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(HANSARD)

Wednesday, October 2, 2024

The Honourable RAYMONDE GAGNÉ,  
Speaker

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## THE SENATE

Wednesday, October 2, 2024

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

Prayers.

### SENATORS' STATEMENTS

#### THE VERA PERLIN SOCIETY

**Hon. Fabian Manning:** Honourable senators, today I am pleased to present Chapter 83 of "Telling Our Story."

Vera Elizabeth Crosbie Perlin was born in St. John's, Newfoundland and Labrador, on November 28, 1902, the daughter of Sir John and Lady Mitchie Anne Crosbie.

She attended Holloway School in St. John's and private schools in Toronto. On September 11, 1926, she married Albert Perlin, a prominent businessman, journalist and historian.

While working in a local United Church orphanage, Ms. Perlin witnessed children with intellectual disabilities fall behind and became concerned that no provisions were being made for their education. Later, she went to a board meeting and asked, "What is going on with those children?" She was told, "Well, they are intellectually challenged. They cannot learn, so we are not sending them to school."

Realizing very early in her married life the important role parents play in the education of their children, Ms. Perlin started her own classroom in 1954, for six children, like the six she took care of at the orphanage. Believing that these children needed to be cared for by loving teachers, Ms. Perlin persuaded Ms. Molly Dingle to take on responsibility for the first class.

Ms. Perlin received many of her ideas for instructing children with intellectual disabilities through visits to schools in Great Britain. In the early years, Ms. A. M. Fuller of Wales, an expert in the education of children with intellectual disabilities, was invited to come to Newfoundland for six months to assist the local movement.

With an increase in the number of classes, more space was needed. In 1957, Ms. Perlin purchased a house on Patrick Street for \$17,000. She persuaded her husband and his business associates to finance the purchase. Through her belief in the self-help principle, parents became involved in the renovation of the Patrick Street building. The program demands continued to grow and, under Ms. Perlin's leadership, a multi-purpose building was constructed on Pennywell Road. The building was initially named the Vera Perlin School and is today known as the Perlin Centre. Ms. Perlin's efforts led to the formation of a Newfoundland association which is now known as the Newfoundland Association for Community Living.

In 1959, Queen Elizabeth and Prince Philip visited our province, and to commemorate that visit, the government announced an annual grant of \$10,000 to help continue the work of the association. The grant continued until the government in

1971 accepted the responsibility to provide education to all children in the province, including children with intellectual disabilities. That decision came to fruition because of the dedication and commitment of Ms. Perlin.

This year, 2024, marks the seventieth anniversary of the Vera Perlin Society. Since 1954, the society has been fostering the development and happiness of individuals with intellectual disabilities and has improved the lives of countless people in Newfoundland and Labrador. At the present time, in its dual role of advocate and provider of services, the society is keeping with Ms. Perlin's ideals of including individuals with intellectual disabilities in every aspect of our schools and communities.

Ms. Perlin was a dedicated and independent woman, and when I think about the incredible difference her life's work made for so many people in our province, I am reminded of the words of Mahatma Gandhi, who said, "Be the change you wish to see in the world." Vera Perlin sure did.

Colleagues, I ask you to join with me today in thanking and congratulating the Vera Perlin Society on 70 years of dedicated service to Newfoundland and Labrador.

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

#### THE VERY REVEREND THE LATE HONOURABLE LOIS M. WILSON, C.C., O.C., O.O.N.T.

**Hon. Marilou McPhedran:** Honourable senators, I want to begin with a very sincere thank you to the Independent Senators Group for providing me with time today, given that unaffiliated senators often do not have that option.

I want to give tribute today to the late Honourable Lois Wilson. I don't have adequate time or words to outline in a lot of detail how much she changed and influenced my life, but I want to point out her independence and determination to remain independent and unaffiliated as a senator, even at a time when the political binary of this chamber was so dominant.

She accomplished a lot. I remember talking to her about the committees that she served on, assuming that she would be, for example, on the Human Rights Committee. To my surprise, she said, "I'm not allowed to sit on any committees." Of course, we know that is still a challenge here today for those who are unaffiliated.

Nevertheless, Lois Wilson worked on behalf of people who very often would never otherwise have been heard or represented in this chamber. She found ways to do it with grace, determination and success.

For those of you, like Senator Kim Pate, who knew and worked with Lois, the fact that she resembled a petite hurricane in words and action was actually part of her allure. In the words of the Honourable Lloyd Axworthy, speaking about her influence on him from a young age in Winnipeg:

We had wonderful ministers. Roy Wilson and Lois Wilson —she eventually became the moderator of the United Church, very famous woman. When I got into Foreign Affairs she did some dangerous, tricky missions for me, like going to Sudan . . . .

