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The Honourable RAYMONDE GAGNÉ,
Speaker

CONTENTS

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THE SENATE

Thursday, June 22, 2023

The Senate met at 12 p.m., the Speaker in the chair.

We will remember them.

Prayers.

Hon. Senators: Hear, hear.

SENATORS' STATEMENTS

KOREAN WAR VETERANS

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I rise today to pay tribute to the service and sacrifice of our brave veterans of the Korean War and to all those who paid the ultimate sacrifice with their lives.

June 25, 2023, will mark the seventy-third anniversary of the breakout of the Korean War. Nearly 27,000 brave, young Canadians selflessly volunteered to serve their country and fight for the freedom of South Korea from communist tyranny. Today, these courageous men and women are in their late 80s and 90s. Some, who are also World War II veterans, are more than 100 years of age. We recently lost one such hero and beloved friend, Joseph Quinn, who was 102.

Over the years, I've had the privilege of getting to meet and hear the stories of so many of our Korean War veterans, and I am truly honoured to know them. I have seen the pain in their eyes when they speak about what they experienced during the war: the deafening sounds of gunshots, explosions, screams and then silence; the friends they made and those whom they lost in battle; the beautiful children and desperate families living in despair and poverty — memories of the Korean War that they will never forget and that we could never truly comprehend.

Our veterans left their homes to defend a country and a people whom they didn't know, but they understood the universal values of peace, democracy and human rights, and that is what they fought for. Their Herculean efforts and the ultimate sacrifices that the Canadians made on the Korean Peninsula surpass any amount of gratitude we can express in words.

We stand on the shoulders of those whose service and sacrifice have given us the very freedoms we enjoy and take for granted today. We live in freedom, but freedom is not free. Many paid the price for our freedom with their lives.

July 27, 2023, will mark the historic seventieth anniversary of the Korean War armistice and the conclusion of the seventieth anniversary of the Korean War years which began on June 25, three years ago. This weekend in Ottawa, I have the honour of hosting, along with Veterans Affairs Canada, the Embassy of the Republic of Korea and the Canadian War Museum, a special veterans' weekend in honour of this milestone year. Veterans from across Canada will gather in Ottawa for this special commemoration.

Honourable senators, as time goes on, our veterans age and pass. Therefore, we must do our part now to remember and honour them.

PARLIAMENTARY CAUCUS ON EMERGING TECHNOLOGY

Hon. Colin Deacon: Honourable colleagues, technological change is accelerating. The benefits, disruptive effects and risks are spreading faster and deeper than ever before. Each month, we learn of another emerging technological advancement.

Many are large global experiments in real time that our regulatory systems are entirely unprepared to manage. But we have to find a way. Deep fake videos and photos can be created for a few dollars, but cause lasting harms. Cybersecurity threats and autonomous vehicles are just the tip of the iceberg.

What to do? We regulate in decades, and these technologies are changing each month.

Governments currently do not have the legislative or regulatory processes or capacity to catch up or keep up with these increasingly rapid changes. So here are two initiatives that I think offer some hope.

One was inspired by MP Michelle Rempel Garner when she proposed the formation of a new Canadian Parliamentary Caucus on Emerging Technology, which I am delighted to co-chair along with MPs Brian Masse and Anthony Housefather. You are invited to join other interested parliamentarians to learn from experts about the implications of artificial intelligence, blockchain technologies, quantum computing and the increasing use of personal data. As we rise soon and take a well-deserved break from the legislative agenda, we have to face the uncomfortable fact that technology will not pause.

Last month, the announcement of this caucus received a lot of positive response and tremendous interest. Our vehemently non-partisan caucus of parliamentarians hopes to better understand the issues and learn from regulators, industry experts and international bodies.

The second initiative offering hope emerged from debates led by Senator Woo's sponsorship of Bill S-6, An Act respecting regulatory modernization. As our committees studied and we debated this bill in the chamber last spring, some practical opportunities emerged as to how we could alter how we regulate at a federal level.

One idea was to create a whole-of-government framework to guide both the consistent use of regulatory sandboxes and the use of standards as a method for updating regulations while continuing to provide the necessary protections to citizens.

Regulatory sandboxes enable regulators and innovators to learn from one another, and incorporating standards as being equivalent to regulations provides a way for us to start to keep up while still using robust processes that engage innovative new entrants, incumbents, academics and regulators. Treasury Board is currently examining these opportunities, which is good news.

Canada can become a trusted leader in the deployment and use of innovative technologies in the future, but it requires our parliamentarians and regulators to keep trying new approaches and to not let past practice prevent us from implementing best practices.

Thank you, colleagues.

WELCOMING OTTAWA WEEK

Hon. Andrew Cardozo: I rise today to speak about welcoming week in Ottawa. This week, I had the pleasure of speaking at the launch of Welcoming Ottawa Week, or WOW.

Welcoming Ottawa Week was created by the Ottawa Local Immigration Partnership, or OLIP, which aims to convey to newcomers Ottawa's respect and genuine welcome and create diverse opportunities for newcomers to connect with the Ottawa public across the city, institutions and local organizations. This year, we celebrate the tenth anniversary of WOW.

The Ottawa Local Immigration Partnership is an impressive multi-sectoral partnership of 64 Ottawa organizations working in diverse sectors such as settlement, language, training, interpretation and economic integration. United in the mission of building Ottawa's capacity to attract, settle and integrate immigrants, it links newcomers to employers.

[Translation]

The Ottawa Local Immigration Partnership is an initiative funded by Immigration, Refugees and Citizenship Canada. Thanks to the success of this social cooperation model, there are local immigration partnerships in 87 cities and towns across the country.

[English]

Yes, 87 cities and towns across the country use this collaborative model.

Here is the important thing about successful immigrant integration: I recall a conversation with Jason Kenney some years ago when he was federal immigration minister. He was noting proudly that Canada had retained its high immigration levels through the 2007-08 recession while the rest of the world was shutting their gates. He noted that the public support for immigration had remained high in Canada because we work on integration so successfully. Successful integration not only helps the newcomers of today but it continuously creates public

support for future immigration, thus making for a more harmonious society and one that will continue to welcome immigrants.

• (1210)

This said, we should never rest on our laurels. We must continue to do and support the hard work, especially as there remain many gaps. As a caution, we must always be watchful of the polarization, opposition, misinformation and disinformation regarding immigration and diversity that is rampant in many countries, including the U.S., and is certainly creeping into Canadian society.

May we spend this summer thinking about how we can continue to improve this peaceable kingdom we call Canada.

Thank you.

[Translation]

MONTRÉAL INTERNATIONAL

Hon. Tony Loffreda: Honourable senators, I rise today to pay tribute to Montreal International, Greater Montréal's economic promotion agency, whose objective is to help build the city's international reputation and prosperity by acting as a driving force for economic development.

[English]

Montréal International has had another record-breaking year in attracting direct foreign investments, international organizations, entrepreneurs, talented workers and international students to the region. Since 1996, the non-profit organization has been successful in positioning the city as a top destination for foreign investments. In 2022, Montréal International helped facilitate nearly \$3.6 billion in foreign direct investment. According to its annual report, 102 projects will benefit and over 8,000 jobs will be created at an average annual salary of \$88,000. A record-setting 21 projects will be in communities outside Montreal.

Beyond good-paying, family-supporting jobs, what else do these foreign investments mean for residents of the city and Canadians in general? They add up to no less than \$500 million in tax revenue for governments and over \$80 million in property taxes. This is money that can go back into our communities.

Montréal International is more relevant than ever, considering the global competition to attract investments. In fact, without its support, 82% of foreign direct investment projects would not have happened, would have been smaller or would have incurred delays or higher costs. Montréal International gets things done.

Honourable colleagues, I may be biased since I spent 13 years on its board as treasurer of the organization, but I think Montréal International is one of the best and most effective agencies of its kind thanks to the talent, know-how and expertise of its staff and board of directors. Many agree: In 2020, it was recognized as the best economic development agency in the world and also earned top marks for best investment promotion agency.

Recently, Montréal International launched a talent recruitment website that has already benefited countless businesses. The organization is committed to international mobility and supporting employers who want to hire foreign talent.

Honourable senators, please join me in celebrating the work of Montréal International, thanking them for their countless contributions to our economy and encouraging them to continue its ambitious agenda of attracting more foreign investments to Canada.

Thank you.

[*Translation*]

JULIE BOISVENU

Hon. Pierre-Hugues Boisvenu: Honourable senators, I rise today with a great deal of emotion and pride to pay tribute to someone who is an important source of motivation for me and who has been guiding my steps in the Senate of Canada for almost 14 years now. I am talking about my daughter, Julie.

Every June 22 for the past 21 years, I have written a letter to my daughter Julie to let her know about our hard-won achievements, what we have accomplished as part of my mission and her mission. It is important for me to share it with you since this year will be our last June 22 here in the chamber with you.

My dear daughter, you were such a positive woman so full of energy. You were a shining light who never hesitated to reach out to others and wrap them in your big smile and infectious energy. The happiness of others brought you happiness.

On the evening of June 22, 2002, you and your friends were celebrating your recent promotion to manager at a Sherbrooke business. I was so proud of how far you had come, even though you would occasionally come to me with your doubts and insecurities about not living up to your bosses' expectations. I would always remind you that success was not an end in itself, but rather the path you had taken to become a better person. I remember how, after our talks, your doubts would fade away and you would kiss me on the cheek before you left and say, "Thanks Dad."

At the end of that evening on June 22, as you were making your way to your vehicle, little did you know that a sexual predator, recently released from prison, was on the hunt for his next victim. That predator was in the wrong place at the wrong time. He most likely called out to you and, realizing your intent to flee, kidnapped you. Like many women who are raped, you probably thought that if you didn't resist, you would survive. He didn't want a witness to his heinous act, nor did he want another conviction, so he murdered you and hid your body.

The other thing about this tragedy that enrages me is that this sexual predator had been stopped by police twice that evening before he abducted you. Back then, the officers didn't have a search tool like the National Sex Offender Registry, so they didn't dig any deeper and let the to-be killer go. Had his name been on a registry, that would surely have saved your life.

My dear daughter, you and my colleagues know how deeply committed I am to defending victims' rights. The reason I'm so focused on the plight of female victims of violence in particular is that your fate sealed my own.

Julie, your murder made it clear to me that our justice system was not doing enough for victims and their families and, unfortunately, 21 years later, it is still not doing enough.

When the justice system ventures into victims' territory, it does so so timidly that the changes are almost unnoticeable. For victims of crime, these changes that trickle in are hard-won through suffering and revictimization.

This year, finally, after eight years of hard work and effort, we managed to come together to pass our bill on the wearing of electronic bracelets. If it had been passed in 2002, it might have saved your life. Now and in the future, you will save the lives of dozens of abused women.

My dear Julie, this afternoon, when I give my speech as the critic for Bill S-12 on the National Sex Offender Registry, give me the wisdom to speak to my colleagues from the heart, to raise their awareness and make them understand — and I know that many do or will understand — that the fight to defend women's right to protection is so difficult that, without their solidarity, far too many women will continue to live in fear and others will tragically lose their life, as you did.

Julie, thank you for the journey we have taken together, and, as I was saying earlier, we still have a long way to go. I'm sure that we will continue to carry out our mission every step of the way. Thank you.

Hon. Senators: Hear, hear!

[*English*]

AIR INDIA FLIGHT 182

Hon. Ratna Omidvar: Honourable senators, I first want to thank Senator Boisvenu for his relentless advocacy on behalf of victims of sexual crimes. I wish I could rise after that with somewhat more elevating words, but I can't because tomorrow is June 23. It is a day that is seared in our national memory by a profoundly solemn and horrifying day from our past.

Thirty-eight years ago, on June 23, Air India Flight 182 was brutally torn apart by a bomb explosion over the coast of Northern Ireland. All 329 passengers on board, including 82 children, 6 babies and 29 entire families, lost their lives in this heinous act. This devastating event remains the most atrocious act of terrorism in the history of Canada.

The families of the victims remember this tragic day every year. Most Indo-Canadians — and I look around to my Desi colleagues, who are nodding their heads — remember exactly what we were doing at that moment when we received the news. We recall the phone calls that we made to sons and daughters, mothers and sisters, fathers and brothers, and wives and husbands, as we wrapped our arms around them.

• (1220)

Just last night, I was with a friend whose uncle was the pilot on that ill-fated flight.

Subsequently, inquiries and criminal investigations were launched. Miscommunication and competition between Canada's security agencies were disclosed, but justice was not done. The Indian-Canadian community of victims organized and agreed to memorialize June 23 as the National Day of Remembrance for Victims of Terrorism. I commend them for being inclusive of other victims of terrorism.

But this inclusion has come at a cost to them. Angus Reid Institute released a poll today that said that 9 out of 10 Canadians know little or nothing about the largest successful terrorist attack against Canadians — and those who were lost are likely to be forgotten.

In 2018, I wrote to Canada Post, requesting them to memorialize the Air India victims, in particular, through a stamp. I received a note back from the Director of Stamp Services saying they would bring it to the attention of the Stamp Advisory Committee. It has been radio silence since then.

I have undertaken to rise as many times as I can to mark this day. In this chamber, at least, colleagues, let's remember, let's honour and let's keep their memory alive.

[Translation]

PIERRE MÉNARD

CONGRATULATIONS ON RETIREMENT

The Hon. the Speaker: Colleagues, I would like to recognize the dedication of the Senate Television Director, Pierre Ménard, who is retiring after more than 31 years on the Hill.

After a successful career with the CBC Parliamentary Television Network, Pierre joined the House of Commons staff in 1992. Over the decades that followed, his role in the television control room helped shape the way Canadians see their parliamentarians. With his dynamic filming style, he could always capture the energy of debates and the dignity of proceedings.

[English]

Pierre is the only television director, to date, who has worked extensively in both houses of Parliament, as well as in committees of the Senate and the House of Commons. Throughout his tenure, he directed ceremonial events and addresses to Parliament by numerous world leaders. He holds the distinction of helming the first televised broadcast of the Senate Chamber.

[Translation]

Anyone who has had the pleasure of meeting Pierre will be familiar with his unparalleled passion for the work of the Senate and all things parliamentary. Please join me in recognizing and paying tribute to his sincere commitment to excellence in Senate broadcasting, as he shared the important work we do here with Canadians.

[English]

ROUTINE PROCEEDINGS

SELF-GOVERNMENT TREATY RECOGNIZING THE WHITECAP DAKOTA NATION / WAPAHA SKA DAKOTA OYATE BILL

BILL TO AMEND—THIRTEENTH REPORT OF INDIGENOUS PEOPLES
COMMITTEE PRESENTED

Hon. Dennis Glen Patterson, member of the Standing Senate Committee on Indigenous Peoples, presented the following report:

Thursday, June 22, 2023

The Standing Senate Committee on Indigenous Peoples has the honour to present its

THIRTEENTH REPORT

Your committee, to which was referred Bill C-51, An Act to give effect to the self-government treaty recognizing the Whitecap Dakota Nation / Wapaha Ska Dakota Oyate and to make consequential amendments to other Acts, has, in obedience to the order of reference of June 20, 2023, examined the said bill and now reports the same without amendment.

Respectfully submitted,

DENNIS GLEN PATTERSON

Member of the committee

(Pursuant to the order adopted on June 20, 2023, the bill was placed on the Orders of the Day for third reading later this day.)

[*Translation*]

APPROPRIATION BILL NO. 2, 2023-24

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-54, An Act for granting to His Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2024.

(Bill read first time.)

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

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, with leave of the Senate and notwithstanding rule 5-6(1)(f), I move that the bill be placed on the Orders of the Day for second reading later this day.

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

Hon. Senators: Agreed.

(On motion of Senator Gold, bill placed on the Orders of the Day for second reading later this day.)

[*English*]

APPROPRIATION BILL NO. 3, 2023-24

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-55, An Act for granting to His Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2024.

(Bill read first time.)

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

[Senator Patterson (Nunavut)]

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, with leave of the Senate and notwithstanding rule 5-6(1)(f), I move that the bill be placed on the Orders of the Day for second reading later this day.

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

Hon. Senators: Agreed.

(On motion of Senator Gold, bill placed on the Orders of the Day for second reading later this day.)

[*Translation*]

BILL TO AMEND THE CANADA BUSINESS CORPORATIONS ACT AND TO MAKE CONSEQUENTIAL AND RELATED AMENDMENTS TO OTHER ACTS

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-42, An Act to amend the Canada Business Corporations Act and to make consequential and related amendments to other Acts.

(Bill read first time.)

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

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

[*English*]

ROYAL CANADIAN MOUNTED POLICE ACT

BILL TO AMEND—FIRST READING

Hon. Mary Jane McCallum introduced Bill S-271, An Act to amend the Royal Canadian Mounted Police Act.

(Bill read first time.)

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

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

• (1230)

DIRECTOR OF PUBLIC PROSECUTIONS ACT

BILL TO AMEND—FIRST READING

Hon. Mary Jane McCallum introduced Bill S-272, An Act to amend the Director of Public Prosecutions Act.

(Bill read first time.)

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

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

CANADIAN NATO PARLIAMENTARY ASSOCIATION

ANNUAL SESSION, OCTOBER 8-11, 2021—REPORT TABLED

Hon. Jane Cordy: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian NATO Parliamentary Association concerning the Sixty-seventh Annual Session, held in hybrid format in Lisbon, Portugal, from October 8 to 11, 2021.

PARLIAMENTARY TRANSATLANTIC FORUM,
DECEMBER 5-7, 2022—REPORT TABLED

Hon. Jane Cordy: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian NATO Parliamentary Association concerning the Parliamentary Transatlantic Forum, held in Washington, D.C., United States of America, from December 5 to 7, 2022.

COMMONWEALTH PARLIAMENTARY ASSOCIATION

BILATERAL VISIT TO UNITED KINGDOM, JANUARY 16-20, 2023—
REPORT TABLED

Hon. Salma Atallahjan: Honourable senators, I have the honour to table, in both official languages, the report of the Commonwealth Parliamentary Association concerning the Bilateral Visit to the United Kingdom, held in London, England and Cardiff, Wales, from January 16 to 20, 2023.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable colleagues, before I call Question Period, let me remind you, as I noted yesterday, that many senators wish to take part in Question Period. It would

therefore be appreciated if questions and preambles, as well as answers, could be as concise as possible. Thank you for your cooperation on this point.

QUESTION PERIOD

FINANCE

CANADA'S INFLATION RATE

Hon. Yonah Martin (Deputy Leader of the Opposition): My question is for the government leader in the Senate. Shortly after Minister Freeland delivered a budget full of inflationary spending, the inflation rate went up again. In its April report, Statistics Canada said Canadians paid over 28% more in mortgage interest costs that month, year over year. The International Monetary Fund, IMF, says Canada has the highest risk of mortgage defaults among advanced economies. This warning was delivered before the Bank of Canada raised the benchmark rate again, to 4.75%.

On Tuesday, our banking regulator told the banks to put aside more money in their "rainy-day funds" to cover defaults amid high household debt and high interest rates.

Leader, why doesn't the Trudeau government recognize that spending fuels higher inflation and interest rates, which are sending mortgage payments sky-high?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. Respectfully, the government is not of the view that its spending has, in fact, had those results. Paul Vieira reported that the economists at Desjardins Securities were quite clear in their analysis of the budget that the spending announced in the budget was not especially inflationary.

It is true that Canadians are suffering from high mortgage costs and high interest rates. This is a function of factors that go far beyond the government's spending. Again, in the interest of respecting that my answers be short, I will refrain from citing all the examples that Mr. Vieira cited of why the economy of Canada is on a very sustainable and good track, despite the problems.

Senator Martin: A National Bank of Canada report from earlier this month showed the average mortgage payments as a percentage of income in Canada are just under 61%. In Toronto, it's 82.8%, and in Vancouver, it's a whopping 94.9%. Again, this report came before the Bank of Canada increased rates to the highest level in 22 years. Canadians were already carrying the highest household debt in the G7. Now, many families are facing a crisis, as their mortgage payments could increase by up to 40%.

Leader, that number is not a partisan talking point. It's taken from the Bank of Canada report released in May. How can you possibly say the Trudeau government's economic strategy is a success, as you recently claimed?

Senator Gold: My responses to your earlier question and to this question are not responses to "partisanship." It's simply to provide an accurate economic analysis. The fact is that mortgage rates are a function of not only interest rates but also house prices or the amount that one pays.

Canadians are suffering with higher interests rates and facing challenges with affordable housing, but as I have said on many occasions, that is a function of many factors that have nothing to do with the government's monetary or fiscal policy.

The government has provided assistance to individuals in this country and is providing support for the building of more low-cost housing. It is simply incorrect to attribute the increasing share which Canadians unfortunately have to pay to sustain their mortgages to government spending alone. It is a function of far more market forces and others than anyone can fairly see.

[Translation]

FOREIGN AFFAIRS

REQUEST FOR EXTRADITION OF HASSAN DIAB

Hon. Claude Carignan: On April 27, I asked you about France's request for extradition of a Canadian, Hassan Diab, who was sentenced on April 21, 2023 to the maximum punishment by the Special Assize Court of Paris, which issued an international warrant for his arrest. This conviction came after three weeks of debates, eight hours of deliberations and 43 years of painstaking investigations. Mr. Diab was found guilty of carrying out an attack, in 1980, on the Union Libérale Israélite de France synagogue, on Rue Copernic, which left four people dead and many injured.

At the time, you confirmed that your government had received the extradition request and was examining it. You also stated, and I will quote you so that it is very clear, "As soon as the decision is ready for publication, I will share it here in this chamber."

Two months later, can you keep your promise and share the government's decision with us?

Hon. Marc Gold (Government Representative in the Senate): Thank you for that question, which gives me an opportunity to set the record straight. I said, in answer to your question, that I had set the record straight, and the record was set straight in the press. In your question, you indicated that we had received an extradition request. However, as I explained to reporters, and as was published, that was not in fact the case. It was my fault. I misspoke.

[English]

To the chamber, I apologize.

[Senator Martin]

[Translation]

In fact, France has not sent an extradition request to Canada. Canada has not received an extradition request. There has been no extradition request yet. As such, Canada cannot make a decision.

Senator Carignan: Thank you for your answer. I'm glad you're letting the chamber know that you misspoke that day. I also learned of your misspeaking from the press.

Do you often misspeak? When you do misspeak, perhaps it would be best to notify the chamber right away rather than waiting two months to tell the press?

Senator Gold: I'll answer that frankly and with all due respect for the Speaker: No, it doesn't happen to me often, and every time it does, I own up.

• (1240)

[English]

EMPLOYMENT, WORKFORCE DEVELOPMENT AND LABOUR

DISABILITY BENEFITS

Hon. Kim Pate: My question is for Senator Gold. Both Minister Qualtrough and the Senate sponsor of Bill C-22 have acknowledged that the potential for clawbacks of the Canada disability benefit by private insurers is a real concern. How many Canadians does the government estimate are currently in receipt of long-term disability insurance and have income at or below the poverty line?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question, senator. I suspect this information is not readily available — I certainly don't have it — as persons with disabilities may have multiple sources of income, including from various private insurance providers.

I would reiterate to this chamber the government's commitment to lifting Canadians out of poverty by assuring their basic needs, such as safe and affordable housing, healthy food and health care, are provided for. The government's commitment to individual dignity is a key pillar in Canada's First Poverty Reduction Strategy, which the government first released back in 2018.

Senator Pate: Thank you very much for that. Since our debates on Bill C-22, we have heard from a number of experts that some of the arguments put forth around the lack of constitutionality of the amendment proposed and rejected by the government was actually a red herring. The argument was not that the federal government has jurisdiction over regulating contracts, but, rather, that the argument as we were indicating is that the ancillary powers doctrine allows the federal government to legislate otherwise invalid provisions in order to achieve the objective, which, as you have pointed out, was the primary objective of the legislation — to achieve its valid exercise of spending authority to lift people out of poverty.

Many of these experts have quoted Professor Roderick MacDonald regarding the federal spending power. He talked about the fact that, historically, the “watertight compartments” metaphor of the division of powers has now been increasingly replaced by a more flexible doctrine that doesn’t take such a bright-line approach and is most significantly capable of enlarging the reach of the federal spending power:

As the Supreme Court moves to an expansive reading of the ancillary and national dimensions doctrines, the limits of jurisdiction in each order of government become much more difficult to pin down.

I’m curious whether the government considered this perspective before putting people’s access to the Canada disability benefit at risk by rejecting that amendment. And if so, why did they reject that analysis?

Senator Gold: Thank you for the question. Of course, the government considered all relevant constitutional positions, doctrines and interpretations, and those of leading experts. I’m pleased that you mentioned the late Professor MacDonald. He was a colleague and a friend, as was the late Peter Hogg.

I’m not going to repeat the analysis that Senator Cotter provided. I agree with him. It is 100% clear that the ancillary doctrine only applies in the context of federal legislation under a federal legislative power. The spending power does not give Parliament the ability to legislate, and so the ancillary doctrine, therefore, does not apply. Though it is true that constitutional doctrines evolve, this one hasn’t. This one has been clearly established for decades and decades and is independent of whether or not cooperative federalism or the understanding of it ebbs and flows.

I could go on at great length. The arguments have been made. The government considered it. I believe the government made the correct decision with regard to the constitutionality. I’m also confident that the government, in its negotiations with the provinces and territories, and that the provinces and territories, in negotiations with private companies, will do the right thing by way of protecting those persons receiving benefits under this important program.

INDIGENOUS SERVICES

INDIGENOUS BUSINESS NAVIGATOR

Hon. Tony Loffreda: My question is to Senator Gold, the Government Representative in the Senate. Yesterday was National Indigenous Peoples Day, a day to acknowledge and celebrate the history, resilience and diversity of First Nations, Inuit and Métis. It is also the perfect opportunity to recognize the entrepreneurship and business acumen of Indigenous peoples.

There are many programs and initiatives to help Indigenous businesses access government funding and increase their market access. Navigating all these programs is quite overwhelming. There is very limited information online on how the service works.

Senator Gold, can you provide us with an update on the launch, structure and early results of these programs to help Indigenous entrepreneurs navigate through and find these programs?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. As I understand it, the navigator is meant to help connect Indigenous businesses and owners, Indigenous organizations and communities with programs and services that exist across many different departments and agencies of the federal government. Quite a number of those agencies are participating, including Agriculture and Agri-Food Canada and Canada Economic Development for Quebec Regions; indeed, there are over a dozen. They can be found easily.

They cover the span of this country and focus on economic development, women and gender equality and the like. The navigator process can be initiated by emailing navigator@sac-isc.gc.ca, providing certain details for one’s business community organization and information will be transmitted.

Senator Loffreda: Thank you for that answer. How is the department measuring the success of the service? Are Indigenous entrepreneurs providing the department with feedback to help improve the service? Do we have performance indicators and targets in place in order to evaluate the success and effectiveness of the navigator service and manage the results and not only its funding and activities?

Senator Gold: It’s an important question. This initiative was only launched a few months ago, in February 2023. I imagine it is somewhat premature to fully evaluate the initiative. The government remains fully committed to working, listening to feedback and continuing on improving the services that are offered to Indigenous persons and organizations across this country generally and through this program.

