATE

Bill S-202 is similar to Bill S-10, which created the position of Parliamentary Poet Laureate in 2001.¹⁰ In creating the position of Parliamentary Visual Artist Laureate, Bill S-202 provides for a two-year term and an administrative structure similar to that of the Parliamentary Poet Laureate.¹¹

With Bill S-202, the Speaker of the Senate and the Speaker of the House of Commons would appoint the Parliamentary Visual Artist Laureate following an open call for nominations that would be overseen by the Parliamentary Librarian, the Director of the National Gallery of Canada, the Commissioner of Official Languages for Canada, the Chairperson of the Canada Council for the Arts and the President of the Royal Canadian Academy of Arts. The selected person would have a mandate to promote the arts in Canada. They may create artistic creations at the request of the Speaker of the Senate or the Speaker of the House of Commons, sponsor artistic events or give advice to the Parliamentary Librarian regarding artistic collections to foster awareness and development of the arts.¹²

The Office of the Parliamentary Budget Officer (PBO) was asked by a parliamentarian to prepare a cost estimate of Bill S-202. As of 3 March 2022, the PBO estimated that the financial impact of having a Parliamentary Visual Artist Laureate will be \$0.1 million per year.¹³ For its estimate, the PBO used historical budget data for the position of Parliamentary Poet Laureate, who currently receives an annual stipend of \$20,000,¹⁴ and added to the total cost an amount to account for overhead costs, including supplies and equipment.¹⁵

2 DESCRIPTION AND ANALYSIS

Bill S-202 has two clauses.

Clause 1 states that the bill amends the *Parliament of Canada Act* to add, after section 75, new section 75.01 creating the position of Parliamentary Visual Artist Laureate.

PRELIMINARY VERSION

UNEDITED

New section 75.01 has subsections describing the selection process, the tenure of office, the powers of the Parliamentary Visual Artist Laureate and a definition of arts that encompasses “drawing, painting, sculpture, printmaking, design, crafts, photography, videography and filmmaking.” At committee stage in the House of Commons, there was an amendment to add digital creations to this list. In addition, the amendment clarifies that these arts must reflect “the diversity of Canada, including with respect to the languages in use and its ethnocultural composition.”¹⁶

Another amendment provides that, in new section 75.01, the primary official language spoken by the holder of the Parliamentary Visual Artist Laureate shall alternate.

Clause 2 replaces section 75.1(2) of the English version of the *Parliament of Canada Act* to make it consistent with the French version by replacing the term “Chair of the Canada Council” by “Chairperson of the Canada Council for the Arts.” This change reflects the exact name of the Canada Council for the Arts in English as well as the title of its chair.

NOTES

1. [Bill S-202, An Act to amend the Parliament of Canada Act \(Parliamentary Visual Artist Laureate\)](#), 44th Parliament, 1st Session.
2. [Parliament of Canada Act](#), R.S.C. 1985, c. P-1.
3. House of Commons, Standing Committee on Canadian Heritage (CHPC), [Minutes of Proceedings](#), 5 October 2023.
4. [Bill S-234, An Act to amend the Parliament of Canada Act \(Parliamentary Visual Artist Laureate\)](#), 42nd Parliament, 1st Session.
5. [Bill S-210, An Act to amend the Parliament of Canada Act \(Parliamentary Visual Artist Laureate\)](#), 43rd Parliament, 1st Session.
6. [Bill S-205, An Act to amend the Parliament of Canada Act \(Parliamentary Visual Artist Laureate\)](#), 43rd Parliament, 2nd Session.
7. CHPC, [Evidence](#), 28 September 2023, 0915 (John Aldag, Member of Parliament, As an Individual).
8. Ibid.
9. CHPC, [Evidence](#), 28 September 2023, 0925 (Hon. Patricia Bovey, Former Senator, As an Individual).
10. [Bill S-10, An Act to amend the Parliament of Canada Act \(Parliamentary Poet Laureate\)](#), 37th Parliament, 1st Session.
11. Parliament of Canada, [“About,” The Parliamentary Poet Laureate](#).
12. In her testimony before CHPC, the Parliamentary Librarian said that the Library of Parliament does not have an art collection and that managing it would be new to them. CHPC, [Evidence](#), 5 October 2023, 0935 (Heather Lank, Parliamentary Librarian). It is worth noting that both the Senate and the House of Commons have a curatorial department. Tamara Dolan is the Senate Curator and Johanna Mizgala is the House of Commons Curator. Senate, [“The Senate’s Artwork and Heritage Collection,” Art & Architecture](#); and House of Commons, [“Collection,” History, Art and Architecture](#).
13. Jason Jacques, [Bill S-202: Establishing the position of the Parliamentary Visual Artist Laureate](#), Office of the Parliamentary Budget Officer, 3 March 2022.

PRELIMINARY VERSION

UNEDITED

14. Parliament of Canada, "[About](#)," *The Parliamentary Poet Laureate*.
15. In her testimony before CHPC, the Parliamentary Librarian said that the financial implications could be significant, especially when taking into account the potential implications of certain art forms. CHPC, [Evidence](#), 5 October 2023, 0935 (Heather Lank, Parliamentary Librarian).
16. CHPC, [Minutes of Proceedings](#), 5 October 2023.

