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(HANSARD)

Thursday, December 15, 2022

The Honourable GEORGE J. FUREY,  
Speaker

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## THE SENATE

Thursday, December 15, 2022

(Pursuant to rule 3-6(1) the Senate was recalled to sit at 10 a.m. on December 15, 2022, rather than 2 p.m., as previously ordered.)

The Senate met at 10 a.m., the Speaker in the chair.

Prayers.

[*Translation*]

### BUSINESS OF THE SENATE

**Hon. Raymonde Saint-Germain:** Honourable senators, with leave of the Senate, and notwithstanding rule 5-5(j), I move:

That, notwithstanding any provision of the Rules or usual practice, for today's sitting, the duration for Senators' Statements be 45 minutes, to be used for the purpose of paying tribute to our colleague the Honourable Senator Christmas, not including the time for his response.

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

**Hon. Senators:** Agreed.

## SENATORS' STATEMENTS

### TRIBUTES

#### THE HONOURABLE DAN CHRISTMAS

**Hon. Raymonde Saint-Germain:** Colleagues, I want to begin by greeting our colleague Dan Christmas's visitors who are with us today: his three children and two grandchildren. I also want to tell them how proud they should be of their father and grandfather.

It is with a heavy heart that I rise today to pay tribute to my esteemed colleague, Senator Dan Christmas, on his last day in this chamber.

[*English*]

It is indeed with a heavy heart that I speak today — heavy, because everyone who got to know Senator Christmas throughout the years can testify to the greatness of his spirit and his profoundly human character.

Dear Dan, for this, as well as for your undeniable qualities as a senator, you will be greatly missed. Since your appointment to the Senate in 2016, you have proudly represented the Mi'kmaq community as well as your province of Nova Scotia. However, we all know that your commitment to both go back far beyond your years as a senator.

Prior to your life in the Senate, you were already a leader and an organizer for the Membertou community and your people of Cape Breton Island. Indeed, they are happy to have you back full-time, and so are your three children and two grandchildren, who have many reasons to be proud of you as their dad and granddad.

If I had to describe Senator Christmas in only a few words, it would be as a man of heart and family. Due to fate, you had to make the choice to stay close to your people and fulfill your most important responsibilities — those to your family. While we are saddened to see you go, we can only admire the decision that you are formalizing today. As a very committed member of the Independent Senators Group, you have been a great pedagogue, a man of dialogue and mediation who, with a good reading of the environment, helped us work towards reconciliation and the understanding, as well as recognition, of important Indigenous issues.

Always a team player, a sound advisor and a very patient senator, it was truly a pleasure working alongside you. Please know, Senator Christmas, that you will be remembered within our group as a great connector between peoples.

As a member and Chair of the Standing Senate Committee on Indigenous Peoples, you have contributed to impactful studies that are more than necessary on the difficult road to reconciliation in this country. You will have left your mark on this committee, and we will do our best to pursue your legacy, knowing full well that we have big shoes to fill.

Senator Christmas, while we understand and respect your decision, it is still a loss for the Senate. However, I would rather see it as a gain for your family and your community. Today, they regain a natural leader and a great family man. I wish you, on behalf of all of the members of the Independent Senators Group, a happy retirement from the Senate of Canada.

**Hon. Senators:** Hear, hear!

**Hon. Patti LaBoucane-Benson:** Honourable senators, I rise today on behalf of the Government Representative Office to pay humble tribute to our colleague Senator Dan Christmas, who is leaving us at the end of January. While I personally consider his departure a huge loss for this institution, I understand why he must go home, because family is everything.

Senator Christmas took his seat in this chamber six years ago this month, the first Mi'kmaq senator to be sworn into the Senate of Canada. Prior to arriving here, he served as a leader in various positions in the Mi'kmaq nation of Nova Scotia. His work included active involvement in the implementation of Mi'kmaq Aboriginal and treaty rights in his province. His accomplishments and experience with and for his community in Nova Scotia were the perfect background for his work in the Senate. He brought a sense of calm to any and all situations, and his contributions during his time here have been many.

From my perspective, his chairmanship of the Standing Senate Committee on Indigenous Peoples during its study of Bill C-15, An Act respecting the United Nations Declaration on the Rights of Indigenous Peoples, was pivotal. He led hours of meetings that included the testimony of dozens of witnesses. Let's remember that UNDRIP had been adopted by the UN General Assembly in 2007. It was now, finally, before our Senate committee, 14 years later, and in the middle of the pandemic.

Dan's calmness, dignity and the respect shown to his colleagues and witnesses were infectious. It was impossible for any one of us to misbehave with him in the chair — we tried — no matter how long or how contentious those meetings were. Debates were polite, disagreements were tempered and resolutions were negotiated.

I give all the credit to Senator Christmas for steering us — and effectively steering Canada — to finally codify the objectives of UNDRIP.

On a personal note, Dan, I will miss your wisdom and quiet strength of purpose, and the Senate will miss a passionate envoy for the rights and concerns of First Nations, Inuit and Métis people.

I will conclude by quoting the man himself during his third reading speech on UNDRIP. He stated:

This matters, colleagues, so much to First Nations, Métis, Inuit, rights holders, treaty nations and most emphatically to the pursuit of true nation-to-nation relations. It matters, critically, to Canada, as it wrestles with how to move forward in peace and friendship with Indigenous peoples.

• (1010)

Dan, I — we — wish you peace and friendship as you move forward. *Hiy hiy.*

**Hon. Senators:** Hear, hear.

**Hon. Donald Neil Plett (Leader of the Opposition):** Honourable senators, I also rise today to pay tribute to our colleague Senator Dan Christmas. As has already been said, the Honourable Dan Christmas was the first Mi'kmaq member to be appointed to the upper chamber six years ago.

Colleagues, as Senator LaBoucane-Benson has already said, I'm most familiar with the work that Senator Christmas did in his role as Chair of the Standing Senate Committee on Aboriginal Peoples during the study of the United Nations Declaration on the Rights of Indigenous Peoples, or UNDRIP.

Senator Christmas, I must say that the way you conducted the debates impressed me and all of us. You were steady; you were fair. As Leader of the Opposition, I appreciated that.

Colleagues, I want to share a story with you: A few years ago, not long after Senator Christmas was appointed to the upper chamber, I happened to be travelling in Cape Breton. I was there to watch some curling. Now, as I often do, I had a great conversation with my cab driver as he was driving me to my hotel.

I recall our conversation well. As all good Canadians, we began to chat about the weather, and why I was in Cape Breton, but our conversation quickly took an interesting turn when the cab driver asked me what I did for a living. I said I was a senator from Manitoba.

Well, colleagues, let me tell you, this spiked his interest. It was quite a remarkable moment. The reaction was sudden. I was suddenly distinguished and famous, but not because I was a senator. Why? Well, the first thing that the driver asked me was, "Do you know Senator Dan Christmas?" When I acknowledged that I, in fact, did, that is all that he wanted to talk about the rest of the way to the hotel — telling me what a great individual Dan Christmas was, and a great representative for the Mi'kmaq and also for Cape Breton.

Senator Christmas, knowing you is what made me noteworthy to this individual. You truly were recognized as a positive influence on this individual and, accordingly, all residents of Cape Breton.

The distinguished recognition I received that day stayed with me all this time. It is only fitting that I share that appreciation with you today.

Although saying goodbye to you in this chamber may be sombre for us here in Ottawa, I trust that back home, you will make more people happy as they get opportunities to see you more frequently.

Senator Christmas, I know the last few years have been difficult for you since your wife and life partner passed away much too soon, but I wish you God's peace and blessings during this holiday season, as it is always when loneliness is felt the most.

Senator Christmas, it has been a privilege to work with you and to get to know you. On behalf of the Conservative caucus, I wish you the very best in your new adventures, and I hope and trust that you will be able to enjoy your fame back home. Happy retirement.

**Hon. Senators:** Hear, hear.

**Hon. Jane Cordy:** Honourable senators, it sometimes happens that we get so wrapped up in the day-to-day business of meetings, emails and telephone calls that it is easy for time to slip by. We must make a conscious effort to remember what we are here for: It is the voices and the people we are here to represent.

Senator Christmas, you have been nothing but exemplary in that position. I am so delighted to pay tribute to you today for your years of dedication to your community, and for your time here in the Senate. At the same time, I am sad that we will miss that strong Nova Scotian — well, that strong Cape Breton Membertou voice in the Senate.

Senator Christmas, you were the first Mi'kmaq senator to be appointed to the Senate. You must have felt a sense of pride, and perhaps just a little bit of pressure. Rest assured, you were more than up for the task.

Recognized for your work helping turn Membertou into one of the most successful First Nations communities in the country, Senator Christmas, you spent a lifetime advocating for Mi'kmaq Aboriginal and treaty rights in Nova Scotia. Your work did not go unnoticed. You received honorary degrees from Dalhousie University, Saint Mary's University and Cape Breton University; an honorary diploma from Nova Scotia Community College; and you received the National Excellence in Aboriginal Leadership Award from the Aboriginal Financial Officers Association of Canada.

Senator Christmas, I saw first-hand your commitment to the issue of treaty rights when we both worked, last spring, as members of the Senate Fisheries and Oceans Committee, and studied the issue of respecting and advancing the full implementation of Mi'kmaq rights-based fisheries. Your experience, and your knowledge, was invaluable to the committee.

Senator, your voice will be missed around the committee table. After your appointment to the Senate, Senator Christmas, you were quoted as saying that you felt like an ambassador of the Mi'kmaq Nation in Ottawa, which is very true, but we were also lucky to have you as an ambassador of the Senate of Canada in Cape Breton and in Membertou.

Ottawa can sometimes feel like it is very far away from those of us living in the regions. By opening your senatorial office in Membertou, you have helped to bridge the distance between your community and the Senate. I'm sure that for members of your community, it has been extremely important to have that point of contact.

Dan, you are the epitome of strong leadership. You are not loud, but you are forceful. You are thoughtful and measured. You are fair. You listen, and you are respectful. People want to work with you.

Dan, it has been a pleasure and a privilege to work with you and to get to know you over the last six years. On behalf of the Progressive Senate Group, I wish you all the best as you embark on the next chapter of your life.

By the way, I still intend to take you up on your offer to attend the Membertou powwow as your guest. Thank you.

**Hon. Senators:** Hear, hear.

**Hon. Dennis Glen Patterson:** Honourable senators, I am pleased and honoured, on behalf of the Canadian Senators Group, to pay tribute to Senator Dan Christmas — a gentleman and a gentle man whom I have been privileged to work closely with on the Indigenous Peoples Committee during his time in the Senate.

I first met Dan Christmas in May 2014 when the Aboriginal Peoples Committee visited his beloved home community of Membertou, Cape Breton, Nova Scotia, during our fact-finding study of housing on First Nations reserves. Dan described for the committee how his community had become transformed — and an economic powerhouse — by liberating themselves from the Indian Act. Membertou is the poster child for First Nations bands

across the country, and Dan Christmas, alongside Chief Terry Paul, clearly played a pivotal role over many years in that astonishing and inspirational success story.

I used the term “gentleman” to describe you, my friend, which resonates in my culture, but I also respect you as one who epitomizes all that I understand is meant by the term “respected elder” amongst Indigenous peoples: respectful and knowledgeable of culture and tradition; a good listener; and a wise, kind and compassionate man.

I have the highest regard for how you chaired our Indigenous Peoples Committee. You all know the important work of our committees is done by our steering committees. At the steering committee, Dan was always prepared. He had read and studied all the briefing materials and was lightning-quick to point out the salient points and omissions. As chair, he was scrupulously neutral and fair to all, showing respect and humour and always finding ways to bring us together to find common cause that we all could share.

• (1020)

These were important and difficult issues that we worked on, including Bill C-15, the implementation of the United Nations Declaration on the Rights of Indigenous Peoples, fighting and challenging the government to achieve gender equality under the Indian Act, a massive undertaking still not finished.

Senator Christmas — Dan — you have given those of us who have been privileged to work with you a shining example of what it means to be a senator and a strong voice for your Mi'kmaq people and your region. I know you are a devoted father and family man — the reason that you are leaving the Senate too early.

On behalf of the Canadian Senators Group, we wish you well on your next chapter close to home and family, knowing that you have inspired us by your example in our duties to minorities and regions of this great country. Thank you. *Qujannamiik*.

**Hon. Senators:** Hear, hear.

**Hon. Yvonne Boyer:** Honourable senators, I'm pleased to be here today to pay tribute to Senator Dan Christmas. We all know the impact that serving in the Senate can have on our families, especially those who must travel to Ottawa from far parts of the country. So today, I would like to begin this tribute by taking a minute to thank Senator Christmas's children, Peter, Lacey and Gail, as well as his grandchildren, Rawlin and Arya. To them, on behalf of all senators, I say thank you for sharing your father and grandfather with us and all of Canada. His work has truly made a difference, and we are beyond fortunate to have benefitted from his wisdom and contributions for all these years.

Senator Christmas's accomplishments during both his time in the Senate and his prior life just can't be fit into a three-minute tribute. Through his work on legislation to implement the United Nations Declaration on the Rights of Indigenous Peoples in Canada and as chair and deputy chair of the Standing Senate Committee on Indigenous Peoples, Senator Christmas played a

significant role in shaping some of the most important legislation impacting Indigenous peoples and, indeed, all of Canada. He leaves not just shoes but gigantic shoes to fill.

I would also like to take a minute to talk about Senator Christmas as a community leader — an advocate of the Mi'kmaq community of Membertou in Nova Scotia. He is so dedicated to his community and his people that he has spent his entire professional life serving them in countless different capacities. For instance, I had the opportunity to visit Membertou in July of 2019 to talk with his community about the issue of forced and coerced sterilization. As I'm sure all senators can imagine, meetings on this issue are difficult and emotional. Throughout this meeting and in the conversations afterwards, I was able to see just how connected he was with his community and the respect and admiration he gave them and that he, in turn, received from them.

Senator Christmas will be remembered for many things, but for me, I will remember how, more than anything else, he was always there for his community and ready to tackle the tough questions and help in any way that he could.

Now, after serving his nation and indeed all First Nations, Métis and Inuit across Canada, he can go back to focusing on the most important job of all, and that is being a father and a grandfather. *Chi-Meegwetch*, my friend. I wish you well.

**Hon. Senators:** Hear, hear.

**Hon. Brian Francis:** Honourable senators, I rise to pay tribute to Senator Dan Christmas. A proud Mi'kmaq from Membertou First Nation, Dan is a devoted family man and friend to many. He is also a known leader and advocate for his community and our Mi'kmaq nation.

As the first Mi'kmaq to be appointed to the Senate, Dan is a source of inspiration, pride and hope to me and countless others who never saw themselves represented on Parliament Hill. I am honoured to have followed in his footsteps two years later. More than a colleague, Dan is a friend and mentor whom I greatly respect and admire. I am fortunate to have worked closely with him to ensure the rights, interests and aspirations of the Mi'kmaq begin to be heard and acted upon in Ottawa.

We, for example, encouraged colleagues to join us in calling the federal government to advance the full implementation of the rights-based fisheries of the Mi'kmaq and other First Nations after more than two decades of failure.

I often joked that people call us “double trouble” due to our vocal critiques. It is also not uncommon for some to mix us up. While not all of us look alike, I take it as the highest compliment. Who would not want to be confused with someone as intelligent, handsome and charismatic as Dan?

**Hon. Senators:** Hear, hear.

**Senator Francis:** Colleagues, Carol, who worked for Dan for the past six years, told me she is blessed to have crossed paths with such an exceptional person. In reference to his retirement, she quoted a proverb that states, “We can make plans but the

Creator determines or directs our steps.” As Dan begins this next chapter in life, I know the Creator will continue to guide and protect him.

Colleagues, I will greatly miss Dan's presence and influence in the Senate but know that we will continue to work together for the benefit of our nation and all who live in Mi'kma'ki and beyond.