HEALTH

ADVERTISING DIRECTED AT CHILDREN

Hon. Robert Black: My question is for the Government Representative in the Senate. Senator Gold, as we have seen time and again, industry remains a vital partner in Canada’s agriculture and agri-food sectors, from the adoption of the Grocery Code of Conduct to partnering with the Canadian Agricultural Human Resource Council for a national workforce strategy. Agriculture and Agri-Food Canada and other federal departments, along with stakeholders and policy-makers, know the importance of collaboration with industry in the ag sector. This helps to guarantee progressive and innovative approaches in making sure Canadians have access to healthy, high-quality foods.

The Association of Canadian Advertisers, along with Food, Health & Consumer Products of Canada, Restaurants Canada and the Canadian Beverage Association, developed a code and guide for the responsible advertising of food and beverage products to children. These organizations represent companies like Ferrero North America, Coca-Cola, General Mills, Campbell Company of Canada, Burnbrae Farms, Cavendish Farms and many more.

This ethical guideline and code often far exceed measures laid out in the proposed Bill C-252 and it goes into effect July 1 this year.

Senator Gold, my question is: Why are the code and guide not being considered in the process of adjusting the regulations to marketing to children? Why is your government not collaborating and engaging with all industry stakeholders, instead denying the aforementioned organizations the opportunity to appear during the committee stage of Bill C-252 in the other place? When will your government reach out to these organizations and work with industry? Thank you, *meegwetch*.

Hon. Marc Gold (Government Representative in the Senate): Thank you for bringing the chamber's attention back to the important issue of supporting healthy eating habits for everyone, including children, which we dealt with in the past.

With regard to the code you mentioned, I have been advised the code would only apply to its members, and only on a voluntary basis. While many of Canada's food and beverage industry stakeholders are members of the signatory associations, I understand the code would not apply to a large number of small- and medium-sized enterprises as well as some large retailers and companies. Instead of adopting a voluntary code that may or may not apply to a given industry member, Health Canada issued a policy update two months ago — in April 2023 — with regard to restricting the advertising of food and beverages to children, starting with the advertising on television and in digital media. I have been advised that this policy update, which is the first step in the drafting of regulations, was informed by extensive consultations with the industry and partners between 2016 and 2019.

• (1250)

NATIONAL STRATEGY FOR DRUGS FOR RARE DISEASES

Hon. Jane Cordy: Senator Gold, in March of this year, the government committed up to \$1.5 billion over three years to establish the first-ever national strategy for drugs for rare diseases — that is really good news.

On Monday, we marked the sixth National Sickle Cell Awareness Day in Canada. An estimated 6,000 Canadians live with sickle cell disease/anemia. After speaking with patients and advocates this week, the announced drug strategy for rare diseases has raised hope, but also uncertainty. Senator Gold, sickle cell advocate groups and associations are concerned that their input might not be considered, or that they won't be included in the government's advisory council, which is promised to be established by this summer. How can advocates get a seat at the table to ensure that sickle cell anemia is not left out, and to ensure that new drugs will finally be available to those with sickle cell anemia?

Hon. Marc Gold (Government Representative in the Senate): Thank you very much for bringing attention to Canada's first-ever national strategy for drugs for rare diseases, which was announced earlier this year. It is supported, as senators may know, by an investment of up to \$1.5 billion over three years. Regarding the distribution of the funds, up to \$1.4 billion may go to the provinces and territories through the

bilateral agreements that are being negotiated. Further details, including details with regard to your question on the issue of sickle cell anemia, will be announced as the negotiations move forward.

With regard to your other question, senator, my understanding is that the national strategy reflects extensive consultations that garnered diverse perspectives from over 650 individuals and organizations, including patients with lived experiences, family members and caregivers. If it turns out, senator, that, for some reason or another, the interests of those representing sickle cell anemia have not been consulted, please let my office know, and I will make every effort to connect them with the appropriate person.

NEWBORN SCREENING FOR SICKLE CELL ANEMIA

Hon. Jane Cordy: Thank you very much for that invitation. I will certainly follow through if I hear from the advocates. Thank you very much for that, Senator Gold.

Newborn screening for sickle cell anemia is an important tool for prevention and early diagnosis. Currently, only a select number of provinces and territories screen for sickle cell anemia. I'm pleased that former premier Stephen McNeil of Nova Scotia supported an approved newborn screening in my province in 2013 — 10 years ago.

Will funds under this program be available to the provinces and territories to help establish uniform screening policies across the country? What are the anticipated timelines for allocating the different funding streams to the provinces, territories and organizations?

Hon. Marc Gold (Government Representative in the Senate): It is an important question. I'm not seized with the details of the negotiations; they vary from province to province and territory to territory. As we know, health is an exclusively provincial jurisdiction, but the federal government is providing funds. The provinces have happily agreed to share data. Beyond that, the Government of Canada has not purported to tell the provinces how to spend their money out of respect for their jurisdiction and for their particular needs. Again, I encourage those stakeholders to work with their associations, and their provincial governments, to put that on the table so that the available funds can be used properly and effectively. Thank you.

FINANCE

CARBON TAX

Hon. Leo Housakos: Senator Gold, as we break for the summer holiday, Canadians continue to suffer from the results of the inflationary Trudeau economy. The hardest-hit Canadians are going to be whacked a second time by the Trudeau government with a second carbon tax on July 1 — on Canada Day, of all days. As we all know, senators, middle-class and poor Canadians spend a higher percentage of their earnings on fuel, food and the things they need to sustain their families. We have also seen reports come out from the Parliamentary Budget Officer

highlighting how this action — the second carbon tax — is going to cost Canadian families thousands of dollars more over the next decade from coast to coast to coast.

While your government continues to say, in their talking points, that inflation is out of their control, and there is nothing they can do about it — you said it a moment ago in regard to a question from Senator Martin — I have a simple question: In order to bring some relief to poor and middle-class Canadians, can you press pause on this cruel second carbon tax?

Hon. Marc Gold (Government Representative in the Senate): Thank you. Without parsing how you characterized my answer — because I think it was somewhat incorrect — as I have said many times before, the price on pollution is an important tool in this government's efforts to slow down climate change, as well as to help mitigate the ravages that we are increasingly experiencing, not only in every corner of our country, but also in this world.

Your question makes me also reflect on the recent ceremony, to which I referred, of the raising of the Survivors' Flag. What is the link? Person after person, and Indigenous leader and survivor after Indigenous leader and survivor — the answer is clearly "no," Senator Housakos.

I will take the liberty of reminding us of this: It is not simply government policy that is attempting to mitigate the crisis. This is a responsibility that we have. We are borrowing this land from our grandchildren, as was said. We have a responsibility, and the government is doing its part. Yes, taxes and rising costs are a challenge for Canadians. The government has stepped up and is helping Canadians, and it is doing so in a responsible and fiscally prudent way. The art of governing is the art of making important choices, and dealing with more than one subject at a time — this government is on track to do precisely that.

Senator Housakos: Let me get this straight: After your first carbon tax, where you pummelled middle-class Canadians into the ground, forcing them to become poor, while you have had no impact on your environmental targets — you've hit none of them; it's zero — you are telling me that a second carbon tax to continue your insanity in your failed policy of saving the environment — by killing poor and middle-class Canadians — is somehow a magic bullet. Congratulations — you have failed on your environmental targets; you have succeeded in setting record-high inflation; and you have succeeded in growing the number of poor Canadians in this country, as well as the dwindling middle class. The question is simple: Will your government, at least, try some of these common-sense policies that we are putting forward as an opposition, and put a pause on this second carbon tax in order to give badly needed relief to middle-class and poor Canadians who are suffering while we go on vacation?

Senator Gold: I have resisted, and I will continue to resist, being sucked into these kinds of simplistic and partisan talking points. The short answer is that this is not a serious response to a global environmental and economic crisis. The country would be served better — at least in this chamber, if not in the other place — with serious policy alternatives instead of simply repeating talking points for the benefit of your Twitter feed.

HEALTH

PHARMACEUTICAL DRUGS

Hon. Pamela Wallin: Senator Gold, in October 2022, Lilly pharmaceuticals stopped making Glucagon. No one was told — not drugstores, nor the millions of diabetics for whom this is a life-saving medication. They said it was on back order. They eventually replaced the product with a nasal spray that has horrific side effects. My adult niece nearly died three nights ago from choking on her own blood. Novo Nordisk makes a similar product called GlucaGen, but they cannot handle the extreme increase in demand for prescriptions. According to Novo Nordisk, they have been asking Health Canada to bring this product in from the United States to help save lives, as even Canadian hospitals have not been able to secure the product for life-saving measures, as my niece discovered three nights ago.

• (1300)

Senator Gold, can you please beg the Minister of Health and Health Canada to approve the import of the replacement product from the U.S. before someone dies? I'm not asking for an answer from you. Please just raise this as an urgent matter. Thank you.

Hon. Marc Gold (Government Representative in the Senate): I certainly will. I'm so sorry to hear what your niece had to go through. Thank goodness that she survived the ordeal.

I certainly will do everything I can to bring this to the minister's attention.

ENVIRONMENT AND CLIMATE CHANGE

CLEAN INFRASTRUCTURE

Hon. Mary Coyle: My question is for Senator Gold.

The *Toronto Star* recently reported that \$7.8 billion earmarked for climate programs between 2016 and 2022 was either unspent or spent at a slower pace than planned. For example, the Investing in Canada Infrastructure Program was supposed to direct \$5.5 billion to public transit and green infrastructure by 2021-22, but had only spent 43% of it by that time.

Cabinet ministers have responded that the flow of money to projects depends on the pace at which those projects are completed by Canadians.

On Monday, Prime Minister Trudeau told the Atlantic Economic Forum that Canada's action on climate will attract investors from abroad.

Senator Gold, investors are looking for the actual installation of more renewable energy and the actual construction of new green infrastructure in Canadian communities. I believe that, at this moment, funding for the program I mentioned earlier has now been allocated.

Most importantly, Senator Gold, what does the federal government do to ensure that these types of climate programs are well understood by the people, businesses and communities who are eligible for them? What lessons are we learning from this to ensure that Canadians make full use of the billions in investment tax credits for clean technology manufacturing and clean electricity announced in Budget 2023?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. You raise an important point.

We know the government is actively involved in communicating the opportunities for investors to invest in Canada in these initiatives. Minister Champagne is well known for the energy with which he approaches his task and the success he has reached, but it's true across government.

The important point that you raise about communication both to businesses abroad and to Canadians is well taken. There is consultation with stakeholders, the public and the affected governments on the design of each of these programs. As projects are being contemplated, those conversations continue. Awareness campaigns may and will be undertaken for new, specific instances.

Having said that, I agree with you that clear and sustained communication to Canadians and abroad is important to the success of this, as it is for any initiative.

ANSWERS TO ORDER PAPER QUESTIONS TABLED

NATIONAL REVENUE—CANADA REVENUE AGENCY

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the reply to Question No. 33, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the Canada Revenue Agency.

NATIONAL DEFENCE—MILITARY JUSTICE SYSTEM

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the reply to Question No. 66, dated November 23, 2021, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding Canada's military justice system.

[Senator Coyle]

NATIONAL DEFENCE—ANSWERS TO ORDER PAPER QUESTION NO. 15 DURING THE FIRST SESSION OF THE FORTY-FOURTH PARLIAMENT

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the reply to Question No. 159, dated May 5, 2022, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the answers provided by the Department of National Defence to Order Paper question No. 15 during the 1st session of the 44th Parliament.

INTERGOVERNMENTAL AFFAIRS, INFRASTRUCTURE AND COMMUNITIES—NEWFOUNDLAND-LABRADOR FIXED TRANSPORTATION LINK

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the reply to Question No. 207, dated February 2, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the Newfoundland-Labrador fixed transportation link.

[*Translation*]

ONLINE NEWS BILL

MESSAGE FROM COMMONS—CERTAIN SENATE AMENDMENTS CONCURRED IN AND DISAGREEMENT WITH CERTAIN SENATE AMENDMENTS

The Hon. the Speaker: Honourable senators, I have the honour to inform the Senate that a message has been received from the House of Commons which reads as follows:

Wednesday, June 21, 2023

EXTRACT, —

That a message be sent to the Senate to acquaint Their Honours that, in relation to Bill C-18, An Act respecting online communications platforms that make news content available to persons in Canada, the House:

agrees with amendments 1, 2, 3, 6, 7, 8, 9 and 10 made by the Senate; and

respectfully disagrees with amendments 4 and 5 because they undermine the objectives of the bill, which focus on encouraging fair deals that reflect what each party contributes to, and how each party benefits from, the making available of news online, and narrow the scope of the bargaining process and the key factors guiding final offer arbitration decisions.

Honourable senators, when shall this message be taken into consideration?

(On motion of Senator Gold, message placed on the Orders of the Day for consideration later this day.)

[English]

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Patti LaBoucane-Benson (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-51, followed by consideration of the message from the House of Commons concerning Bill C-18, followed by third reading of S-12, followed by second reading of Bill C-54, followed by second reading of Bill C-55, followed by third reading of Bill C-47, followed by all remaining items in the order that they appear on the Order Paper.

SELF-GOVERNMENT TREATY RECOGNIZING THE WHITECAP DAKOTA NATION / WAPAHA SKA DAKOTA OYATE BILL

BILL TO AMEND—THIRD READING

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) moved third reading of Bill C-51, An Act to give effect to the self-government treaty recognizing the Whitecap Dakota Nation / Wapaha Ska Dakota Oyate and to make consequential amendments to other Acts.

Hon. Marty Klyne: Honourable senators, on the traditional territory of the Algonquin Anishinaabeg, and with tremendous pride, I rise to speak to Bill C-51, An Act to give effect to the self-government treaty recognizing the Whitecap Dakota Nation / Wapaha Ska Dakota Oyate and to make consequential amendments to other Acts.

I rise not just to speak to a bill but to celebrate Whitecap Dakota reclaiming their legal rights to self-determination.

Chief Darcy Bear and I have talked about this moment for some time now, so it is with great pleasure I salute Whitecap Dakota Nation on this historic achievement, one which will serve as another step on the long road to reconciliation.

It comes on the heels of other achievements of reconciliation, including the recent passing of Bill C-45, an Act to amend the First Nations Fiscal Management Act, to make consequential amendments to other Acts, and to make a clarification relating to another act; not to mention this week's Action Plan for the United Nations Declaration on the Rights of Indigenous Peoples,

which is another such milestone; as is the announcement of a site on Parliament Hill for a monument to residential school survivors and victims.

In the case of Whitecap Dakota, I make no mistake that before we can celebrate, we need to get this bill across the finish line, so I'll keep my remarks short.

We should take a moment to reflect on the context of this legislation and discuss how we came to this point. Historically, Canada's relationship with Indigenous peoples has been stained with injustice and discrimination. We still see the effects of the residential school system, the underfunding of community services, the outstanding specific claims to the fulfillment of historical treaties and other agreements and the misappropriation of lands. Yet today, I am filled with tremendous optimism and growing confidence that brighter days lay ahead.

• (1310)

The story of Whitecap Dakota Nation adds to my positive outlook. Senator Cotter gave a wonderful overview of their history in his speech yesterday, so I am satisfied that part of the story has been told. I expect that Senator Cotter will further complement his speech shortly.

Suffice it to say that, in facing the many challenges and betrayals over the last two centuries, Whitecap Dakota has endured with resilience and courage. They began to push back and take charge of their own social, political and economic affairs with great determination and the courage to make the right choices, with perseverance in goodness over time and with lasting effort and patience when things were tough. Today, Whitecap Dakota First Nation has attracted over \$160 million in capital investment — and they are just getting started!

Colleagues, rather than provide an overview of the numerous economic achievements of Whitecap Dakota, I refer you to my inquiry speech of May 2 launching the inquiry celebrating Indigenous-led businesses and economic development organizations, a speech in which Whitecap Dakota Nation's was the economic success profiled.

That said, I would be remiss if I didn't acknowledge the efforts of my friend Chief Darcy Bear and his council and elders, who, for the past three decades, have led the people of Whitecap Dakota with honour, humility and dedication. He has spoken about their success:

We can't change the wrongs of the past . . . but certainly going forward we can all change the future by working together in partnership. We have that attitude that we don't believe in the word "can't." There's always a way to moving something forward.

Whitecap Chief and council should be recognized on our national stage for their many achievements to date and, soon, this significant achievement.

As I said, the self-government agreement between Whitecap Dakota and Canada represents another step on our federation's path towards reconciliation. It's a positive step forward, and I'm

thrilled that we, as legislators, can play a part. This is the first self-government agreement signed in Saskatchewan, and I hope that more will follow.

Let's take a moment to discuss what the impact of this legislation will be. Why should Canadians pay attention and support this agreement? It matters because self-government restores Dakota Whitecap's legal right to self-determination, realizing their underlying inherent rights. It recognizes them as a First Nation under section 35 of Canada's Constitution. It matters because this agreement means an opportunity for Whitecap Dakota to reclaim what was taken or withheld from them generations ago. Despite being some of Canada's most committed allies, this is what they've been fighting for ever since, with truth and justice on their side. It matters because this is an opportunity to enhance prosperity and pride of place in Canada for this great people.

This agreement means Whitecap Dakota can continue to grow and that the hope that endured was hope well placed to bear fruit. It means positive change that will benefit everyone as they create wealth and contribute to the prosperity and the well-being of this country.

As honourable senators know, we will not achieve true reconciliation until Indigenous peoples are empowered to take advantage of their full economic, social and political potential. This agreement gets us one step closer. Let us speak with one voice in our vote for Bill C-51, and let's get this done.

Thank you. *Hiy kitatamihin.*

Hon. Brent Cotter: Honourable senators, it's a pleasure to be here. I'll be mercifully brief today.

With respect to Bill C-51, let me begin by thanking Chief Darcy Bear, Chief of the Whitecap Dakota First Nation, and Councillors Dwayne Eagle and Frank Royal, who came to Ottawa to appear before our committee and meet with senators, enabling us to celebrate with them the achievements of this bill. Also a thank you to their policy adviser Murray Long, who joined them in that work and in their appearances both here and in the other place at committee. Also, congratulations and thanks to Minister Miller and his staff and to Federal Negotiations Manager Aayah Shadad and her team. Some of you were able to participate in briefings on this bill from Ms. Shadad. I was as well. They provided outstanding and insightful explanations of the bill to those of us who attended. I also want to extend thanks to each of you for agreeing to expedite consideration of this important bill. It means a lot to the people of Whitecap Dakota and it means a lot to Canadians, I think.

Briefly, to highlight the self-government treaty again, it does essentially three things. First, it brings Whitecap Dakota into the fold of Aboriginal peoples, pursuant to section 35 of the Constitution Act — a long-standing and unfair oversight to this First Nation and to a few others who are in the same category of essentially refugees from the United States, as you will recall, from a few hundred years ago. Second, it changes the official name of the First Nation to the Whitecap Dakota Nation; and, third, as a result of the name change, it enables them to transition out from under most aspects of the Indian Act.

This is a bilateral agreement between Canada and the Whitecap Dakota First Nation, but you should be aware that the Government of Saskatchewan — and the nation is located in Saskatchewan, just south of Saskatoon — does not oppose this agreement. In fact, there is a whole series of additional bilateral agreements between the First Nation and the Government of Saskatchewan that facilitate the effectiveness of the self-government agreement.

Chief Bear described this at the hearings yesterday. This has always been a concern for many First Nations, namely, being able to enforce their own bylaws or band laws. The RCMP, for a variety of reasons, have been unwilling to do that in Saskatchewan in relation to Whitecap Dakota. However, there is an arrangement with the provincial government where they will make available community safety officers, who have law enforcement powers — not quite as enriched as policing powers but significant ones — and will provide that service. Those partnership agreements with the province are making possible this agreement not only to be lawful and meaningful but also to be highly effective, I think. That's to the credit of Chief Bear and his team and also the Government of Saskatchewan.

Furthermore, this agreement helps to unlock what Senator Klyne was speaking about, namely, the power of this nation to be able to govern itself effectively. You heard the story about its successes over the last 30 years. This will continue the nation on that progress. Indeed, Chief Bear used the phrase, "This will make it possible for us to operate at the speed of business." That's a lovely phrase when you think about it. I think all of you have some, maybe deep, understanding of the way in which the Indian Act and various other colonial constraints have put handcuffs on First Nations who are keen to make both social and economic progress on behalf of their people.

My sense is that this orientation, a can-do attitude, an entrepreneurial spirit — all in the interests of the citizens of Whitecap Dakota — is exactly what can be achieved by acting on a commitment to reconciliation, to moving away from a century-plus approach based on the imposition of colonial values and policies and a century-plus paternalistic attitude which the Indian Act tends to generate.

Adopting this bill will be a way of actualizing reconciliation for the Whitecap Dakota Nation and also a model of optimism for other First Nations and for Canada as a whole. I hope that you will support this bill and that we'll be able to move it into actuality so that it can come into force in September, as planned.

Thank you very much.

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I rise to speak at third reading of Bill C-51, An Act to give effect to the self-government treaty recognizing the Whitecap Dakota Nation / Wapaha Ska Dakota Oyate and to make consequential amendments to other Acts.

First, I want to send my best wishes and hopes for a speedy recovery to Chief Darcy Bear, who suffered a medical emergency at committee last night. I was encouraged to hear that Chief Bear, though hospitalized overnight, seems to be doing well.

It was a frightening moment for all concerned, I'm sure, and a reminder to all of us that life is delicate and time is precious. It also pleases me to know that the committee kept its wits last night and finished the necessary work on Bill C-51, a landmark piece of legislation that is long overdue and that Chief Bear has been so instrumental in bringing to fruition.

• (1320)

As he said in his opening remarks last night, "it has been a long journey," and indeed it has, tracing in many ways all the way back to the War of 1812, more than two centuries ago.

As I mentioned the other night and as Minister Miller acknowledged in his remarks to the committee, the specific process leading to the treaty and this bill began in 2009 under the Harper government. Minister Miller, echoing the words of Chief Bear, said that too has been a long process, but to their credit the Whitecap Dakota First Nation used that time to work steadily and relentlessly toward this moment.

As Chief Bear said:

... as far as self-government goes, Whitecap First Nation has been, over time, had our own election code, our own First Nation land management code and our own membership code. We eliminated about 35% of the Indian Act already.

That was before the self-government treaty that this bill will bring into law, a law that will add a very important element that has long been missing and is long overdue.

Again, I can do no better than to quote Chief Bear:

... when we looked at changing it to a self-government treaty, that was when we talked about the acknowledgment of the Whitecap Dakota people as Aboriginal peoples of Canada.

Honourable senators, I am sure you have heard me and other senators complain in the past that this government too often expects us to rush bills through. Bill C-51 is a bill that we only got this week, but we cannot ignore that it has been two centuries in the making and we cannot ignore that with this bill we are righting an historic wrong, and in doing so we have the chance to make history. Thank you.

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?

Hon. Senators: Agreed.

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

ONLINE NEWS BILL

MESSAGE FROM COMMONS—MOTION FOR NON-INSISTENCE UPON SENATE AMENDMENTS ADOPTED

The Senate proceeded to consideration of the message from the House of Commons concerning Bill C-18, An Act respecting online communications platforms that make news content available to persons in Canada

Wednesday, June 21, 2023

EXTRACT, —

That a message be sent to the Senate to acquaint Their Honours that, in relation to Bill C-18, An Act respecting online communications platforms that make news content available to persons in Canada, the House:

agrees with amendments 1, 2, 3, 6, 7, 8, 9 and 10 made by the Senate; and

respectfully disagrees with amendments 4 and 5 because they undermine the objectives of the bill, which focus on encouraging fair deals that reflect what each party contributes to, and how each party benefits from, the making available of news online, and narrow the scope of the bargaining process and the key factors guiding final offer arbitration decisions.

Hon. Marc Gold (Government Representative in the Senate) moved:

That, in relation to Bill C-18, An Act respecting online communications platforms that make news content available to persons in Canada, the Senate do not insist on its amendments with which the House of Commons disagrees; and

That a message be sent to the House of Commons to acquaint that house accordingly.

He said: Honourable senators, I rise today to speak to the message on Bill C-18.

Just last week, the Senate adopted this key piece of legislation to support Canadian journalism with a dozen amendments. The bill returns to us from the other place with support for most of those changes. Today, I am proposing that the Senate accept the other place's position in response to the Senate's amendments and bring the online news act to Royal Assent.

Before turning to the message from the other place, I'd like to reflect on the situation facing journalism and how we have come to this point. This is a critical moment for journalism in Canada. Despite the tenacity and commitment of the witnesses we have heard here, we have painted a worrying picture of our nation's news industry. Local newspapers are disappearing across the

country. Canadian journalists are losing their jobs. We have heard devastating news from Bell Media in recent days. This can have long-term impacts on the Canadian news media ecosystem and on Canadian democracy.

We all lose if Canadian news businesses are starved to the point where they can no longer produce high-quality journalism. When no one is there to report on democratic institutions and to counter the growing wave of disinformation, citizens suffer the consequences. Every day brings new evidence of this phenomenon worldwide. The message we have heard from these stakeholders is clear: The time to act is now.

Colleagues, it's clear that the internet has changed how Canadians get their news as they turn toward social media, apps and aggregators.

Canadian news businesses have pivoted to adapt their content to digital media but they are operating in a world where a handful of large players have an inordinate amount of power over how online content is accessed.

These large digital platforms have used their outsized market power to make news content available without compensating news organizations. Platforms claim that news has little to no value. But data shows us that Canadians rely heavily on social media to access news: 55% of Canadians use social media to find their news.

Platforms claim that they are providing a service to news businesses by making their content available to online audiences. But platforms are the ones who reap the benefits from monetizing Canadians' access by selling user data, or targeted ads based on that data, to advertisers.

Colleagues, at the same time, I do not deny that news organizations benefit from their content being shared on digital platforms. Canadians across this country use these digital spaces to access information, exchange ideas, connect with each other and create content that reflects their unique experiences. Such spaces have the potential to strengthen our democracy by promoting foundational values such as freedom of expression. The problem lies not in the technology, but in the power imbalance between the platforms and everyone else.

Honourable senators, we have heard platforms and their proponents argue that any regulation that challenges their business model is a threat to the internet and free speech itself. We know that platform services are not the internet and free speech is not a product sold by an online platform or a search engine. Dr. Winseck, who testified here last month, estimates that in 2021 Google's advertising revenue in Canada alone was \$4.9 billion. Meta's was \$4 billion. This represents 80% of the online advertising market in Canada. Bill C-18 is a necessary response to these platforms' dominant market position.

For Canada's news industry, the numbers stand in stark contrast to the \$9 billion in advertising revenue I just mentioned. Since 2008, close to 500 news media outlets have closed in 335 communities across Canada and more than 20,000 Canadian journalists have lost their jobs.

Throughout our study of the bill, we have heard first-person accounts from stakeholders that add a human dimension to these numbers. News businesses large and small are cutting back on journalists. Newsrooms are shrinking down to the bare bones or closing altogether. Students are turning away from careers in journalism. News deserts are multiplying as communities across the country lose their local papers. Under these pressures, many of the stories that Canadians want to hear are simply not being told.

Despite being a pillar of a functional democracy, reliable journalism has never been easy to finance. And today, as always, committed publishers, broadcasters, journalists and editors continue to find creative ways to produce quality journalism. But all the innovation and business chops in the world will not help when news organizations are not operating on a level playing field.