He also said:

She will be remembered for her remarkable life accomplishments: First woman Moderator of the United Church, special envoy to Sudan and North Korea, Senator, Companion of the Order of Canada.

My fondest recollection is sitting on the living room floor in the modest church manse on Arlington avenue in Winnipeg's North End. Every Sunday evening, Lois and her husband Roy would lead a group of teens in discussion on the tenets of the social gospel which taught that one's faith is tested by what you do on earth to make it a better place. It wasn't just talk . . . .

The list of ways that Lois helped and guided me over many years is too long to share today, but I would ask that you join with me in a sense of tribute toward this woman who, for nine-plus decades, gave of herself, her brilliance and her sense of justice to make this world a better place. Thank you, *meegwetch*.

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

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Aubrey Reeves, President of Business / Arts, and Jayne Watson, Board Member. They are the guests of the Honourable Senators Cardozo and Coyle.

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

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

#### BUSINESS / ARTS

##### CONGRATULATIONS ON FIFTIETH ANNIVERSARY

**Hon. Andrew Cardozo:** Honourable senators, I rise today to congratulate Business / Arts on its fiftieth anniversary this year. Business / Arts is a national charitable organization with a significant legacy of promoting the importance of partnerships and driving meaningful change across the cultural sector.

• (1410)

[*Translation*]

With programs and staff across the country, Business / Arts supports organizations throughout Canada that serve the diverse needs of the arts sector, reaching small and rural community-led groups, as well as major cultural institutions.

[*English*]

Their programs include the annual Canadian Arts Summit, which brings together leaders from all artistic disciplines; artsvest, a national training program; and an annual awards program.

Back in 1974, pre-eminent business leader and philanthropist Edmund C. Bovey was approached by the Canada Council for the Arts to consider forming this organization. He brought together over 50 of Canada's top CEOs to help our arts sector grow and thrive with meaningful investments from corporations, patrons and all levels of government. Business / Arts has since become a major pillar in Canada's thriving cultural sector.

Their mission of building partnerships across business, the arts and government is needed now more than ever. Let me add that in times of division and disinformation, arts and culture create bridges and understanding.

The arts sector is a powerhouse. It is a nearly \$64-billion industry that employs over 800,000 people. It is unique in its ability to bring people together, foster empathy and create spaces for dialogue and connection. Investments in the arts deliver economic returns and enhance the well-being of our society.

For Canadian culture in all its diversity to grow and thrive, we need creative partnerships, dedicated audiences and investment in the arts. Business / Arts is focused on promoting these goals, fostering inclusive dialogue and being the catalyst for powerful relationships.

[*Translation*]

To everyone at the Business / Arts organization, congratulations on the work you do for the arts sector. As you celebrate your fiftieth anniversary, I would like to thank you for all you do for the growth and long-term success of Canadian culture.

[*English*]

Thank you for your service to Canadian culture and to Canada.

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

**SAGE MORIN**

## JUSTICE FOR GEO

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, Sage Morin is a Cree woman from Saddle Lake Cree Nation whose parents are residential school survivors. On May 19, 2013, Sage, her then partner and her two sons were on an Edmonton patio on a beautiful spring evening. They were celebrating her 2-year-old son Geo's first day using the potty. Their lives were forever changed when an impaired driver in the parking lot hit the gas instead of the brakes and crashed into the patio, crushing little Geo's body against the wall.

I've known Sage since she was a very little girl, so when I heard about Geo's tragic death, I did the only thing I could do: I made a moose stew, and I brought it over to the grieving family's house.

Colleagues, it was like walking into a solid wall of pain. Sage was so brave during those dark years after Geo's death. She began the Justice for Geo organization, holding rallies and telling her side of the story even as the driver took no responsibility for the death of her son.

Sage was in court every day, determined to find justice. She started the Geo Mounsef Foundation, which works to brighten the lives of children victimized by impaired driving. She travelled to 15 cities in Canada and met with the Minister of Justice to change the impaired driving laws, still determined to find justice for Geo.

To be honest, colleagues, the whole time I wondered if Sage could actually survive that overwhelming grief. Many of us wondered, because we doubted — if the tables were turned — that we would have the strength to survive.

I still don't know.

One of the first organizations to support Justice for Geo was Monster Pro Wrestling in Edmonton. These amazing men held a wrestling match in Geo's honour and made him an honorary belt. Then one day, they invited Sage to step into the ring and practise with them. As with every good origin story, our hero Sage took the crushing trauma she experienced and moulded it into a strong, powerful, triumphant alter ego. She found healing in that wrestling ring, and the superhero "The Matriarch" was born.