*Wela'lin*, Dan, for everything. You are one of a kind, and your contributions will continue to be felt. I wish you, your children, your grandchildren and the rest of your family all the best today and always. In the Mi'kmaw language, we do not have a word for goodbye. We say, “See you later.” So, Dan, *nemultes nitap*. See you later, my friend.

**Hon. Senators:** Hear, hear.

**Hon. Colin Deacon:** Honourable senators, I rise to pay tribute to this chamber's first Mi'kmaw senator, Senator Dan Christmas. Senator Christmas once reminded us of where he had come from and described his focus:

As an Indigenous Senator, I can tell you that realizing true reconciliation is a key component to Senate modernization and an increasingly independent Upper Chamber. For many of us, beginning real, frank, and open dialogue about the critical and destructive laws, conventions and institutions in Canada's history is essential to reconciliation between Canada and Indigenous peoples.

Senator Christmas knows of what he speaks. His home community of Membertou struggled to overcome the destructive constraints of the Indian Act and other systemic barriers. Their success was thanks to the fact that Senator Christmas, together with Membertou's other entrepreneurial community leaders, dared to opt out of the Indian Act and create their own self-governance and regulatory capabilities. The opportunity created by Membertou's leadership is often said to be a miracle. It was not a miracle. It was a product of leadership committed to adaptability, perseverance and accountability.

Here are just three examples from a countless list: First, to initially encourage major corporations to build facilities and services in their community, Membertou did the hard work of becoming ISO quality management certified. This foresight and overcoming the complex challenge of achieving this certification demonstrated the leadership's commitment to hold themselves accountable to global standards.

Second, just over 100 years ago, the people of Membertou were expelled from their ancestral land on the Sydney Harbour called the Kings Road Reserve due to the efforts of a member of Parliament. Remarkably, the community bought back their land in a commercial real estate transaction in 2016. I marvel at the perseverance and strategic brilliance that resulted in the community reacquiring its ancestral home.

Third, with the support of an innovative charity called Oceans North, Membertou is now leading the net-zero transformation of the fisheries sector. They recognized that about 70% of the

inshore lobster fleet works within 20 kilometres of the shore and so can be powered by battery electric systems. Membertou is demonstrating climate leadership by being adaptable.

Colleagues, we have been honoured to listen to, learn from and work with a key architect and enabler of this remarkable transformation.

• (1030)

Senator Christmas, your adaptability, perseverance, and accountability inspires us all, as does your graciousness, humility, and deep humanity. You've left a mark on us all. I want to sincerely thank you for your persistent dedication to entrepreneurship and excellence. I look forward to continuing to learn from you. You're right, Senator Christmas. It's about the children and the world we leave them. *Wela'lin*, Dan. *Wela'liog*.

**Hon. Kim Pate:** Thank you for the privilege and responsibility of allowing me to rise to express my profound admiration, appreciation, respect, awe, love and gratitude to and for our dear colleague and my beloved seatmate.

One month ago we celebrated one of your most recent recognitions, the awarding of your fifth honorary doctorate by Queen's University. Today, we have the challenging and somewhat heartbreaking task of honouring you as you take your leave of this place to which you have contributed your outstanding and unparalleled First Nations leadership and your countless contributions with and for Indigenous peoples that has always been rooted in the context of kindness, compassion and love, and always in such a calm, quiet, caring manner and so wisely.

When I first visited Membertou First Nation, it was with your cousin Junior Marshall, and the community was struggling on the brink of bankruptcy. Dan's leadership — your leadership — has been well recognized, as we just heard from so many, as the driving force in helping Membertou flourish into a thriving and vibrant community.

When I had the privilege of last visiting Membertou, you were incredibly and so characteristically generous and took the time to show me around and introduce me to the many folks who so warmly greeted their Senator Dan, whether in your home, Senate office at the mall, the cultural centre, anywhere and everywhere we ventured into the community.

Sitting beside you here and with you in the Indigenous Peoples Committee, I have learned and grown thanks to your brilliant interventions, quiet but oh-so-clear leadership, calm diplomacy and effective advocacy. I love how you are always guided by immense kindness, seemingly endless compassion and patience and your very generous heart.

You are the epitome of inspirational leadership, coalition building and courageous advocacy as all your life you have worked tirelessly to address the persistent challenges that too many face in the hands of discriminatory attitudes and systems that persist.

I'm so grateful to have had the opportunity to meet your beloved and so lovely and talented Dozay and your equally talented and fabulous children and precious grandchildren. Thank you for joining us here today, Peter, Lacey, Rawlin, Arya, Gail and wee Wastow. We owe you, all of your family and community, an immense debt of appreciation for sharing your spectacular *tata't* and *umijgamijl* with us for these last six years. We will miss him, his profound wisdom, his clear, kind, patient and thoughtful ideas and the incredible example and inspiration he is to each and all of us. *Wela'lin*, *chi-meegwetch*, thank you.

**Hon. Mary Coyle:** Honourable senators, family, friends of our retiring colleague, we gather today to celebrate Canada's first Mi'kmaq senator, the honourable, formidable and highly lovable Dan Christmas. Recently, while discussing Senator Christmas with Al Fleming, the word "gravitas" came to my mind. Gravitas was one of the ancient Roman virtues that denotes seriousness, dignity and importance and connotes restraint and moral rigour. It conveys a sense of responsibility and commitment to the task and in Ancient Rome was appreciated as an ideal characteristic in leaders.

Colleagues, Senator Dan Christmas, the intelligent, humble, kind and highly effective leader from Membertou in Unama'ki, embodies gravitas and inspires each one of us to be better people and to undertake our responsibilities, as he does, with wisdom and care.

In his 2017 Father Greg MacLeod Lecture, Dan said:

Perhaps the greatest thing I've learned is that to be an effective parliamentarian means having to speak truth to power.

Not by bellowing from a high horse, or prescribing from a position of power and entitlement . . . but by working diligently to provoke meaningful and pragmatic dialogue — not necessarily to dictate a litany of complaints about what is wrong but rather working with others to determine options for the right way forward.

Colleagues, Senator Dan Christmas came to us having had a successful career as a change maker and he heightened that trajectory here in Canada's upper chamber, contributing to positive change through his roles as Chair of the Standing Senate Committee on Indigenous Peoples; ushering into law Bill C-15, the foundational UNDRIP act; his effective sponsorship of Bill C-68, modernizing the Fisheries Act; his important work on the Mi'kmaq moderate livelihood fishery and many other contributions.

For us, Senator Christmas has a guide, a hand extended, helping to point us in the right direction.

In June 2021, remarking on the tragic discovery of the 215 unmarked graves in Kamloops, Dan said:

Today, Canada is a nation awash in a tidal wave of tears, and we must let them flow. Our people, my people and yes, your people . . . are steeped in grief and sorrow. We mourn our lost babies, our lost angels, our lost culture, our lost freedoms, the disassociation from our lands and traditions and the way that we must endlessly struggle to convince Canada to understand, to appreciate and to embrace who we are and to what we continue to aspire.

Senator Dan Christmas, you are, in Mi'kmaq, *Kepmi-de'Imut Nikan-es* — a highly respected leader. My friend Dan, your legacy is vast. We all thank you. I'm honoured to know you and I wish you and your beautiful family every happiness. *Wela'lin*, Dan.

### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Senator Christmas' children Peter, Lacey and Gail, as well as his grandchildren Rawlin and Arya.

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

**Hon. Senators:** Hear, hear!

### THE HONOURABLE DAN CHRISTMAS

#### EXPRESSION OF THANKS

**Hon. Dan Christmas:** What can I say? I wish to thank you, my friends and colleagues, for your many kind words about my time here in the Senate. One of the great benefits of serving in the Senate is the opportunity to meet and to work with so many senators from all parts of Canada, from all walks of life. Each of you is so gifted and talented in so many ways with a multitude of backgrounds and experiences that you are all truly a valuable asset for this great nation.

Before I go on, I would like to take a moment to explain to you my decision to leave the Senate well before my mandatory retirement date.

Three years ago, as was mentioned, my dear wife, Dozay, began her journey to the spirit world. I had at that time seriously considered resigning from the Senate. I had become the single parent of a 9-year-old girl and Wastow the dog. It was unthinkable for me not to be at home during her growing-up years.

However, a dear friend counselled me to take some time to think about it. As it turned out, a few months later COVID happened and we began hybrid sittings. It allowed me to be at home with my daughter and continue my work as a senator at the same time.

Of course, I knew that at some point in-person sittings would resume and then I would have to make that decision. I made that decision a few months ago. But I want to assure you, my dear colleagues, that my decision to resign had nothing to do with the work of the Senate or the opportunity to work with all of you. If my personal circumstances had been otherwise, I would have been very happy to continue to work with you.

Please don't think that my decision to be with my family is a difficult or challenging one. It is not. There is nothing more rewarding or satisfying in my life than being a father for my three children and a grandfather to my two grandchildren. I thoroughly enjoy being with them, and I look forward to raising my youngest daughter to adulthood.

• (1040)

One of the high points during my time in the Senate was being a member of the Aboriginal Peoples Committee, now called the Indigenous Peoples Committee, and the Fisheries and Oceans Committee. I had the pleasure of working with some outstanding chairpersons: first, former senator Lillian Dyck and, now, my friend and dear colleague Senator Brian Francis at the Indigenous Peoples Committee, and Senator Fabian Manning at the Fisheries and Oceans Committee. I can't thank each of them enough for their leadership, hard work and their strong sense of fairness. *Wela'liq.*

I especially enjoyed working with the Indigenous Peoples Committee. We had the pleasure of working with two outstanding analysts from the Library of Parliament, Sara Fryer and Brittany Collier. The committee had several clerks over the years, but when I assumed the chair in 2020, and Andrea Mugny was appointed as our new clerk, both of us learned on the job together rather quickly. Somehow, we managed to keep our heads above water. I certainly believe that Andrea will be a rising star in the Senate of Canada.

I also enjoyed being a member of the Indigenous Senators Working Group, which was first brought together by former senator Murray Sinclair back in 2018. I want to honour those who preceded me: Senators Patrick Brazeau and Sandra Lovelace Nicholas, and former senators Charlie Watt, Lillian Dyck and Murray Sinclair. I wish to thank the current members: Senators Marty Klyne, Dawn Anderson, Patti Laboucane-Benson, Mary Jane McCallum, Yvonne Boyer, Brian Francis and Michelle Audette. Unfortunately, we lost Senator Josée Forest-Niesing last year.

I thoroughly enjoyed our meetings and our many discussions during those meetings. I will certainly miss them very much.

I also want to express my deep appreciation to my two Mi'kmaq brothers here in Ottawa, Senator Brian Francis and MP Jaime Battiste. They always had my back, and they never hesitated to help when I needed their help — and believe me, I needed it. They are true brothers in every sense of the word. *Wela'liq.*

I also appreciated my time with the Independent Senators Group. I joined when the group was first being formed by the late Honourable Elaine McCoy in 2016. Since then, I have also had



the pleasure of working with two excellent facilitators, Senator Yuen Pau Woo and Senator Raymonde Saint-Germain. Thank you, colleagues, for allowing me to be part of your group.

I also want to acknowledge my staff who were with me from the very beginning: Alan Fleming, who was more like a brother to me; Carol Pereira, who managed my Ottawa office incredibly well; Karina Matthews-Denny, who looked after our Membertou office; and Rosalie Francis from Sipekne'katik, who provided sound legal advice along the way. How can I thank each of you enough? A senator is only as good as his or her staff. You certainly enabled me to do the best job that I could. *Wela'liog*. You are all amazing people.

And how can I thank my family enough for allowing me to do this work? I do not need to explain to you the incredible personal sacrifices that are made to serve as a senator: the long hours, the endless meetings, the many hours of travel and the weeks that we spend away from our loved ones. It is our families who bear the burden of our absences from home.

I lost my wife while I served here. I owe so much to my family: my son Peter; my daughters Lacey and Gail; and my two grandchildren Rawlin and Arya. I worked here with the time that I borrowed from their lives. I can't repay them for all that they have given me over these six years. The last three years were especially difficult for them and for me, but we made it and we are still very close. I look forward to the next part of our family journey, whatever that may be.

Colleagues, going forward, I wish nothing but the best for each of you. You will always be in my thoughts and prayers. I will continue to check on you from time to time to see how things are going. It is, and has been, the highlight of my life and career to have served with you in this place.

May our Creator bless each and every one of you. *Wela'liog*.

**Hon. Senators:** Hear, hear!

[Translation]

## QUESTION PERIOD

### FINANCE

#### CANADA'S INFLATION RATE

**Hon. Leo Housakos:** My question is for the government leader. Last week, I asked you a question about "Justinflation." In your answer, you quoted Scotiabank, which says, according to you, that your government did not create "Justinflation."

Allow me to quote the report in question, which is by economists Jean-François Perreault and René Lalonde. They state that ". . . it is also abundantly clear that pandemic support measures could have been rolled back more rapidly at the global level." They go on to say, ". . . the inflation outcome suggests that consolidation should have occurred at a more rapid pace."

According to these economists, it is clear that the Trudeau government did not end COVID measures quickly enough and that the inflationary spiral we're in is a direct result of their delayed response.

Senator Gold, when will you finally admit that "Justinflation" was created by the Trudeau government?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for the question. The Government of Canada is proud of the financial support it has provided to Canadians during the pandemic. The report you quoted clearly demonstrates that inflation was caused by multiple factors, the vast majority of which had nothing to do with the decision to provide assistance to individuals and businesses during this period, a decision that was supported by the opposition parties and the Senate. The Government of Canada remains proud and confident that it made the right decision in helping Canadians during this difficult time.

**Senator Housakos:** Senator Gold, clearly, you're saying that you are proud of how your government has managed public finances, but the fact is that it's been catastrophic, based on the results. We are facing record-high inflation.

The Scotiabank report that you love so much is entitled *Policy Missteps Taking Their Toll: Scotiabank's Forecast Tables*. Senator Gold, who do you think was in charge when those very serious policy missteps were taken?

• (1050)

**Senator Gold:** Thank you for the question. Every time you ask this question, I remind you that the Canadian economy is doing well, very well even, compared to other G7 developed countries. Furthermore, our standing in the financial sector, according to the organizations that evaluate our creditworthiness is very solid. I will repeat that the government did what any government must do when faced with an almost existential crisis for the economy and the lives of Canadians during this pandemic. The government will continue to do what is required to help Canadians.

## INTERNATIONAL TRADE

### SPREADING OF MUNICIPAL SEWAGE SLUDGE

**Hon. Claude Carignan:** My question is for the Leader of the Government.

Maine has adopted new regulations that prohibit the spreading of municipal sewage sludge. We are talking about sludge from municipal water treatment plants. To get rid of these substances, the sludge and biosolids are exported to Canada and spread on farmers' fields in Quebec.

International trade experts say that there is no rule prohibiting the import — or export, as the case may be — of municipal sewage sludge. What is the government planning to do to stop the importing of municipal sewage sludge? You can imagine what it contains.

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for the question. I will inquire with the government to better understand the issue and the direction the government plans to take on this. I will come back to the Senate with a response as soon as I have one.

**Senator Carignan:** Could you also ask whether there are existing studies on the potential impacts of using sludge from municipal treatment plants on the products consumed? Should we not exercise caution, given the uncertainty around the situation?

**Senator Gold:** Again, thank you for the question and the suggestion. I will add that to my inquiries.

[English]

## FOREIGN AFFAIRS

### CANADA-CHINA RELATIONS

**Hon. Yuen Pau Woo:** Senator Gold, in recent days, National Security and Intelligence Advisor Jody Thomas, Minister of Foreign Affairs Mélanie Joly, Minister of Intergovernmental Affairs, Infrastructure and Communities Dominic LeBlanc and other senior officials have confirmed that they are not aware of any alleged interference by China with respect to 11 candidates in the 2019 election. Even so, there is a witch hunt going on for the names of the 11 candidates as well as the identities of an unspecified number of campaign workers and political staffers who are also alleged to have been funded by the Chinese government.