The situation is untenable. Reasonable intervention is needed before players can meet on even ground. Senators showed their support for this legislation last week in a vote of 51 to 23.

Our colleagues in the other place have now returned the bill to us, recognizing the work that we did and accepting almost all the amendments we made. Thanks to the diligent work of us here in the Senate, the bill before us today is a better bill.

• (1330)

[*Translation*]

The other place supported several of the amendments regarding the definition of "news outlet" in the bill. An amendment proposed by Senator Cormier adds references to "Indigenous news outlets" and "official language minority community news outlets," while another amendment proposed by Senator Simons removes specific examples of what could be considered news content. The other place also accepted an amendment proposed by Senator Clement, with the support of the Aboriginal Peoples Television Network, which makes the definition of "news content" less specific with regard to Indigenous media.

Senator Cormier's definitions of "official language minority community" and "official language minority community news outlet" were also accepted by the other place.

The other place also accepted an amendment proposed by Senator Cormier that sought to create a separate category for agreements with official language minority community news outlets as part of the exemption criteria for platforms. Two technical amendments were adopted as a result.

[*English*]

Senator Dasko's proposal, which aims to provide clarity with respect to the designation of news organizations by request from news organizations themselves, was also accepted.

The other place also supported the proposal by Senator Clement to create a distinct reporting category within the independent auditor reports to understand the impact of this legislation on Indigenous news outlets, outlets that serve local

and regional markets, outlets that serve Black and other racialized communities and outlets that serve official language minority communities.

The other place further accepted a technical amendment that I presented at committee, which would ensure that the Canadian Radio-television and Telecommunications Commission can impose conditions on members of the arbitration panel regarding the disclosure of confidential information and that the panel members know their obligations as it relates to such confidential information. Many witnesses had raised the importance of protecting commercially sensitive information throughout the negotiation process.

Finally, the other place supported an amendment proposed by Senator Miville-Dechéne to put a tripwire in place to bring the full regime into force within six months after Royal Assent.

There is, however, one point on which the other place has respectfully disagreed with us, with reasons articulated in their message. They have done so following a robust and vigorous debate in a minority parliament. Their decision is clear, informed and carefully considered, and I am asking this chamber to concur.

The amendment in question aims to narrow the scope of negotiation between news businesses and platforms by specifying that the deals must be based on the “value derived” by both parties. The amendment would then require parties to assign monetary value to news content. It would have an effect of attributing value through negotiations.

As noted by the sponsor of the bill, Senator Harder, by narrowing the scope of the negotiation process to determine the value exchanged between the two parties, this amendment would result in negotiations less favourable to the media and contrary to the objectives of the bill. As currently drafted, the legislation already requires that if parties cannot agree and reach the stage of final offer arbitration, the arbitration panel must look at an array of factors.

Indeed, the bill provides great leeway for parties to reach a mutually satisfactory arrangement during the negotiation and mediation process. When an arbitration panel intervenes as a solution of last resort, its decision must be based on the following factors: the monetary and non-monetary value added to the news content in question, the benefits that each party derives from the content being made available on the platform as well as the bargaining imbalance between the parties. Colleagues, as you can see, this approach allows the parties to negotiate over elements that go beyond financial compensation.

The amendment that was not retained by the other place constrains this process. It may introduce challenges related to the determination of fair market value. It may be interpreted in a way that is less favourable to news organizations and that would result in significantly reduced compensation for the outlets.

Stakeholders have raised these concerns, and I believe these concerns bear repeating. For example, Paul Deegan, the CEO of News Media Canada, which represents 560 titles, said the following:

The amendment would limit the ability of news publishers to negotiate fair compensation with dominant platforms. Value will be determined during negotiations.

Similarly, Pierre-Elliott Levasseur, the President of *La Presse*, indicated:

This amendment would tie one hand behind our back and hamstring us in negotiations with the platforms that enjoy a massive power imbalance over news publishers. The majority of media outlets in Canada have tried to get deals with Facebook and Google, only to have the door slammed in their faces. This is particularly true in Quebec, where *La Presse*, the Quebecor titles and the Hebdoms have all been left out in the cold. This amendment benefits the platforms at the expense of publishers.

Our colleagues in the other place note that the new clause would govern what is supposed to be a free negotiation process more restrictively than the end game of final offer arbitration. The other place’s decision to reject this amendment is based on its conclusion that including this language could constrain both parties by limiting the amount and form of compensation that platforms award news businesses early on in the bargaining process, a stage when parties should have the most flexibility.

[*Translation*]

Colleagues, with the online news act, we’ve come up with a made-in-Canada solution that offers a clear path forward. Bill C-18 requires news businesses and platforms to sit down at the negotiating table to determine fair compensation for online news content. It allows news businesses to form collective bargaining associations so that news businesses of all sizes are included in the negotiation process. The bill also requires platforms to enter into agreements with a range of news businesses reflecting the diversity of Canadian journalism. If the two parties fail to reach a fair agreement, the bill gives the CRTC the power to facilitate a final offer arbitration process.

Some will argue that existing agreements between platforms and news businesses make the passage of Bill C-18 unnecessary. We know full well that the platforms only began entering into agreements with certain publishers in Canada when the government indicated it was going to act. In the absence of a transparent accountability framework such as Bill C-18, agreements are subject to the whims of the platforms and could expire without being renewed.

It is up to us to keep pressuring the platforms to bring them to the negotiating table. Bill C-18 gives us a way to do that. It also guarantees more Canadian news businesses a seat at the negotiating table, instead of a handful of privileged media companies chosen by the platforms.

[*English*]

International momentum to regulate online platforms that make news available is growing. In addition to Canada and Australia, the United Kingdom and New Zealand are putting forward comparable legislation. Just last week, our friends on the United States Senate Committee on the Judiciary voted to advance the bipartisan Journalism Competition and Preservation Act. Although each case is different, with lawmakers considering different approaches, a clear trend is emerging. The reality is that Bill C-18 is part of a bigger global trend to hold tech giants to account.

Colleagues, we all know Bill C-18 will not be a silver bullet, but it will level the playing field. It will check the power of the most dominant digital platforms, and it will empower even small news businesses to get fair compensation for the valuable news content they create for Canadians.

News media stakeholders across the board have signalled the urgency of passing Bill C-18, a piece of legislation that will not only save Canadian jobs and businesses but support Canadian democracy by ensuring that diverse Canadian news media can keep covering our institutions and our decision makers.

• (1340)

Governments and people around the world are waiting to see what happens in Canada. As I've described, some countries are already regulating the big tech platforms to ensure the sustainability of their own news industries. Will we, in Canada, have the courage to do the same? I hope the answer to that question will be a resounding "yes."

I urge honourable senators to accept the message from the other place and pass Bill C-18. Thank you.

[*Translation*]

Hon. Julie Miville-Dechêne: Honourable senators, I want to briefly take part in this debate on Bill C-18 in order to offer some clarification on two of the amendments that I presented and that were rejected by the government.

At this stage, I accept the elected members' decision, even though I do not accept the justification for this rejection. My role as a senator is to propose legislative changes that seem necessary to me, but I'm not about to lead a one-woman crusade against the will of a majority of MPs. I note, however, that the Senate has three former journalists among its ranks and that, at the end of the day, not one of them supports Bill C-18 in its current form.

I want to clear up any lingering misunderstandings over the amendments that I proposed, which sought to enshrine into law the concept of an exchange of value, monetary or otherwise, between the platforms and the media.

After months of study, consultation and discussion with experts and stakeholders, it became clear to me that there was a flaw in this bill.

It was the witness Konrad von Finckenstein, former chairman of the CRTC and an independent voice, who first brought it to our attention: The bill didn't specify what had to be negotiated

between the media and platforms such as Google and Facebook, resulting in very different expectations on both sides. Mr. von Finckenstein suggested to the committee that the objective of the negotiations be stated in the bill.

Of course, I'm perfectly aware of the imbalance of power between news outlets and internet giants. That's obvious.

Nonetheless, I believed it was necessary to explicitly state in the bill that the negotiations and the arbitration had to focus on an exchange of value, monetary or otherwise, between the two parties, and not be a wage subsidy for newsrooms.

This didn't come from me. That is what the government and its spokespersons told us. That is what they stated publicly, and this realistic reference to an exchange of benefits is included in the Australian code, the model on which Canada has mostly based its legislation.

No one, and definitely not Google or Facebook, made me move this amendment. Rather, it is a logical consequence of our debates, our research and the witnesses we heard from.

I won't deny that I was hoping this clarification — an explicit and pragmatic recognition of the two-way relationship between the media and these platforms — could reduce tension and enable a more constructive dialogue among Facebook and Google, the government, and the media.

What I want most of all, of course, is for quality journalism that's independent, accessible and financially healthy to continue to exist in Quebec and in Canada so that we, as citizens, can be informed and critical.

That's one of the requirements for a healthy democracy. In these times of technological change, the fair, equitable, realistic solution isn't obvious.

As I've said, I sincerely hope the government's gamble will pay off. Thank you.

[*English*]

Hon. Leo Housakos: Thank you, honourable senators, and Senator Gold, thank you for reordering the Order Paper because I stepped out there briefly, on C-18, but if I knew that all it took for me to delay Bill C-18 was to step out, I wouldn't have come back. You will all have to bear with me for a few more minutes as I speak on behalf of the opposition on Bill C-18.

Senator Gold — and Senator Harder has said this before — Bill C-18 is not a silver bullet or a magic bullet, but I am afraid that Bill C-18 must be the last bullet that goes into the heart of journalism, which is already in the ICU in this country.

Of course, I am fine with the objectives of Bill C-18. We all understand that journalism is going through a major transformative period, as all industries are in our country because of digital platforms. It is not unique to journalism. The retail industry is going through it. The taxi industry is going through it. Transportation, the way we communicate as politicians with citizens — there has been a major transformation because of these new digital platforms.

[Senator Gold]

Some in the journalism world have transformed very well and are doing very well, and some are not. At the end of the day — as I have said over and over again in previous speeches — there's *The Globe and Mail*, there's *Village Media*, there's *Western Standard*, and the list goes on and on of successful news outlets that have adapted and are using these new highways. And I repeat that digital platforms are not broadcasters and they are not journalists; they are nothing more than the highway that provides the unique opportunity for all these industries to, in a transformative way, reach out to bigger markets.

These platforms have given opportunities to Canadians to expand and sell Canada to the world and also give Canadians a view of the world that was difficult to get before these platforms.

As much as all of us believe in democracy and understand that we need vibrant journalism for democracy to flourish, I also believe the government has no business in the newsrooms of the nation. I don't care if the government is Conservative or Liberal. We need to have not just robust media, but independent media, without any direct or indirect influence from civil servants, regulators or government officials.

That's where I part company with the government's public intention of what they say and what I'm afraid this bill can actually do. I believe, at the end of the day, when this bill is implemented with its regulations and gives complete authority to the CRTC and Canadian Heritage, it will do more damage to media and to newsprint particularly that, like I said, is already in the ICU.

Print media has been suffering now for well over a decade, and the government has waited towards the end of their mandate in government to do anything about it, which in itself raises questions.

I also question the authenticity of this government that has a tradition of standing and supporting the oligarchs and supporting the oligopolies of the broadcasting industry. Minister Rodriguez, the Prime Minister and their government have said time and time again that the Conservative opposition is standing up for giant tech companies and big corporations, and that is not that case. We are standing up for those Canadian citizens that want choice and competitiveness in news and communications. It is the government that is actually standing up for these corporate giants. It is the government that is standing up for these oligopolies and monopolies that the regulators, to whom we are giving the keys to news media, have established in this country. I am not making this up. We know who Bell Media, Rogers and Quebecor are; they have become huge, successful giants in the country because of government regulation. The people who have, in exchange, not gotten competitiveness and better prices in all aspects of telecom in the last 30 years are Canadian citizens, and that's a fact.

Another thing I question with this government's hypocrisy is they say, on the one hand, they want more diversified news, to help local and regional media, to help ethnic media, to help Indigenous media and so on and so forth, so they are putting Bill C-18 out to help all these dying news outlets. Well, why don't you start with cleaning up your own house? Why don't we start with government media buying? We know the government is one of the biggest media-buying agents in the country. I used

to be in the business of communications. If you want to help these diversified news outlets across the country, take the pie that's already there — there's at least \$150 million of direct media buying that the government has that we can see easily, not to mention some of the indirect media buying that the various departments exercise. If you see what percentage of that goes to small, local print media or ethnic media or Indigenous media across the country, you'll be mesmerized. It is not more than 2.5% or 3% in total of that budget. When you see what percentage of that goes to the big broadcasters — the large media outlets — it is the vast majority.

• (1350)

It is typical of this government. The oligopolies keep becoming smaller, but their pockets keep becoming bigger. Bill C-18 is also supposed to help journalism. On the eve of passing this bill, Bell Media thought it was wise to let go of 1,300 journalists. We have seen, again, over the last decade that journalists are the ones who have been paying the price in radio and print media. We've seen the debauchery that has gone on in Postmedia across the country for many years now — and now we see Bell Media. What are they doing? They gave a pink slip on the eve of passing this legislation that's supposed to help save journalism in Canada, but 1,300 journalists were sent home.

Who is going to benefit from all of this additional revenue that the government is giving these oligopolies and gatekeepers? I guarantee you it will be the executives at the CBC, Bell Media, Rogers and Quebecor; I know I'm not very popular with them, and I know they are not going to give me the front page regarding my speech. But this has to be said because, at the end of the day, I'm not here to please these oligopolies. I'm here to speak on behalf of Canadian consumers.

If the government wants to gain my confidence, and put to rest my suspicions, why don't they start — for example — by not taking a media outlet to court and bypassing their paywall? If we listen to the government and the minister, the whole idea behind Bill C-18 is to stop the content of journalists from being stolen and disseminated. Colleagues, we have copyright laws in this country that protect journalists, as well as protect copyright and intellectual property. If those copyright laws are not solid enough, let's strengthen them — that's our job.

The truth of the matter is that when the government takes the work of *Blacklock's Reporter*, which is a successful media outlet — it is a modern day way of media outlets operating, and you see it now with *La Presse* in Montreal and, like I said, *The Globe and Mail*. These are just small examples of paywall print media that have transformed the way they are doing business in a successful way. If you are not respecting those paywalls, that is stealing intellectual content. When our Canadian government is before the courts right now — basically because they don't want to pay for the content of a particular news outlet — it raises suspicion about the intention behind what the government is trying to do.

Another problem I have with this bill — and I have articulated this many times — is that we are suddenly supposed to trust the Canadian Radio-television and Telecommunications Commission, or CRTC. The CRTC is the agent that has created these oligopolies in Canada, and created these huge

broadcasters — because that's what they are: regulatory broadcasting agencies. That's their job; they were mandated by successive governments — Conservative and Liberal. Let's see the end result in broadcasting in Canada. They have created these giants that offer less service for more money. If you look at what Canadians pay for all of the services these oligopolies offer, you realize that we are all paying significantly more than any other nation on earth.

Now I'm supposed to trust that same regulator — the CRTC — who has no experience in dealing with news, and no experience in dealing with print media. However, they have experience in creating oligopolies. Am I going to trust them with the objective of saving print media and diverse media in this country? They are the ones who have a track record. Are they going to be able to do this successfully?

I have deep reservations that this is the only thing we are attempting to do here: a shakedown of a business model that has given Canadians unique opportunities to, like I said, promote their products. We've seen it as politicians, and the news media have seen it as politicians. We are trying to, essentially, take the traditional way of doing things — that no longer applies to the modern world — to create parallels because we have a government that likes to choose winners and losers. We like to determine who receives the bigger piece of the pie despite the fact that, perhaps, their business model doesn't work. If somebody else's business model does work and is successful, we are going to take a little bit out of their pocket, and put it into somebody else's pocket to see what comes. We have seen, time and time again around the world, that this doesn't work. You need to allow the free market and consumers to choose.

Last but not least, over the last couple of days, we've had discussions about the role of this institution — actually, we've had these discussions for years. Here is an opportunity where we can, once again, exercise our constitutional right to the government, and send this message: There was no obstruction and no malicious intent — from the opposition — with this bill that came to us. We've passed it, as Senator Harder knows, in a relatively quick fashion through the Senate because we do want to achieve what the government is ultimately trying to achieve. But, at some point in time, when we see a bill that has received that many amendments from government-appointed senators, and that much concern from government-appointed senators — as did Bill C-11 — it's an indication that the government is not doing something right. They're clearly not consulting sufficiently with stakeholders. They're clearly not even consulting sufficiently with their own parliamentarians before they bring legislation to this chamber.

Once upon a time, colleagues — and I've spoken about this in the past — the Westminster model required parliamentarians to be part and parcel of the political process, and engaged in the process of building legislation. Many of you who are concerned with communications and telecommunications legislation — including Senator Miville-Dechéne, Senator Simons and Senator Dasko, as well as so many of you who I have had the pleasure of working with on the Standing Senate Committee on Transport and Communications — would have been valuable to this

government in their national caucus, providing valuable information at the embryonic stage of building legislation. That's what used to happen — once upon a time — in the bad old Senate, and there was no need for senators, who were government appointed, to tear their shirts in indignation throughout discourse on a bill because they would have done that where it had to be done.

Over the last couple of days, I have heard Senator Gold mention how the Government Representative here lobbies vigorously on your behalf regarding amendments in this chamber. Once upon a time, we didn't need the government leader to lobby on our behalf because every Wednesday morning, we would have the Prime Minister and the ministers of the Crown before us, and we would be able to make our case ourselves. All of you, as parliamentarians, deserve to have that right and privilege. It has been taken away from you, and it has been taken away from the institution at the detriment of building better legislation.

I insist that this is an opportunity, Senator Miville-Dechéne, to send a message to the government that we are not a rubber stamp, and we are tired of working under time guidelines. An emergency on their part essentially means poor management of the legislative agenda, and it always constitutes an emergency on the part of this institution. That doesn't help build good legislation either, colleagues. In the last couple of days, we have heard from a colleague who said, "We have to be very careful that this institution doesn't become a de facto opposition to the government." Well, I encourage you all to look at the voting patterns over the last five or six years in this chamber. Let me tell you, there is no risk of this institution becoming a de facto opposition to the government. I hope this will remain the case: That same enthusiastic spirit of independence in support of government legislation will occur when there is a new government in a short period of time. You never know; somehow I have a sneaking suspicion that might not be the case.

I have said all I have to say on Bill C-18. Again, I wish this bill luck. I wish the industry luck. However, I hope, at some point in time, the government understands that you can't force things on the marketplace. Consumers are the people who should have the final say of what choices they make, what they watch, what they read, what they post and what they invest in — in terms of news or anything else.

I will insist that we send this bill back to the House. In the House of Commons, they always threaten us by saying that they have risen, and they can't come back — and that if we do this, the legislation will die. You have heard it all before: — We're going to delay it. Getting controlled by government in this place has been going on for 156 years. Now they have passed hybrid sittings over there. They can work as legislators from their bedrooms and kitchens. Some of the legislation that they send over here indicates they spend a lot of time building legislation from their bedrooms and kitchens.

Thank you.

The Hon. the Speaker: Are honourable 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: Yes.

Some Hon. Senators: No.

The Hon. the Speaker: Those in favour of the motion, please say “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: Those opposed to the motion, please say “nay.”

Some Hon. Senators: Nay.

The Hon. the Speaker: I think the “yeas” have it.

And two honourable senators having risen:

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

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Fifteen minutes.

The Hon. the Speaker: The vote will be held at 2:14 p.m. Call in the senators.

• (1410)

Motion agreed to on the following division:

YEAS
THE HONOURABLE SENATORS

| | |
|-------------------------------|------------------|
| Audette | Hartling |
| Bernard | Jaffer |
| Black | Klyne |
| Boehm | Kutcher |
| Boniface | LaBoucane-Benson |
| Boyer | Loffreda |
| Burey | MacAdam |
| Busson | Marwah |
| Cardozo | Massicotte |
| Clement | McCallum |
| Cordy | McPhedran |
| Cormier | Mégie |
| Cotter | Moncion |
| Coyle | Moodie |
| Dalphond | Omidvar |
| Dasko | Osler |
| Deacon (<i>Nova Scotia</i>) | Pate |

| | |
|---------------------------|---------------|
| Deacon (<i>Ontario</i>) | Petitclerc |
| Dean | Petten |
| Duncan | Quinn |
| Dupuis | Ravalia |
| Forest | Ringuette |
| Gagné | Saint-Germain |
| Gerba | Shugart |
| Gignac | Smith |
| Gold | Sorensen |
| Greenwood | Woo |
| Harder | Yussuff—56 |

NAYS
THE HONOURABLE SENATORS

| | |
|-------------|------------------------------|
| Ataullahjan | Oh |
| Batters | Patterson (<i>Nunavut</i>) |
| Boisvenu | Patterson (<i>Ontario</i>) |
| Carignan | Plett |
| Dagenais | Richards |
| Housakos | Seidman |
| MacDonald | Simons |
| Manning | Tannas |
| Marshall | Verner |
| Martin | Wallin |
| Mockler | Wells—22 |

ABSTENTION
THE HONOURABLE SENATOR

Miville-Dechêne—1

• (1420)

CRIMINAL CODE
SEX OFFENDER INFORMATION REGISTRATION ACT
INTERNATIONAL TRANSFER OF OFFENDERS ACT

BILL TO AMEND—THIRD READING

Hon. Bev Busson moved third reading of Bill S-12, An Act to amend the Criminal Code, the Sex Offender Information Registration Act and the International Transfer of Offenders Act, as amended.

She said: Honourable senators, I am pleased to take the floor once more to speak to you about Bill S-12, An Act to amend the Criminal Code, the Sex Offender Information Registration Act and the International Transfer of Offenders Act.

This bill has recently returned to this chamber following the study by the Standing Senate Committee on Legal and Constitutional Affairs.

I first want to thank the Department of Justice for their timely support, along with my amazing staff. I also need to thank all the senators of our committee for their comprehensive analysis of the bill and for their engagement with the bill's important objectives, especially Senator Boisvenu, the critic, for his strong and compassionate commitment to championing the issues around sexual offences and intimate partner violence referenced so forcefully and emotionally on this special day of remembrance for him.

The committee made a number of amendments, which were reviewed in detail in a long and deliberative Monday evening meeting during clause-by-clause consideration of the bill. Some of these amendments were drafted by the government in collaboration with key stakeholders, many of whom testified at committee earlier this month. Others were proposed by individual senators. All, I believe, were part of a collective effort to strengthen the bill. Despite differences of opinion expressed, I remain strongly supportive of this legislation as a whole and urge senators to pass this legislation at third reading.

I will remind you all that because this government bill has originated here in the Senate, it will then be up to our colleagues in the other place to conduct their own thorough study of the bill after we hopefully present it to them as amended.

Bill S-12 responds to the 2022 decision of the Supreme Court of Canada in *R. v. Ndhlovu*, which struck down elements of the National Sex Offender Registry. In particular, it struck down the law that required judges to order all offenders to register, regardless of their risk level — thus violating the offenders' Charter rights under section 7 — as being overly broad and not connected to the goals of the legislation.

The bill addresses this concern and also contains elements that would strengthen the sex offender registration regime to ensure it continues to be an effective tool for police, such as increasing the registrant's obligation to report their intention to travel internationally from no advance warning to 14 days.

As mentioned in my second reading speech, these reforms do carry some urgency. If this bill is not enacted by October 28 of this year, courts will no longer be able to order offenders to comply with the National Sex Offender Registry. This will seriously undermine its effectiveness in protecting our most vulnerable citizens and thus negatively affect public confidence in the justice system.

I can't overemphasize the seriousness of this situation, and hope that you are committed to acting with the necessary urgency required to respond to the Supreme Court's decision that automatic registration for all individuals convicted of or found not criminally responsible on account of a mental disorder for a designated sexual offence is unconstitutional. The bill proposes judicial discretion in the form of a rebuttable presumption of registration.

In other words, a court must order registration on the sex offender registry unless the offender can demonstrate that their registration would be grossly disproportionate to the public interest or that their registration would not be connected to the purpose of the act.

It further proposes to retain automatic registration in two circumstances, namely, for repeat sexual offenders and for those who commit sexual offences against children in cases where the Crown proceeds by indictment.

I would like to take a moment to discuss in a bit more detail the policy rationale for why automatic registration should still be preserved in these two particular cases.

As a result of the decision in *Ndhlovu*, some judicial discretion was reintroduced in the sex offender registration regime in order to bring it into compliance with the Charter. That said, the government has been very deliberate in its efforts to put forward the most targeted and specific reforms possible while respecting the Supreme Court's decision.

The two specific categories of offenders for which registration would be automatic reflect current social science evidence that demonstrates that these categories of individuals — namely repeat offenders and offenders who prey on children — are at a higher risk to reoffend.

In the view of the government, this represents a balanced and constitutional approach to automatic registration and responds to the Supreme Court's concerns. The proposed enactment of a rebuttable presumption for all other offenders, including for those who commit sexual offences against women, would only direct courts to exempt an offender from registration if the offender could demonstrate it would unduly impact their rights under the Charter. I know that some of us would like to go further, but I believe the bill strikes the right balance and will ensure that the sex offender registry meets the Supreme Court's benchmark and remains a valuable and constitutional tool for law enforcement to prevent and investigate crimes of a sexual nature.

The goal of this rebuttable presumption is to ensure registration except in the rare cases where registration would not be connected to the objective of helping police services prevent or investigate crimes of a sexual nature.

Another amendment made by the committee would ensure the application to offenders who are on the registry because of an offence committed abroad. As previously introduced, the bill contained a limitation that unintentionally limited the ability of some offenders from applying for relief. The amendment would ensure that these individuals would be able to apply to be exempt from registration in certain circumstances.

The bill also proposes a number of measures that would empower victims of crime through changes to the rules governing publication bans and a victims' right to information.

A change was made by the committee to the publication ban provisions relating to the bill's initial proposals to add the words "otherwise made available" to the list of conduct that is prohibited by the publication ban. There were strong concerns that this vague language might be construed as prohibiting the victim from discussing or communicating with their family, friends or therapist, and was removed from the text completely by an amendment. It also addressed concerns regarding material that's in place from a prior publication ban.

• (1430)

Honourable senators, the objectives of the proposed reforms to the publication ban regime have received significant attention from victims' and survivors' groups and stakeholders across the country. The government, as well as the committee, focused specifically on the proposal that reasonable steps must be taken to ensure that the victim takes an active part in the imposition of a publication ban and in the process by which a publication ban could be revoked or varied.

The committee heard the informed and impassioned testimony of witnesses at committee, including from Suzanne Zaccour, Head of Feminist Law Reform at the National Association of Women and the Law; Morrell Andrews of My Voice, My Choice; and Pam Hrick, Executive Director and General Counsel at LEAF, amongst others.

Committee members heard from these witnesses that we must do better in listening to what victims and survivors of crime are advocating for. While many want the anonymity of a publication ban, others, for a variety of reasons, feel that they should have the power to decide whether or not their identities and their stories will be known, thus empowering them to regain the agency and control that had previously been taken from them by the original offences they suffered.

As a result of this feedback, the committee adopted a number of amendments related to these elements of the bill. First, these amendments build on the bill's proposals that sought to ensure that victims were more directly involved in decisions concerning the imposition of a publication ban and any subsequent variation or revocation. Words like "consult with the victim" are now replaced with stronger language that directs the prosecutor to ascertain the victims' wishes, using clearer language that sets out specific requirements for both the prosecutor and the court in regard to the imposition and variance of a ban.

In addition, the bill responds to concerns around victims being unable to share their stories with their loved ones. Some had argued that the current legal framework is paternalistic and interferes with the autonomy of victims to make their own choices. As amended, the bill addresses these varying concerns in a number of other ways, including ensuring that there is a clear and obvious path to having publication bans revoked and varied, a path that gives primacy to the interests of victims; clarifying that publication bans do not apply to certain conduct of victims and witnesses, including the sharing of information about one's case where it is not done for the purpose of making the information known to the public; and making clear that prosecutions are only possible against persons who are the subject of a publication ban and who have allegedly breached it where they have knowingly compromised the privacy of another person who is the subject of a ban and where a warning is not appropriate.

In confirming that a publication ban is solely for the benefit of a victim or witness, the committee addressed the potential role of any accused in any proceedings for the future and in the process of a publication ban being varied or revoked. To that end, committee members made amendments to the bill that reflected that the applicant would not be required to notify the accused, nor would the accused be allowed to make representations during

any varying or revocation process. Additionally, if the publication ban is modified or revoked, it is the prosecutor, not the victim, who would be required to inform the accused of this fact.

Clauses in Bill S-12 that reinforce the victim's right to be informed by Correctional Service Canada officials when the accused's situation of incarceration has changed remain an important part of the bill and were retained by the committee.

Honourable senators, this is an important piece of legislation made better by our careful study. I urge everyone to support its enactment as quickly as possible. Quite simply, the stakes for the victims, both now and in the future, are too high, and we cannot afford to delay. Thank you, *meegwetch*.

Hon. Paula Simons: Honourable senators, I rise today to speak to Bill S-12 at third reading. In my second reading speech on the bill, I explained the historical genesis of the Supreme Court ruling which found that it was unconstitutional to put sexual offenders on the sex offender registry automatically and without appeal or recourse. I also explained the reasons why victims and survivors of sexual assault who choose to speak publicly should be allowed to do so. Therefore, today, I shan't "chew my cabbage twice." I will, instead, concentrate on one specific problematic phrase in the bill, which we unanimously agreed to delete at committee.

The phrase sounds innocuous. It was simply the words "otherwise made available." Let me read you those three words in the context of Bill S-12.

... a judge or justice may make an order directing that any information that could identify the victim or witness shall not be published in any document, broadcast or transmitted in any way —

— or otherwise made available —

— if the judge or justice is of the opinion that the order is in the interest of the proper administration of justice.

Today, I want to explain why the addition of those three little words amounted to a delicate stealth assault on press freedom, one that could have put even more people — reporters, librarians, survivors — at risk of criminal prosecution for breaching publication bans.

Given that one of the ostensible arguments for this bill was that it would give sexual assault victims back their voices and some measure of autonomy, how did this problematic phrase slip into Bill S-12? Well, that starts with another Alberta legal case. Let me warn you, if you are listening here live or online, the case involves the murder and sexual assault of a child.

On Friday, March 4, 2016, the body of a 14-year-old girl was found in an apartment in the town of Edson, Alberta. The Grade 9 student had been smothered, stabbed and sexually assaulted. The story was horrifying and received wide media coverage. The girl's mother and schoolmates also posted widely about their loss on social media. The CBC in Edmonton published its own news report about the girl's death on its website on March 5 and a

follow-up story on March 8, stories that included the teen's name, her photograph and some identifying information about her.

A few days later, police subsequently arrested Tyrell Perron, who was then 21, and charged him with first-degree murder and offering an indignity to a body.

On March 16, Perron had his first court appearance. At that time, the provincial court judge ordered a publication ban on the victim's name under section 486.4 of the Criminal Code. The CBC then quite properly ceased to name the girl in any of its subsequent stories, but it neither retroactively censored nor removed any of its previous online stories, even when told to do so by the Crown.

The Crown then singled out and charged the CBC with criminal contempt and applied for an interim order to force the CBC to take down its original stories. That application was denied. Undeterred, the Crown continued with its criminal prosecution of the journalists.

In May of 2017, Mr. Justice Terry Clackson found in favour of the CBC. The judge concluded that it was ". . . practically impossible to remove a story once it is online. . . ." Clackson found that simply making the stories which predated the publication ban accessible and available did not qualify as "broadcasting" or "transmitting" them. He noted that such a broad definition could even end up criminalizing libraries that held copies of newspapers which had named the victim before the publication ban was in place.

But the Crown was not done. It launched an appeal. Finally, in November of 2018 — a month after the killer, Tyrell Perron, was convicted of murder — the Court of Appeal of Alberta ruled unanimously that the CBC was not guilty of criminal contempt.

Writing for the court, Madam Justice Patricia Rowbotham concluded that by passively maintaining an original story about the victim on its website, the CBC would likely have "made it available" but did not broadcast or transmit it. The judge noted that the relevant section of the Criminal Code ". . . does not list 'making available' or 'making accessible' as prohibited conduct."

If the government wanted publication bans to apply retroactively when identifying information is published and transmitted before a publication ban is issued, Justice Rowbotham concluded, it would need to amend the statute to include the words "made available."

And that, my friends, is exactly what Bill S-12 sought to do — to add the words "made available" and "making available" all through the relevant provisions of the Criminal Code, as it relates to publication bans in sexual assault trials.

This, my friends, bothers me. I feel that it was sneaky, to put it politely, to attempt to add this clear limitation to press freedom to the Criminal Code under the cover, as it were, of allowing more liberty to sexual assault victims to reclaim their own names.

• (1440)

Let us consider the implications of the government's proposed new language. It would have allowed for *ex post facto* publication bans, requiring newspapers and broadcasters to go back in time and scrub their websites and archives of identifying information that they had been legally allowed to publish at the time those stories were posted to the web.

As Justice Clackson noted in his verdict, retroactive publication bans would be next to impossible, technically speaking, to carry out, and that would leave publishers criminally liable for having posted important breaking news stories, which were not subject to a publication ban at the time they were reported. Adding those words would have put journalists in an invidious position. In order to avoid criminal prosecution, reporters and editors might have had to pre-censor themselves and avoid naming any victims, including murder victims, if they had any intuition that a publication ban might someday later be imposed.

It wouldn't only be journalists who might have found themselves criminalized. If it were to become a crime to make available such information, any library that put print newspapers on its shelves might be criminally liable. And what about independent archives? Infomart, one of Canada's largest online databases of news stories, was once owned by Postmedia. Today, it still maintains a digital archive of all Postmedia stories, but it is owned independently. Such a third-party company might well be held liable for making available stories that were published in good faith before a publication ban was imposed.

Then there's the complicated question of social media platforms. Right now, platforms such as Facebook, Twitter and others are not considered publishers or broadcasters, so they are not covered by publication bans, although individuals who post content on their platforms may well be. The same is true of search engines such as Google or Bing. I think there's an argument to be made, though, that social media platforms and search engines make available the news — well, at least they do now; what happens after Bill C-18 comes into force is anybody's guess. Might social media platforms and search engines be captured by the phrase "otherwise made available" and subject to criminal prosecution? I don't know, but I think it's a fair question to ask.

What about victims themselves? Suppose a sexual assault victim were to write posts on Facebook, make a TikTok video or create a podcast, all before the police were able to make an arrest and before a publication ban was imposed. Suppose they wrote a long blog post about their ordeal and how they survived, and then police were able to make an arrest months later. The court might then impose a publication ban and *ex post facto* criminalize the victim who decided to leave up that post, TikTok video or Facebook page.

“Otherwise made available”: three seemingly mundane words that could have had corrosive effects on press freedom and freedom of speech. But I am happy to report that the Legal and Constitutional Affairs Committee unanimously accepted my motion to amend the act to take out the first instances of that phrase. I’m even happier that my friend Senator Busson, the sponsor of the bill, moved an entire series of amendments of her own, which further removed that troublesome phrase throughout the text of Bill S-12.

This suggests to me that the Minister of Justice and his department have recognized, albeit belatedly, that this small phrase could have had huge repercussions for libraries, archives, newspapers, broadcasters, social media platforms, search engines and anyone else who makes available the news. I sincerely and optimistically hope that all of our amendments on this topic will remain in place when the other place takes up the debate, knowing that we are all working against the clock set by the Supreme Court.

I was honoured to be part of the debate on Bill S-12 as a sort of visiting backup member of the Standing Senate Committee on Legal and Constitutional Affairs, and I want to thank all my committee colleagues who made my participation possible. I also want to thank the media law team at Reynolds Mirth Richards & Farmer, who have fought long and hard for press freedom in this country, who represented the CBC in the Perron case and set an important precedent about the dangers of retroactive publication bans, and who also took the time this month to walk me through the legal implications of Bill S-12.

In committee, senators from all four groups worked together to make Bill S-12 a better bill. I ask you to send it now to the other place for their consideration, with the hope that the amendments and observations we crafted together will receive the respect they rightly deserve.

Thank you, *hiy hiy*.

[*Translation*]

Hon. Pierre-Hugues Boisvenu: Honourable senators, I rise today to speak as critic at third reading of Bill S-12, An Act to amend the Criminal Code, the Sex Offender Information Registration Act and the International Transfer of Offenders Act, which was introduced by the Honourable Marc Gold, Leader of the Government in the Senate.

First of all, colleagues, I would like to acknowledge the work that members of the Standing Senate Committee on Legal and Constitutional Affairs did on Bill S-12, despite how little time we had to study it. I also want to thank the committee chair, Senator Cotter, who oversaw the debates and managed the committee’s time with the utmost respect for all members.

I would also like to thank Senator Busson for her kind words about me and, most importantly, for her work as Bill S-12’s sponsor.

I also want to acknowledge all the victims and families of victims who are with us this afternoon via SenVu to listen to this speech. Since coming to the Senate in 2010, I have spoken on behalf of thousands of victims who shared their tragic stories

with me and told me what a poor job our justice system and our public safety system did of protecting and supporting them. Your courage and your resilience sustained me in advocating for your rights all these years. I am grateful for all the encouraging words you regularly send in support of my work.

This bill responds directly to the Supreme Court of Canada decision on the conviction of Eugene Ndhlovu, handed down on October 28, 2022. I must say that I am disappointed, but not at all surprised, that the Justin Trudeau government chose to wait until there were only six months left in the year to introduce its bill, when it was well aware of the October 28, 2023 deadline set by the Supreme Court of Canada for making the change to the Criminal Code.

As I said earlier, this means that we were unable to study all aspects of the bill, more specifically those involving the changes related to the National Sex Offender Registry.

That being said, honourable colleagues, I would like to focus for a bit on the topic of sexual violence against women to get us thinking about this. I often hear fine speeches in the Senate about the importance of fighting violence against women and fighting sexual assault. Unfortunately, for the victims of that violence, all too often, these are just words followed by very little meaningful action, such as the adoption of legislation seeking to truly protect them, like Bill S-12.

Bill S-12 was introduced in response to the Supreme Court of Canada’s decision in *Ndhlovu*. This case, that made it all the way to the Supreme Court, involved a 19-year-old man who sexually assaulted two women at a party, where he touched both women’s private parts.

Despite these acts, which I consider serious and disturbing, one nonetheless gets the impression from reading the Supreme Court decision that including this offender on the registry can’t be justified considering the consequences it could have on his life. As a result, this was considered grounds for striking down the provisions requiring automatic registration of every person found guilty of or not criminally responsible for designated sexual offences, as well as the provisions requiring that certain violent offenders be included, in perpetuity, in the National Sex Offender Registry.

Personally, I’m wondering if we took the victims’ point of view into account, if we asked them whether they experienced trauma and whether they have suffered lasting effects from those assaults. Why weren’t they asked whether they thought the offender should be added to the registry?

This type of decision trivializes sexual violence against women in Canada and sends a negative message to those who have been the victim of a sexual assault and who are reluctant to report the perpetrator. That offender should be added to the National Sex Offender Registry because he is a sex offender. The acts that he committed are unacceptable in a society like ours that is governed by the rule of law. The goal is to protect women from future assailants.

Every day, many women are the victims of sexual offences that vary from inappropriate behaviour to aggravated sexual assault. There was no consent and these women are often very

reluctant to report what happened to them to the authorities. One has to wonder why victims would have any confidence in our justice system when, unfortunately, they're being told that a man who sexually assaulted two women at a party singled-handedly managed to get provisions of the Sex Offender Registry Act repealed, a law that was passed by Parliament.

Senators, would you have confidence in the justice system if you were those victims? I doubt it.

- (1450)

I would ask you, colleagues, to consider whether it is right that in 2023 a man convicted for touching the private parts of two women would not be registered in the National Sex Offender Registry. I would remind senators that the statistics on violence against women in Canada are alarming. Most sexual assaults are committed against women, with 37 incidents per 1,000 women, compared to five incidents per 1,000 men. That is seven times more women than men who are assaulted.

In 2018, Statistics Canada reported that 4.7 million women, or 30% of women aged 15 and over, reported having been sexually assaulted at least once from the age of 15. In 2021, just over 85% of sexual assault victims were women. The rate of sexual assault of Indigenous women is approximately three times higher than that of non-Indigenous women.

We know that Indigenous communities are overrepresented in the prison system and on the National Sex Offender Registry. This overrepresentation is too often and too easily attributed to our laws and statutes, particularly minimum sentencing requirements. I would remind you, colleagues, that since the *Gladue* decision, which was upheld by the Supreme Court and incorporated into the Criminal Code, the Supreme Court has twice reminded judges that they were not rigorously applying that decision, which allows for alternatives to incarceration. This situation is believed to be a major factor in the overrepresentation of Indigenous people in Canadian penitentiaries. In recent years, the Supreme Court has twice reminded judges that they must find alternatives to incarceration for members of Indigenous communities.

Generally speaking, the rate of Criminal Code level one sexual assaults increased by 18% compared with 2020. As for level two and level three sexual assaults, the most serious crimes, the highest rate since 1996 has been recorded in recent years.

I also urged committee members to be cautious when talking about recidivism rates as justification for not requiring registration.

I would point out that the Auditor General released a report in 2018 showing that the federal data on the calculation of recidivism was invalid because it did not include offenders who had received a sentence of at least two years or those who had been convicted by municipal courts.

In light of the statistics I just cited, I believe it is our duty and our responsibility to take action to protect women in Canada. In its response with Bill S-12, the government has chosen to automatically include in the national sex offender registry only

child sexual offenders and repeat sexual offenders, which is clearly inadequate given the serious and concerning statistics that I just gave you on violence against women in Canada.

Women are the primary victims of sexual assault. A man who is sentenced to more than two years for a sexual offence against a woman should automatically be placed on the registry, as he would be if the offence involved a minor, so that he is properly monitored by the police to prevent him from victimizing others. A federal sentence for these assaults is in and of itself indicative of the seriousness of the crime and the high risk of reoffending.

Colleagues, although the objective of monitoring is important, this is also a matter of principle. It is extremely important that we take the safety of women in our country seriously, as I've said time and time again in this chamber over the past 14 years. Take, for example, the recent case of a sex offender who was sentenced to three years and nine months in prison on April 11, 2023. From January 7 to June 5, 2022, this man assaulted six women between the ages of 30 and 65 in Sainte-Catherine-de-la-Jacques-Cartier, Saint-Raymond, Quebec City and Lévis.

Three years and nine months for assaulting and traumatizing six women! I want to speak out about the permissiveness of our justice system, which is soft on these criminals. No wonder the statistics for sex offences are so high and no wonder women choose not to report their attackers.

Under Bill S-12, the offender I just talked about wouldn't be automatically added to the registry. He would have a right to recourse, even though he sexually assaulted six women. That is worrisome and unacceptable.

To correct this flaw in the bill, I proposed an amendment to automatically include in the registry offenders who are sentenced to more than two years for sex offences against women. I find it deplorable that this amendment was rejected by the Standing Senate Committee on Legal and Constitutional Affairs. I honestly think that the committee lacked courage.

Some of my colleagues have expressed some reservations about the fact that this amendment might go against the Supreme Court of Canada ruling in the case I just mentioned. Let's not forget that the Supreme Court doesn't have a say in the work of legislators, under the principle of the separation of powers in a country governed by the rule of law.

For those who may have forgotten, judges don't direct the work of legislators. I'd like to share a quote from well-known French philosopher Montesquieu in his 1748 work entitled *The Spirit of the Laws* on the importance of the separation of powers under the rule of law.

Again, there is no liberty if the judiciary power be not separated from the legislative and executive. Were it joined with the legislative, the life and liberty of the subject would be exposed to arbitrary control; for the judge would be then the legislator. Were it joined to the executive power, the judge might behave with violence and oppression. There would be an end of every thing, were the same man, or the same body, whether of the nobles or of the people, to

exercise those three powers, that of enacting laws, that of executing the public resolutions, and of trying the causes of individuals.

In particular, I would note that four of the nine Supreme Court judges had dissenting opinions. Those four judges pointed out that, before inclusion on the registry became mandatory, too many judges refused to require that offenders be registered, thereby making the registry less effective.

I would like to share some relevant numbers. When the 2004 legislation creating the national registry was being revised in 2010, I was surprised to learn that the percentage of sexual predators who were actually on the registry was relatively low and varied from one province to the next. The Canadian average was barely over 50%.

Numbers ranged from about 30% in the Maritimes to about 70% in the Western provinces.

This inconsistency does justice a disservice. That will be the case in the years to come.

In that regard, I would like to point out how pragmatic Quebec's justice minister, Simon Jolin-Barrette, was in deciding to set up courts specialized in sexual violence and domestic violence. That initiative sent a clear message to victims that they are central to these important decisions. The judiciary publicly criticized him for this, especially the Court of Quebec's Chief Justice, who had no qualms about trashing his bill. Nevertheless, Mr. Jolin-Barrette chose to listen to victims and played his part as a lawmaker to the fullest extent by getting his bill passed.

I would like to read you a very powerful quote from the statement he made when his bill was passed:

Today, we are sending a clear message to victims of sexual violence and domestic violence: You have been heard. Sexual violence and domestic violence have no place in our society, and we do not want a single other victim in Quebec to hesitate to come forward and file a report. The passage of Bill 92 marks a turning point and a major cultural change for Quebec's justice system.

Unfortunately, I believe that we did not listen to the victims when we studied Bill S-12, as was the case for Bills C-75, C-3 and C-5. It seems to have become a habit. I am only a few months away from leaving the Senate, and this realization makes me rather pessimistic about the degree of consideration and concern you have for victims. If they don't have the support of the men and women in this chamber, who will be their voice? What support can they count on?

Our role in the Senate is not to blindly follow the decisions of the Supreme Court of Canada, but rather to collectively reflect on the reality that we are facing and to design laws the same way an architect designs a building, by taking into account all of society's difficulties, circumstances and needs. We choose our materials, meaning laws, based on our ability to meet people's needs and to help them adapt to their circumstances and overcome their difficulties.

• (1500)

Today, we are going to pass a bill that is not adapted to the reality of crime in Canada. There were a lot more things that needed to be done to improve the National Sex Offender Registry, and I can already guarantee that by passing Bill S-12, we will be giving hundreds of sex offenders a free pass to target new victims. These women did not have to be victims, but they will suffer nonetheless, and that will perpetuate the lack of confidence in our justice system.

When this bill is reviewed in five years, I predict that you will be saying, "We should have done" this or that.

I speak from experience, because, believe me, no family wants to get the news one day that their daughter is dead because an unsupervised sex offender was in the wrong place at the wrong time. That is what happened to my daughter, Julie, when she was raped and murdered by a sexual predator. No doubt that offender would not have been in the registry because of the light sentence he received for the first sexual assault he committed.

In 2002, the National Sex Offender Registry did not exist. A few minutes before Julie was kidnapped, held against her will and assaulted, the sexual predator, who had only just gotten out of prison, was stopped by the Sherbrooke police twice, but they let him go because of inadequate information.

Violence against women is a serious issue, and we should never hesitate to create and use more firewalls if they save a woman's life and spare victims and their families from lifelong suffering. Given the registry's low inclusion rates between 2004 and 2010, I firmly believe that the precautionary principle should have guided our position.

An offender's right to privacy should never take precedence over the right of Canadian women to live in peace and safety, and, above all, to stay alive. Too many sexual assaults shatter lives, and many go very wrong and can foreshadow femicide.

Dear colleagues, I do want to highlight the committee's work on the second part of Bill S-12 concerning publication bans. The committee listened carefully to all the groups that testified, which led to the government making important amendments to Bill S-12.

From now on, the wishes of victims will have to be taken into account when the prosecution issues a publication ban. Bans will no longer apply if victims decide to share information about the case with loved ones or a therapist, provided the information isn't shared with the public. The process to lift a publication ban has been simplified such that victims no longer need to take steps themselves with the justice system to have the bans lifted.

These changes align with the Canadian Victims Bill of Rights and help reinforce those rights.

Honourable senators, although the government has taken a step in the right direction to improve victims' rights, this doesn't go far enough considering how far behind we have fallen over the past few years.

This means that this small step isn't enough to make this legislation a good bill. It is progress, but it is far from meeting the urgent needs expressed by victims and women when it comes to getting protection from sex offenders.

As I mentioned, there wasn't enough time to do a thorough study of Bill S-12 or to hear more victims. We should have done a lot more to ensure that women in Canada are protected from sexual offenders when we had the opportunity to do so. This is more than just a simple question of a sex offender registry. It is a matter of life and death for many women, believe me.

The numbers I mentioned earlier in my speech reflect the reality of sexual violence against women in Canada. This is a serious, endemic and persistent problem. We need to do everything we can to protect our fellow Canadians. I'm often at a loss to explain how and why we don't do more, when we could be taking action and making a difference for hundreds of victims across the country. I'm at a loss for words and I have no explanation when I receive messages of distress, disappointment and bewilderment.

Let me conclude by reiterating that, as legislators, we have a responsibility to the citizens of this country. We shouldn't pass laws simply to respond to a court decision. We should pass laws because they are fair, because they are necessary and because they protect the most vulnerable members of our society.

It is time to take sexual violence against women seriously and give the authorities the tools they need to protect our fellow citizens. Unfortunately, Bill S-12 isn't good enough.

Honourable senators, I urge you to ask yourselves this question: Can we do better for women in this country? Must we? I'm sure the answer is yes, so we have a duty to do so. Please join me in showing your support for women, for the victims who are listening to us today.

Thank you for your attention, colleagues. I hope that this debate has given us the information we need to make decisions that are good for the safety and well-being of all Canadian women. For too long, they've been forgotten, neglected and abused. They deserve justice, and we must deliver it. That is our duty as representatives of the people and as human beings.

Finally, to my daughter, Julie, thank you for being my inspiration and my strength in my battle and in the fight to end violence against women.

Thank you.

Hon. Senators: Hear, hear.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

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

[English]

APPROPRIATION BILL NO. 2, 2023-24

SECOND READING

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) moved second reading of Bill C-54, An Act for granting to His Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2024.

She said: Honourable senators, I rise today to introduce appropriation act no. 2, 2023-24.

Like other appropriation bills we receive on a regular basis, this legislation is a vehicle through which payments from the Consolidated Revenue Fund are authorized for government programs and services.

As you will recall, we adopted the last appropriation bill, Bill C-44, in March. That was an interim supply bill with the funding that departments and agencies needed to conduct their business from April to June. Bill C-44 provided for ongoing operations while the Main Estimates were under review.

The bill I'm introducing today is the full supply bill, which details the remaining funds to be released for this fiscal year. These amounts are based on the Main Estimates 2023-24, which were tabled in the House of Commons by the President of the Treasury Board on February 15.

To be clear, the dollar amounts in this bill are ceilings — or estimates — meaning spending levels may turn out to be lower. Actual expenditures will be reported in the public accounts after the end of the fiscal year.

The Main Estimates present information on approximately \$433 billion in planned budgetary spending for 129 organizations to deliver programs and services to Canadians. This includes \$198 billion in voted expenditures and approximately \$235 billion in statutory spending, already authorized through existing legislation.

Most expenditures in the Main Estimates are transfer payments made to other levels of government, organizations and individuals. Transfer payments make up approximately 60% of the Main Estimates, or just over \$261 billion. These transfer payments make concrete impacts on the lives of Canadians in all sectors of society, as well as on people outside Canada.

As pointed out in the Parliamentary Budget Officer's report on the Main Estimates, about \$1 in every \$6 in planned spending is for elderly benefits. In the coming years, elderly benefits are expected to grow by an average of 7% annually.

Also, a number of temporary programs resulting in transfer payments to individuals are now closed. These include COVID-related supports to Canadians such as the Canada Emergency Response Benefit, the Canada Recovery Benefit, the Canada Recovery Sickness Benefit, the Canada Recovery Caregiving Benefit and the Canada Worker Lockdown Benefit.

Turning to transfer payments to other levels of government, the Government of Canada provides significant financial support to provincial and territorial governments on an ongoing basis to assist them in the provision of programs and services. Major transfers to other levels of government are expected to increase over the forecast horizon, largely due to expected nominal GDP growth.

• (1510)

The Canada Health Transfer and the Canada Social Transfer are federal transfers which support specific policy areas, such as health care, post-secondary education, social assistance and social services, early childhood development and child care.

The Canada Health Transfer grows in line with a three-year moving average of nominal GDP growth, with funding guaranteed to increase by at least 3% per year. In 2023-24, the Canada Health Transfer is forecast to provide \$49.3 billion in support, which is an increase of 9.1% over 2022-23. Of note, this amount does not include enhancements announced in February, which will appear in future estimates. The Canada Social Transfer is legislated to grow at 3% per year.

The Equalization Program and the Territorial Formula Financing provide unconditional transfers to the provinces and territories. They are expected to grow by 9%. Equalization enables less prosperous provincial governments to provide their residents with public services that are reasonably comparable to those in other provinces at comparable levels of taxation. The Territorial Formula Financing program provides territorial governments with funding to support public services in recognition of the higher costs of providing programs and services in the North.

Colleagues, that is a detailed look at transfer payments, which, as I said earlier, make up the majority of the spending in the Main Estimates. These Main Estimates also seek funding for the continuation of previously approved programs and services, as well as investments in Indigenous communities, national defence, the environment and skills development.

Of the 129 organizations presenting funding requirements in these estimates, 10 are seeking between \$5 billion and \$40 billion in voted budgetary expenditures. These include the Department of Indigenous Services; the Department of National Defence; the Department of Employment and Social Development; the Department of Crown-Indigenous Relations and Northern Affairs; the Treasury Board Secretariat; the Office of Infrastructure of Canada; the Department of Foreign Affairs, Trade and Development; the Department of Veterans Affairs; the Department of Industry; and the Canada Mortgage and Housing Corporation. While time precludes me from speaking to each of

these departments in detail, I would like to highlight two of them: the Department of Indigenous Services and the Department of Crown-Indigenous Relations and Northern Affairs.

These Main Estimates include funding aimed at advancing reconciliation and self-determination of Indigenous peoples and positively impacting the quality of life of Indigenous communities. For 2023-24, in partnership with Indigenous peoples, Indigenous Services Canada, or ISC, will focus on advancing eight departmental results or objectives.