It is no surprise that Chinese Canadians are among those who are most likely to be put under a cloud. What is the government doing to draw a line under this kind of irresponsible speculation?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question, Senator Woo, and for underlining the impact that this is having on the Chinese Canadian community.

Regrettably, as we know, there is a real concern about Chinese interference in our institutions. It has been underlined by the National Security and Intelligence Committee of Parliamentarians and by others, and, indeed, investigations are under way. It is gratifying to know that there is no evidence that the elections that have been recently held were anything but fair.

The concern you express is a real one. I know that investigations are under way, and in that regard, I'm not aware of the steps the government may be taking or considering to provide some assurance or comfort to those in the Chinese Canadian community who are feeling under the spotlight or under attack. Canadians should rest assured that the government is seriously investigating allegations, and at such time as those investigations are completed, more facts will be disclosed.

**Senator Woo:** The source of this allegation is a story by Global News that had no named sources and no subsequent validation by any other news outlet. Yet, the story has been repeated ad nauseam by other media and by members of both this

chamber and the other place. If the story is, indeed, bogus, it has done serious damage to our democracy. Indeed, this reporting should be understood as a kind of election denialism.

Why is the government not calling out this egregious example of disinformation?

**Senator Gold:** Thank you for the question.

As I said, the government is investigating these allegations, and until such time as those investigations are completed, it is not possible for the government to characterize the stories one way or the other.

Again, the government takes seriously not only the allegations but also the impact that they are having on the community, and investigations will continue.

### ECONOMIC SANCTIONS

**Hon. Donna Dasko:** Senator Gold, public opinion research commissioned by Senator Omidvar and myself and released this week finds that Canadians strongly support seizing the Canadian-held assets of those Russian officials who are waging war in Ukraine and those Iranian officials who are violating human rights in Iran, and then using these seized assets to assist victims.

In fact, in June of this year, as you know, senator, Bill C-19 enhanced two of Canada's sanction regimes, the Sergei Magnitsky Law and the Special Economic Measures Act, to go beyond freezing the assets of corrupt foreign officials in order to permit confiscating and redirecting those assets.

My questions are as follows, and I'd like to focus on how these tools are currently being used, particularly against the Russian perpetrators: Is the government using these new tools? What efforts are being made? What steps are being taken? And what plans are developing to repurpose these assets, for example, in possible reparations to Ukraine?

Thank you.

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question, senator. It's an important one.

Starting with the latter part of your question, the government is, as all senators know, using Magnitsky-style sanctions to put pressure on the Russian regime and hold them accountable, but the government now has new measures to go further, not only to seize but to allow for the forfeiture of the assets of the oligarchs and their companies. My understanding, senator, is that efforts are under way to implement the liquidation process, which would allow Canada to compensate victims and support reconstruction. These tools that are now available to us will make Canada a leader in the sanctions regime, if I can use that term, in the G7.

Even as the government is working to implement these tools, it is also taking analogous steps to assist Ukraine. I'll cite just one example: We know now that the Deputy Prime Minister and Minister of Finance recently announced that Canada will transfer

\$150 million in tariff revenues collected on imports from Russia and Belarus to repair Kyiv's power grid following the repeated and ongoing attacks by Russia on that.

This is just an example of the commitment Canada has both to hold Russia and its oligarchs to account and to use the tools that Canada now has to make sure that those assets are used both for reconstruction and assistance to Ukraine and for compensation to those who are harmed by the actions of Russia in its illegal invasion.

• (1100)

[Translation]

## CANADIAN HERITAGE

### DEVELOPMENT OF SOCCER IN CANADA

**Hon. Amina Gerba:** Honourable senators, my question is for the Government Representative in the Senate.

Senator Gold, for four weeks, the entire planet has been focused on Qatar to follow the World Cup of soccer, which is drawing to a close this weekend.

Here in Canada, we saw the excitement of Canadians, the feeling of coming together as a nation in complete solidarity with our national soccer team, *Les Rouges*.

In addition to helping improve Canadians' physical fitness, soccer has also promoted Canada abroad. This sport showcases the diversity of colours and origins of our people and our multicultural nature.

Given Canada's historical participation in the 2022 World Cup of soccer and the fact that Canada will host the World Cup in 2026 with the United States and Mexico, what is the Government of Canada doing to support this international sport that is not well developed in our country?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for the question. The government is very proud to be hosting the FIFA World Cup in 2026 in Canada with our North American partners, Mexico and the United States.

Support for sports in Canada involves many stakeholders, including the Government of Canada, the private sector, provincial and territorial governments, national multisport service organizations, or MSOs, national sport organizations, or NSOs, and Canadian sport centres and institutes.

As the major investor in Canada's amateur sport system, the Government of Canada plays an important role in that system. Through Sport Canada, the government develops programs and policies to help the sport system meet Canadians' needs. There are many funding programs that support high-performance athletes and Canadian organizations that host sporting events, including the Athlete Assistance Program, the Hosting Program, and the Sport Support Program.

I will point out that under the Sport Support Program, the government has committed \$60 million over two years to assist national organizations that currently receive funding and that are struggling financially to implement their programs and services as a result of the COVID-19. Also, there is up to a maximum of \$6 million in 2021-22 to assist Olympians and Paralympians with travel costs associated with competition requirements.

**Senator Gerba:** Senator Gold, thank you for your response. In 2020, our women's soccer team won gold at the Olympics.

On December 5, two former Canadian women's soccer players, Christine Sinclair and Diana Matheson, announced the creation of a professional women's soccer league in Canada in 2025. What kind of support can women's soccer expect from the government to develop the sport in this country?

**Senator Gold:** Thank you for the question. The government is very proud of our female athletes.

I want to note that, in Budget 2018, the government announced that it would strive to achieve gender equality in sport at every level by 2035 and allocated \$30 million over three years to that end.

I would also note that, in Budget 2021, the government committed \$1.9 billion to support the sports sector to encourage growth and contribute to creating good jobs for the middle class.

The Government of Canada continues to work with all sports partners in order to ensure that we collectively create a safe, inclusive sports environment.

As far as women's soccer is concerned, I would be happy to follow up with the government and come back with a response for the chamber.

[English]

## IMMIGRATION, REFUGEES AND CITIZENSHIP

### CANADA-RUSSIA RELATIONS

**Hon. Percy E. Downe:** My question is for Senator Gold. I'm not asking my usual question about written questions not being answered. I have something new to end this session, Senator Gold.

In addition to the Government of China trying to undermine Canadian democracy by having, apparently, alleged police stations on our soil and interference in elections, we also have the Russians. In the 1980s, the then Soviet Union slipped two spies into Canada, stealing the identities of two deceased Canadian children in the process, with this country serving as a way station as they moved towards their goal, which was the United States — undercover sleeper agents waiting to be activated to serve their mother Russia.

The fake Canadians, Donald Heathfield and Tracey Foley, were actually Andrei Bezrukov and Elena Vavilova. When these spies were living in Canada for many years to establish their cover stories — by attending university and having an employment history — the couple had two children.

In 2010, after they moved to the United States, they were among 10 Russian agents caught by the FBI, and they were expelled back to Russia, where they were showered with honours by President Putin and given important positions in their intelligence service.

Why is the Government of Canada continuing to allow these two children, who are now adults, to travel the world as Canadian citizens with Canadian passports, given their citizenship is built on a foundation of lies due to the deceit of their parents? Can their citizenship be revoked?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for raising the issue, and for your question. I will have to make inquiries with the government with regard to this. Normally, as you would know, even if I had the answer, I am not sure that it would be appropriate to deal with matters regarding individual cases. I do not know the situation, and I will have to make inquiries.

**Senator Downe:** I appreciate that, Senator Gold. I look forward to hearing your answer.

You should also be aware that when the American FBI was investigating their parents, they overheard a conversation in the family home — by bugging the home — that the spy children were actually prepared to serve Russia as well.

As I said, these children, with their Canadian passports, are now adults. They can travel anywhere in the world, except the U.S. which will deny them entry. Indeed, they can move to Canada with full protection and rights — free from any restrictions — to operate on behalf of Russia.

Even if they do not want to spy for Russia, would Putin give them any choice, or would they fall out of a window? They might have no choice, but Canada has one: The choice is to adopt what the United Kingdom has done, and recognize the new reality that we are in — that Canada has enemies, like China and Russia, that are trying to undermine our democracy. The United Kingdom passed legislation that if citizenship was obtained by fraud, it can be revoked. Canada should get with the times, and adopt a similar initiative in this case.

**Some Hon. Senators:** Hear, hear.

**Senator Gold:** Well, thank you. Canada is clear-eyed about the threats that certain countries, including Russia, pose to our democracy.

It is not evident from your question, and I certainly do not have the facts, whether the children to whom you refer obtained their citizenship by fraud. As I said, I do not want to presume that which I do not know. I will make the inquiries, and to the extent that I am able to report back, I shall.

## PRIME MINISTER'S OFFICE

### ETHICS AND TRANSPARENCY

**Hon. Leo Housakos:** My question is for the government leader, and it is regarding an area that the Liberal Trudeau government excels in: breaking the Conflict of Interest Code for Members of the House of Commons. This week, the Conflict of Interest and Ethics Commissioner reported to the Parliament that Minister Mary Ng breached the code on two occasions: She gave out two contracts to a Liberal Party insider and a personal friend — tens of thousands of dollars — without any due process.

• (1110)

I know, for independent Senate colleagues who have not been in Parliament that long, there is a general sense in the new Trudeau government that this is acceptable, but in the Westminster parliamentary system, the tradition up to 2015 was that a minister who behaved in an egregious fashion and broke the ethics code was actually held accountable. That's a foreign idea here with the Trudeau government.

So, the question is simple, government leader: When will Prime Minister Trudeau fire Minister Ng for breaking the ethics code?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. First of all, the government would like to thank the commissioner for his important role in ensuring the transparency and accountability of our institutions. As the report indicates, Minister Ng has taken full responsibility for her actions. She has stated that she should have recused herself and she has apologized for not doing so.

I am assured that at no time was there any intention for anyone to benefit inappropriately. The minister has high personal standards for transparency and accountability, and Canadians have every right to expect that. The minister has apologized, and it will not happen again.

**Senator Housakos:** Senator Gold, I am happy that the government thanks the commissioner for doing his work. All of Parliament thanks the commissioner for doing his work.

Now, we do not need the Prime Minister to thank the commissioner for doing his work. We need the Prime Minister to start doing his work. At the end of the day, in Parliament, we have a responsibility to ensure that ministers behave in the most ethical fashion. When they don't, this is not kindergarten, where you show up to the principal's office and apologize and promise not to do it again. We're talking about taxpayers' money and the code of ethics of this Parliament and this government.

When will this government start doing its job? Or is the real problem here that the Prime Minister can no longer hold ministers to account because he has breached the code on a couple of occasions, and it would be rather hypocritical for him to get rid of ministers for breaching a code that he has breached? Is that in itself the problem, government leader? How do we address that problem?

**Senator Gold:** No, that is not the problem. Thank you for your question. The minister has apologized and the Prime Minister has accepted the apology.

## PUBLIC SAFETY

### FOREIGN INFLUENCE IN CANADA

**Hon. Leo Housakos:** Clearly, we acknowledge that this government is corrupt and is unwilling to take responsibility for its egregious behaviour.

My next question, to which I hope to get an answer, has more to do with incompetence. It is a follow-up question to Senator Downe's question, and we have asked this on a number of occasions. We have seen how the world has become more and more dangerous. We see how democracy is more at risk today than it has ever been. Foreign influence is a real problem on social media. Our institutions are being influenced, academic, political, cultural and otherwise. What is your government doing to combat foreign influence in our institutions and in our country? What are your concrete actions?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. The allegation that this government is corrupt is unacceptable and not worthy of His Majesty's loyal opposition, even in this chamber.

That said, I have said on many other occasions that the government is taking all measures necessary to protect Canada from foreign interference. That includes appropriate investigations not only by the RCMP but also by our security forces. The leaders of those governments are being held to account through the imposition and escalation of sanctions, through demanding answers from their representatives in this country. It will continue to do that which is necessary to protect our institutions.

Happily, Canada has a very robust security system, and measures are in place to protect the integrity of our elections and our institutions. This government will continue to work to strengthen those institutions and apply them with their full vigour to protect the interests of Canadians.

**Senator Housakos:** Senator Gold, it is not me calling this government corrupt. It is the Ethics Commissioner, who on a number of occasions has spoken about the Prime Minister and ministers breaching the code. For that matter, it is the former Minister of Justice, who had to resign when she tried to hold the government to account. It seems that Minister Wilson-Raybould was the only minister who was held to account because she spoke the truth and she got fired.

Back to your weak answer in regard to foreign interference and foreign influence, the truth of the matter is that this is a problem that has been festering and growing over the last two years, government leader. Up until a week ago, it has not been addressed at all by your government. We have legislation in this chamber that has been lingering, and the government has put it on ice.

The government has not taken any legislative action in order to combat foreign influence, other than a statement a couple of weeks ago by the Minister of Public Security saying that it is something that they will study and review in the new year. Your minister said that in a press conference.

Why has it taken so long for this government to take concrete action? The only promise we have received is, "We're going to review it in the new year." That is the question. The question is when we will see action rather than talking points.

**Senator Gold:** Well, it must be comforting to be able to offer simplistic analyses on complex issues. As everyone in this chamber knows, or I think should know, many measures are taken beyond introduction of legislation to protect our institutions. This includes, as I have said, the robust work of our intelligence agencies, the robust work of our law enforcement agencies and the diplomatic efforts that continue to take place. Canadians should be assured that this government takes those responsibilities seriously, and it's using all tools available to protect Canadian institutions and interests.

## FISHERIES AND OCEANS

### GREAT LAKES FISHERY COMMISSION

**Hon. Jane Cordy:** Honourable senators, for 68 years, the Great Lakes Fishery Commission worked in partnership with Ontario, with eight Great Lakes states and some 40 Indigenous governments, with countless academic stakeholders and with the federal governments here and in the United States. Their objectives are mandated in a binational treaty, but now this positive legacy is under threat. Canada has failed to fund this work at the agreed-upon levels, and our U.S. partners are very frustrated with Canada.

Last month, the U.S. section walked out because Canada has failed to deliver on its promises. The U.S. section said it would not return until Canada funds the commission at the agreed-upon levels. The Great Lakes Fishery Commission is an essential tool for our binational relationships.

Senator Gold, the government promised \$19.6 million in Budget 2022, which we passed and voted on, to fund the Great Lakes Fishery Commission, but why has the Department of Fisheries and Oceans withheld the promised funds to the commission? Thank you.

**Hon. Marc Gold (Government Representative in the Senate):** Honourable senators, I don't know the answer to that. I am glad the funds were allocated. I will make inquiries.

## ORDERS OF THE DAY

### BUSINESS OF THE SENATE

**Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, pursuant to rule 4-13(3), I would like to inform the Senate that as we proceed with Government Business, the Senate will address the items in the following order: third reading of Bill C-32, Bill C-36 and Bill S-11; followed by all remaining items in the order that they appear on the Order Paper.

### FALL ECONOMIC STATEMENT IMPLEMENTATION BILL, 2022

#### THIRD READING—DEBATE

**Hon. Tony Loffreda** moved third reading of Bill C-32, An Act to implement certain provisions of the fall economic statement tabled in Parliament on November 3, 2022 and certain provisions of the budget tabled in Parliament on April 7, 2022.

He said: Honourable senators, I'm honoured once again to speak to the government's proposed legislation that seeks to implement certain provisions of the fall economic statement, as well as certain provisions of the budget tabled in Parliament last spring.