The first and second departmental results are the physical and mental wellness of Indigenous people. The third is that Indigenous peoples have access to quality federally funded health services. Examples of funding in this area include community-based funding for public health promotion and disease prevention, the Non-Insured Health Benefits program and mental health wellness initiatives, as well as Jordan's Principle and the Inuit Child First Initiative.

The fourth objective is that Indigenous peoples be culturally safe and socially well. In support of this goal, Indigenous Services Canada provides funding to programs such as community safety and violence prevention services, child and family services and income support programs. Initiatives in this area include immediate and long-term reform to child and family services on reserves and in the Yukon, as well as ongoing implementation of An Act Respecting First Nations, Inuit and Métis children, youth and families, the former Bill C-92.

The department's fifth objective is to ensure that Indigenous students are progressing in their education. ISC is working with First Nations partners to transform elementary and secondary education programming for First Nations students to support education that respects First Nations' methods of teaching and learning. Also, ISC will continue to implement co-developed distinctions-based post-secondary education strategies for eligible First Nations, Inuit and Métis students.

The sixth objective is for Indigenous communities to have sustainable land management and infrastructure. This includes supporting First Nation on-reserve communities in their efforts to have reliable and sustainable infrastructure such as safe drinking water, housing and educational facilities. It also includes land management and land use planning, environmental reviews and addressing concerns associated with waste management and contaminated sites, as well as emergency management.

The seventh objective is ensuring that Indigenous communities are progressing in the realms of business and economic growth. ISC's economic development funding respects the right of self-determination by Indigenous partners and uses a distinctions-based approach.

The eighth objective is to ensure that Indigenous communities have governance capacity and support for self-determination. This includes investing in First Nations-led processes to transition away from the Indian Act.

Colleagues, I would now like to turn to the funding sought for the work of the Department of Crown-Indigenous Relations and Northern Affairs. As set out in its 2023-24 Departmental Plan, Crown-Indigenous Relations and Northern Affairs Canada will focus on seven results: first, that past injustices be recognized and resolved; second, that Indigenous peoples advance institutional structures and governance; third, that Indigenous peoples determine our own political, economic, social and cultural development; fourth, that Indigenous peoples strengthen socio-economic conditions and well-being; fifth, that northerners and Indigenous peoples make progress in the areas of political, economic and social governance; sixth, enhancing the resilience of Northern and Indigenous communities in the face of changing environmental conditions; and, seventh, that Northern lands, waters and natural resources be sustainably managed.

We've had a chance to delve more deeply into these topics at the Indigenous Peoples Committee, including during our studies of Bill C-29 and Bill C-45. I'm glad the government is committed to making progress in these areas, and I know we in this chamber share that commitment.

Senators, allow me to also highlight three organizations with the largest increases in voted expenditures compared to last year's Main Estimates. First is the Department of Finance with an \$18.3-billion increase. This includes a \$4.2-billion increase in the Canada Health Transfer, reflecting the 9.3% GDP-based escalator being applied to the 2022-23 level, and a \$2-billion increase in fiscal equalization, also reflecting the 9.3% GDP-based escalator.

The second department with a significant increase is the Department of Employment and Social Development, which is seeking \$6.7 billion more than last year. This amount reflects an increase in one area and a decrease in another. The amount for the Old Age Security pension, or OAS, and the Guaranteed Income Supplement, or GIS, would grow by \$8.2 billion. This is due partly to an expected increase in the number of pensioners and partly to an expected increase in the average monthly payments, resulting mainly from the indexation of benefits and the 10% increase to the OAS pension for seniors aged 75 years and over, in effect since July 2022.

At the same time, there would be a \$1.3-billion decrease to the Canada Student Financial Assistance Program and Canada Apprentice Loans, mainly due to the end of the temporary COVID-19 measures.

The third-largest increase in the year-over-year funding is sought by the Department of Crown-Indigenous Relations and Northern Affairs, which is seeking \$3.3 billion more than last year, mainly because of settlement agreements.

Senators, I know this can be a bit dense, and the time allotted to me isn't enough to get into much detail about any of this, but the government continues to prioritize the way these estimates are presented with extensive explanatory documentation readily accessible online to parliamentarians and Canadians alike.

I encourage senators who have not already done so to consult GC InfoBase, an interactive online tool that presents a wealth of federal data in a visual way. It contains the Main Estimates, along with other data related to government finances and results and the federal public service.

Publishing expenditure data sets using this kind of digital tool makes it easier for parliamentarians and all Canadians to understand how public funds are being spent and what they're achieving. To this end, the estimates support Parliament's review of proposed new government spending and the ensuing appropriation bills — like this one — which grant spending authorities upon Royal Assent.

Every year, the Main Estimates and related documents outline how the government proposes to allocate public funds and help ensure that spending is transparent and accountable. These documents in the estimates cycle include the Main Estimates, the supplementary estimates, the Departmental Plans and the Departmental Results Reports, all of which, in conjunction with the Public Accounts of Canada, help parliamentarians scrutinize government spending.

In conclusion, honourable senators, the bill I have the honour of introducing today is a central part of the estimates cycle, and, substantively, it is key to delivering on the government's commitments to Canadians.

• (1520)

I extend my thanks to the members of the Standing Senate Committee on National Finance for their important work, and I thank all of you for your ongoing involvement in our chamber's role of analyzing both how the government spends money and what Canadians get out of it. *Hiy hiy.*

Hon. Elizabeth Marshall: Thank you, Senator LaBoucane-Benson, for your comments on Bill C-54, and welcome to the club.

As the critic of the bill, I also have comments, and the first thing I want to mention is that what we're being asked to approve today is authority for the government to spend \$108.7 billion. I'm not going to be brief because I'm going to go through a lot of the work that the committee did.

Bill C-54, which is supported by the 2023-24 Main Estimates, is requesting \$108.7 billion. Honourable senators may recall that Bill C-44, which received Royal Assent on March 30, provided the government with \$89 billion in Interim Estimates until these Main Estimates are approved. The \$108 billion in this bill, along with the \$89 billion approved in Interim Estimates, reflect the \$198 billion outlined in the Main Estimates. The Main Estimates, which support this bill, were tabled before the budget was tabled, and as a result, the Main Estimates in this bill do not include any

new budget initiatives for this year. I can assure you the government is going to spend the full \$108.7 billion, and they're going to come back for more.

However, it is important to realize that this is just a portion of the government's spending for this year. In addition to this \$198 billion, there is also estimated statutory spending of another \$235 billion, as well as Employment Insurance benefits of \$24 billion and the Canada child benefit in the amount of \$26 billion.

In summary, while the Main Estimates provide some details on the \$198 billion, the document also discloses that actual expenditures this year are projected to be \$487 billion. With the release of Budget 2023, the government now projects total expenses for this year to be \$490 billion.

The \$109 billion in this bill is being requested by 130 government departments and organizations. Two of the organizations requesting funding — the Law Commission of Canada and the Federal Bridge Corporation Limited — did not receive any funding last year. A third organization, the VIA HFR-TGF Inc., was incorporated as a subsidiary of Via Rail Canada Inc. in November of last year to manage the development of the new High Frequency Rail project.

Of the 29 organizations requesting increases of at least 10% compared to the amount they requested in last year's Main Estimates, these increases amount to over \$3 billion for 7 of those organizations. These seven organizations are Crown-Indigenous Relations and Northern Affairs Canada; Transport Canada; Immigration, Refugees and Citizenship Canada; Natural Resources Canada; Canada Mortgage and Housing Corporation; Treasury Board Secretariat; and Canada Revenue Agency.

Crown-Indigenous Relations and Northern Affairs Canada is requesting an additional \$3.3 billion from \$5.8 billion last year to \$9.1 billion this year. Out of the increase of \$3.3 billion, \$2.9 billion is for the Gottfriedson Band class settlement agreement. This is a trust fund established to help revitalize Indigenous language, culture and heritage lost during the residential school years. It is to be operated independently of the federal government, and it will be governed by a board of nine Indigenous directors, one of whom is to be chosen by the federal government. Also included in the \$3.3 billion increase is \$475 million to implement comprehensive land claims and self-government agreements and other agreements to address the rights of section 35 of the Constitution Act, 1982.

Given the extent of funding requested by the department for the settlement of claims, agreements and treaties, departmental officials informed us that the department maintains a database to track these claims. In terms of specific claims alone, officials estimate there are over 500 of these claims. This makes it difficult for parliamentarians to track the progress of these claims, and officials committed to providing the 20 major outstanding claims and settlements to assist us in our work.

Officials from Crown-Indigenous Relations and Northern Affairs Canada told us that one of their targets this year is to conclude 35 specific claim settlements, so this should help parliamentarians in tracking claims.

Indigenous Services Canada is requesting \$39 billion, which is comparable to the \$39 billion in last year's Main Estimates. The main item in each year is the approximate \$20 billion budgeted for compensation to an estimated 300,000 Indigenous children and families. The origins of this settlement began in 2016 when the Canadian Human Rights Tribunal concluded that the federal government had discriminated against First Nations children for years by not properly funding child welfare services on reserves.

The recent agreement between the federal government, the Assembly of First Nations and the First Nations Child & Family Caring Society will deliver \$23.3 billion to an estimated 300,000 Indigenous children and families.

Departmental officials testified that the amount included in Main Estimates is slightly more than the \$20 billion originally requested. Officials indicated that an additional \$981 million has been requested in these Main Estimates. However, the other \$2.3 billion has yet to be identified in the government's fiscal framework.

Our National Finance Committee was interested in the departmental results for both Indigenous Services Canada and Crown-Indigenous Relations and Northern Affairs Canada and how the "deliverology" method and results reporting have evolved over the past eight years. Witnesses from both departments told the committee that they had been refining their Departmental Results Reports and specifically their performance indicators in partnership with Indigenous First Nations. Officials from Indigenous Services Canada informed us that they have introduced a new results framework in their 2023-24 Departmental Plan. There is still work to be done in terms of outcome performance measures, and they are working with Indigenous organizations to establish those performance indicators.

Officials from Crown-Indigenous Relations and Northern Affairs Canada indicated that their departmental results framework has also changed quite significantly over the years, and they are working in partnership with Indigenous First Nations to develop meaningful goals.

For the most recent departmental results for 2021-22, Indigenous Services Canada met just 14 of their 79 performance indicators, or just over 17%. Crown-Indigenous Relations and Northern Affairs Canada met 17 of their 39 performance indicators, or just over 43%.

Departments and agencies, on average, met just over 49% of their performance indicators, so both departments are just below the average. We will be following up on their progress to determine the changes they are making to their performance indicators and the extent of their progress.

Each year, the Parliamentary Budget Officer issues numerous reports including one on the Main Estimates and one each on Supplementary Estimates (A), (B) and (C). In addition, he appears at the Senate National Finance Committee to discuss each of his reports and respond to questions.

This year, the Parliamentary Budget Officer released his report on the 2023-24 Main Estimates on March 3 and testified before the Senate National Finance Committee on April 18. His report on the Main Estimates emphasizes the spending allocated to elderly benefits, health care and professional and special services. He indicated that 1 in every \$6 will be spent on elderly benefits and 1 in every \$9 will be spent on health care. Professional and special services are estimated at \$20 billion and has increased significantly over the last number of years.

Federal spending on elderly benefits is the single largest area of government spending, which is comprised of Old Age Security, the Guaranteed Income Supplement and Allowance payments. Elderly payments are expected to increase to \$76.6 billion this year, an increase of 11%, after being impacted by a larger number of seniors, inflation to which benefits are indexed and policy decisions which have increased benefits, such as the 10% top-up for those 75 years and older, estimated to cost \$2.6 billion in this fiscal year and which was approved in Budget 2021.

• (1530)

The Canada Health Transfer — or CHT, as we call it — is the largest single transfer to provinces and territories and is used to pay for health care. In February of this year, the government announced a new agreement to provide additional monies for health care, including \$2 billion to address urgent pressures in emergency rooms, operating rooms and pediatric hospitals. This \$2 billion was included in the budget.

In addition, the government committed to increasing the CHT by 5% each year over the next five years rather than the original 3%. The Main Estimates of the Department of Finance discloses \$49.4 billion for the Canada Health Transfer. However, Budget 2023, released subsequently to the Main Estimates, indicates that funding for the CHT this year will be just over \$55 billion.

The Main Estimates also includes \$19.5 billion for professional and special services, the majority of which is spent by the Department of National Defence; Public Services and Procurement Canada; Public Safety Canada; Indigenous Services Canada; and Immigration, Refugees and Citizenship Canada. This \$19.5 billion is about \$2.2 billion more than the amount in last year's Main Estimates.

Budget 2023, released after the Main Estimates, committed to reducing spending on consulting, professional services and travel by \$500 million in this year and \$6.6 billion over the following four years.

During testimony on April 18, the Parliamentary Budget Officer discussed these and other items, including the benefits of a long-term human resources plan, since the number of public service employees and their related costs have increased significantly in recent years. The Parliamentary Budget Officer said that a long-term human resources plan could help the

government ensure that it has the right skill set in its public service and has the capacity to deliver on its policy priorities, rather than what we have seen recently — increasing the numbers of public servants and increasing the use of consultants and outside services, but still, in some instances, failing to deliver on the services that Canadians expect.

According to the Departmental Results Reports for the past four years, less than 50% of targets are met each year. These reports, along with the Departmental Plans, are intended to assist parliamentarians in their review of the government's proposed spending plan. However, given the low numbers of targets being met, the usefulness of the data is questionable.

The government's Results and Delivery program and their "deliverology" program were implemented in 2016, with the appointment of Mr. Matthew Mendelsohn as the Deputy Secretary to the Cabinet in the Privy Council Office, responsible for the Results and Delivery Unit.

The Results and Delivery Unit tracked ministerial mandate letter commitments, as well as performance indicators established by each department and organization. The unit was responsible for assisting departments in determining the objectives of policies and programs and how they would be evaluated. In other words, the Results and Delivery Unit was to help government departments and agencies to systematically and consistently focus on delivery and results.

Mr. Mendelsohn left the government in 2020, and subsequent organizational charts show the Results and Delivery Unit being pushed further and further down in the organizational chart of the Privy Council Office.

The Department of National Defence is requesting \$24.7 billion compared to the \$24.2 billion requested in the Main Estimates last year. Some senators, as well as some Canadians, were expecting the Main Estimates of the department to include a larger or much larger increase in funding. Of particular interest was Canada's level of defence spending compared to other NATO countries. I spoke on this issue in March.

Canada has been a member of NATO, the North Atlantic Treaty Organization, since 1949. In 2006, NATO members agreed with the goal of setting their annual defence spending to at least 2% of GDP. Since making this commitment, Canada has never achieved this goal. The world has changed in the past few years. The war in Ukraine as well as Canada's changing relationships with China and Russia have led to a shifting in priorities.

Many Canadians and some parliamentarians are concerned about the level of funding provided to the military, especially given problems such as the chronic recruitment issues that have left the Canadian Armed Forces short by 10,000 personnel; our minuscule and antiquated submarine fleet; Canada's exclusion from the recent tripartite military pact in which three of our biggest allies — the U.S., the U.K. and Australia — will work together to respond to China's growing aggression in the Indo-Pacific; and Canada's inability to procure armaments and equipment in a timely manner. Especially concerning is Ottawa's refusal to meet its NATO obligation to spend 2% of its GDP on defence.

VIA Rail is requesting \$1.2 billion in Main Estimates, and its wholly owned subsidiary is requesting \$43 million. The subsidiary was incorporated under the Canada Business Corporations Act in November 2022 as a wholly owned subsidiary of VIA Rail Canada Inc. Because it was incorporated under the Canada Business Corporations Act and not under its own legislation, it does not receive the same parliamentary oversight. Information on the structure of the corporation, its mandate, its governance structure, its relationship with its parent company and its reporting requirements is not readily available to parliamentarians and Canadians.

Officials from the subsidiary testified at our Senate Finance Committee, along with VIA Rail, its parent company, and provided some additional information. For example, information that is publicly available, including information on the subsidiary's website, disclosed three directors. However, we were told at committee by witnesses that there will be seven directors.

Innovation, Science and Economic Development Canada is requesting parliamentary approval to spend \$5.6 billion. Of this sum, \$5 billion will be disbursed as grants and contributions for a number of programs, such as the Strategic Innovation Fund, the Universal Broadband Fund, the Canada Foundation for Innovation and the Global Innovation Clusters.

Some senators were interested in the recent \$13-billion announcement for the Volkswagen battery plant in Ontario, but witnesses were unable — or unwilling — to answer questions on this item. Of particular interest was whether there was any funding for the Volkswagen battery plant included in the Main Estimates. A sum of \$13 billion is a significant outlay of public funds, and the question is whether this expenditure has been included in the government's financial projections. Given that the government projects its fiscal requirements over a five-year time frame, the question arises as to whether this \$13 billion is included in the government's financial requirements and financial projections. You may recall that I asked Senator Gold that question a couple of days ago in the Senate.

Officials were also unable to answer questions regarding the impact that the department's innovation funding, through its various programs, is having on innovation within Canada. Given that the government just established the Canada Growth Fund, approving \$15 billion this year, as well as the Canada innovation corporation, approving \$3 billion over the next four years, how does the government know these new corporations will increase growth and innovation if it does not know the impact of existing billion-dollar programs?

The Canada Revenue Agency is requesting \$4.5 billion, which is a \$400 million increase when compared to last year's Main Estimates. Departmental officials informed us that \$224 million of the \$400-million increase is associated with funding to combat tax avoidance and tax evasion and primarily for initiatives announced in Budget 2022. The funding will be used to expand the audits of larger entities and non-residents engaged in aggressive tax planning. It will also be used to increase the investigation and prosecution of those engaged in criminal tax evasion.

Agency officials told us that there are many challenges in addressing tax evasion and aggressive tax avoidance. They said schemes and structures are becoming more complex, and taxpayers are becoming more litigious, making greater access to the courts to delay access to information and evidence.

Several senators were interested in the agency's work in measuring and reporting on the tax gap. The tax gap measures the potential tax revenue loss resulting from tax non-compliance. Officials informed our committee that they have not measured the tax gap beyond the year 2018, and for that year, the tax gap was estimated to be between \$35 billion and \$40 billion. This is a substantial amount of money, and even if the government could collect a fraction of this amount, it would have a significant impact on the deficit.

While the agency says it is addressing issues such as the tax gap, overseas accounts, tax evasion, tax avoidance and the underground economy, there is frustration with regard to the activities of the agency, as well as the lack of reporting information. While the agency's website provides some information on the tax gap and the Panama, Paradise and Pandora Papers, it is not included in the annual report. It is not current. It is difficult to find on the agency's website. It does not convey the impression that all taxpayers are being treated equally and fairly.

• (1540)

Canadians, parliamentarians and even the Canada Revenue Agency would be better served if current information was more easily available or disclosed in their annual report.

As colleagues are aware, Senator Downe's Bill S-258 was referred to our National Finance Committee. The bill will require the agency to list all convictions for tax evasion, including international tax evasion, in the agency's annual report to the Minister of National Revenue. The bill will also require the agency once every three years to include statistics on the tax gap in the agency's annual report.

Finally, Bill S-258 will also require the minister to provide the Parliamentary Budget Officer with data to conduct a further analysis of the tax gap.

I support Senator Downe's Bill S-258.

Veterans Affairs Canada is requesting \$5.9 billion compared to \$5.5 billion requested last year, an increase of 8%. Over 90% of the funding of the department is used to pay benefits to veterans. Most of the increase this year will be used to pay for an increase in funding to veterans.

Specifically, \$338 million of the increase will be used to compensate veterans for pain and suffering. Another \$120 million of the increase will be used to pay the Income Replacement Benefit.

Since the department provides services and benefits that respond to the needs of veterans and their families, these programs are open-ended and the cost depends on the number of veterans accessing benefits, as well as the cost-of-living increases which are based on Statistics Canada's Consumer Price Index.

One of the major issues facing Veterans Affairs Canada is the length of time it takes the department to process veterans' applications for benefits. The department's service standard is to process a veteran's application within a 16-week time frame. Last year, officials told us there was a backlog of applications, that is, those exceeding the 16-week processing time frame.

Of the 30,000 applications in the queue last year, 11,500 exceeded the 16-week time frame. At that time, the department had said they were committed to reducing the backlog to 5,000 applications as of March 31, 2023. During testimony this year, officials told us that they had made some progress. While they had not met their original target, they have reduced their backlog to 6,800 cases.

Employment and Social Development Canada is requesting \$11.1 billion compared to the \$11.4 billion requested in last year's Main Estimates. In addition to the \$11.1 billion requested in this bill, the department already has the authority under other legislation to spend \$83 billion for a number of other programs, including \$58 billion for Old Age Security payments and \$17.7 billion for the Guaranteed Income Supplement.

Also included in this bill is \$6.1 billion for payments to the provinces and territories under the Early Learning and Child Care program, which was announced in Budget 2021 at a cost of \$30 billion over the next five years. Payments to each of the provinces and territories over each of the five years is disclosed in Volume 1 of the *Public Accounts of Canada 2022*.

The objectives of the program were outlined in Budget 2021 when it was announced. The mandate letter of the Minister of Families, Children and Social Development requires the minister to implement the objectives of this \$30 billion program. In addition, the government's results and delivery policy requires the government's Open Government website to track mandate letter commitments. Two of these commitments include the creation of 250,000 new high-quality child care spaces, plus the hiring of 40,000 more early childhood educators by March 2026. Although billions of dollars are being disbursed by the government, these commitments are not being disclosed on the government's website as required by government policy.

During meetings, departmental officials told us that as of February of this year, over 50,000 new child care spaces have been created. They said this has been determined by conversations with the provinces and territories. However, there is no information on the federal government's website, as required by policy.

Rather, officials told us that public disclosure is the responsibility of the provinces and territories. However, since the government is providing \$30 billion for this program, and has established objectives which are measurable — for example, 250,000 new spaces and the 40,000 early childhood educators — progress should be reported in the department's Departmental Results Reports.

Of concern is the child care crisis being experienced across Canada. From the West Coast, to the Prairies, through Central and Eastern Canada, all the way to my home province of Newfoundland and Labrador, I have read countless media articles lamenting the lack of child care spaces and the impossibility of hiring enough workers to staff daycares or to pay them adequately.

Competition for spaces is intense and inadequately remunerated workers are leaving. These issues should have been addressed before billions of dollars were promised for this policy, but since they weren't, it is being experienced now. It should be addressed by the federal, provincial and territorial governments.

Media articles highlight these issues. Last week, the CBC posted an article about early child care workers in Ontario leaving the profession and the millions of dollars more that are needed. A month ago, Global News reported the Canadian Centre for Policy Alternatives report stated that Manitoba was a child care desert, and it is not alone; another CBC article says that Saskatchewan is a similar desert.

Provinces and territories are uneven in the way they present their statistics on child care spaces and positions created. It has been very difficult to compile the information ourselves, and we should not have to.

Employment and Social Development Canada should devote specific, up-to-date information that offers data on what has been accomplished across the country. That way, Canadians and parliamentarians can monitor the progress of the implementation of the new child care policy program.

I am encouraged that Bill C-35, An Act respecting early learning and child care in Canada, has received first reading in the Senate and hopefully will be referred to a Senate committee for study.

This concludes my comments on Bill C-54 and the Main Estimates for 2023-24. In closing, I extend my appreciation to my colleagues for their contribution to our study, and their support, including our chair, Senator Mockler, and our deputy chair, Senator Forest.

Thank you also to our committee clerk, our analysts and staff, who ensure our meetings are productive and run smoothly.

Thank you, senators, for your attention.

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

Hon. Senators: Question.

• (1600)

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

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

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

YEAS
THE HONOURABLE SENATORS

THIRD READING

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

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(b), I move that the bill be read the third time now.

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

Hon. Senators: Agreed.

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

Hon. Senators: Question.

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

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

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

Some Hon. Senators: Yea.

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

Some Hon. Senators: Nay.

The Hon. the Speaker pro tempore: I believe the “yeas” have it. I see two senators rising.

And two honourable senators having risen:

The Hon. the Speaker pro tempore: Do we have an agreement on the bell?

An Hon. Senator: Fifteen minutes.

The Hon. the Speaker pro tempore: The vote will occur at 4:04. Call in the senators.

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| Audette | Kutcher |
| Black | LaBoucane-Benson |
| Boehm | Loffreda |
| Boniface | MacAdam |
| Boyer | Marwah |
| Burey | McCallum |
| Busson | McPhedran |
| Cardozo | Mégie |
| Clement | Miville-Dechêne |
| Cordy | Moncion |
| Cormier | Moodie |
| Cotter | Osler |
| Coyle | Pate |
| Dalphond | Patterson (<i>Nunavut</i>) |
| Deacon (<i>Nova Scotia</i>) | Patterson (<i>Ontario</i>) |
| Deacon (<i>Ontario</i>) | Petitclerc |
| Dean | Petten |
| Duncan | Quinn |
| Dupuis | Ravalia |
| Forest | Ringuette |
| Gagné | Saint-Germain |
| Gerba | Shugart |
| Gignac | Simons |
| Gold | Smith |
| Greenwood | Sorensen |
| Harder | Tannas |
| Hartling | Verner |
| Jaffer | Woo |
| Klyne | Yussuff—58 |

NAYS
THE HONOURABLE SENATORS

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| Ataullahjan | Marshall |
| Batters | Martin |
| Boisvenu | Mockler |
| Carignan | Oh |
| Dagenais | Plett |
| Housakos | Seidman |
| MacDonald | Wells—15 |
| Manning | |

ABSTENTIONS
THE HONOURABLE SENATORS

Nil

• (1610)

APPROPRIATION BILL NO. 3, 2023-24

SECOND READING

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) moved second reading of Bill C-55, An Act for granting to His Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2024.

She said: Honourable senators, I'm pleased to rise again to introduce the appropriation act for the 2023-24 Supplementary Estimates (A).

While the Main Estimates provided an overview of spending requirements for the upcoming fiscal year, the supplementary estimates present information on additional spending requirements.

These additional spending requirements were either not sufficiently developed in time for inclusion in the Main Estimates, or have subsequently been refined to account for developments in particular programs and services.

The Supplementary Estimates (A), 2023-24 are the first of three supplementary estimates planned for this fiscal year.

The government is requesting Parliament's approval of the spending proposals that are detailed in the Supplementary Estimates (A) through the appropriation bill before us today.

Throughout each supply cycle, the appropriation bill acts as a vehicle authorizing payments from the Consolidated Revenue Fund for government programs and services.

When we approve the budget, that does not actually authorize the government to spend money. Rather, parliamentary authorization of government spending happens through the estimates and associated appropriation bills — like the one before us today.

As honourable senators are no doubt aware, the voted amounts in these supplementary estimates represent ceilings or estimates. It is not out of the ordinary if actual spending turns out to be lower.

Actual expenditures are published in quarterly financial reports, and the total 2023-24 expenditures will be listed in the public accounts, which are tabled after the end of the fiscal year.

As this chamber knows, the estimates are part of a series of documents comprised of the Main Estimates; supplementary estimates; Departmental Plans; Departmental Results Reports;

and public accounts. These documents provide important information and help us, as parliamentarians, scrutinize government spending.

The Supplementary Estimates (A), 2023-24 present a total of \$21.9 billion in incremental budgetary spending, which reflects \$20.5 billion to be voted and a \$1.4 billion increase in forecast statutory expenditures.