Two days ago, at second reading, I spoke at length on some of the main measures contained in Bill C-32. Today, at third reading, I will focus my remarks on two issues that raised some concerns in committee and on which I said I would further elaborate.

The first issue is subparagraph (g) under "Summary," which says Part 1 will implement additional reporting requirements for trusts, and the issue of solicitor-client privilege. The second issue is found in Division 3 of Part 4, which focuses on the *Framework Agreement on First Nation Land Management Act*.

Regarding Part 1, Summary, subparagraph (g) and trusts — as I explained on Tuesday, with Bill C-32, the government hopes to improve the collection of beneficial ownership information with respect to trusts by proposing to require that trusts provide additional information on an annual basis to the Canada Revenue Agency.

• (1120)

Currently, a trust that does not earn income or make distributions in a year is generally not required to file an annual T3 return of income. This will now change with Bill C-32.

In addition, where a trust is required to file a return of income, the trust would be required to report the identity of all trustees, beneficiaries and settlors of the trust, as well as the identity of each person who has the ability to exert control over trustee decisions regarding the appointment of income or capital of the trust.

The government is proposing these amendments to help CRA acquire sufficient information to determine taxpayers' tax liabilities and to effectively counter aggressive tax avoidance as well as tax evasion, money laundering and other criminal activities.

Collection of this information would also be consistent with Canada's international obligation in relation to transparency and beneficial ownership. This point was reiterated by Minister Freeland when she appeared before our committee a week ago today. She said:

... from my perspective, doing a much better job than Canada has done hitherto to on beneficial ownership is really important. That is an important part of tax fairness. It is an important part of Canada coming up to the standard of our international peers. I am a big champion of the work that we are doing on beneficial ownership.

It is also worth pointing out that general trust accounts of lawyers are exempt from these reporting requirements.

The rules also expressly provide that the new reporting requirements do not require the disclosure of information that is subject to solicitor-client privilege. This blanket exclusion was added to the legislation and can be found at line 3 on page 59 of Bill C-32.

The provision reads as follows:

For greater certainty, subsections (1.1) to (1.3) do not require the disclosure of information that is subject to solicitor-client privilege.

The Department of Finance told us that this blanket exemption was added in response to concerns raised by the Canadian Bar Association — the CBA — and other lawyers. Indeed, both the Canadian Bar Association and the Federation of Law Societies of Canada have expressed concerns regarding the constitutionality of this new reporting requirement. The CBA argues that the amendments "... would not withstand constitutional scrutiny given the jurisprudence from the Supreme Court of Canada." The CBA also told us that the proposed reporting obligations for client-specific trust accounts are inconsistent with section 8 of the Canadian Charter of Rights and Freedoms.

As for the federation, it believes that:

... this blanket provision is ambiguous and not sufficient to prevent the likely breaches of the privilege as legal professionals attempt to comply with the obligation to report information on separate trust accounts. ...

In its Charter statement, the Minister of Justice acknowledged that this new requirement to provide information about trusts "... potentially engages section 8 of the Charter." However, the statement goes on to say that:

... the Minister has not identified any potential effects that could constitute an unreasonable interference with privacy as protected by section 8 of the Charter.

I obviously cannot speak on behalf of the minister or the government, but I would simply propose that the blanket exemption that addresses solicitor-client privilege ensures this privilege is upheld, and that no obligation is being put on lawyers to undermine their compliance with duty to their clients.

Minister Freeland told us that she is very confident that the provision is constitutional and that her department went over this issue in a lot of detail. They have consulted and they feel that they have struck the right balance.

In response to my question, she could not have been any clearer, when she said, “We are confident that there is no requirement to disclose solicitor-client privileged information under this measure.”

Last week, our National Finance Committee was lucky to have officials from the Department of Finance reappear before us to answer any outstanding questions. I asked Ms. Lindsay Gwyer, Director General of Legislation, to provide us with additional information on the matter. She stressed that the government consulted widely and explained that the broad exemption for solicitor-client privilege was included to take into account the Supreme Court decision that interpreted solicitor-client privilege broadly.

The exemption is in direct response to the court’s decision and stakeholder interventions to ensure that these rules will allow lawyers to not report any information that is under a broad interpretation determined to be solicitor-client privilege, as Ms. Gwyer stressed:

. . . the exceptions that we do have in the regulations are intended to find that appropriate balance between completely exempting any trust account that any lawyer could ever set up and providing targeted exceptions and clarifying that solicitor-client information does not need to be provided.

Colleagues, I am not a lawyer, but I have consulted with some of our Senate colleagues who are lawyers, and they agree with the government’s position on the matter.

In the end, I would simply add that I agree that solicitor-client privilege is essential to the proper administration of justice in our country. The government agrees, and it feels it struck the right balance in protecting this privilege with the blanket exemption provided in the bill.

I would now like to shift attention to Division 3, Part 4 of the bill that deals with the First Nations Land Management Act. Our colleagues Senators McCallum, Francis and Patterson spoke on this issue already. I will not repeat everything that they have said and the chronology of events, but allow me to provide you with some additional context on the matter.

As honourable senators know, for most First Nations, reserve lands are managed by Canada according to the Indian Act. The *Framework Agreement on First Nations Land Management* enables participating First Nations to enact and administer their own land codes and move out from under the application of the land-related sections of the Indian Act. This framework agreement was ratified in legislation in 1999. Today, nearly

25 years later, the government is proposing new legislation to ensure that the framework agreement becomes the central authority through which First Nations govern their lands. Some confusion and inconsistencies exist in the current act that necessitated some cleaning up. Bill C-32 is doing just that and making the framework agreement the overarching or controlling document where one needs to look for the law on this subject.

The proposed new legislation found on pages 144 to 155 in Bill C-32 was co-developed with the Lands Advisory Board, the Indigenous organizations that represent First Nations who are signatories to the framework agreements.

The government contends that replacing the First Nations Land Management Act would modernize the First Nations land management process to better align legislation with the needs and expectations of signatory First Nations and to recognize the First Nations-led nature of First Nation land management.

As I mentioned on Tuesday, the proposed legislation is supported by the 194 First Nations across Canada, most of which are in the development process or operational under the act.

As ably summarized by Ms. Roxanne Gravelle from Crown-Indigenous Relations and Northern Affairs Canada before our committee, the new bill:

. . . will be shorter, simpler and will point to the Framework Agreement on First Nation Land Management as the central authority under which First Nations transition away from the Indian Act for 44 land-related provisions. . . .

It is really shortening the process and reducing bureaucracy involved in making changes to this framework as First Nations communicate them and advocate for them through the Lands Advisory Board. . . .

Now I will take a brief moment to address concerns expressed by MKO — the Manitoba Keewatinowi Okimakanak — which generated much interest among us. Senator Patterson reminded us that the brief that senators received from MKO included strong language about the gaps in enforcement of bylaws created using the authorities granted to First Nations communities by the First Nations Land Management Act, and that coordinating amendments to various related legislation was suggested by MKO in an effort to address these major concerns about enforcing the provisions of the new First Nations Land Management Act.

Last week, Ms. Gravelle explained to our committee when they started working on the drafting of the bill, their objectives were to simplify the legislation and to reinstate “. . . the framework agreement as the central authority under which First Nations govern their lands.”

She clearly said that they did not have policy authority to go beyond the scope of the existing legislation. The government acknowledges the concerns raised by MKO over enforcement and recognizes there are some challenges. It is Ms. Gravelle’s understanding that the Lands Advisory Board is engaging the signatory First Nations on enforcement specifically. In fact, she even suggested that Bill C-32 will give the framework agreement force of law and it will allow the Lands Advisory Board the

ability to actually implement the solutions or changes a lot more easily instead of coming forward with complex legislative changes.

• (1130)

In my view, MKO has legitimate concerns that deserve greater attention, and I would respectfully suggest that parliamentarians may not, at this late hour, be best equipped to advance MKO's demands without fulsome debate. Additionally, the amendments proposed by MKO to the Royal Canadian Mounted Police Act and the Director of Public Prosecutions Act may be a bit out of scope at this time, considering the fact that these two acts are not even addressed in Bill C-32. They are valid issues, but perhaps they would be best addressed through other channels.

As I mentioned on Tuesday, in a letter dated December 9, Chief Robert Louie, Chair of the Lands Advisory Board, confirms that they are generally supportive of MKO's position and efforts on First Nation law enforcement, but they are not able to support any amendment to the act at this time for the following reasons:

We do not have the approval of the signatories to the Framework Agreements to make any changes to the FAFNLMA wording . . . [and] Amendments to the Act would create an inconsistency with the guiding Framework Agreement document, which is to say there is nothing in the Agreement now that addresses or refers to the RCMP or Public Prosecutions legislation.

Chief Louie adds that the board hopes to continue to support and work with MKO, and is:

. . . proposing to continue its joint work on enforcement with Provinces and the Federal government and to continue to obtain its direction from signatory First Nations regarding any appropriate changes to the Framework Agreement.

Chief Louie writes — and I agree — that:

. . . granting amendments to the [Act] before seeking First Nation approval is counterproductive to the mutual respect and nation to nation relationship we have worked so hard to build and maintain since the signing of the Framework Agreement in 1996.

To summarize, I will offer two final points. First, the changes proposed in Bill C-32 were co-developed and unanimously supported by all signatories of the First Nations Land Management Act. This is what they want. Second, the amendments that MKO are calling for are legitimate and deserve greater attention, but I would advance that Bill C-32 is not the way to go about seeking these changes. In fact, some might even argue that it would go against advancing reconciliation and supporting First Nation self-determination.

In conclusion, honourable senators, I hope the explanations I have provided on these two matters will give you confidence in voting in favour of Bill C-32. By no means am I suggesting that we disregard the concerns raised with respect to the Land Management Act or the reporting requirements for trusts. Rather,

I think these are valid concerns that should be closely monitored, but I feel that the government has done its due diligence and I am happy to vote in favour of the passage of this bill.

Before I wrap up, I want to thank, once again, our colleagues on the National Finance Committee for all their hard work in properly reviewing the bill and, ultimately, in adopting it without amendments yesterday morning. Thank you.

A big thank you to all the witnesses who appeared before our committee, too. I was particularly impressed with our government officials. On behalf of all Canadians, I thank them for everything they do. It's often thankless work, but I certainly appreciate it when they come before our committees and answer tough questions from senators.

I also wish to extend my gratitude to the administrative staff associated with our committee, including our clerk, Mireille Aubé, and Tracy Amendola, her assistant. We appreciate all you do in the background.

Finally, I will take this opportunity afforded to me to wish you all a very happy holiday season, and I hope you will all enjoy some good quality time with family and friends.

Colleagues, I thank you for your attention and I hope we can adopt this bill today. Thank you.

**Hon. Mary Jane McCallum:** Honourable senators, I rise again to speak to Bill C-32, the Fall Economic Statement Implementation Act, 2022, with specific reference to Part 4 of Division 3, that being the Framework Agreement on First Nations Land Management Act.

The June 2021 report entitled *Collaborative Approaches To Enforcement of Laws in Indigenous Communities: Report of the Standing Committee on Indigenous and Northern Affairs* stated that:

The ability of First Nations to enforce their laws and by-laws on their lands is key to self-determination and self-government. However, many communities face barriers in having their laws and by-laws enforced. . . .

The committee acknowledges that this is a complex issue, and that identifying the barriers to enforcing First Nations laws and by-laws is challenging. What is clear, however, is that addressing it requires significant collaboration between First Nations federal departments and agencies, and provinces/territories. There is no "off-the-shelf" solution, and any response must be distinctions-based and recognize the need for individual communities to craft their own solutions, as desired, in order to respect their inherent rights.

Honourable senators, as this framework agreement has come to us for scrutiny through Bill C-32, we become a link in this significant collaboration with First Nations. We must also act in a way to respect their inherent rights and to support their self-determination and self-government. Our main function in the Senate is to hear their voices for ourselves so we can influence the Government of Canada to act now and ensure that we in the Senate do not leave the First Nations leadership in Manitoba in stranded regimes.



For the Senate to leave them in limbo is irresponsible, but not doing a fulsome study is egregious. Essentially, we are knowingly leaving them in a gap that puts First Nations leaders in a vulnerable position. As Senator Loffreda just said, it deserves greater attention, but we're at a late hour.

In the report about the effect of lack of enforcement on First Nations, Chief Robert Louie, Chairman of the First Nations Lands Advisory Board states:

We urge this committee to sound the alarm by pointing out how much damage is being caused by the failure to enforce First Nations laws.

The least we in the Senate could have done was to sound this alarm, make recommendations, and confirm and support the recommendations brought about by the report. But the Senate didn't give itself enough time to hear from witnesses.

I know there has been much talk about an amendment, and I don't know why people thought that there were amendments coming. When you talk like that, you are muddying the waters.

#### MOTION IN AMENDMENT NEGATIVED

**Hon. Mary Jane McCallum:** Therefore, honourable senators, in amendment, I move:

That Bill C-32, An Act to implement certain provisions of the fall economic statement tabled in Parliament on November 3, 2022 and certain provisions of the budget tabled in Parliament on April 7, 2022, be not now read a third time, but that it be referred back to the Standing Senate Committee on National Finance for further study.

**Hon. Patti LaBoucane-Benson:** Honourable senators, I won't speak for long. I just want to make two quick points.

First, I want to thank Senator McCallum for giving voice to the views of her constituents with passion and unwavering dedication to Indigenous Manitobans. Second, I want to remind honourable senators that the part of Bill C-32 that deals with First Nations land management is a really good thing. It's a bright light in the evolving relationship between Canada and First Nations.

• (1140)

Since the 1990s, 194 First Nations have signed on to an agreement with the government to opt out of the Indian Act's land management provisions and take back control of their territory. For over 20 years, there have been inconsistencies between the agreement and the federal act intended to implement it.

In fact, Senator Christmas helped us to understand that at our Indigenous Peoples Committee meetings.

Bill C-32 will finally clear up those inconsistencies and give the agreement full force of law.

The co-development process leading up to Bill C-32 was extensive and exemplary. As we heard at the Indigenous Peoples Committee from the Lands Advisory Board, which represents the

194 signatory nations, the process unfolded over many months. It was Indigenous-led. This bill, as currently drafted, reflects the approach that those 194 First Nations collectively endorsed.

Our study of Bill C-32 at the Indigenous Peoples Committee was expeditious, but it was not cursory. In fact, the issue being raised by Senator McCallum on behalf of Manitoba Keewatinowi Okimakanak Inc., or MKO, the enforcement of First Nation laws, was explicitly discussed.

After leaders of the Lands Advisory Board testified and gave their enthusiastic endorsement to this part of Bill C-32, Senator Hartling asked, "If the bill passes, what are the challenges to be tackled in the area of First Nations governance?"

This was the response the board chair, Chief Robert Louie of the Westbank First Nation in B.C., gave:

We have a lot of work to do in the future. A couple of issues that we're working on right now are enforcement — having First Nation laws enforced.

We have come to find out over the last 20-plus years that Canada and the RCMP are not readily backing and enforcing First Nation laws that First Nations have passed. It's an issue that is bubbling. It's something that we didn't quite expect at the outset —

— that meaning 25 years ago —

— but we're working now with Canada and with provinces and with Attorneys General both at the Canadian and provincial levels to deal with this issue.

Our committee was very much aware of the matter. It's a matter of great significance and, as Chief Louie explained, it's a subject of discussions currently happening between First Nations and various other levels of government.

This is how the issue should be resolved — through a process of diligent and direct engagement, just like the process that led to the bill we have before us now.

Honourable senators, in our observations about Bill C-32, the Indigenous Peoples Committee wrote that the co-development process for this bill "provides a model for the co-development of future legislation related to First Nations self-government."

I wholeheartedly agree. An exemplary co-development process has taken place. All 194 signatory First Nations were involved. We should not send this bill back to committee. On the contrary, we should adopt it today and finally give full force of law to the agreement that was signed 25 years ago so that First Nations can have real control over their land.