Before turning to the major voted items in detail, I would like to highlight changes to forecasts of statutory spending.

Statutory budgetary expenditures are forecast to rise \$1.4 billion to a total of \$236.2 billion.

These changes include a \$790.3-million increase in payments for the AgriInsurance Program, which reflects the launch of the new five-year Sustainable Canadian Agricultural Partnership, as well as the cost of providing this critical insurance due to rising commodity prices and the increased program demand; a \$568-million decrease to Old Age Security payments based on updated forecasts of the average monthly rate, number of beneficiaries and benefit repayment amounts; and updated forecasts for interest costs and elderly benefits from Budget 2023.

Now I'll discuss some of the major voted initiatives for which these supplementary estimates seek parliamentary approval.

Three of these initiatives stem from Budget 2023.

The first is \$2.6 billion to the Department of Health to improve health care for Canadians. To help ensure Canadians receive the care they need, Budget 2023 proposed an investment of \$198.3-billion over the next 10 years to strengthen our public health care system.

Funding in this supply bill will be used for new bilateral agreements with the provinces and territories to address health system needs. Examples include expanding access to family health services, supporting health care workers, reducing backlogs, increasing mental health and substance use supports and modernizing our health care systems.

Funding will also be used to develop new health indicators, and improve coordination between different health care systems. It will also support the Territorial Health Investment Fund, which assists the territories with health care and medical travel costs.

The second funding request stemming from Budget 2023 is \$469 million for the Department of Citizenship and Immigration to support the Interim Federal Health Program. This program provides temporary medical coverage to certain foreign nationals, such as asylum claimants and refugees, who are not yet eligible for provincial or territorial health insurance.

The third funding request stemming from the budget is \$468.3 million for the Canadian Air Transport Security Authority. This is part of the \$1.8 billion being invested over five years.

As air travel started bouncing back from the pandemic last year, Canadians faced flight delays, long lineups at airports and mishandled baggage.

While delays have been reduced, this funding will help further strengthen air passengers' rights and improve Canadians' experiences at airports.

I will now discuss the request for funding stemming from Budget 2022 for the Housing Accelerator Fund. The government's goal is to incentivize cities and towns to have more housing built and, by increasing the supply of housing, to make it more affordable for Canadians.

Budget 2022 proposed to provide \$4 billion over five years to the Canada Mortgage and Housing Corporation to launch the new Housing Accelerator Fund.

This fund provides incentive funding to local governments, encouraging initiatives aimed at removing barriers to development and increasing housing supply, as well as encouraging the development of complete, low-carbon and climate-resilient communities that are affordable, inclusive, equitable and diverse.

Funding of \$996.7 million for the Canada Mortgage and Housing Corporation is sought in this supply bill to support this initiative.

Another important funding request before us today is \$464.4 million to the Department of Agriculture and Agri-Food to implement federal and cost-shared initiatives under the Sustainable Canadian Agricultural Partnership.

This is a new \$3.5-billion, five-year agreement between the federal, provincial and territorial governments to strengthen the competitiveness, innovation and resiliency of the agriculture, agri-food and agri-based products sector.

The partnership includes \$1 billion in federal programs and activities, and \$2.5 billion in cost-shared programs and activities funded by federal, provincial and territorial governments. The partnership provides strong support for science, research and innovation to address challenges, seize new opportunities, open new markets and strengthen the resiliency of the sector.

This supply bill also includes a request for \$459.3 million for the RCMP to compensate members for injuries received in the performance of their duties. This compensation will be paid to members of the RCMP and their families in the event of disabilities or death that occur as a consequence of the members' duties.

Colleagues, I will now address four funding requests in this bill related to reconciliation: One is for the Department of Indigenous Services; two are for the Department of Crown-Indigenous Relations and Northern Affairs, and one applies to both departments as a horizontal item.

The first is \$4.4 billion for the Department of Indigenous Services to support a final settlement agreement involving the First Nations Child and Family Services program and Jordan's Principle. This settlement is an important part of Canada's accountability toward First Nations children who were discriminated against or removed from their homes.

This funding will also be used for the continued delivery of immediate measures required by tribunal orders and items agreed to as part of the Agreement-in-Principle on Long-Term Reform of the First Nations Child and Family Services program and Jordan's Principle.

• (1620)

The second reconciliation-related funding request is \$2.5 billion for the Department of Crown-Indigenous Relations and Northern Affairs for the Specific Claims Settlement Fund. Specific claims settlements help to right past wrongs, renew relationships and advance reconciliation in a way that respects the rights of First Nations and all Canadians. Specific claims are grievances against the federal government that allege failures to fulfill historic treaty obligations or mismanagement of Indigenous lands and assets. Specific claims settlements and tribunal awards valued at up to \$150 million are paid from the Specific Claims Settlement Fund. The amount sought through this bill would replenish the fund based on anticipated payments for negotiated settlements and tribunal awards.

The third funding request on this theme of reconciliation is \$825 million for Crown-Indigenous Relations to fund out-of-court settlements. The federal government is engaged in active discussions related to various legal challenges. This funding will ensure that the department is in a position to quickly implement negotiated settlements should agreements be reached.

Finally, this bill seeks \$4.1 billion for both departments — Crown-Indigenous Relations and Northern Affairs Canada, and Indigenous Services Canada — to implement the expedited resolution strategy for agricultural benefits claims related to Treaties 4, 5, 6 and 10. Essentially, when treaties were signed, one of the commitments Canada made was to support the development of agriculture on reserve lands. However, in many cases, colleagues, this commitment was not upheld. This funding is part of Canada paying these outstanding bills at long last.

In conclusion, honourable senators, in the time available, my remarks can only be high-level. However, I've tried to use these remarks to provide tangible examples of how the funding sought through this bill will affect Canadians' lives in a positive way. This includes strengthening our health care system, making housing more available and affordable and advancing reconciliation with Indigenous peoples.

I hope you will join me in supporting this legislation. Thank you.

Hon. Elizabeth Marshall: Honourable senators, before I start, I'd like to tell my colleagues that I'm going to be brief in my speech. I think people are getting tired.

I want to start by thanking Senator LaBoucane-Benson for her comments on Bill C-55. As the critic of the bill, I have a few other comments.

This bill is requesting parliamentary approval of \$20 billion in voted expenditures. When we think about billions of dollars, I think we're getting used to the big numbers, but it's \$20 billion in voted authorities for 26 government departments and agencies. The bill itself is supported by the Supplementary Estimates (A) document, which provides some limited information on what the money will be used for.

This request for \$20 billion is significantly higher than the \$8.8 billion requested in last year's Supplementary Estimates (A). Of the \$20 billion requested in this bill, \$4.4 billion is for Budget 2023 initiatives — my colleague outlined what they are, so I won't repeat that — and \$1 billion is for Budget 2022 initiatives.

This bill is the third appropriation act for this year. We often refer to appropriation acts as "supply bills" because they effectively supply the government with money to operate and carry out government programs.

The first appropriation act for this year was for interim supply, which approved about 40% of the money identified in the Main Estimates. This provided the government with money to operate until the end of June. This first appropriation act, Bill C-44, was enacted on March 30 of this year. Now we have just debated the second appropriation act for this year, Bill C-54, with the remainder of the Main Estimates. Once it receives Royal Assent, the government will have the authority to spend \$108.7 billion.

Since the first two appropriation acts have already provided the government with the authority to spend \$198 billion, this appropriation act for \$20 billion will increase the spending authority to \$218 billion. However, as I have indicated many times previously — they say you have to repeat something eight times before people really get it — the \$218 billion requested in the first three appropriation acts does not include all of the government's spending. The government also has the authority under numerous other acts to spend, and we refer to these amounts as "statutory expenditures." Statutory expenditures for this year are currently estimated to be \$236 billion, which is in addition to the \$218 billion that will be approved by the appropriation acts. There is also authority for the Employment Insurance benefits, estimated at \$24 billion, and the Canada Child Benefit, which is another \$25 billion. When you add up all these amounts, the government's estimate of what it will spend this year amounts to \$490 billion.

Last year in Supplementary Estimates (A), the government estimated that it would spend \$452 billion during the entire year, but it actually spent more than the \$452 billion it estimated. It spent \$470 billion. This year in Supplementary Estimates (A), the government estimates it will spend \$490 billion during the entire year. However, we are only three months into the year, and as

each financial document is released, the numbers go in one direction — up — so I expect that expenses will exceed \$500 billion this year — or a staggering half a trillion dollars.

I will now talk about a couple of the departments requesting funding. The first is the Department of Indigenous Services. Of the \$20 billion requested in this bill, the Department of Indigenous Services is requesting \$4.8 billion, of which \$4.4 billion will support a final settlement agreement related to the First Nations Child and Family Services program and Jordan's Principle. It will also support the continued delivery of immediate measures required by the tribunal orders and items agreed to as part of the Agreement-in-Principle on Long-Term Reform of the program and Jordan's Principle.

Honourable senators may recall that I have spoken many times on this recent agreement between the federal government, the Assembly of First Nations and the First Nations Child and Family Caring Society to compensate the estimated 300,000 Indigenous children and their families for not being properly funded under child welfare services on reserves. Funding under this agreement is estimated at \$23 billion. In addition, child and family services provided by the department are open-ended as the cost and extent of services are dependent on need. Based on the information provided in the Supplementary Estimates (A) document, it appears additional funding is being requested for this program.

Of the \$20 billion being requested in this bill, \$8 billion is being requested by the Department of Crown-Indigenous Relations and Northern Affairs. Of that, \$4 billion is to be used to implement "the expedited resolution strategy for agricultural benefit claims" relating to Treaties 4, 5, 6, and 10.

Another \$2.5 billion of the \$8 billion being requested is for the settlement of specific claims. Specific claims settlements and tribunal awards, valued at up to \$150 million, are paid from the Specific Claims Settlement Fund. The \$2.5 billion requested in this bill will be used to replenish the fund based on anticipated payments for negotiated settlements and tribunal awards.

The department is also requesting \$825 million for out-of-court settlements to ensure that the department is in a position to quickly implement negotiated settlements should agreements be reached.

In reviewing funding requests from the department, there are numerous requests for funding for claims, agreements and treaties, which departmental officials say are maintained in a database for tracking. In terms of claims alone — and I've said this before — officials estimate there are 500 of these, which makes it very difficult for us to provide oversight.

Our Finance Committee will continue its review of funding for claims agreements and treaties in the fall.

Of the \$20 billion being requested in this bill, the Canada Mortgage and Housing Corporation is requesting \$996 million for the Housing Accelerator Fund. The Housing Accelerator Fund was established by Budget 2022, which indicated that more housing needs to be built and changes are therefore required to the systems that are preventing the building of more housing. The government's objective is to incentivize the cities and towns that

are stepping up to get more housing built while also ensuring that municipalities can get the support they need to modernize and build new homes.

Budget 2022 provided \$4 billion over five years for the Housing Accelerator Fund, and it was supposed to start last year. The fund is supposed to create 100,000 net new housing units over the next five years. The focus will be on increasing supply, including a needed increase to the supply of affordable housing.

Last year's budget allocated \$150 million to the fund and \$925 million this year. There is no explanation as to why the fund was not launched last year, as indicated in last year's budget. According to the Canada Mortgage and Housing Corporation's website, the fund will be launched this summer.

• (1630)

As I have indicated many times, statutory expenditures are expenditures that are not included in an appropriation act. Rather, such expenditures are approved by other acts or statutes, hence the term "statutory expenditures."

Supplementary Estimates (A) provide updated forecasts of the statutory expenditures of Agriculture and Agri-food Canada, the largest increase being \$790 million for the AgriInsurance Program. Senator LaBoucane-Benson also mentioned that, so I won't repeat what she said.

The forecasted statutory expenditures of the Old Age Security program have been decreased by \$568 million, from \$58 billion to \$57.5 billion, based upon updated forecasts of the average monthly rate, the number of beneficiaries and benefit repayment amounts.

Finally, the Department of Finance has increased the statutory expenditures of the estimated interest on unmatured debt by \$737 million, which will bring it to \$33.6 billion. However, I expect further increases will be included in Supplementary Estimates (B) and (C), since Budget 2023 forecast \$4.3 billion for public debt charges this year. However, the Bank of Canada recently increased its benchmark interest rate to 4.75% and may increase rates again this year.

The government expects to borrow an additional \$63 billion this year, and, as I have just indicated, it estimated debt-servicing costs to be \$43.9 billion this year. However, with the increase by the Bank of Canada of its benchmark interest rate, that \$43.9 billion is now expected to increase. But the government has not disclosed a new estimate of public debt charges.

In the area of personnel, Bill C-55 includes \$708 million for personnel spending, which will increase the total amount to date for personnel spending this year to \$54 billion. It is estimated that personnel spending in 2022-23 will be about \$68 billion. When the public accounts for last year are released in the fall, we will have a more accurate number. To put it into perspective, personnel spending in 2016-17 was \$40 billion, so the increase in personnel spending from \$40 billion over a period of six years to \$68 billion last year is 70%.

Over the same six-year period, the federal public service increased from 335,000 full-time equivalents to 413,000 full-time equivalents. In 2022-23, the number of full-time equivalents is expected to be at 428,000.

Honourable senators, this bill, Bill C-55, and its supporting document, the Supplementary Estimates (A), provide a snapshot of planned government spending at this point in time and for this fiscal year. But we really need to think about the bills we're debating here today. We're debating the Main Estimates, Bill C-54, Supplementary Estimates (A), Bill C-55 and the budget bill. So in one day, we're debating three spending bills.

First, the government likes to spend, so that's one explanation. However, I have spoken about this many times, but I didn't include it today: There is something wrong with the processes in the government for putting forward their requests for spending. We see today that we have a request for the Main Estimates, we have a request for Supplementary Estimates (A) and a request for the budget bill. It demonstrates that there must surely be a better way to put all this financial information together rather than doing it in bits and pieces, as it is being done.

Additionally, new financial documents are expected in the fall, when we return. Specifically, we'll be getting Supplementary Estimates (B), then we'll get more spending in the fall fiscal update, and then we'll get the public accounts for last year. We'll be waiting a while for that. Then, interspersed among all of those, I am sure there will be other bills to approve more spending.

So we will continue our review of government spending, but I would really encourage the government to take a look at revising the estimates and their spending processes.

In closing, I would like to thank my committee colleagues again for their work and support: our committee chair, Senator Mockler; our deputy chair, Senator Forest; our Committee clerk and analysts and the many staff who ensure our meetings run smoothly and are productive.

I thank my Senate colleagues for listening to this presentation. Thank you.

The Hon. the Speaker: Are honourable 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: Agreed.

An Hon. Senator: On division.

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

THIRD READING

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

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(b), I move that the bill be read the third time now.

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

Hon. Senators: Agreed.

The Hon. the Speaker: Are honourable 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: Yes.

Some Hon. Senators: No.

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

Some Hon. Senators: Yea.

The Hon. the Speaker: 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. Is there advice on the length of the bell?

An Hon. Senator: Now.

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

YEAS

THE HONOURABLE SENATORS

| | |
|----------|------------------|
| Black | Kutcher |
| Boehm | LaBoucane-Benson |
| Boniface | Loffreda |
| Boyer | MacAdam |
| Burey | McPhedran |
| Busson | Mégie |

| | |
|-------------------------------|------------------------------|
| Cardozo | Miville-Dechêne |
| Clement | Moncion |
| Cordy | Moodie |
| Cormier | Osler |
| Coyle | Pate |
| Dalphond | Patterson (<i>Nunavut</i>) |
| Deacon (<i>Nova Scotia</i>) | Patterson (<i>Ontario</i>) |
| Deacon (<i>Ontario</i>) | Petitclerc |
| Dean | Quinn |
| Duncan | Ravalia |
| Dupuis | Ringuette |
| Gagné | Saint-Germain |
| Gerba | Shugart |
| Gignac | Simons |
| Gold | Smith |
| Greene | Sorensen |
| Harder | Tannas |
| Hartling | Woo |
| Klyne | Yussuff—50 |

NAYS

THE HONOURABLE SENATORS

| | |
|-------------|----------|
| Ataullahjan | Marshall |
| Batters | Martin |
| Boisvenu | Mockler |
| Carignan | Oh |
| Dagenais | Plett |
| Housakos | Seidman |
| MacDonald | Wells—15 |
| Manning | |

ABSTENTIONS

THE HONOURABLE SENATORS

Nil

• (1640)

BUDGET IMPLEMENTATION BILL, 2023, NO. 1

THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Loffreda, seconded by the Honourable Senator Gold, P.C., for the third reading of Bill C-47, An Act to implement certain provisions of the budget tabled in Parliament on March 28, 2023.

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, let me see if I can spend the next 30 or 35 minutes convincing you to vote the right way on Bill C-47 — we haven't had too much success today. I have been encouraged by members opposite to see if I can finish before six o'clock. I think we should get pretty close.

It's a dark day, colleagues.

It was March 22, 2016, when then-Finance Minister Morneau stood up in the House of Commons to deliver the first Liberal budget under Justin Trudeau's government. With the 269-page budget document on his desk entitled "Growing the Middle Class," the Minister of Finance proudly announced the following:

Today, we begin to restore hope for the middle class. Today, we begin to revitalize the economy. Today, we begin a long-term plan that will use smart investments and an unwavering belief that progress is possible to ensure that Canada's best days lie ahead.

That first budget was followed by a second in 2017. This was Canada's one-hundred-fiftieth birthday, and the Liberals were giddy with excitement — not yet realizing that their fantasy of restoring prosperity by running a series of deficits of \$10 billion a year was nothing more than a pipe dream. The 2017 budget, colleagues, was entitled "Building a Strong Middle Class." And once again, Minister Morneau stood up in the House of Commons and boldly declared that his government had:

... put together a plan to ensure that, in a changing world, Canada's middle class and those working hard to join it can — and will — succeed.

This charade would continue with the 2018 budget which was called "Equality and Growth for a Strong Middle Class." Then again in 2019 with a budget entitled "Investing in the Middle Class." For Budget 2021, it was "A Recovery Plan for Jobs, Growth, and Resilience." Budget 2022 was "A Plan to Grow Our Economy and Make Life More Affordable." And before us today, we have a budget implementation bill for Budget 2023 entitled "A Made-in-Canada Plan: Strong Middle Class, Affordable Economy, Healthy Future."

Colleagues, this government reminds me of — and I have used this analogy in the chamber before, and many of us are old enough to remember — the old record players when you put the needle down and they start scratching and skipping. Now, "skipping" might be the wrong word, because they actually became stuck in the same spot, going around and around, repeating the same line over and over again until you either threw something at the record player or you got up and fixed it.

This is where we are today, colleagues: The needle is skipping. And while the Prime Minister's mouth never stops moving, the message no longer makes any sense. Colleagues, the truth of the matter is that there are certainly people who have done well under this Liberal government, but the middle class is not among them.

After eight years of Prime Minister Justin Trudeau, everything feels broken: Inflation is crippling the middle and lower class; groceries are becoming unaffordable for more and more Canadians; the levels of indebtedness of the federal government and individual Canadians are unprecedented; interest rates keep rising; housing prices, be it for a house or an apartment, have become unaffordable. The federal public service has never been bigger and has never been as ineffective.

I am sure that a majority of senators think that I am exaggerating — I wish I was — but the facts tell a different story, colleagues. For those of you who still think that things are rosy in Justin Trudeau's Canada, let me give you a few of those facts.

Let's talk about inflation. On March 28, the government's Budget 2023 press release trumpeted that they were "Making Life More Affordable." This, my friends, is what it looks like to live in a fantasy land. Perhaps life is more affordable for Justin Trudeau and his elite friends, but that is not the experience of ordinary Canadians. By every objective measure, the Liberal war on work is making life more expensive for hard-working Canadians. Under Justin Trudeau, the inflation rate in Canada has reached levels not seen in 40 years.

The last time it was this bad, colleagues, was when there was a different Trudeau managing the finances of the country — imagine that. This is especially true for groceries. The price increases were supposed to be temporary, but not only are they not coming down, they keep going up.

• (1650)

The Angus Reid Institute noted just a couple of weeks ago that more than half of British Columbians are struggling to make ends meet due to inflation. Angus Reid Institute President Shachi Kurl told Global News on June 5 that:

... 53 per cent of them say they are either struggling or uncomfortable in terms of their ability to meet their daily costs ...

Canada's Food Price Report 2023 is telling consumers to expect those prices to continue to rise this year with the most substantial increases expected in vegetables, dairy and meat. The report is predicting that an average family of four will spend up to \$16,288 on food this year, an increase of over \$1,000 from last year.

In case you are not familiar with the annual Canada's Food Price Report, I would point out that it is not some creation of Conservative Party opposition research. It is an annual collaboration between research partners Dalhousie University, the University of Guelph, the University of Saskatchewan and the University of British Columbia — hardly bastions of Conservatives at those universities.

This research team uses historical data sources, machine learning algorithms and predictive analytics tools developed over many years to make predictions about Canadian food prices. In other words, don't dismiss their findings when they say prices are going up and that, "We haven't seen food prices increase this high in Canada for over 40 years ..."

Honourable senators, we see the reality of the impact of rising food prices when we hear that 1.5 million Canadians are resorting to food banks, and one in five people are skipping meals because they simply cannot afford the cost of food.

During the COVID crisis, Pierre Poilievre kept reminding the government that you cannot inject hundreds of billions of dollars into the economy and not have inflation as a consequence. Trudeau and his ministers answered that there would be no inflation. Some of their supporters were even warning us against deflation. The fact is — although it pains them to admit it — Pierre Poilievre was right, and the Liberals and those so-called experts were wrong.

When the inflation rate reached the current historic levels, the Liberals told us that we had to blame world inflation and problems in supply chains. As usual, when something goes wrong in Canada, Liberals are telling us that it is not their fault. They are only bystanders in Ottawa. Well, the truth is out. The large part of inflation in Canada is due to the spending by the Trudeau government and the reckless deficits.

John Cochrane and Jon Hartley from Stanford University said:

The most important source of Canada's inflation is simple: Starting in 2020, the government borrowed more than \$700-billion, and mostly handed it out. People spent it, driving up prices.

Before tabling the budget, Chrystia Freeland admitted that Liberal deficits were causing inflation. She said that the goal of her budget, however, was, "... not to pour fuel on the fire of inflation." She told us she would exercise fiscal restraint, but then the Liberals dumped another \$60 billion of additional fuel on the fire.

John Manley, a former Liberal finance minister, said that Trudeau's fiscal policy is making it harder to contain inflation. Manley described it as:

... a bit like driving your car with one foot on the gas and the other on the brake generally, especially if there's slushy conditions under your tires

But the worst news is that this inflation may be here for a long time. The Bank of Canada indicated this month that the momentum in demand had increased the odds that inflation could get stuck above 2%, and noted that the neutral rate of interest may be higher than was previously believed.

Honourable senators, we were told that inflation was not supposed to happen. When it happened, it was supposed to be for just a short while. Now we know it is not only here, but it is here for a long time. Justin Trudeau and his government do not have any answers. They are just making the problem worse, which brings me to the issue of the debt.

Since 2015, the Trudeau Liberals have spent at least \$500 billion that they don't have. The Prime Minister promised modest and temporary deficits in 2015, saying that budgets balance themselves. I can't say he lied — no, I'll say he lied. Canada's federal debt for the 2023-24 fiscal year is projected to reach \$1.22 trillion. That is nearly \$81,000 per household.

Justin Trudeau has added more debt than all other prime ministers combined and still has no plan to balance the budget. He and Minister Freeland have been asked hundreds of times: When will we have a balanced budget? They have no clue. Interest charges on the national debt will cost \$43.9 billion this year. It represents a \$19.5 billion increase from the pre-pandemic rate of \$24.4 billion, an 80% increase.

During the COVID crisis, Justin Trudeau told us that the federal government was borrowing all that money so that ordinary Canadians did not have to. Well, first of all, when the federal government borrows money, it is ordinary Canadians who are borrowing it.

Earlier this month, the rating credit agency TransUnion reported that the combined debt of Canadian individuals has reached a new record: \$2,320 billion. Canadian households are now more in debt than those in any other G7 country at 185% of disposable income, and the amount they owe is now more than the value of the country's entire economy.

The International Monetary Fund issued a warning a few weeks ago: Canada runs the highest risk of mortgage defaults among advanced economies. According to Equifax, Canadians' credit card spending was found to be 21.5% higher than the levels before the pandemic. Equifax wrote:

In Q1, 175,000 more consumers missed payments on at least one non-mortgage product, representing an 18.8 per cent increase from the first quarter of 2022.

Twenty-seven per cent of Canadians have said that they have had to borrow money from friends or relatives, take on additional debt or use credit cards to meet day-to-day expenses. Numbers from Statistics Canada show that insolvencies are up almost 20% over the last fiscal year, and to make matters worse, a report by RBC notes that these insolvencies could rise by nearly 30% over the next few years.

A couple of weeks ago, Angus Reid found 68% of Canadians say their debt is a source of stress for them, while among mortgage holders, 81% report debt as a source of stress. The poll shows almost 50% say they are in worse shape financially than they were last June — and that was before the latest rate hike. These levels of indebtedness are particularly scary when you see interest rising. In fact, 57% of Canadians said that if interest rates go up, they will be in financial trouble.

• (1700)

On June 7, the Bank of Canada raised its benchmark interest rate to 4.75% — the highest it's been since May 2001 — making everything from mortgages to credit lines more expensive

Finance Minister Chrystia Freeland said that the increase in interest rates would see “a lot of people struggling” to pay their mortgages. She said the following:

There are a lot of anxious Canadians right now who will be concerned when they see this step taken by the Bank of Canada. This is entirely understandable. I absolutely understand that anxiety.

Variable rate borrowers will feel the pain first.

A homeowner who put 10% down on a \$716,083 home — the average price in Canada in April — with a five-year variable rate of 5.55% amortized over 25 years, will pay \$98 more per month, or \$1,176 per year, on their mortgage payments after the latest 25-basis-point rate increase.

It's no wonder that 64% of Canadians say higher interest rates are having a negative, or somewhat negative, impact on their personal spending, according to a Nanos Research survey done this month.

Honourable senators, it is not only mortgage holders, or other people with debt, who will suffer from the increase in interest rates; all taxpayers will.

As I said earlier, the federal government debt servicing charges for the current fiscal year is estimated to be \$43.9 billion. That is money which is no longer available for priorities, such as helping more Canadians, as well as properly funding our health care system or our Canadian Armed Forces.

With \$1.2 trillion of debt, any increase of 25 basis points in the interest rate on the government borrowing means a \$3-billion increase in debt servicing costs.

After eight years of Justin Trudeau, we are looking at the potential of a large credit crisis if rates do not come down soon or, worse, keep climbing. And what is Trudeau's government doing? They are doing nothing.

On the contrary, they are pouring gas on the fire with increased spending. A report from the CIBC released this month put it clearly:

Reining in government spending could take some of the pressure off the Bank of Canada in tamping down inflation and help limit pain for debt-ridden Canadians.

Speaking of a problem that the Trudeau policies are making worse, let me focus on housing.

Since Justin Trudeau promised to make life more affordable for the middle class in 2015, housing costs have doubled in Canada.