I urge honourable senators to oppose this motion and support Bill C-32.

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

**Senator McCallum:** Yes, I do. There has been talk about the 194 signatories. However, as I said — and this came from the report from the other place — in the bill there is no off-the-shelf solution. Any response must be distinctions-based and recognize the need for individual communities to craft their own solutions as desired in order to respect their inherent rights.

What did the voices that were outside these 194 signatories tell you about how they're going to be proceeding with their own framework?

**Senator LaBoucane-Benson:** Thank you for that question. My understanding is that this very important issue will be resolved between First Nations in their own negotiations at the land management board setting. The whole idea of this bill is to give them full force of law and the power to make those decisions. From my understanding, the government has been walking beside them in their desire to make the changes that they need.

Having talked to Chief Louie, I feel comfortable that the executive of the Lands Advisory Board understands the issue. They're working with MKO. They're in discussions with them. The problem has to be resolved for the enforcement of First Nations laws, with the provinces, with the RCMP and with the federal government as well. From my understanding, they're bringing all those people to the table, with MKO and other First Nations that have the same issue, to talk about the enforcement of land code.

**Senator McCallum:** I am bringing these issues to the floor from MKO. I know that they have been talking to the land board, but they still want to express this. They're still expressing their concern. So they're not working together. Everyone has concerns about this bill, especially because it involves two other acts that need to be addressed if this is there.

People have always said people are collaborating; they're working together. Yet, we continually hear that they only speak to specific groups. My concern is that this has been brought forward for MKO. This is their voice. I think we need to appreciate that and not lessen or silence their voice.

**Senator LaBoucane-Benson:** I don't know if there was a question, but I thank you for that. I do think we all need to keep MKO's concerns in the forefront of our concerns.

I also know that the government is currently consulting on a First Nations police act. When we finally do get that act in this chamber, we will have an opportunity to robustly discuss the issue of enforcement of land code, as well as other Indigenous laws, and the way that unfolds in Canada. I agree; those concerns are important.

[ Senator LaBoucane-Benson ]

**Senator McCallum:** In the speech that I gave the other day, I was setting up the context for this speech about the pre-studies and about how fast legislation is going through. That is part of the problem. It needs to be noted that proper attention was not given. It was rushed through.

**Senator LaBoucane-Benson:** I thank the honourable senator for her comment. However, it's outside of my purview to decide pre-studies. I'm just a lowly liaison standing here. It's outside of my purview.

**The Hon. the Speaker pro tempore:** Are honourable senators ready for the question?

**Hon. Senators:** Question.

**The Hon. the Speaker pro tempore:** In amendment, it was moved by the Honourable Senator McCallum, seconded by the Honourable Senator Patterson (*Nunavut*):

That Bill C-32, An Act to implement certain provisions of the fall economic statement tabled in Parliament on November 3, 2022 and certain provisions of the budget tabled in Parliament on April 7, 2022, be not now read a third time, but that it be referred back to the Standing Senate Committee on National Finance for further study.

**Some Hon. Senators:** No.

**The Hon. the Speaker pro tempore:** All those in favour, please say "yea."

**An Hon. Senator:** Yea.

**The Hon. the Speaker pro tempore:** All those against, please say "nay."

**Some Hon. Senators:** Nay.

**The Hon. the Speaker pro tempore:** The motion is defeated.

(Motion in amendment of the Honourable Senator McCallum negated, on division.)

### THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Loffreda, seconded by the Honourable Senator Sorensen, for the third reading of Bill C-32, An Act to implement certain provisions of the fall economic statement tabled in Parliament on November 3, 2022 and certain provisions of the budget tabled in Parliament on April 7, 2022.

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

**Some Hon. Senators:** Yes.

**Some Hon. Senators:** No.

**The Hon. the Speaker pro tempore:** All those in favour, please say “yea.”

**Some Hon. Senators:** Yea.

**The Hon. the Speaker pro tempore:** All those opposed, please say “nay.”

**Some Hon. Senators:** Nay.

**The Hon. the Speaker pro tempore:** I believe the “yeas” have it.

*And two honourable senators having risen:*

**The Hon. the Speaker pro tempore:** Do we have agreement on a bell? A 15-minute bell?

**An Hon. Senator:** A 10-minute bell.

**The Hon. the Speaker pro tempore:** A 10-minute bell.

Call in the senators for 11:59 a.m.

• (1200)

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

YEAS  
THE HONOURABLE SENATORS

Anderson	Francis
Bellemare	Gagné
Black	Gerba
Boehm	Gignac
Boniface	Gold
Bovey	Harder
Boyer	Hartling
Burey	LaBoucane-Benson
Busson	Loffreda
Cardozo	Marwah
Clement	Massicotte
Cordy	Miville-Dechêne
Cormier	Moncion
Cotter	Omidvar
Coyle	Pate
Dagenais	Petitclerc
Dalphond	Ringuette
Dasko	Saint-Germain
Dawson	Smith
Deacon ( <i>Nova Scotia</i> )	Sorensen
Deacon ( <i>Ontario</i> )	Tannas
Dean	Woo
Downe	Yussuff—47
Dupuis	

NAYS  
THE HONOURABLE SENATORS

Ataullahjan	Martin
Batters	Plett
Carignan	Seidman
Housakos	Wells—9
MacDonald	

ABSTENTIONS  
THE HONOURABLE SENATORS

McCallum	Patterson ( <i>Nunavut</i> )—2
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APPROPRIATION BILL NO. 4, 2022-23

THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Gagné, seconded by the Honourable Senator LaBoucane-Benson, for the third reading of Bill C-36, An Act for granting to His Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2023.

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

**Some Hon. Senators:** Agreed.

**An Hon. Senator:** On division.

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

[*Translation*]

FEDERAL LAW—CIVIL LAW HARMONIZATION  
BILL, NO. 4

BILL TO AMEND—THIRD READING

**Hon. Bernadette Clement** moved third reading of Bill S-11, A fourth Act to harmonize federal law with the civil law of Quebec and to amend certain Acts in order to ensure that each language version takes into account the common law and the civil law.

She said: Honourable senators, today I rise to speak to Bill S-11, which I am proud to sponsor.

Bill S-11 is the fourth act to harmonize federal law with the civil law of Quebec and to amend certain acts in order to ensure that each language version takes into account the common law and the civil law.

To recap, our work on this harmonization has been going on since 1993. Bill S-11 makes technical amendments to 51 acts, particularly acts governing financial institutions.

[English]

I know that this bill doesn't excite everyone, but our study at committee pulled me back to law school. It was fun to be back in a room of fellow geeks — and I say that affectionately — equally interested in the subject matter: Senator Harder inquiring about the harmonization process; Senator Pate pushing for clarity around whether harmonization is the right construct for inclusion of Indigenous traditions; and Senator Batters speaking to legislative drafting as a very particular expertise. I may not be able to do the committee meeting justice here — bad pun coming, I'm warning you. While I know that Santa Claus will not keep your Christmas free of any clause-by-clause, I hope that over the holidays, you check out this committee meeting of eager geeks studying Bill S-11.

Since it was introduced in the Senate in October, we have heard from Senators Dupuis, Dalphond and Carignan, all of whom have pointed to the importance of this work. They have my thanks for their contributions to this discussion.

[Translation]

Senator Carignan told us that all previous harmonization acts received multi-party support both here in the Senate and in the other place. He also told us that he supported this bill at second reading because it will strengthen the vitality of bijuralism.

• (1210)

Senator Dalphond said the following, and I quote:

Not enough people realize what Canada contributes. As a bijural federation, it is something of a rarity internationally. Our contribution, not only to common law in French and civil law in English, but to bijuralism at the same time, is entirely unique, in my opinion. In that sense, in Quebec and elsewhere in Canada, I think we can be proud. We are participating in two of the world's great legal traditions, which is also fantastic.

My colleague Senator Dupuis very clearly explained that this harmonization initiative is based on a legal framework that is deeply connected to the history of Quebec and Canada and to this reality. The coexistence of common law and civil law dates back over two centuries. As we all know, these are just two of Canada's legal traditions. It is important to add that Indigenous law deserves more of our attention.

[English]

The Honourable Serge Joyal sponsored a harmonization bill in 2004. In his third reading speech, he spoke of their conversations around Indigenous law as “totally new in parliamentary debate.” Honourable senators, it is no longer new to us, and it certainly isn't new to the communities across Canada working on the revitalization of their traditions and cultures. I'm hopeful to see more progress, action and inclusion.

[ Senator Clement ]

The Legal and Constitutional Affairs Committee considered Bill S-11 for two short but intense meetings. We heard from Justice Minister and Attorney General of Canada David Lametti and Department of Justice officials France Allard and Riri Shen. Minister Lametti told us that his department is working hard to support the reassertion of what he described as “Indigenous normative systems.” I was glad to hear that legal pluralism is in the minister's DNA and that the flourishing of Indigenous legal systems is a priority. The minister spoke of integrating Indigenous law into our university programs:

I think the role of the Minister of Justice and the ministry is to facilitate and support that kind of work, and I think at some point there will be another stage of evolution in Canadian law.

[Translation]

The committee also heard testimony on the consultations, during which over 400 stakeholders were invited to provide comments and criticisms. We paid special attention to the proposals of the *Chambre des notaires du Québec*, and I quite enjoyed hearing the explanations the witnesses gave of the drafting process for this bill.

[English]

We know that harmonization does not mean that one system disappears at the expense of the other; instead, it is about the coexistence of common law and civil law in the same federal legislation.

To that end, a specific approach called co-drafting is used. It was highlighted during our discussion in committee. Instead of writing a code, constitution or bill in English, following the common law tradition, and then translating it to French, co-drafting means that the text is written in both English and French, considering common law and *le droit civil* at the same time.

In the geeky fashion mentioned earlier, Senator Cotter and Justice Minister Lametti both proudly spoke to their experience of co-drafting.

When we draft legislation, we capture the terminology, concepts and principles of both legal traditions. It is worth pausing here to reinforce that co-drafting means we will not always have to retroactively harmonize; new bills are drafted according to the policy on legislative bijuralism. Ms. Allard told us that the co-drafting exercise forces the establishment of a dialogue between two languages, and I like picturing that. Instead of working in silos, the work is integrated and happens simultaneously, leading to a more thorough understanding of each other.

[Translation]

Now, here we are at third reading, and it is my responsibility to remind you of all the reasons why this bill is important and why it should be passed.

[English]

I have already used my “box of chocolates” analogy. That got me a gift of chocolates from Senator Bovey, by the way. Thank you. I have called out to individual senators to let them know that the acts that they care about are being amended by Bill S-11, and I have one more communication tactic left in my toolbox, and that is an appeal to the heart.

Nation-building is complicated and messy, and constantly changing. Lines are drawn on a map with various justifications and are often fought over, disputed and renegotiated. It is comparing and contrasting how one nation does things versus another. It is defining culture, rules, language, regions and so much more. Nation-building is a ceaseless process of choices, consequences, actions and reactions.

This bill is about nation-building, even though it doesn't include all our legal traditions, even though it is not making the papers, causing an uproar on social media or inspiring hearts and minds across the country. Sometimes nation-building is technical and particular, and just a little niche.

[Translation]

However, this is fundamental work. We're ensuring the coexistence and vitality of two legal systems, two languages and two cultures. I look forward to a time when we can move beyond the so-called duality into a reality that encompasses traditions other than English and French, common law and civil law, but I know this work will take time. I'm happy to be part of it.

As we conclude our study of Bill S-11, let me briefly remind you what it does. First, it makes our legislation more understandable to all Canadians by using concepts and terminology that are appropriate and familiar to them, regardless of their province of origin or whether their daily lives are governed by common law or civil law.

Second, Bill S-11 minimizes uncertainty in the implementation and interpretation of legislative intent, which helps facilitate access to justice. Third, this bill advances the equality of status of English and French within the Canadian legal system.

Finally, Bill S-11 is a collaborative effort. This bill is a painstaking dance to incorporate provincial private law terminology into federal legislation. The constitution of provincial and territorial institutions, in addition to the 400 other stakeholders who took part in the consultations, reflects a respect for the constitutionally mandated role and jurisdiction of the provinces and territories.

[English]

In 2004, the committee studied a previous harmonization bill, Bill S-10. In their report on the bill, the committee referred to the testimony of the Honourable Irwin Cotler, then Minister of Justice. The report stated that the minister:

. . . encourages everyone to take the view that bijuralism is by no means exclusionary. Rather, he emphasized that it is an open model that he hoped would lead to a plural model, as time goes on.

I want to thank all of the officials, analysts and geeks for their diligent work and remarkable contributions to Bill S-11. Honourable senators, I hope you will join me in this opportunity to further the project of nation-building and support the passing of Bill S-11. Thank you, *nia:wen*.

**Hon. Senators:** Hear, hear.

[Translation]

**Hon. Claude Carignan:** I'd like to congratulate the sponsor of the bill on her speech, because she brought to life a very technical bill. That is talent.

I rise today to support Bill S-11 at third reading. Its short title is Federal Law–Civil Law Harmonization Act, No. 4. Bill S-11 was studied at a fast pace because the government wanted it passed before the holidays.

Although imposing because of the sheer number of pages, this bill is different than other government bills. It has garnered a consensus. It simply wants to clarify the terminology of legislative provisions without changing the rules of law at the heart of the 52 acts amended by Bill S-11.

To borrow the words that the officials used during the Senate committee's study, the principle of a harmonization bill is not to alter the policy underlying the legislation's provisions. The testimony of the officials at committee have convinced me that the content of Bill S-11 respects this principle.

That said, while recognizing the exceptional work of the officials who produced this technical bill that has garnered consensus, the parameters for the Senate committee's study were not optimal given the government's very tight deadline for passage of Bill S-11 this week.

Here are some examples of things that should be improved. I'm mentioning them in hopes the government will keep them in mind if it asks the Senate to study other harmonization bills in the future.

First, the Department of Justice Canada was very slow to send Senate committee members the list of groups and individuals consulted in 2017 when the bill was being drafted. Even though consultations wrapped up over five years ago, the government didn't send us the list until yesterday. By then, the Senate committee had already completed its study.

• (1220)

For future bills, I'd suggest that the government promptly provide a list of the stakeholders it has consulted, so that there is no need for us to ask officials for it.

I also suggest that we be provided not only with the list of names of the stakeholders consulted, but also with a summary of what they said during the consultations, including their criticisms and suggestions for amendments to the bill.

If we were to receive these documents up front, it would increase the transparency of the government's consultation process. These documents would also help us quickly identify key stakeholders who were not consulted, so we could invite them to the Senate committee.

Take, for example, the case of Bill S-11. Officials told senators in the technical briefing that Justice Canada had sought input from over 400 key stakeholders and members of the legal community. I believe that this consultation was certainly comprehensive, as the list of stakeholders contacted by the government includes a very impressive number of academic experts or organizations that could be impacted by the measures in the bill.

However, the only witnesses the Senate committee heard during its study of Bill S-11 were representatives from Justice Canada, including Minister Lametti. In other words, there were no non-governmental witnesses. The committee study lasted just one day and was held only five days after the committee received the order of reference to examine the bill.

I advise against using the same approach the next time we study a harmonization bill. I would remind senators that, unlike Bill S-11, the last three harmonization bills were studied over the course of several committee meetings. For example, in 2010, there was Bill S-12, which I sponsored.

As with Bill S-11, the government was trying to get its bill passed before the holidays, but its deadline left slightly more time for the committee to conduct its study. The committee was able to hold four meetings in 2010 to study Bill S-12, from December 1 to 9, which allowed it to be passed by the Senate on December 14, before Parliament rose for the holidays. Unfortunately, Bill S-12 died on the Order Paper, but its provisions were carried over in an identical bill, Bill S-3, which came into force in 2011.

That being said, although the Senate committee studied Bill S-11 for only one day, we were able to glean a lot of useful and necessary information that helped us properly analyze the bill's content.

For example, the committee was able to examine the *Chambre des notaires du Québec's* comments on Bill S-11, which were sent via letter on December 9.

Furthermore, departmental officials provided the committee with relevant explanations as to why they did not incorporate certain suggestions they had received from stakeholders, including some of those made by the *Chambre des notaires du Québec*, during the 2017 consultations.

The officials told us that they had dismissed those suggestions for one of four reasons. The first was that the suggestion would have had an impact on the legislative direction of the provisions to be harmonized. The second was that the suggestion was not required to clarify the legislative provisions to be harmonized. The third was that the suggestion proposed drafting choices that were not in keeping with federal legislative drafting conventions.

The fourth reason some of the comments received during the consultations were not incorporated was that they had to do with laws that were not on the list of acts that the government chose to harmonize in this bill.

It is important to understand that Bill S-11 amends 52 acts that were selected based on their sector and the departments responsible for them, so even though Bill S-11 is the fourth harmonization act, there are still other acts to harmonize in the future.

To summarize, even though the Senate committee's study of Bill S-11 had some shortcomings because of the government's tight timeline, I believe, based on the wording of the bill, the documentation we received from government officials, and their testimony in committee, that the bill deserves to pass.

In closing, I would like to come back to a question from Senator Clement and a comment from Senator Dalphond. Senator Clement asked me if, given Bill S-11's contribution to advancing bilingualism in Canada, it was well received by my civil law colleagues, who are mostly francophones in Canada. I believe that Bill S-11 is a step forward. However, I would point out that federal legislation is supposed to be not only bilingual, but also bilingual. I believe we have a long way to go in that regard and that Justice Canada still has a lot of work to do to uphold the principle of legislative bilingualism in Canada.

I am therefore in full agreement with Senator Dalphond's demand, which he put forward in a question to Minister Lametti during his testimony in committee. This is what he asked him:

... you spoke about access to justice and access to federal laws. The country's most important law, the Constitution Act, 1867, contains only seven sections, or perhaps eight since last week, that have been enacted in both languages and have a bilingual version. There are still many sections, more than 100, that are official in English only.

What is the department doing to put an end to this unacceptable situation, which is contrary to section 55 of the Constitution Act, 1982?

If Bill S-11 can amend 52 acts to improve the harmonization of federal law with civil law, I am sure Minister Lametti has the power to do something to get the French version of Canadian constitutional texts enacted.

For instance, what is stopping the federal government from amending Bill C-13 on official languages to implement the recommendation set out in the Senate motion adopted on March 29? That motion simply calls on the government to consider, in its reform of the Official Languages Act, adding a

requirement that the government submit an annual report detailing its efforts to enact the French version of the Canadian Constitution.

If the government truly believes that the principle of bilingualism in federal legislation is important, when will it finally do something to enact the French version of constitutional texts, which are the most important laws in the country?

This obligation has existed for 40 years, since the entry into force of section 55 of the Constitution Act, 1982. I have been a lawyer since 1988, and I wouldn't want another generation of francophone lawyers to spend their entire professional careers working with Canada's most important laws without having a French version or a version properly drafted according to the principles of bilingualism and biculturalism.

Esteemed colleagues, thank you for your attention. I would like to take this opportunity to wish you happy holidays. I hope the Leader of the Government has a good rest.

[English]

**The Hon. the Speaker:** Senator McCallum?

**Hon. Mary Jane McCallum:** Thank you, Your Honour.

I move adjournment of the Senate.

**The Hon. the Speaker:** Senator Moncion?

**Hon. Lucie Moncion:** I'm sorry, Your Honour. Senator McCallum is not on debate. I am calling on rule 5-13(2). She cannot move the adjournment of the debate.

**The Hon. the Speaker:** Normally, you would be correct, Senator Moncion; however, once debate has started on a topic, and I call upon a senator, I'm calling upon them on debate.

Rule 5-13(2) would apply. She would be on debate and, as a consequence, can move the amendment.

Do we have a seconder for the amendment?

**Senator Moncion:** She said "adjournment."

**The Hon. the Speaker:** My apologies. She can move the adjournment. She is on debate once I call upon her.

**Senator Moncion:** But I heard "adjournment of the Senate." That's what she said.

**The Hon. the Speaker:** Just to clarify, colleagues, rule 5-13(2) says you must be on debate to move the adjournment of the Senate. Debate has started on Bill S-11. When I called upon Senator McCallum, I was calling upon her on debate on Bill S-11. It is, therefore, quite permissible for her to move the adjournment of the Senate.

I am now asking if there is a seconder for Senator McCallum's adjournment motion? If there isn't, then it cannot be entertained.

Senator Housakos, are you seconding this?

**Hon. Leo Housakos:** She does not need a seconder to adjourn the Senate.

**The Hon. the Speaker:** Every motion needs a seconder, Senator Housakos.

**Senator Housakos:** On a vote, but not on an adjournment.

**The Hon. the Speaker:** On adjournment as well.

Are senators ready for the question on the main motion?

**Some Hon. Senators:** Question.

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

**Some Hon. Senators:** Agreed.

**An Hon. Senator:** On division.

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

• (1230)

## BUILDING A GREEN PRAIRIE ECONOMY BILL

### THIRD READING—DEBATE

**Hon. Brent Cotter** moved third reading of Bill C-235, An Act respecting the building of a green economy in the Prairies.

He said: Honourable senators, perhaps it is the season, perhaps the sense of honour I have in serving in this place, perhaps the honour of sponsoring this bill. In any event, I am filled with a sense of joy today and, as a result, I'm going to deviate from my normally dour, humourless, serious speaking style in my remarks.

My grandfather was a good, devout, God-fearing, churchgoing man. He never used bad language in his life. One day, a friend came to him and said, "Bill, I'd like to learn a bit more about your religion." My grandfather was always on the lookout for a convert and took the man along to the church service on Sunday. As the church service began and something occurred at the front of the church, the friend would lean over and say to my grandfather, "What does that mean," and my grandfather would patiently explain. A little later, the friend would lean over again and say, "What does that mean," and my grandfather would patiently explain.

About halfway through the church service, the priest went over to a lectern very much like this one, carefully removed his wristwatch and placed it on the lectern, as I am doing now. The friend leaned over to my grandfather and asked "What does that mean," and my grandfather shook his head and replied sadly, "Not a damn thing."

So, Your Honour, when my two hours is up — I think I get two hours — somebody should give me a signal.

In the same vein, but a little more connected to this bill, yesterday afternoon, Senator Gagné came over to chat with me briefly and confidentially. Now, Senator Gagné does not do this very often, so I had fairly high hopes. Perhaps she was coming to tell me that the Prime Minister wants to give me some kind of honour for sponsoring this bill, perhaps there is a vacancy in the Supreme Court of Canada or they need an ambassador to Ireland. So if I may riff off of some earlier remarks, visions of sugar plums danced in my head briefly.

I am revealing a confidence here, but what Senator Gagné came to ask me was how short could I keep my remarks on this bill? I apologize for revealing a confidence, senator. The answer is six minutes, at least from now.

Let me begin by thanking the leadership of the Senate for developing a pathway so that Bill C-235 could be considered in a timely and highly expeditious way — I know all too expeditious for some.

I want to express a second message of appreciation to the leaders of the groups in the Senate. I serve on the Standing Senate Committee on Agriculture and Forestry, ably chaired by Senator Black and very well supported by Ferda Simpson and her team. We work away conscientiously and it's a delightful collegial committee to serve on. But we do this work in relative obscurity compared to many of the other higher-profile committees of the Senate.

My brother brought this point home to me recently. He called to tell me that he and his wife were watching the deliberations of the Agriculture Committee on CPAC. He indicated that, rather than our normal situation of being on the SenVu channel, being on CPAC created national viewership, and that with he and his wife watching, the viewership had probably gone up from five to seven people. My brother is retired, but he seems to have a part-time job making sure I don't get too full of myself, and he's pretty good at it.

However, this week we were blessed at the Agriculture Committee with the regular attendance of the government leader in the Senate, Senator Gold; the Leader of the Opposition, Senator Plett; and the presence of the leaders of the other three groups — Senator Saint-Germain, Senator Cordy and Senator Tannas. They took an active interest in the matters before the committee related to Bill C-235. Senators Gold and Plett particularly and constructively engaged with the committee and the dialogue with witnesses, and I want to express my appreciation to them. The Agriculture Committee is not always blessed with Senate royalty in this way.

As well, I want to extend my thanks to Senator Black and Ferda Simpson and her team for the very good work they did in making the consideration of Bill C-235 and its reaching third reading a reality today; and also to the witnesses who, on short notice, appeared before the committee earlier this week, particularly the Attorney General and Minister of Justice from my province, the Honourable Bronwyn Eyre, who made herself available on short notice for a full two hours of the Senate's considerations earlier this week.

This is a private member's bill, sponsored in the other place by MP Jim Carr, as you know. Mr. Carr would be delighted that the bill has reached this stage in this place today. Indeed, when I spoke with him last week, he told me that only 3% of private members' bills from the other place make it across the finish line.

I had hoped to tell him today — subject to your judgment shortly — that due to his good work, that percentage had gone up a little bit. Alas, I will never get that opportunity. I also wanted to tell him that I was honoured to have sponsored this bill.

As I mentioned at second reading, the main focus of the bill is in two parts that address greater coordination among a group of key federal departments and ministries with respect to the Prairie economy. The second part of the bill relates to greater coordination and cooperation regarding the implementation of federal programs associated with a green sustainable Prairie economy, such coordination and cooperation to take place with a range of interest holders and stakeholders in the Prairie region, most notably provinces, municipalities, Indigenous leadership, employers, worker associations and the like.

I should add, as Senator Gold highlighted in the committee's deliberations yesterday, that the bill also contains a paragraph 5 that deals with a meaningful accountability framework that requires regular reporting by the lead minister federally to both houses of Parliament and the opportunity for periodic parliamentary scrutiny of the success of the initiative.

Although we did not have extensive discussions, my sense of Mr. Carr's objectives for the bill were that it would generate greater internal coordination of development programs in this area — and this was needed — and greater dialogue with the interests and communities affected by these initiatives, particularly the partnerships with provinces, and this would be critical to the adoption, adjustment and ultimately the success of the federally adopted plans.

In this respect, the bill carries in that way a modest implicit critique of the government practice to date in rolling out sustainability initiatives on the prairies.

With respect to the bill itself, we did hear mixed reactions. One concern in particular was that there was not sufficient consultation with respect to the bill. I think that's a legitimate observation, but here I would like to come to at least a small degree of defence of Mr. Carr. It will be remembered that this was a private member's bill — not a government bill. Given the low predictability of success of private members' bills, it's a little bit unfair to have expected the government itself to roll up its sleeves and conduct a wide range of consultations regarding this bill.

• (1240)

Although Mr. Carr, even though his health was failing, spoke with many people across the Prairies about the bill, he was, after all, only one member of Parliament with limited resources — and



it seems a little unfair to suggest that he should have conducted the equivalent of government consultations while the bill was under consideration, or even before presenting it.

If I may return for a moment, and finally, to the gentle, implicit critique embedded in Mr. Carr's bill regarding the need for the government to do better on both fronts — within itself, and in engagement with the communities for whom this set of initiatives will matter — and also, as Senator Gold noted, to be accountable, there is, I think, a second message from Mr. Carr in this bill: It is the belief that the government can do better and, with this legislative directive, will do better. I am also hopeful.

Indeed, you will be familiar with the phrase, which I think is also implicit here, that Mr. Carr seeks to “fix the problem, not the blame.” Another way of saying it is that, with this bill, Mr. Carr is encouraging us to light a candle, rather than curse the darkness. That seems, to me, to be a good and apt metaphor for both this bill and, perhaps, for Mr. Carr's life. If lighting the candle doesn't work, there will be plenty of time to curse the darkness. But in these days and in honour of Mr. Carr — a very fine parliamentarian and human being — it strikes me that we should pursue the more optimistic road.

Thank you for your attention. I hope that you will support the bill when it comes to a vote.

**Hon. Donald Neil Plett (Leader of the Opposition):** Let me begin my remarks in a similar fashion to what Senator Cotter did: I will also use a church illustration — not about my grandfather, but about me. I was honoured when I was asked by a church in Alberta — that my children attend — whether I would deliver the message. Now, that might come as a surprise to many of you that I would even be asked to deliver the message at a Sunday morning service, but, nevertheless, I was. They gave me the podium at about 11:30 in the morning, and I asked, “How much time do I have to speak?” And I was told by the chair, “You have unlimited time. You can speak as long as you want. I need to tell you that at 12 p.m., we will all get up and go home, but you can continue to speak as long as you want.”

So I won't take exception to your leaving at 1:30 p.m. or 2 p.m. while I'm rambling here. You do as you think is necessary.

Colleagues, I would like to begin my third-reading speech on Bill C-235 by once again acknowledging the heart and intent of the man behind it — my friend, and yours, the late Honourable Jim Carr. As I mentioned at second reading, Jim and I were political adversaries, but I never doubted his love for Canada, his love for the Prairies and his deep admiration for Manitoba. It was this passion that drove him to envision Bill C-235, An Act respecting the building of a green economy in the Prairies, and brought him to Ottawa in the last week of his life to cheer the bill over the finish line in the other place. He, at least, got to see that.

Jim had a heart of gold, and I believe he only envisioned good coming from this initiative. In principle, I can understand what he was trying to achieve. It was a grand effort at collaboration between the federal government, the provinces, municipalities, Indigenous peoples, industry and business to facilitate a priority

close to Jim's heart. I commend my friend for this effort and for his intent, and I have a great respect for what he wanted to achieve.

Regrettably, however, the plan has one major flaw: It cannot succeed unless the federal government implements the bill in the same spirit in which Jim authored it — a spirit of collegiality and collaboration. This is something that this government is clearly incapable of.

This fact was on clear display even at our committee meetings, colleagues. More than one witness mentioned how pleased, and even surprised, they were to be invited to speak to the bill at committee. You might see this as a compliment, but I could not help but see it as a serious indictment of the government. When witnesses from key sectors of the economy are surprised to be called to the table on issues that could potentially have a significant impact on their sector, it is telling us that this government has a terrible track record when it comes to consulting.

You have to remember that the government did not initiate this bill. This is a private member's bill, as Senator Cotter has rightly said — a bill that will require, however, the government to consult and collaborate. If the government had been doing its job, this bill would never have been necessary. Needing a private member's bill to spur consultations and collaboratively put together a plan on an important issue is a damning indictment of this government's track record, and does not leave me hopeful that the bill will achieve what Jim Carr envisioned.

In many ways, I think that the way the government has treated the Prairie provinces over the last seven years set this bill up for failure. It's the primary reason why none of the provinces want it, and this fact speaks volumes about this government's relationship with the Prairie provinces. MP Pat Kelly put it this way in the other place:

. . . this bill will do nothing other than compel a process, which the people affected do not want, by a federal government on unwilling provinces in furtherance of objectives, which the people of the provinces affected are not in agreement, in order to report back to a federal government that does not listen and has a track record for which it can be expected it will impose further harm on the three Canadian provinces that have already been severely harmed by the government.

I'd say that's a pretty fair summary. And if you think it is a bit harsh, you need to understand that currently the government's flagship policies to “green” the Prairie economy are the carbon tax and the fertilizer reduction initiative — both of which are extremely damaging to the Prairie economy, and did not involve true consultations. You have to remember Bill C-69, the “no more pipelines” bill, and you have to remember Bill C-48, the “no more natural resources development” bill. The Prairie governments have opposed all these initiatives — only to have them rammed down their throats in the end. That's the federal government's idea of consultation.