Colleagues, look at these numbers under Justin Trudeau: The down payment needed to buy a house has doubled from \$22,000 to \$45,000; mortgage payments for a new house have more than doubled from \$1,400 a month to \$3,100 a month; and rent in Canada has doubled from \$1,172 to \$2,153 for a two-bedroom apartment — and it has more than doubled in many of Canada's largest cities.

In 2015, Canadians spent 39% of their paycheque on their monthly housing payments. Under Justin Trudeau, this has risen to 62%.

In June 2023, before the latest interest rate increase, Angus Reid Institute found that 54% of renters and 45% of mortgage holders were finding their monthly payment for housing tough or very difficult to manage.

These prices are taking whole swaths of the Canadian population out of the market for a house.

A recently published report from the mortgage rate comparison site Ratehub.ca suggests that those hoping to buy an average home in Vancouver need to earn about \$231,950 a year just to meet the requirements to obtain a mortgage. That calculation includes the average home price in the Vancouver area of \$1.2 million.

Terrible housing affordability is forcing adults aged 34 and younger to flee the cities in which they grew up, according to a report from Desjardins from May 2023. Younger Canadians are also putting off marriage and waiting longer to have children, according to the report.

Trudeau's National Housing Strategy financed the construction of 106,000 homes since 2019. Yet, according to the Canada Mortgage and Housing Corporation, or CMHC, there is an estimated shortage of 400,000 homes per year, and builders are not meeting the demand.

In May 2022, the CMHC identified supply as “the biggest issue affecting housing affordability” in Canada, and that new housing starts have struggled to keep up with population growth in some of Canada's large cities. To restore affordability, Canada will need an additional 3.5 million units by 2030 beyond those already in the works.

“Canada's approach to housing supply needs to be rethought and done differently,” according to the CMHC's deputy chief economist.

A June 2023 report from RBC Capital Markets included this ominous warning: “. . . fixing housing affordability, particularly in Toronto and Vancouver, is likely past the point of no return . . .”

And yet, colleagues, in the middle of this crisis, the CMHC website opens with this statement: “. . . we are driven by one goal: housing affordability for all.”

You may as well change that headline to this: “We are totally and utterly failing under this Liberal government.”

It would be funny if this situation was not so dire. You would think the Trudeau Liberals would be putting pressure on the CMHC, and that heads would roll.

But don't worry, colleagues; that is not the case. It is business as usual at the CMHC, with the top brass all receiving their performance bonuses, even if there is no performance. Again, the minister does nothing.

This statement from May 19, 2023, says it all:

Housing Minister Ahmed Hussen said builders need to construct more homes but did not introduce any new proposals to address the housing supply issue.

Again, the Liberals act like they are helpless witnesses of their own train wreck.

Speaking of train wrecks, it is the whole federal apparatus that is now dysfunctional after eight years of Justin Trudeau.

This is from *The Globe and Mail* on March 24:

Under the federal Liberal government, the size of the core public service has grown, and grown, over the past eight years. At the same time, it is increasing its reliance on contractors.

There is no single area with a bigger impact on spending: Personnel expenses consume half of Ottawa's operating budget. And yet there has been little effort made to demonstrate whether this has improved program effectiveness.

The Parliamentary Budget Officer said that federal spending on personnel increased by almost 31% between the 2019-20 and 2021-22 fiscal years. The public service expanded by the equivalent of 31,227 full-time employees between April 2020 and March 2022.

I agree with Senator Gignac when he said — in his speech on Tuesday — that the increase in the number of employees in the federal bureaucracy and, more importantly, the increase in cost are both alarming.

• (1710)

Under Justin Trudeau, growth of the federal public service has outpaced that of local and provincial governments. Provincial governments have grown in part because of the need to hire more workers to relieve the pressure on long-term care and health care systems across the country, exacerbated by the pandemic. Ottawa can't say the same thing, as it does not deliver those critical services.

If that's not enough, the federal government's reliance on contractors has also grown from \$12.9 billion in fiscal years 2017-18 to a projected \$21.4 billion this fiscal year. There is no plan to reduce the number of employees or the number of contractors.

Under the Trudeau Liberals, the federal government has grown exponentially. If Canadians could get top-notch service, that might be acceptable, but Canadians have been seeing a constant deterioration in the level of service from the federal bureaucracy. So more money is being spent for a lower quality of service. This is what Canadians have after eight long years of Justin Trudeau. No wonder everything feels broken — it is broken.

The truth is that we've barely begun to list everything. We could also add to Justin Trudeau's legacy a 32% increase in violent crime; an opioid crisis that kills 22 people every day; a health system that is in shambles; an Armed Forces that can no longer fulfill its mandate; a Canada that is no longer relevant internationally; an Access to Information system that ". . . has steadily eroded to the point where it no longer serves its intended purpose" according to the information commissioner; an outdated and seemingly impossible to reform Employment Insurance system; a record number of homeless people in all Canadian cities; an international aid system stuck in the 20th century; the incapacity to give basic services to veterans; several thousand Indigenous people who live in Third World conditions; an Immigration Department in shambles, not able to issue visas and permits in a timely manner and facing accusations of racism and discrimination; transport and other infrastructure that is crumbling; and a public safety apparatus in such a state that the public is anything but safe.

The incompetence of this government knows no bounds. We have come to a point where it is difficult to decide which member of the Trudeau government was the most incompetent this year — although you have to say that Marco Mendicino is doing his best to win the top prize. I could go on and on, and don't get me started on all the scandals and the odour of corruption surrounding this government.

I know I have unlimited time here, but I'm afraid I would not even have enough time to cover them all.

The captain of this drifting ship is, of course, Prime Minister Justin Trudeau, who reached new heights of incompetence this year — or maybe it's new lows. He can't give a straight answer on anything, especially about Beijing's interference — because he benefited. He's giving Canadians a second carbon tax on Canada Day of all things when we have record food bank usage.

He hid behind President Biden's visit to finally confess that it was him who stayed in the \$6,000-a-night hotel room in London last fall. And we learned yesterday that he and his entourage charged over \$61,000 just for hotel rooms to attend — get this — an anti-poverty summit. The phrase "Let them eat cake" comes to mind.

In February, the former ethics commissioner said the entire Trudeau cabinet needs ethics training. One hopes the Prime Minister took him up on that so that Canadians are not going to suffer through more of this behaviour this fall.

With a record like that, it is no wonder why 80% of Canadians want a new government. And with Canada in such a dire situation, you would have thought that the government would come up with a serious budget to address the problems we are facing.

This is what Minister Freeland said on March 8, just before tabling the budget:

I am very conscious that we're putting together this budget at a time of meaningful fiscal constraint and that fiscal constraint is exacerbated by the fact that the Canadian economy is slowing.

Did the Liberals come up with a budget and a budget implementation act that will address all those challenges? Of course, they didn't. They went for the easy little measures, the gimmicks, like a "grocery rebate" that is not a rebate and has nothing to do with groceries.

In Justin Trudeau's Canada, it is not the Department of Finance that leads the preparation of the budget. It is the communications department of the Prime Minister's Office.

Do you think I'm exaggerating? Former federal finance minister Bill Morneau himself said that Justin Trudeau and his top advisors in his office favour scoring political points over policy rationales, leading to him feeling like a rubber stamp — similar to what we feel here many days with this government.

Let me quote from Mr. Morneau in his latest book:

My job of providing counsel and direction where fiscal matters were concerned had deteriorated into serving as something between a figurehead and a rubber stamp.

This is the former finance minister.

I would be curious to have an exit interview with Michael Sabia, the departed deputy minister of finance. I have no doubt that the urge he felt to go back to Montreal was fuelled by the fact that Justin Trudeau and Katie Telford are focused on managing the message instead of managing the country.

Because the communications department of the Prime Minister's Office could not come up with the right slogan following their focus groups, the budget implementation act contains nothing concrete about how the government plans to manage the economy. What is the plan on inflation? When is the budget going to be balanced? When will the obese public sector go on a diet? How do you address the challenges Canadians face? Justin Trudeau and company have no clue.

Budgets are about deciding where to spend and, just as important, colleagues, where not to spend. The biggest fiscal failure of the Trudeau Liberals has been their insistence on ignoring this basic tenet of sound finance and, instead, layering new spending on old each year, while blithely ignoring the mounting pressure of the national debt. Instead of addressing the very real challenges facing Canadians today, this government insists on making them worse with this budget implementation act.

I will not go into the details of Bill C-47. Several senators have outlined the flaws of this bill — why it will not only do nothing to solve the problems we face but only make them worse. Let me, however, highlight some issues this bill and the overall fiscal policy of the Trudeau Government raise.

As I said, the Trudeau Liberals are adding over \$60 billion in new spending, which translates to a staggering \$4,200 per family. This means more inflation, more taxes and higher costs for hard-working Canadians who are already struggling to make ends meet.

The federal government's spending spree has been nothing short of alarming. From fiscal year 2019-20 to 2020-21, federal spending skyrocketed by a staggering 73%, ballooning from \$363 billion to a mind-boggling \$639 billion.

If this had just been a one-off due to the pandemic, perhaps we could rest easier at night, but this was by a government that was already addicted to overspending. Before you excuse this government's track record of burning through taxpayers' dollars because of the pandemic, you should consider that there is no COVID spending in this year's budget and yet the federal government's spending is still 37% higher compared to pre-pandemic levels. This works out to an average annual increase in spending of about 12%, which is simply unsustainable.

• (1720)

However, it doesn't stop there. In fact, this government has no plan to get spending under control. Spending is expected to reach \$556 billion by 2027-28 — almost back to COVID spending levels, but without the COVID. God forbid we should see another pandemic.

To make matters worse, this uncontrolled surge in spending has been funded by deficits, leading to a dramatic increase in federal net debt from \$813 billion in 2019-20 to a staggering \$1.3 trillion by 2022-23.

By 2027-28, Ottawa's debt is anticipated to surpass \$1.4 trillion. Thank God we have an election coming before then, and Pierre Poilievre and company will do their best to bring this back into reason.

An Hon. Senator: Hear, hear.

Senator Plett: This means you should brace yourselves for the impending burden of skyrocketing debt servicing costs. Thanks to this government's reckless spending, combined with interest rate increases, we are about to witness the highest debt servicing costs in Canadian history.

From \$20.4 billion in 2021, interest on the debt took a 20% jump in 2022 and is forecast at 41% growth in 2023 and 27% growth in 2024. By 2028, annual debt servicing costs are expected to exceed a staggering \$50 billion, surpassing the peaks reached in the 1990s.

Allow me to quote from Scotiabank's March 29 *Global Economics* bulletin, where they noted the following achievements by this government's reckless overspending:

It has contributed to some of the inflationary pressures that represent a highly regressive tax on lower and middle income Canadians

It has contributed to a higher BoC policy rate than would otherwise be the case.

It has contributed to worker shortages as public sector jobs are up 420k since just before the pandemic and account for 51% of all jobs created in Canada over that time. No wonder businesses are struggling to find workers!!

It has contributed toward higher wage pressures

It has worsened competitiveness problems through spending that is primarily focused upon redistributive social transfers.

The bulletin closes with this:

This budget adds to macroeconomic imbalances and divides folks at a time when unity is needed to address the country's challenges. Governments . . . are now addicted to high spending and delivering divisive jobs at certain interests. Nothing is being done about productivity and competitiveness pressures that are mounting year by year. Big spending, big deficits, big debt, high taxes, high inflation and bond market challenges are not the path to prosperity.

No, colleagues; no, government leader — that was not written by Pierre Poilievre. That was Derek Holt, Vice-President and Head of Capital Markets Economics at Scotiabank.

Canadians simply cannot afford Justin Trudeau's never-ending inflationary deficits. We see it every day — the prices of essential goods such as food, housing and fuel are hitting record highs.

Now, the NDP-Liberal costly coalition's introduction of a second carbon tax only exacerbates the problem. This second carbon tax will drive carbon taxes up to 61 cents per litre, further hiking the price of gas, heat and groceries.

According to the Parliamentary Budget Officer, the average Canadian household will face an extra \$573 per year without any rebate. Families in some provinces could face costs as high as \$1,157. This means that the combined carbon taxes will cost Canadian families up to \$4,000 each year.

Again, to quote from the Scotiabank report I mentioned earlier:

Big spending, big deficits, big debt, high taxes, high inflation and bond market challenges are not the path to prosperity.

Why do economists and everyday Canadians understand this reality, but the Liberal government does not?

Let me go back to Bill C-47.

In 2015, the Trudeau Liberals promised that they would not use omnibus bills. Again, they misled Canadians. Bill C-47 is as omnibus as an omnibus bill can be. It is 430 pages long, with 681 articles covering more than 60 different measures touching laws that have nothing to do with the fiscal and budgetary policy of the government.

Our Senate committees have pointed this out: Several measures in Bill C-47 should have been stand-alone bills. By putting so many different policy changes in one bill, the government is skipping proper scrutiny and debate on them. The Liberals rightly called this out in 2015. However, after eight years in power, they are still using this legislative "trick," as they called it then.

By the way, in the same paragraph of their 2015 platform, the Liberals promised not to use prorogation ". . . to avoid difficult political circumstances. . . ." They broke this promise when the heat was on regarding the WE Charity scandal. I am eager to see whether they will do that again this summer to avoid scrutiny over their countless ongoing scandals.

Another thing worth mentioning is the use by the Trudeau Liberals of retroactive tax measures. Traditionally, this a territory where governments don't go.

Taxpayers have the right to organize their affairs in order to reduce their tax burden. However, to do so, they must know what the rules are. Changing the rules of the game retroactively is unfair and is a very slippery slope. If a government starts doing that on a regular basis, we can predict that some insiders will learn about the coming change and will adapt, whereas other folks will just pick up a retroactive tab because they were not informed.

Furthermore, the government makes it more and more difficult to get all the information on its spending. Senator Marshall has decried this tendency for years now.

In his April 13 report on the budget, the Parliamentary Budget Officer said:

This lack of transparency presents challenges for parliamentarians and the public in scrutinizing the Government's spending plans, as well as reconciling between previously provisioned amounts and their announcement.

The Hill Times published an article on this recently. More than \$30 billion of spending could not be scrutinized by Parliament. As is so often the case with the Liberals, one is left wondering: Is it because of their incompetence or because they want to hide more sinister news?

On March 29, *The Globe and Mail* called the budget a fiscal fantasy, saying:

. . . the Liberal budget is built on a cloud of sleight-of-hand projections and the hope that Canadians are suffering from collective amnesia. . . .

Sustaining the fantasy of Liberal prudence depends on Canadians acting like memory-challenged goldfish, forever surprised by each turn of the fiscal cycle.

I hope that senators will not suffer from amnesia, will not act like goldfish and will join my colleagues and me — not whipped, Senator Deacon, but who believe in fiscal responsibility. I hope you will all join me in voting against Bill C-47.

• (1730)

This is a flawed bill. We should defeat it and send the government back to the drawing board. But there is another reason for the Senate to defeat this bill: what is not in it. Forcing the government to come up with a new budget bill would give them a chance to address some issues that were not covered in Bill C-47.

First, the BIA hardly addresses the many challenges that Canada faces and that I outlined at the beginning of my speech. One thing that breaks my heart is that for young Canadians — like my grandchildren and your grandchildren — the dream of owning a home will probably remain that: just a dream. The Trudeau Liberals don't have an answer on housing.

“This budget ignores the housing crisis,” was the assessment of economist Mike Moffatt with the Smart Prosperity Institute. In a detailed analysis of Budget 2023, Moffatt declared that most of its references to housing “were re-announcements of past measures and progress updates on yet-to-be-implemented measures”

Absent were any proposals to free up federal lands for home construction, measures to cut red tape for new builds or even tax credits on building materials.

There is no plan for our Armed Forces. Every NATO country seems to be able to reach the 2% threshold for military expenses except Canada. We, colleagues, are the freeloaders of NATO: happy to make speeches on the importance of defending democracy, but unwilling to make the effort. We should be ashamed.

There is no long-term plan to pay for all those candies the Liberals are throwing at their NDP allies. How will we pay for the dental plan, the childcare plan and the soon-to-be-announced pharma plan? No idea. I guess the plan is to borrow more money to pay for this. Maybe Justin Trudeau will ask us all to use our credit cards and help him. Remember that, in just one year, the cost of the dental plan has doubled. What will it be in five years?

Justin Trudeau also has no plan to fight inflation, no plan for reducing government spending and no plan for returning to a balanced budget. As Canadians are running out of money, Justin Trudeau is running out of ideas.

But even more worrisome is that it is evident that this government has zero solutions for the long-term prospects of the Canadian economy. Because of dismal productivity, poor business investment, labour scarcity and the need to shift to a lower-carbon future, the Canadian economy is expected to deliver very weak economic growth.

David Rosenberg, founder of independent research firm Rosenberg Research & Associates Inc. said this earlier this month:

This was the fourth consecutive decline in Canadian productivity and the 10th contraction in the past 11 quarters. The year-over-year trend is minus 1.8 per cent, or twice as bad as it is [in the U.S.]

He continues:

And get this: the level of productivity was lower in the first quarter of 2023 than it was in the first quarter of 2017. Nice legacy for the Justin Trudeau government.

The 2023 budget and Bill C-47 are silent on how this government intends to meet those challenges. It looks like words like “productivity,” “investment” or “growth” are foreign to the Trudeau Liberals. They are so busy redistributing wealth and virtue signalling for their target demographics that they forgot to do their job entirely: to create wealth and make sure everyone is better off.

We all know Justin Trudeau and Steven Guilbeault want to kill not only the oil and gas industry, but all other exploitation of natural resources. The mining and forestry industries are under attack, just like oil and gas. How will they replace these jobs? Oh, that's easy: We will have green jobs.

The thing is, Joe Biden has decided that all those green jobs should be in the U.S. So much for his buddy Justin.

Biden's hilariously named Inflation Reduction Act will give U.S. green energy developers about \$400 billion of American taxpayers' dollars, simply through tax credits. That is C\$540 billion that we have to compete with.

Minister Freeland said it herself: We are engaging in a “race to the bottom.” And we are close to winning that race, colleagues.

As Bill Robson, CEO of Canada's C.D. Howe Institute, said:

On the green tech stuff, I do have a problem with us being in a bidding war with the United States . . . They're also in this kind of “tomorrow doesn't matter, let's spend for today” mood with all their subsidies.

We have already seen this in action with Volkswagen and Stellantis in Ontario. We are talking about over \$30 billion of taxpayer money for these two businesses. This is not the total investment in so-called green jobs. It is just for those two companies.

What it means is that Canadian taxpayers will be paying twice for green energy: once through the federal carbon tax, and a second time through tax credits and other subsidies. U.S. citizens don't pay a carbon tax. And, adding insult to injury, the U.S., without a national carbon tax, met its greenhouse gas emissions reduction target for 2020, which Canada — with the same target — failed to meet. U.S. emissions were down 20% compared to 2005 levels in 2020, and Canada's is only 9.3%.

And what if we are making the wrong bet? What if a better battery technology appears in five years? What if cars are no longer electric but propelled by hydrogen? All that money will be gone.

Justin Trudeau has decided that Canada would fight climate change with taxes and subsidies. I don't think we are going in the right direction, colleagues. The Trudeau government has never met a single carbon emissions reduction target in all their years in power — not a single one. These are targets that they adopted from the Harper government.

Remember that, in a report tabled at COP 27, the United Nations ranked Canada 58 out of 63 nations on environmental issues. Canada is back, as Justin Trudeau claimed at the Paris Conference. Canada is back, way back, in fifty-eighth position.

Carbon taxes are going up, that's for sure. The problem is that our carbon emissions are also going up. We all see the devastating effects of climate change: the forest fires, the floods and the extreme weather. But to think that there will be fewer of those events if you force Canadians to pay more taxes is preposterous. And when Steven Guilbeault is called out about that, all he can do is call his critics climate deniers.

Let me quote the Premier of Newfoundland and Labrador, the son of our former Speaker, the very Liberal Andrew Furey:

I take great exception to the federal minister always forcing this into a dichotomous issue "either you believe in exactly what we say or you don't believe in climate change." That's completely illogical, it's a false dichotomy, it's a false dilemma, and it's as insulting to us as it is simplistic.

The climate change policy of the Trudeau Liberals is not about climate change; it is about taxing Canadians. It is not an environmental plan; it is a tax plan. And in answer to Joe Biden's policies, the government has introduced a second part: a corporate welfare plan.

Canadians are now giving massive amounts of money to foreign multinationals, hoping to recreate the success of the car industry in Ontario. Given the track record of this government, you will allow me to be nervous about these bets.

Colleagues, remember that the brains behind these bets are the same brains behind the other failed environmental policies of the Trudeau government, and the same brains that saddled Ontario with a ridiculous energy policy for which taxpayers will be paying for years to come.

Several senators — on debate on Bill C-47 or in committee — criticized this bill and the economic policies of the Liberal government. Well, colleagues, it is time to put your vote where your mouth is. You know this bill is broken beyond repair. You know the policies of this government are driving Canada into a wall. Stand up with us. Vote against this bill.

• (1740)

I am speaking about those senators who I know see themselves as fiscally responsible. I am especially speaking to senators who were appointed as or even elected as and who say they are Conservatives. Use this message. Use this vote. Stand up for Canada. Send a message to the government: Enough is enough. Get serious. Show us you're fiscal Conservatives, show us you're Progressive Conservatives, and show us that you care about Canada.

If Bill C-47 is defeated in the Senate, the government will not fall. There will not be an election, but the government will have to do better. And chances are we will be back here in three months with a new and improved BIA.

I want to conclude with one last rant and a message of hope. I am sick and tired of the government not taking responsibility and acting as if they are just extras in a movie. Just like my good friend Senator Gold during Senate Question Period, they huff and they puff every time someone points out one of their numerous failings. They claim they are not responsible for anything. They Blame Stephen Harper, Donald Trump, Pierre Poilievre, the provinces in general and each and every premier in particular. Sometimes they blame Canadians themselves, as some of us may not be as enlightened as the Liberals would like us to be. They will explain that it is because of the international situation or a decision taken elsewhere. They deflect with, "What about them?" They lament, "We did not have time to address this issue in eight years."

Colleagues, Canadians have had enough. The Liberals — specifically, Justin Trudeau — must take responsibility. They have been in power for eight years, and with the help of the NDP, they can do anything they want. The Liberals control the House of Commons. They have a supermajority in the Senate and on the Supreme Court. The public service is as obedient as it always is when the Liberals rule. No minister would dare question the leader's position.

So what is the problem? Why can't they offer us a plan? As I said earlier, they have no vision. They forgot why they want to be in power, other than to enjoy their perks. They have no idea about what to do, except when a communications person comes out of a focus group with a new gimmick. They are not briefed by their staff. They don't read their emails. They don't question the bureaucrats. This ship is drifting, colleagues, and there is no one at the helm.

Thankfully, there is an alternative, and I'm going to suggest it to you right here. Here is my message of hope: Pierre Poilievre and the Conservatives will make Canada work. We will bring home lower prices by ending inflationary carbon tax 1, carbon tax 2 and deficit spending that drives up inflation and interest rates. We will bring homes people can afford by removing government gatekeepers to free up land and speed up building permits. We will bring back to Ottawa the common sense of the common people. But first, colleagues, we must defeat Bill C-47 and force the government to do its job. Thank you, colleagues.

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

Hon. Senators: Question.

The Hon. the Speaker pro tempore: It was moved by the Honourable Senator Loffreda, seconded by the Honourable Senator Gold, that the bill be read a third time.

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

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker pro tempore: All those in favour of the motion will please say "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker pro tempore: All those against the motion will 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: I see two senators rising. Do we have an agreement on a bell?

Senator LaBoucane-Benson: Fifteen minutes.

The Hon. the Speaker pro tempore: The vote will take place at 5:59. Call in the senators.

• (1800)

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

YEAS
THE HONOURABLE SENATORS

| | |
|-------------------------------|------------------------------|
| Black | Jaffer |
| Boehm | Klyne |
| Boniface | Kutcher |
| Boyer | LaBoucane-Benson |
| Burey | Loffreda |
| Busson | Marwah |
| Cardozo | McCallum |
| Clement | McPhedran |
| Cordy | Mégie |
| Cormier | Miville-Dechéne |
| Cotter | Moncion |
| Coyle | Moodie |
| Dagenais | Osler |
| Dalphond | Pate |
| Dasko | Patterson (<i>Ontario</i>) |
| Deacon (<i>Nova Scotia</i>) | Petitclerc |
| Deacon (<i>Ontario</i>) | Quinn |
| Dean | Ravalia |
| Duncan | Ringuette |
| Gagné | Saint-Germain |
| Gerba | Shugart |
| Gignac | Simons |
| Gold | Tannas |
| Harder | Woo |
| Hartling | Yussuff—50 |

NAYS
THE HONOURABLE SENATORS

| | |
|-------------|------------------------------|
| Ataullahjan | Martin |
| Batters | Mockler |
| Boisvenu | Patterson (<i>Nunavut</i>) |
| Carignan | Plett |
| Housakos | Seidman |
| MacDonald | Smith |
| Manning | Verner |
| Marshall | Wells—16 |

ABSTENTION
THE HONOURABLE SENATOR

Greene—1

The Hon. the Speaker: Honourable senators, it is now six o'clock. Pursuant to the order, I am obliged to leave the chair until seven o'clock when we resume unless it is your wish, honourable senators, to not see the clock.

Is it agreed to not see the clock?

Hon. Senators: Agreed.

STUDY ON MATTERS RELATING TO BANKING, TRADE AND COMMERCE GENERALLY

EIGHTH REPORT OF BANKING, COMMERCE AND THE ECONOMY
COMMITTEE AND REQUEST FOR GOVERNMENT
RESPONSE ADOPTED

Leave having been given to proceed to Other Business,
Reports of Committees, Other, Order No. 50:

The Senate proceeded to consideration of the eighth report (interim) of the Standing Senate Committee on Banking, Commerce and the Economy, entitled *Needed: An Innovation Strategy for the Data-Driven Economy*, tabled in the Senate on June 15, 2023.

Hon. Colin Deacon moved:

That the eighth report of the Standing Senate Committee on Banking, Commerce and the Economy, entitled *Needed: An Innovation Strategy for the Data-Driven Economy*, tabled in the Senate on Thursday, June 15, 2023, be adopted and that, pursuant to rule 12-23(1), the Senate request a complete and detailed response from the government, with the Minister of Finance being identified as minister responsible for responding to the report, in consultation with the Minister of Innovation Science and Industry.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

• (1810)

[*Translation*]

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

*CULTURAL DIPLOMACY AT THE FRONT STAGE OF
CANADA'S FOREIGN POLICY*—MOTION TO PLACE TWENTY-SIXTH
REPORT OF COMMITTEE Tabled DURING THE FIRST
SESSION OF THE FORTY-SECOND PARLIAMENT ON THE ORDERS
OF THE DAY ADOPTED

Leave having been given to proceed to Other Business,
Motions, Order No. 119:

On the Order:

Resuming debate on the motion of the Honourable Senator Boehm, seconded by the Honourable Senator Mégie:

That the twenty-sixth report of the Standing Senate Committee on Foreign Affairs and International Trade entitled *Cultural Diplomacy at the Front Stage of Canada's Foreign Policy*, tabled in the Senate on June 11, 2019, during the First Session of the Forty-second Parliament, be placed on the Orders of the Day under the rubric Other Business, Reports of Committees – Other, for consideration at the next sitting.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[*English*]

BUSINESS OF THE SENATE

EXPRESSIONS OF THANKS AND GOOD WISHES

Hon. Marc Gold (Government Representative in the Senate): Honourable senators, it's that time of year, finally.