So you'll have to forgive me if I am not as optimistic as some other senators about the federal government's ability to implement a framework that requires true consultation and collaboration — and actually helps the Prairie economy. That's never been their priority, and nothing suggests that this bill will suddenly now make it their priority. It was Jim Carr's priority. Jim loved the Prairies. But nothing this government says — or does — suggests that it feels the same way.

Just consider the fact that all three Prairie provinces oppose this bill, yet the government put its weight behind it to see it pass quickly. They basically made it a government bill, given the way the Leader of the Government conducted himself. I don't recall when the Leader of the Government in the Senate showed up in an *ex officio* capacity at a committee meeting on private members' business. There were clearly some marching orders from the Prime Minister's Office, or PMO, on this.

That, colleagues, is regrettable, not only because we did not have a true opportunity to do our due diligence, but also because it signals to the provinces what they can expect going forward: more of the same.

Colleagues, out of my respect and admiration for Jim Carr, I made a commitment to him to not stand in the way of this bill proceeding. Even though I cannot support the bill, I have fulfilled that commitment, and I would be fine to see the bill pass on division. But that, colleagues, I will leave in your hands. Thank you.

• (1250)

**Hon. Mary Jane McCallum:** Honourable senators, I rise today to speak to third reading of Bill C-235, An Act respecting the building of a green economy in the Prairies.

I want to go on the record about my concern about the expedited process of this bill in the Senate — a bill that is not a government bill but has been given special privilege, a privilege that has superseded government bills on the floor — a process I have not witnessed before.

I understand that this special privilege and exception were ratified by the leaders of the four caucuses. As an unaffiliated senator, I am not part of these caucuses, so I was not party to nor aware of this deal being made, nor do I agree. Therefore, there was not unanimous agreement to this process that seeks to marginalize, exclude and silence certain segments of the Canadian population.

While I understand that this bill is being given prompt consideration as a way to honour the legacy of a dearly departed colleague, I have profound concern that this is the sole reason why we are asked to rush this bill through. I personally didn't know our colleague, but from the tributes I have heard, I would believe that he would want his legacy to incorporate equity, diversity, inclusion, respect, relationship, integrity, trust,

reconciliation and public trust. Any prompt and exceptional consideration requires rigorous examination to maintain public trust and transparency. However, this bill has spent a mere three days before the Senate.

The second-reading debate began just two days ago, and here we are today facing a final vote on a very complex bill, a bill that doesn't require speedy passage. This process included the decision to hold only one committee meeting to hear the views of the many different rights holders and stakeholders. This study did not include a single First Nations witness to be heard on matters that greatly impact them as rights holders, impact their treaty rights, their economic rights, their human rights. But you know this, you passed Bill C-15.

As many of you will know from correspondence we have all received over the past 24 hours, First Nations were unaware of this impending legislation and of the extremely truncated timeline in the Senate. This precluded First Nations from the opportunity to register their concern with this bill. In discussion on the process being adopted by the Senate, the Assembly of Manitoba Chiefs, or AMC, had the following comment, "The lack of notice and involvement of First Nations is as ridiculous as it is disrespectful."

This sentiment, colleagues, is telling. While it is blunt, it is a belief that I agree with wholeheartedly. It is a well-established role and function of the Senate to give voice to minority rights and interests in the review of legislation. As senators, we have a duty to promote core principles and values of our democratic system, especially given the Senate's traditional role in acting on behalf of groups under-represented in the House of Commons, whereby the Supreme Court of Canada has noted in *Reference re Senate Reform, 2014*:

Over time, the Senate also came to represent various groups that were under-represented in the House of Commons. It served as a forum for ethnic, gender, religious, linguistic, and Aboriginal groups that did not always have a meaningful opportunity to present their views through the popular democratic process.

However, yet again, we find ourselves enabling a process that willfully sidelines and quiets these marginalized voices from our discourse. This is especially troubling, as this is a bill that has an immediate and substantial impact on First Nations in the Prairie provinces. As senators, we hold a unique public office that requires us as parliamentarians to confront racism without reservation and to ensure the integrity of the institution.

Yesterday, honourable senators received a written submission from the Assembly of Manitoba Chiefs highlighting their concern with Bill C-235. Within their submission, they expressed the deficit they have been placed in by the Senate's actions. In their words, "This has severely reduced [AMC's] ability to properly prepare and seek to be a witness to speak to it."

We received the same. I know that MKO had put in a submission to speak.

Let us be clear: The Assembly of Manitoba Chiefs have underscored their support for the development of a green economy. However, as they rightfully maintain, this approach:

. . . must be done with First Nations, as Treaty partners with the Crown, taking a much larger role in matters that affect Treaty lands and First Nations traditional territories and the waters that run through them.

AMC has stated, colleagues, that Bill C-235 represents:

. . . the development of a framework through a legislated consultation and engagement process that maintains the status quo and does not consider current developments that impact on their inherent and Treaty rights of First Nations in Manitoba and other provinces.

Honourable senators, the Assembly of Manitoba Chiefs highlight a greater and more direct concern with this legislation when they write:

Bill C-235 deals with the provinces of Manitoba, Saskatchewan, and Alberta, all of which have Natural Resource Transfer Acts that purported to transfer control over Crown lands and natural resources within these provinces from the federal government to the provincial governments that did not have the free, prior, and informed consent of First Nations. In the AMC's view, supporting legislation that directly affects the NRTA, Treaty lands and rights, self-determination and sovereignty of First Nations in Manitoba can be interpreted as supporting the status quo and accepting the unfinished business that has yet to be resolved.

Honourable senators, it is important to note that tomorrow the Federation of Saskatchewan Indian Nations is having a press conference to announce a lawsuit they are initiating on the Natural Resources Transfer Acts. This lawsuit has the support of First Nations chiefs in both Manitoba and Alberta. Colleagues, with this foreknowledge, we are all now aware that this lawsuit is imminent. Moving to pass federal legislation that will interfere with that process is both reckless and against the usual practice of the Senate, especially when it involves a bill that doesn't require speedy passage. As senators, we require clarity on this upcoming lawsuit.

Colleagues, we must consider profound legislation that we passed in this chamber, Bill C-15, legislation that will align Canadian law to the United Nations Declaration on the Rights of Indigenous Peoples, or UNDRIP. This chamber voted in support of this bill, affirming the Senate's intent that the articles of UNDRIP serve as guiding principles when approaching the drafting and implementation of federal legislation as it pertains to its impact on, and inclusion of, Indigenous peoples in Canada.

Bill C-235 represents a litmus test on how it respects the principles of UNDRIP. A foundational feature of UNDRIP is that it requires Canada to work with, engage and consult directly with First Nations on a nation-to-nation basis. This show of respect and conciliation is sorely missing from this bill.

This lack of respect and conciliation is demonstrated clearly through the committee process of Bill C-235. First Nations have expressed that they wish to be heard as witnesses on this

legislation. As they were not consulted in the development of the bill, it is critical that space be made for them to be heard during committee study. Yet, as we know, the committee examination of this bill was negligible. It took place yesterday, with just one panel of witnesses being heard. Not a single First Nations voice was heard as part of that discussion. What were the factors taken into consideration to invite some and not others?

Honourable senators, we must look inward to determine if passing Bill C-235 at this time is responsible, equitable and just. If we are honest with ourselves, we must acknowledge that we have not been allowed to be fulsome, diligent and, therefore, not responsible in the study of this bill.

• (1300)

First Nations and others who will be negatively impacted but not given the opportunity to be heard on this matter — despite a desire to do so — should be reason enough to prompt us to momentarily delay the final vote. Silencing is violent behaviour and not a good foundation for any bill.

Delaying a final vote until early in the new year will not have a deleterious effect on the bill. However, silencing First Nations when they are requesting to be heard will have a deleterious effect on Canada, including the Senate. We must then ask ourselves what the purpose was of passing previous legislation that purported to advance self-determination and establish a nation-to-nation relationship.

Colleagues, it is not too late to do the right thing and delay the troublingly swift passage of this bill. This will allow all impacted stakeholders a chance to be heard and ensure that we, senators, are dealing with legislation in a responsible, respectful way, practising sober second thought.

#### MOTION IN AMENDMENT NEGATIVED

**Hon. Mary Jane McCallum:** Therefore, honourable senators, in amendment, I move:

That Bill C-235, An Act respecting the building of a green economy in the Prairies, be not now read a third time, but that it be referred back to the Standing Senate Committee on Agriculture and Forestry for further study.

Thank you, *kinanâskomitin*.

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

**Hon. Senators:** Question.

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

**Some Hon. Senators:** No.

**The Hon. the Speaker:** All those in favour of the motion please say “yea.”

**Some Hon. Senators:** Yea.

**The Hon. the Speaker:** All those opposed will please say “nay.”

**Some Hon. Senators:** Nay.

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

*And two honourable senators having risen:*

**The Hon. the Speaker:** Do we have agreement on a bell?

**Some Hon. Senators:** Ten minutes.

**Some Hon. Senators:** One hour.

**The Hon. the Speaker:** The default position is one hour. I hear Senator McCallum saying one hour.

The vote will take place at 2:02 p.m.

Call in the senators.

• (1400)

Motion in amendment of the Honourable Senator McCallum negated on the following division:

YEAS  
THE HONOURABLE SENATORS

McCallum Patterson (*Nunavut*)—3  
Pate

NAYS  
THE HONOURABLE SENATORS

Bellemare	Dupuis
Black	Gagné
Boehm	Gerba
Boniface	Gold
Bovey	Harder
Busson	Hartling
Cardozo	LaBoucane-Benson
Carignan	Loffreda
Clement	Marwah
Cordy	Miville-Dechéne
Cormier	Moncion
Cotter	Omidvar
Coyle	Petitclerc
Dagenais	Ringuette
Dalphond	Saint-Germain

Dasko	Smith
Dawson	Sorensen
Deacon ( <i>Nova Scotia</i> )	Woo
Deacon ( <i>Ontario</i> )	Yussuff—39
Dean	

ABSTENTIONS  
THE HONOURABLE SENATORS

Ataullahjan	Martin
Batters	Patterson ( <i>Ontario</i> )
Downe	Seidman
Housakos	Tannas
MacDonald	Wells—10

THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Cotter, seconded by the Honourable Senator Petitclerc, for the third reading of Bill C-235, An Act respecting the building of a green economy in the Prairies.

**Hon. Scott Tannas:** Honourable senators, I will be brief.

I first wish to extend my condolences to Mr. Carr’s family. I did not know him at all, but Canada has clearly lost a great public servant.

Bill C-235 has great intentions, as many people have said, and it could potentially spark a new era of cooperation on a vital issue that some would say is existential to the country and the globe. I think that it was authored with that optimism by a Prairie optimist, and there are a lot of us who believe in trial, error, failure, correction and trying again until you succeed. That is what optimists do. Pessimists, they say, have the empty consolation of being right.

I and many of my CSG colleagues were uncomfortable with this process. That would not be a surprise to my leadership colleagues. However, we did not attempt to slow or stop the process to get to a vote today. That said, I remain uncomfortable, and I intend to abstain to signal that discomfort.

• (1410)

We have given this bill priority passage through this chamber for emotional reasons. I think many of us are okay with that. That is certainly my understanding. People are prepared, in this circumstance, to waive something through quickly for personal and emotional reasons. I believe, though, that we need to individually acknowledge that and we need to individually acknowledge our position on the bill. With that, I think we can give a final sign of respect to Mr. Carr as the author and to the Senate as a body that does provide reflection on bills.

We will be asking for a standing vote with the shortest possible bell. Thank you.

**Some Hon. Senators:** Hear, hear.

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

**Some Hon. Senators:** Question.

**The Hon. the Speaker:** It was moved by Honourable Senator Cotter, seconded by the Honourable Senator Petitclerc that the bill be read a third time. Is it your pleasure, honourable senators, to adopt the motion?

**Some Hon. Senators:** Yea.

**The Hon. the Speaker:** All those in favour of the motion will please say “yea.”

**Some Hon. Senators:** Yea.

**The Hon. the Speaker:** All those opposed to the motion will please say “nay.”

**Some Hon. Senators:** Nay.

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

*And two honourable senators having risen:*

**The Hon. the Speaker:** I see two senators rising. Do we have an agreement on a bell?

**Some Hon. Senators:** Now.

**The Hon. the Speaker:** The vote will take place now.

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

YEAS  
THE HONOURABLE SENATORS

Boehm	Gagné
Boniface	Gerba
Bovey	Gold
Busson	Harder
Cardozo	Hartling
Clement	LaBoucane-Benson
Cordy	Loffreda
Cormier	Marwah
Cotter	Miville-Dechêne
Coyle	Omidvar
Dasko	Petitclerc
Dawson	Ringuette
Deacon ( <i>Nova Scotia</i> )	Saint-Germain
Deacon ( <i>Ontario</i> )	Woo
Dean	Yussuff—31
Furey	

NAYS  
THE HONOURABLE SENATORS

Ataullahjan	Martin
Batters	McCallum
Black	Patterson ( <i>Nunavut</i> )
Carignan	Plett
Dagenais	Seidman
Housakos	Smith—12

ABSTENTIONS  
THE HONOURABLE SENATORS

Bellemare	Patterson ( <i>Ontario</i> )
Dalphond	Sorensen
Downe	Tannas
Dupuis	Wells—9
Pate	

BUSINESS OF THE SENATE

EXPRESSION OF GOOD WISHES FOR THE SEASON

**Hon. Marc Gold (Government Representative in the Senate):** Honourable senators, we’re finally here. It is the end of 2022, and we are still standing.

When we returned last fall and did so in person, I will admit to missing the option of connecting virtually. That said, it has been so enjoyable to meet in person, grab a coffee — sometimes something a little stronger — and commiserating while we address the problems that confront Canadians and do our best to make things better.

[*Translation*]

The Senate and Senate committees began sitting more frequently in February, and we are now almost back to normal. Please know that I am grateful for the work that’s been done and the progress that’s been made on studies and legislation.

[*English*]

To my colleagues in the GRO, your assistance, Senator Gagné and Senator LaBoucane-Benson, is invaluable. I owe you a great debt of gratitude. We are a small but mighty team. We support one another while we share our ideas, our frustrations and a lot of laughter. I’m grateful for your wisdom, commitment and for your friendship.

To the staff in the GRO, it is not an overstatement to say that we three could not function without all that you do for us. Your research, your briefings, how you organize our days and our lives, your advice, the words you sometimes write for us, the outreach that you do to all of you, your day-to-day interventions in preparing us for our responsibilities in this chamber, and for your friendship as well.

[Translation]

Your support is essential to our work and, by extension, to the work of government, in the best interests of Canada. Thank you.

[English]

To my colleagues in leadership, Senators Plett, Saint-Germain, Cordy and Tannas, thank you for the patience that you have shown me and that, frankly, we show one another and that you show to all of us. Our discussions and negotiations are not always easy, but I have never doubted that our debates and our decisions come from the best of places, a place of legitimate concern for Canadians, for this place and a sincere desire to do what is best for the members in your groups, and by extension for the regions that they represent and, of course, for the country as a whole.

• (1420)

[Translation]

We also extend our sincere thanks to the clerks, pages, interpreters, Parliamentary Protective Service officers, reporters, client service officers and Senate Administration staff. This chamber and our committees couldn't function without your dedication. Thank you so much.

[English]

You all did yeoman's work during the pandemic and you have been by our side constantly, faithfully as we've navigated this past year. You deserve enormous credit and recognition, and I know we all share in that gratitude to you.

Senator Furey, thank you. Thank you for your calmness when it is needed, your firm hand when it is necessary, your wisdom, grace and experience. They have been examples and inspirations for the rest of us. I appreciate them enormously, and I appreciate everything you do for us.

Last but not least, I want to thank my wife, Nancy, who seems to have nothing better to do these days than watch the Senate proceedings. So if you are watching, Nancy, thank you for supporting me through this.

As was said earlier by Dan Christmas, our families bear the burden of the work that we all do on behalf of Canadians, so thank you to my dear wife.