In recent months, we have all worked together to achieve significant progress on key government legislation. This week alone, 11 government bills will have received Royal Assent. That includes important pieces of legislation ranging from measures to make life more affordable to Canadians to ones advancing reconciliation. With the passage of Bill C-13, we have achieved the most substantive update to the Official Languages Act in more than 50 years. With Bill C-41, we have facilitated humanitarian aid in Afghanistan as well as other places under terrorist control. With Bill S-8, we have banned sanctioned

foreign nationals from Canada, notably ensuring that individuals and entities sanctioned in response to Russia's invasion of Ukraine are inadmissible to Canada.

The Senate has also strengthened legislation with amendments that have followed from in-depth study at committee and in the chamber. Although not all Senate amendments were supported by our elected colleagues in the other place, many have now been solidified in law. For example, Bill C-18, known as the online news act, will shortly receive Royal Assent with key Senate improvements. Canadian journalism will now have much-needed support with the creation of a framework for digital platforms to enter into voluntary commercial agreements with the news organizations whose content is posted on their sites.

The Senate also strengthened Bill C-9, which replaces the process through which the conduct of federally appointed judges is reviewed by the Canadian Judicial Council. This law establishes a new process for reviewing allegations of misconduct in cases that do not warrant a judge's removal from office.

I have no doubt that senators will continue to study bills with passion and expertise when the Senate resumes its sitting in the fall.

To my colleague in the GRO, Senator LaBoucane-Benson, Patti, I owe you a huge debt of gratitude for playing double duty these past few weeks. You took on the role of legislative deputy with aplomb and enthusiasm in May while continuing to do your fabulous work as government liaison. Your skill is obvious, and your dedication is, without exception, unparalleled. Your friendship is really appreciated. Thank you.

[Translation]

To our small but mighty team in the Government Representative Office: The long hours that you spend conducting research, giving advice and doing advocacy work on a wide range of subjects are essential to our team.

I would like to pay special tribute to Ginette Tremblay from Grandpré, our director of operations, who will be taking a well-deserved retirement at the end of the month, after a long career in the public service.

Ginette joined my office when I was first appointed to the Senate in 2016. The learning curve was steep, but thanks to Ginette and her experience, dedication and wisdom, I quickly became comfortable in my new role as senator.

Thank you so much, Ginette.

To our Speaker, dear Raymonde, I want to once again congratulate you on your new responsibilities. It was a bittersweet moment when you left our GRO team after three years of commitment and support as the legislative coordinator. Your spirit of cooperation, determination, diplomacy and friendship will be very useful in your new role as Speaker of the Senate. Thank you so much.

[English]

To my colleagues in leadership — Don Plett, Raymonde Saint-Germain, Jane Cordy, Scott Tannas — we didn't always agree on which bills should be prioritized and at what pace we should advance them, but the record shows clearly that we managed to move important parliamentary business forward. We did so because we worked collaboratively in the interests of Canadians — each and every one of you, and your teams that support you. I'm very grateful to you all. Thank you.

I want to extend my sincere thanks to the clerks, pages, interpreters, reporters, client service officers, Senate Administration staff and Parliamentary Protective Service officers for your various roles in making this chamber and our committees run smoothly.

[Translation]

To all senators and everyone working behind the scenes to keep the Senate operating, and to your families who support you, I wish you a wonderful summer with your family members, friends and everyone you hold dear.

[English]

Finally, to my dear wife, Nancy, who has been so patient with me through the long hours that I spent in the Senate this spring and during the many years I have been here, I say thank you. I recall that when George Furey swore me in, along with Marie-Françoise Mégie, he made a point of underlining the burden that this job puts on partners and spouses. I know it's true for each and every one of you. It has been true in my family as well. Nancy, I couldn't have done it without you. Thank you very much.

Thank you all very much.

Hon. Senators: Hear, hear.

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, you all know I don't like making long speeches, so I will be brief.

I'm not quite as enthusiastic about some of the legislation that we passed as my colleague Senator Gold is, but nevertheless, I believe we have done our job as an official opposition, and I am proud of that. I am certainly proud of my team and all of my colleagues for the tremendous work they have done. Our group is getting smaller, but our spirit and our heart are big, so we will continue to do that.

First, I want to wish all of you a wonderful, relaxing summer. Have an enjoyable time. I'm not going to list all the ones Senator Gold did, because he already did. I will just say to all of those whom he mentioned, "me too."

However, I will say to Senator Gold, Senator Saint-Germain, Senator Cordy and Senator Tannas that it's a pleasure — most of the time — working with all of you. I do agree with Senator Gold that we have had a lot of good meetings, and in politics, you simply don't win all the battles. You try to win the war. We will continue to do that to the best of our ability.

I want to thank the staff in my office and the staff in all of the senators' offices.

I also want to wish each and every senator a great summer. As I have said many times before, I am an opinionated person. I have my opinions, but I want everybody to know that I fully respect everybody else's opinions in this chamber. It's great that we can have the conversations that we have. We can vote in our democracy as we see fit or as we have been whipped to do. Nevertheless, there have been some challenges, but I'm looking forward to better days.

I want to truly wish everybody a great, relaxing summer. I know we're not allowed to use props, but I can get away with it before the Speaker cuts me off. Senator Gignac, I will use these this weekend. Thank you very much. To all of my other colleagues, God bless. Have a great summer. Thank you.

Hon. Senators: Hear, hear.

[*Translation*]

Hon. Raymonde Saint-Germain: Colleagues, this is my favourite time of year because it is the only time I see Marc Gold, Don Plett, Scott Tannas, Jane Cordy and myself smiling at the same time. Nevertheless, this is a time when we must continue to negotiate and reach agreements.

• (1820)

I very much enjoy negotiating and collaborating with my esteemed colleagues in the best interest of all groups and, most importantly, in Canadians' best interest. Like my colleagues, I would note that this is a time to take stock of what we have accomplished under sometimes challenging conditions. I believe we have done our work with skill, honesty, dedication and diligence.

Like Senators Gold and Plett, I would like to take this opportunity to thank all those who make our work possible. That includes the Senate Administration, the team here in the chamber, the Usher of the Black Rod, the support staff, the officers responsible for our security, the pages, our office staff and everyone we collaborate with. Let us not forget our interpreters, who enable us to understand one another, who understand us very well and who even improve on what we say by taking out some of the words.

Always in my thoughts are our colleagues, both present and absent, who are going through tough times because of their health or family issues. I hope that the break will do you good and that we will have the pleasure of being together again in September.

With fondness, I want to recognize a colleague who just voted for the last time in this chamber. He has decided to resign from the Senate after nearly seven years of distinguished service, including four years as Chair of our Committee on Internal Economy, Budgets and Administration. I am talking about Senator Sabi Marwah.

[Senator Plett]

Senator Marwah, thank you for everything. On behalf of your colleagues in the Independent Senators Group, but also on behalf of the Canadians you have served with skill and dignity, thank you very much.

Hon. Senators: Hear, hear!

Senator Saint-Germain: We've had an eventful and busy end to the session. Generally speaking, we've accomplished what we needed to accomplish with skill, dedication and diligence, as I said earlier.

[*English*]

Much has happened since last September. Strong debates were held, and sometimes tensions were palpable between some of us — yes, including myself. I would like to propose that we all take this time — away from the Senate — as an opportunity to reflect on the contribution to democracy in our country, and on what we might do to better serve all Canadians. A lot more unites us than divides us. This should reflect in the way we act and work as senators.

As such, I would like to echo the comments made by two respectable departing parliamentarians in the other place — Marc Garneau and Erin O'Toole — in calling for more civility and dignity in our debates. We are not nominated to the upper house of Parliament to generate endless social media engagement, but rather to work diligently on legislation, as well as bring a complementary and added value to the work of the elected House of Commons.

Recently, we bid farewell to a Speaker and welcomed a new one. Speaker Gagné has embraced her new role, and acted with tact and efficiency. However, the responsibility to uphold order and decorum is not only for her and for our Speaker pro tempore, Senator Ringuette — it is, rather, the duty of all senators. It is, I believe, the brand of this chamber and part of what distinguishes us.

There is always a place in the Senate for different opinions — actually, that is kind of the point — but divergent views must always be expressed with respect. As so eloquently expressed by Senator Shugart in his maiden speech:

... whether it is what we say to or about each other, or how we learn again to listen and dialogue with others who don't share our outlook, or how we guard the health of our institutions — we need to relearn the virtue of restraint.

And I would add this: the virtue of respect.

To my very dedicated and capable colleagues in the Independent Senators Group, and to all colleagues from all caucuses and groups, I wish you a wonderful summer. Let's take this time to think and reflect while enjoying the good weather and relaxing. I'm looking forward to seeing all of us in good spirits in the fall. Thank you. *Meegwetch*.

Hon. Senators: Hear, hear.

Hon. Scott Tannas: Honourable senators, if I could find an overarching theme for the last few months, I would say it's this: getting back to normal. The Senate sat with a close-to-usual schedule. More and more committees were meeting. We still faced some limitations related to our work, but things are getting better all the time. I'm hopeful that at some point, we will be able to say that everything is back to normal — not that normal is perfect. I hope to work with all senators to continue to improve the workings of the chamber.

Since January, our committees have met over 320 times, sat for more than 500 hours and have heard from close to 1,300 witnesses. I think these are positive signals that things are going back to normal, and we are beginning to engage in the business of the Senate — the business that makes us truly valuable to the nation.

I would like to thank my Canadian Senators Group, or CSG, colleagues and our leadership team for their work in the chamber and in their respective committees. Their dedication to our founding principles — that this place should adhere to respecting the parliamentary process, to encouraging robust debate and to an independent Senate — has never wavered.

The last few months have been notable for our little group here in the corner, with three outstanding new colleagues: Senator Osler, Senator Rebecca Patterson and Senator Burey. Their membership places a stronger wind in our sails, and they have already become stalwarts of our group.

As we say goodbye to one extraordinary senator, and an outstanding Canadian, it is the magic of this place that we also have extraordinary Canadians and outstanding senators that have joined us since January. This place moves on with exceptional people, and it is an honour to serve with all of you.

A special thanks goes out to the staff of the CSG senators for their work over the last year, and for their counsel to the group. I'm appreciative to the staff in my office for their long hours and steadfast commitment to keeping the machine working.

I would like to thank my leadership colleagues. In fact, I have been allowed to — is it okay if I make the announcement? We are going away together on vacation this summer. I'm kidding! Can you imagine?

An Hon. Senator: Look at his face!

Senator Tannas: But we do good work together, and we do actually have fun. It is a pleasure to be a part of such a good group of people. We are all united in caring deeply for this institution and for the country.

I would like to pay tribute to the new Speaker. Your transition into the position has been flawless. In fact, it's hard to believe that you are new to the job.

Hon. Senators: Hear, hear.

Senator Tannas: I would also like to thank our tireless Speaker pro tempore for the terrific work that she does in supporting the chair.

Hon. Senators: Hear, hear.

Senator Tannas: I want to add my thanks to all staff members in all senators' offices, the Senate Administration and, of course, those who keep us safe and secure. Without their ongoing professional support, we could not do our jobs.

I think that we are facing new challenges as we exit into post-pandemic times, but I must say how glad I am that we are back here — and back together. You can see the richness in the debates that happened here in the chamber. I think that during the pandemic, a lot of the work that we did was transactional. We came, or we didn't. We came in by technology, we spoke briefly, we voted and we moved on. It's just nice to see us all back together, engaged, laughing, working together and thinking about the great questions of the world around us. I hope all of us enjoy this summer, and we'll see you in the fall.

• (1830)

Thank you.

Hon. Senators: Hear, hear.

Hon. Jane Cordy: I also wish to say a few words on behalf of the Progressive Senate Group before we depart to head to our homes for the summer. I often say that our group is small but mighty, and I assure you I will try to keep my remarks simply short but sweet.

Much has been said, and I could almost say "ditto" because I think we all work really well as leaders and we all appreciate differing opinions and so on, but I will continue with my remarks.

As other leaders have noted, our work here could not happen without the enormous support that we receive from behind the scenes. We have so many people to thank, between the countless number of Senate Administration staff, our brilliant and wonderful pages, some of whom will be leaving us, the interpreters, our shared parliamentary staff and the staff in our respective offices. We are lucky to be part of what is sometimes referred to as the "Senate family."

It feels like I was just delivering similar remarks not that long ago — maybe it's an age thing; I'm not sure — but we certainly have been extremely busy since this January. I should like to take a moment to note that after many years in this chamber, there is always more to learn. I am so fortunate to have been — and continue to be — surrounded by such impressive and generous colleagues. Truly, that is what enriches our work here in the Senate: to have diverse voices and opinions and then to find the best way to move forward.

We have, in the past few months, said goodbye to some of those extraordinary colleagues, and those moments are often pretty hard. But we have also been fortunate to welcome in new colleagues, and I hope that this trend continues in the fall.

We have welcomed our new Speaker, and I must echo the other leaders and say, Your Honour, that we are, indeed, well served by having you represent us, not only in the chamber but outside of our chamber.

Thank you also to our very capable, very able Speaker pro tempore, Senator Ringuette, for the wonderful job that you do.

I want to especially thank the amazing team of senators and staff in our Progressive Senate Group. We are a true team, and I am blessed and privileged to work with you each and every day. I love you all.

Colleagues, I do want to express my hope that we all have the opportunity this summer to reconnect with our communities and our families, to find the time to have those important conversations with those whose voices we represent. I enjoy the discussions and conversations that take place in this chamber and in committees. As Senator Tannas spoke about earlier, just being together and talking, whether it's in the Reading Room or walking to and from the chamber, we learn a lot about one another in those short conversations, and we also learn a lot about the great things that are happening in the Senate.

On that note, I would like to thank my esteemed and hard-working fellow leaders. Senator Gold — Marc — by the way, happy birthday next Friday! To Senator Saint-Germain — Raymonde — Senator Tannas, Senator Plett, thank you for providing countless examples of both enjoyable and sometimes maybe not-so-enjoyable conversations. We certainly don't all share the same views on the best course of action, but that's a pretty positive thing, I believe.

I know we all want what is best for our respective groups, and, indeed, most importantly, we all want what is best for Canadians, as we all do in the Senate. It is a pleasure to work with all of you as leaders.

We often hear the term “the Ottawa bubble,” and although I know we do our best not to get trapped in the bubble, the best way to combat that is to ensure that we pay attention to what's being said outside of it. The exchanges that we have with people who are under-represented here are the most important voices to hear. They help enlighten us to views we might be missing, and they remind us of why our work is so very important and why our work is best when we are advocating for groups who are typically underserved.

Our respective regions are full of constituents and stakeholders who count on us to bring their voices to Parliament, to the Senate of Canada.

While I am proud to serve as leader of the Progressives, I am first and foremost proud to be a senator representing my province of Nova Scotia. By the way, we still have three Senate vacancies from Nova Scotia — I hope you're listening, Prime Minister. I hope that they will be filled soon.

Staying connected with our home communities is a vital part of our job so that we can ensure that each region in Canada is well considered through our deliberations here.

Finally, I especially hope that everyone has the opportunity over the next couple of months to rest, to relax and to recharge. Spending time with friends and family is so important.

[Senator Cordy]

On behalf of the Progressive Senate Group, I offer each of you our best wishes for the summer, and I look forward to resuming our work here in the fall.

Hon. Senators: Hear, hear.

[*Translation*]

The Hon. the Speaker: Honourable senators, esteemed members of the leadership teams, first, I would like to thank you for your touching words and for the warm welcome I've received. I have left some wonderful teams.

[*English*]

I think of the entire scroll team. I kind of miss the scroll meetings in the morning, believe it or not, and I also certainly miss the Government Representative Office, or GRO, team, but I have gained all of you here as Speaker of the Senate. Thank you so much for the warm welcome and, again, for the warm messages.

[*Translation*]

I would like to take a moment to make mine your words and thank everyone who makes our work in this chamber possible.

[*English*]

It goes without saying that as senators, we benefit from extraordinary support, both within our own offices and from the wider Senate family.

[*Translation*]

On behalf of all senators, I would like to express our deep appreciation to the staff, particularly the clerks, the pages, the Usher of the Black Rod and his team, the Committees Directorate, the Corporate Security Directorate, the interpreters, the stenographers, the communications team, the console operators, multimedia services and broadcasting, the Office of the Law Clerk and Parliamentary Counsel, Corporate Services, including the cleaning and maintenance personnel, our partners in the Library of Parliament and the Parliamentary Protective Service, our own staff and all those who contribute to the success of our work on behalf of all Canadians.

[*English*]

I will join my colleagues in wishing you a wonderful summer. I'm not sure where Senator Tannas is going on vacation. He might publish his address, and we could all join him this summer.

Please have a wonderful summer, enjoy your families and, as former Speaker Furey always told us, please shut your phones off.

I look forward to seeing you all again in the fall.

[*Translation*]

Thank you very much.

• (1840)

[English]

SITTING SUSPENDED TO AWAIT ROYAL ASSENT

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(k), 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.)

(The sitting of the Senate was resumed.)

• (1900)

[Translation]

ROYAL ASSENT

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

RIDEAU HALL

June 22, 2023

Madam 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 22nd day of June, 2023, at 6:34 p.m.

Yours sincerely,

Maia Welbourne

Assistant Secretary to the Governor General

The Honourable
The Speaker of the Senate
Ottawa

Bills Assented to Thursday, June 22, 2023:

An Act to reduce poverty and to support the financial security of persons with disabilities by establishing the Canada disability benefit and making a consequential amendment to the Income Tax Act (*Bill C-22, Chapter 17, 2023*)

An Act to amend the Judges Act (*Bill C-9, Chapter 18, 2023*)

An Act to amend the Immigration and Refugee Protection Act, to make consequential amendments to other Acts and to amend the Immigration and Refugee Protection Regulations (*Bill S-8, Chapter 19, 2023*)

An Act to establish a national framework for the prevention and treatment of cancers linked to firefighting (*Bill C-224, Chapter 20, 2023*)

An Act to amend the Immigration and Refugee Protection Act (temporary resident visas for parents and grandparents) (*Bill C-242, Chapter 21, 2023*)

An Act to give effect to the self-government treaty recognizing the Whitecap Dakota Nation / Wapaha Ska Dakota Oyate and to make consequential amendments to other Acts (*Bill C-51, Chapter 22, 2023*)

An Act respecting online communications platforms that make news content available to persons in Canada (*Bill C-18, Chapter 23, 2023*)

An Act for granting to His Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2024 (*Bill C-54, Chapter 24, 2023*)

An Act for granting to His Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2024 (*Bill C-55, Chapter 25, 2023*)

An Act to implement certain provisions of the budget tabled in Parliament on March 28, 2023 (*Bill C-47, Chapter 26, 2023*)

Hon. Senators: Hear, hear.

[English]

ADJOURNMENT

MOTION ADOPTED

Hon. Patti LaBoucane-Benson (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, September 19, 2023, at 2 p.m.

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

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

(Motion agreed to.)

BUSINESS OF THE SENATE

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, with leave of the Senate and notwithstanding rule 5-13(2), I move:

That the Senate do now adjourn.

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

Hon. Senators: Agreed.

(At 7:10 p.m., the Senate was continued until Tuesday, September 19, 2023, at 2 p.m.)

CONTENTS

Thursday, June 22, 2023

| | PAGE | | PAGE |
|--|------|--|------|
| SENATORS' STATEMENTS | | Parliamentary Transatlantic Forum, December 5-7, 2022— Report Tabled | |
| Korean War Veterans | | Hon. Jane Cordy | 4243 |
| Hon. Yonah Martin | 4238 | Commonwealth Parliamentary Association | |
| Parliamentary Caucus on Emerging Technology | | Bilateral Visit to United Kingdom, January 16-20, 2023— Report Tabled | |
| Hon. Colin Deacon | 4238 | Hon. Salma Ataullahjan | 4243 |
| Welcoming Ottawa Week | | Business of the Senate | |
| Hon. Andrew Cardozo | 4239 | | 4243 |
| Montréal International | | <hr/> | |
| Hon. Tony Loffreda | 4239 | QUESTION PERIOD | |
| Julie Boisvenu | | Finance | |
| Hon. Pierre-Hugues Boisvenu | 4240 | Canada's Inflation Rate | |
| Air India Flight 182 | | Hon. Yonah Martin | 4243 |
| Hon. Ratna Omidvar | 4240 | Hon. Marc Gold | 4243 |
| Pierre Ménard | | Foreign Affairs | |
| Congratulations on Retirement | | Request for Extradition of Hassan Diab | |
| The Hon. the Speaker | 4241 | Hon. Claude Carignan | 4244 |
| <hr/> | | Hon. Marc Gold | 4244 |
| ROUTINE PROCEEDINGS | | Employment, Workforce Development and Labour | |
| Self-Government Treaty Recognizing the Whitecap Dakota Nation / Wapaha Ska Dakota Oyate Bill (Bill C-51) | | Disability Benefits | |
| Bill to Amend—Thirteenth Report of Indigenous Peoples Committee Presented | | Hon. Kim Pate | 4244 |
| Hon. Dennis Glen Patterson | 4241 | Hon. Marc Gold | 4244 |
| Appropriation Bill No. 2, 2023-24 (Bill C-54) | | Indigenous Services | |
| First Reading | | Indigenous Business Navigator | |
| Hon. Marc Gold | 4242 | Hon. Tony Loffreda | 4245 |
| Appropriation Bill No. 3, 2023-24 (Bill C-55) | | Hon. Marc Gold | 4245 |
| First Reading | | Health | |
| Hon. Marc Gold | 4242 | Advertising Directed at Children | |
| Bill to Amend the Canada Business Corporations Act and to Make Consequential and Related Amendments to other Acts (Bill C-42) | | Hon. Robert Black | 4245 |
| First Reading | 4242 | Hon. Marc Gold | 4246 |
| Royal Canadian Mounted Police Act (Bill S-271) | | National Strategy for Drugs for Rare Diseases | |
| Bill to Amend—First Reading | | Hon. Jane Cordy | 4246 |
| Hon. Mary Jane McCallum | 4242 | Hon. Marc Gold | 4246 |
| Director of Public Prosecutions Act (Bill S-272) | | Newborn Screening for Sickle Cell Anemia | |
| Bill to Amend—First Reading | | Hon. Jane Cordy | 4246 |
| Hon. Mary Jane McCallum | 4243 | Hon. Marc Gold | 4246 |
| Canadian NATO Parliamentary Association | | Finance | |
| Annual Session, October 8-11, 2021—Report Tabled | | Carbon Tax | |
| Hon. Jane Cordy | 4243 | Hon. Leo Housakos | 4246 |
| | | Hon. Marc Gold | 4247 |
| | | Health | |
| | | Pharmaceutical Drugs | |
| | | Hon. Pamela Wallin | 4247 |
| | | Hon. Marc Gold | 4247 |
| | | Environment and Climate Change | |
| | | Clean Infrastructure | |
| | | Hon. Mary Coyle | 4247 |
| | | Hon. Marc Gold | 4248 |

CONTENTS

Thursday, June 22, 2023

| | PAGE | | PAGE |
|--|------|--|------|
| Answers to Order Paper Questions Tabled | | Hon. Elizabeth Marshall | 4266 |
| National Revenue—Canada Revenue Agency | | Third Reading | |
| Hon. Patti LaBoucane-Benson | 4248 | Hon. Patti LaBoucane-Benson | 4271 |
| National Defence—Military Justice System | | | |
| Hon. Patti LaBoucane-Benson | 4248 | Appropriation Bill No. 3, 2023-24 (Bill C-55) | |
| National Defence—Answers to Order Paper Question No. 15 | | Second Reading | |
| During the First Session of the Forty-fourth Parliament | | Hon. Patti LaBoucane-Benson | 4272 |
| Hon. Patti LaBoucane-Benson | 4248 | Hon. Elizabeth Marshall | 4274 |
| Intergovernmental Affairs, Infrastructure and Communities— | | Third Reading | |
| Newfoundland-Labrador Fixed Transportation Link | | Hon. Patti LaBoucane-Benson | 4276 |
| Hon. Patti LaBoucane-Benson | 4248 | | |
| Online News Bill (Bill C-18) | | Budget Implementation Bill, 2023, No. 1 (Bill C-47) | |
| Message from Commons—Certain Senate Amendments | | Third Reading | |
| Concurred In and Disagreement with Certain Senate | | Hon. Donald Neil Plett | 4277 |
| Amendments | 4248 | | |
| <hr/> | | | |
| ORDERS OF THE DAY | | Study on Matters Relating to Banking, Trade and | |
| Business of the Senate | | Commerce Generally | |
| Hon. Patti LaBoucane-Benson | 4249 | Eighth Report of Banking, Commerce and the Economy | |
| | | Committee and Request for Government Response | |
| Self-Government Treaty Recognizing the Whitecap | | Adopted | |
| Dakota Nation / Wapaha Ska Dakota Oyate Bill | | Hon. Colin Deacon | 4286 |
| (Bill C-51) | | | |
| Bill to Amend—Third Reading | | Foreign Affairs and International Trade | |
| Hon. Patti LaBoucane-Benson | 4249 | <i>Cultural Diplomacy at the Front Stage of Canada's Foreign</i> | |
| Hon. Marty Klyne | 4249 | <i>Policy</i> —Motion to Place Twenty-sixth Report of | |
| Hon. Brent Cotter | 4250 | Committee Tabled during the First Session of the Forty- | |
| Hon. Yonah Martin | 4250 | second Parliament on the Orders of the Day Adopted | 4286 |
| Online News Bill (Bill C-18) | | | |
| Message from Commons—Motion for Non-Insistence Upon | | Business of the Senate | |
| Senate Amendments Adopted | | Expressions of Thanks and Good Wishes | |
| Hon. Marc Gold | 4251 | Hon. Marc Gold | 4286 |
| Hon. Julie Miville-Dechéne | 4254 | Hon. Donald Neil Plett | 4287 |
| Hon. Leo Housakos | 4254 | Hon. Raymonde Saint-Germain | 4288 |
| Hon. Patti LaBoucane-Benson | 4257 | Hon. Scott Tannas | 4289 |
| Criminal Code | | Hon. Jane Cordy | 4289 |
| Sex Offender Information Registration Act | | The Hon. the Speaker | 4290 |
| International Transfer of Offenders Act (Bill S-12) | | Sitting Suspended to Await Royal Assent | |
| Bill to Amend—Third Reading | | Hon. Patti LaBoucane-Benson | 4291 |
| Hon. Bev Busson | 4257 | | |
| Hon. Paula Simons | 4259 | Royal Assent | 4291 |
| Hon. Pierre-Hugues Boisvenu | 4261 | | |
| Appropriation Bill No. 2, 2023-24 (Bill C-54) | | Adjournment | |
| Second Reading | | Motion Adopted | |
| Hon. Patti LaBoucane-Benson | 4264 | Hon. Patti LaBoucane-Benson | 4291 |
| | | Business of the Senate | |
| | | Hon. Patti LaBoucane-Benson | 4292 |