To all of you, I wish you the best for the holiday season and for the new year and, through you, please accept my best wishes to all of your families and friends and all that you hold dear. May you have a healthy, prosperous and meaningful 2023.

Whether we celebrate at churches, synagogues, temples, mosques or just around the family table, I really hope the season is filled with family, friends, love and much-deserved rest. Thank you, all.

[ Senator Gold ]

**Hon. Donald Neil Plett (Leader of the Opposition):** Honourable senators, those of you who were at the Internal Economy Committee meeting this morning know that I was a bit of a grinch, so let me end the season, however, by saying a few kind words.

Colleagues, as we approach the end of the session, and as Christmas is just around the corner, I want to take an opportunity to say a few kind words and thank a few people. I prepared a bit of a list.

First on my list of Christmas kindness are thank yous. Let me begin by thanking the Speaker for hosting the Senate's Christmas party this year. It was a wonderful time to be together after two or three years, whatever it has been. It was a great time to enjoy one another's company and dance the night away, that is at least until 8:30 p.m. And for some of us, that was enough.

Humour aside, Your Honour, it may be a little early to speak about this, but by Christmas 2023 you will be retired. So this will be our last Senate Christmas together, unless you find a new birth certificate. Therefore, Your Honour, I also want to thank you personally for all that you have done over the years, both in your role as the Speaker as well as in your role prior to that. The role you play in ensuring this chamber runs smoothly, while exercising incredible patience, is something that I have an appreciation for, but your friendship is what I am the most thankful for.

My gratitude is also directed to our Speaker pro tempore, table officers, the Black Rod and his office, our security, the administration and all senators and their staff in this great big family that we call our own.

To my own staff, thank you for the incredible support you offer to me and our caucus. I often brag that I have the best team on Parliament Hill, but I don't think it's bragging when you are speaking the truth.

To my caucus and my leadership team, I want to thank you for the year we have shared. As we get smaller in numbers, we have had the opportunity to build strong bonds by working closer than ever before as we continue to be a very effective opposition in the Senate of Canada. Canadians across the country have noticed the incredible work you do on their behalf, so I thank you for your ongoing dedication.

To the leaders of the other groups — Marc, Raymonde, Jane and Scott — may the holidays offer you a nice break. It has been a pleasure. Yes, we have had some difficult discussions, but it has been a pleasure working with all of you.

The next item on my Christmas kindness list this year is one very close to my heart. I want to thank the outstanding men and women in uniform — military, security and firefighters. You are the courageous heroes of our country. Your service provides reassurance and hope for the future. Whether you are abroad or at home, it is my hope that you know our appreciation, as you deserve our highest recognition.

To our veterans, I know that the recent news has caused you much grief, and this is regrettable. I sincerely pray that you may feel in your hearts the true gratitude that Canadians have toward what you have done and what you continue to stand for. You deserve our utmost respect.

This brings me to my third item of Christmas kindness, sing Christmas carols. But last Thursday, I was reminded that Senator Gold and Senator Ringuette together with the Usher of the Black Rod and Senator Cormier are the much more talented ones when it comes to music. Therefore, I will keep quiet on the carolling front. We found out that my forte is dancing, and I thank Senator Pate for dragging me out of my chair and getting me, I would like to say, out of my comfort zone, but my wife reminded me that, after a few drinks, that probably is my comfort zone.

Colleagues, in the spirit of Christmas kindness, I have decided to be brief, but the fourth item and last on my list is to share the true meaning of Christmas for me.

The birth of Christ makes up the essence of this sacred season and brings with it the promise of hope and renewal. This is, indeed, a time for joyful reunions with family and friends, a time to reflect on all of our blessings and a time to give back and to pray for those in need. It is my hope that the Christmas message brings all of us comfort as we reflect on the year that has gone by, and that it gives us hope as we prepare to welcome the year ahead.

So to my Senate family, I want to wish you all a very merry Christmas, a happy Hanukkah and all the best for 2023. Please be safe, and I truly look forward to seeing you and spending time with you next year. Thank you, colleagues.

**Hon. Senators:** Hear, hear.

[*Translation*]

**Hon. Raymonde Saint-Germain:** Honourable senators, I, too, want to wish a merry Christmas to our big Senate family, to senators of all stripes, to our office staff, to the Senate Administration teams, to our chamber team, which is also very important to us, as well as to the members of the Parliamentary Protective Service and Library of Parliament. Senator Plett said it best: “my Senate family.” I think that, when we started meeting in person again in September, we realized that, together, we make up one big family. As in all families, some members are wiser than others, and some tend to bicker, but in the end, we are a group, a family, that pulls together, stands in solidarity and loves one another. That is a beautiful thing, and I am very happy to be part of this family.

My thoughts are also with the members of our Senate family who are not with us today, either for medical reasons or because they are still in mourning for loved ones they lost this year. Our thoughts are with you, dear colleagues. We hope to see you again in 2023, and we are looking forward to it. We know that this first Christmas without your loved ones will be difficult, and our hearts go out to you.

• (1430)

[*English*]

I also want to give special thanks to my fellow colleagues in leadership positions: Senator Gold, Senator Plett, Senator Cordy — the other woman — and Senator Tannas. We have had a lot of negotiations to do this year, indeed, some more difficult than others — I would say challenging — but I’m glad to count on your good faith and camaraderie. Having said that, I know a break until February will do us all some good.

I extend respect and gratitude to our Speaker, Senator Furey, for his understanding and diplomatic guidance in the application of our Rules and practices, as well as for preserving decorum and civility in the upper chamber. This also applies to our Speaker pro tempore, Senator Ringuette. To both of you, I truly appreciate your wisdom, dignity and profound knowledge of this institution.

I also want to take a moment to express my deep gratitude to the Independent Senators Group facilitation team. This is a word that we invented in English. To Senators Dean, Petitclerc, Duncan and our new member on the team, Senator Clement, your support every day in order to serve and represent our wonderful group is vital. I’m privileged to have you by my side.

Colleagues, I’m proud of the work we were all able to do this year, whether in the chamber with thoughtful and impactful interventions, in committees with studies and careful consideration of bills or outside the Senate through public engagements.

To our newly appointed senators and very promising colleagues — Senators Burey, Cardozo, Greenwood, Osler, Patterson and Shugart — every senator in this chamber has something unique to contribute. Do not hesitate to bring your contributions forward and keep making the Senate a vibrant place to adequately serve Canadians.

From all members of the Independent Senators Group, enjoy a wonderful holiday season. Rest up, and we’ll see you all next year. Thank you, *meegwetch*.

**Hon. Jane Cordy:** Honourable senators, I, too, would like to share some well wishes and extend thanks to you on behalf of the Progressive Senate Group.

As we approach the end of the year, it’s often a time for reflection. We’ve said goodbye to several colleagues this year, including one just this morning. But we’ve also said hello to others, including earlier this week. Welcoming new senators to this chamber tends to remind us of our own experiences enjoying this place. Every time I see new senators coming in, I reflect back to when I came to the Senate for the first time, and it wasn’t just yesterday, but the memories are still very fresh.

I think we all arrive here with big plans, and we learn — some more quickly than others — that things don’t always turn out as we expect. In some of my conversations with our newest senators, I’ve encouraged them to keep an open mind and to visit

all committees because many of us have found that we've been surprised with what captures our interest, and it has changed the direction of our work.

This year, as the leader, I told everyone to pick out the committees they wanted, and I would just take the ones that were left over. One that was left over was the Fisheries and Oceans Committee. I thought, "I'm from Atlantic Canada, but I don't know much about fishing except that I love to eat fish." But I have to tell you, I am loving the committee. The people on the committee are incredible people to work with. The chair, Senator Manning, is very welcoming, and I've learned so much. So you can learn things when you go on a committee where you're not that knowledgeable about what it may entail.

We must remember that things don't always happen on the timeline that we desire. While that can be frustrating, certainly it often reflects that we're always working on multiple issues concurrently, and we can never predict when something new will take over our time and our interest.

At this time of reflection, may we all look back on the things that we've accomplished with pride. So too shall we consider the ways in which we can do better next year. It's often noted that while we do not always agree, we are all here working toward the same goal. I'm grateful for our productive exchange of views in the service of all Canadians.

To those we work with, I offer my sincere appreciation for your efforts. To the Speaker and your staff, thank you for your guidance and leadership. To the staff in our Senate offices, thank you for always making us look so good.

On a personal note, Senator Furey, I also want to thank you so much for your work as Speaker. You're always fair and you ensure that things run well. You also engage leadership in the Senate when making decisions, and that is very much appreciated.

Thank you also to our Speaker pro tempore for always being able to assist so ably.

To the table officers, the pages, reporters, interpreters, translators and other staff in Chamber Operations and Procedure Office, to the Information Services Directorate, the Senate Communications Directorate, the Law Clerk's office, to committee staff, the Corporate Security Directorate and Property and Services — there are so many people who support the work that we do — on behalf of the Progressive Senate Group, we thank you. You always do your job so well despite all the challenges that we've had in the past few years.

When I was reading through the list earlier today, I thought there are a lot of people who help to make the Senate run smoothly.

To the leaders of all the groups — Senator Gold, Senator Plett, Senator Saint-Germain and Senator Tannas — thank you for all that you do in helping things run smoothly in the Senate. We don't always agree, and that's a good thing. Sometimes we disagree rather vigorously, but when we leave the room, we all understand that our comments are reflective of what our group

believes, and we move on. That's a great compliment to each and every one of you in leadership. I thank you so much for that. It is indeed a pleasure working with you.

To the members of the Progressive Senate Group, you know that I love you all, and I'm blessed to be working with you. I think so many times, whether we're in the chamber or whether I'm at home, that we are truly blessed to be working in such a great group. We're a great team.

I thank you, Senator Dalphond, my able assistant and deputy leader of our group; Senator Bovey, who is our liaison and who will be retiring in 2023 — I can't believe it; and Senator Francis, who is our chair of the caucus. Together, as leadership, we sit down and talk a lot of things through. Thank you so much for all of that.

I will close by extending my warmest wishes with the hope that we may all have the opportunity to rest and recharge so that we can return refreshed in 2023. As we gather with friends and families to mark the holiday season, I wish everyone health and happiness and enough of a break so that we're excited to return in 2023.

Happy Hanukkah, Merry Christmas, Happy Kwanzaa and a very Happy New Year to each and every one of you. Thank you.

**Hon. Scott Tannas:** Honourable senators, I join my fellow leaders in wishing you the best as we conclude our sittings for 2022. During the last year, a whole lot has happened in Canada. We learned that our recovery from several years of pandemic lockdown, the gradual return to work by Canadians and the restarting of our economy is a process, not a destination.

We began the year with a celebration of the Queen's Platinum Jubilee, but this event turned to great sadness with her passing in the fall.

We also experienced tragedy during the stabbing spree in Saskatchewan where we lost 12 innocent souls, and we felt that here together.

This year, we saw the "Freedom Convoy" on the streets of the city for several weeks and at some border crossings. Once the streets were cleared, we engaged in Canada's third national pastime, after hockey and lacrosse, which is to call a commission of inquiry and watch the proceedings.

We saw elections in some provinces. We saw national and provincial leadership campaigns. We received a visit from the Pope. Canada made it to the World Cup. And we cheered 23 times for Mattea Roach on "Jeopardy."

I mention these events not just to show that it was an eventful year, but to show that despite the good and the difficult times, we as a country keep moving forward. When we move forward, there is always hope for a better tomorrow. That is something that Canadians are known for. We look to the future with optimism.



• (1440)

It is my wish to you, senators, and to our valued colleagues in the administration, in senators' offices, in security, in broadcasting and interpretation, the people in this chamber and all others who help us do our work here, that you all have a happy holiday with some peace, joy and well-deserved rest.

On a personal note, I also want to say thank you to my colleagues around the table at leadership. It's a privilege to work with Senator Plett, Senator Gold, Senator Saint-Germain and Senator Cordy. I want to thank my Canadian Senators Group — CSG — colleagues as well for the support that they provide to me, to my other great CSG leadership colleagues and to each other.

Finally, I want to thank all of you. Today, Senator Dan Christmas spoke of his awe and admiration for everyone in this chamber. I know how he feels. I was crying. I can't believe I was crying. I thought Senator Plett was the only guy who cried. I realize that Dan and I come from small communities, and small communities are wonderful, but there is a real awe that comes from working with 105 great Canadians. It is truly an honour, one that I'm so glad that Dan reminded us all of today in his humble and authentic way.

With that, I'll close and say happy holidays. To those of you who know me, *aloha*, and all the best in 2023. Thank you.

**The Hon. the Speaker:** Dear colleagues, as our winter adjournment period approaches, I would like to take this opportunity to express my sincere thanks and gratitude to each and every member of our Senate family. I know I speak on behalf of all senators as I extend our heartfelt appreciation for the work of our staff and administration across all offices and directorates of the Senate.

A special thank you to our Black Rod and our Senate pages, who work tirelessly to ensure the work in the chamber and in our committees runs smoothly.

To all the hard-working people who make it possible for us senators to do the work we do on behalf of all Canadians, I say thank you. The past few years have been very challenging and at times extremely difficult for us all, but through all of these trying times, each member of the Senate family rose to the occasion and provided invaluable support.

[*Translation*]

I must say, I am very proud of the progress we made together, despite the unprecedented difficulties and challenges.

The new year will undoubtedly usher in new challenges and opportunities that will allow us to learn and grow. However, I am sure of one thing: You will all be by our side to help us overcome all the challenges that come our way.

[*English*]

It has been said that as we express gratitude, we must never forget that the highest appreciation is not to utter words but, rather, to live by them. I hope in some small way that we senators do that each and every day.

To my colleagues and to all those who work with us, please take the time over the next few weeks to spend good, quality time with family and friends. Get as far away from here as you can, turn off your phones and enjoy a well-deserved holiday season.

**Hon. Senators:** Hear, hear!

**Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I move:

That the sitting be suspended to await the announcement of Royal Assent, to reassemble at the call of the chair with a five-minute bell.

**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.)

(The sitting of the Senate was suspended.)

[*Translation*]

(The sitting of the Senate was resumed.)

• (1510)

## ROYAL ASSENT

**The Hon. the Speaker** informed the Senate that the following communication had been received:

### RIDEAU HALL

Mr. Speaker,

I have the honour to inform you that the Right Honourable Mary May Simon, Governor General of Canada, signified royal assent by written declaration to the bills listed in the Schedule to this letter on the 15<sup>th</sup> day of December 2022, at 2:54 p.m.

Yours sincerely,

Ian McCowan

*Secretary to the Governor General and Herald Chancellor*

The Honourable  
The Speaker of the Senate  
Ottawa

Bills Assented to Thursday, December 15, 2022:

An Act respecting a National Ribbon Skirt Day  
(*Bill S-219, Chapter 16, 2022*)

An Act to amend the Criminal Code and the Identification of Criminals Act and to make related amendments to other Acts (COVID-19 response and other measures) (*Bill S-4, Chapter 17, 2022*)

An Act to amend the Criminal Code and the Immigration and Refugee Protection Act (trafficking in human organs) (*Bill S-223, Chapter 18, 2022*)

An Act to implement certain provisions of the fall economic statement tabled in Parliament on November 3, 2022 and certain provisions of the budget tabled in Parliament on April 7, 2022 (*Bill C-32, Chapter 19, 2022*)

An Act for granting to His Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2023 (*Bill C-36, Chapter 20, 2022*)

An Act respecting the building of a green economy in the Prairies (*Bill C-235, Chapter 21, 2022*)

## ADJOURNMENT

### MOTION ADOPTED

**Hon. Raymonde Gagné (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, with leave of the Senate and notwithstanding rule 5-5(g), I move:

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, January 31, 2023, at 2 p.m.

**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.)

(*At 3:19 p.m., the Senate was continued until Tuesday, January 31, 2023, at 2 p.m.*)

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