Senators, in her first year, The Matriarch won a women's championship belt. She went on to wrestle and survive the famous Death Tour in Manitoba. She has wrestled in dozens of Indigenous communities throughout the Prairie provinces, bringing the message of hope and resilience to youth.

I sincerely hope you get the chance to see her in the ring in her red face paint with the kids all around the ring yelling, "Matriarch! Matriarch!"

Sage Morin is a true warrior in every sense of the word.

Thank you for your attention, and long live The Matriarch!

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

**VISITORS IN THE GALLERY**

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of a group of Latin American ambassadors present for Latin American & Hispanic Day on the Hill. They are the guests of the Honourable Senator Galvez.

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

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

[*Translation*]

**LATIN AMERICAN HERITAGE MONTH  
LATIN AMERICAN & HISPANIC DAY ON THE HILL**

**Hon. Rosa Galvez:** Colleagues, I rise today to recognize the beginning of Latin American Heritage Month, as well as Latin American and Hispanic Day on the Hill, which is being held today.

Every year, we are pleased to welcome hundreds of Latin American Canadians to Parliament to recognize our place in the Canadian society that has welcomed us. The Latin American community in Canada is strong in its diversity, its commitment and its desire to make Canada a country where people can live a good life and share their culture.

[*English*]

It is also my great pleasure to welcome the Latin American ambassadors who are at the Senate today. We have become a close family.

I would like to recognize the incredible work that each and every one of them does to solidify relations between Canada and their respective countries. We here in Canada are truly privileged to benefit from such strong friendships within the Americas. We share similar values of democracy, trade and multilateral cooperation. We also share one planet. The work we do together will help us better protect our habitats and our shared biodiversity, which includes migratory birds, marine mammals and the wonderful monarch.

As we enter this month of celebration, we also heard of the unfortunate passing of Her Excellency Adriana Solano Laclé, Ambassador of the Republic of Costa Rica. I extend my sincere condolences to the embassy of Costa Rica and to her fellow ambassadors.

Later today, I invite you to join us for a celebration of Latin American culture at the Sir John A. Macdonald Building, but I also invite you seek out Latin American events this month in your own specific provinces and communities. My fellow Latin

American Canadians are welcoming people. They would be very happy to share a part of their heritage with each and every one of you.

*Gracias. Meegwetch.* Thank you.

[Translation]

#### PEACE NETWORK FOR SOCIAL HARMONY

**Hon. Tony Loffreda:** Honourable senators, I rise to recognize the extraordinary work of one of Canada's leading charitable organizations, the Peace Network for Social Harmony.

The network promotes healthy relationships as the key to peace in our homes, our communities and our country and focuses its efforts on the fields of diversity and inclusion, violence prevention and promotion of peace. Its members include philanthropic foundations, institutions, organizations and corporations.

[English]

Based in Montreal, the Peace Network for Social Harmony applies the power of collaboration in its projects as an effective means of advancing peace. In so doing, it maximizes impacts and generates greater social harmony.

Through its vast network of relationships with stakeholders — including community organizations, researchers, the arts, government and education — and guided by the tremendous expertise of its internal team, the Peace Network is uniquely positioned to play a leading role in promoting peace and non-violence, encouraging inclusion and diversity and strengthening community harmony.

• (1420)

Among the initiatives undertaken over its 15 years of operations, the network has organized bullying prevention symposiums and a province-wide program for hundreds of stakeholders in the educational sector; organized a multi-sectoral Forum on Violence Against Women and Girls and Its Impact on Children and provided government with recommendations based on its findings; coordinated 10 years of Peace Days activities, shining a 12-day spotlight on organizations and initiatives that help build and maintain peace; and much more. I have a long list here.

With initiatives that are apolitical and solution-oriented, the Peace Network has helped hundreds of stakeholders to create joint projects, share best practices, promote values such as respect, trust, equity, empathy and inclusion and, more broadly, overcome the constraints of working in silos through collective action.

[Translation]

Honourable senators, this unique mandate has made the Peace Network for Social Harmony a leader for peace in Canada that is appreciated by both the Canadian public and the network's many partners. We know that what the world needs most today is peace.

[English]

What the world needs most today is peace.

Please join me in congratulating and thanking the Peace Network for 15 years of meaningful advocacy for social harmony and peace building. Thank you. *Meegwetch.*

#### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Carol Millar, Diane Ciravolo and Trish Gagner. They are the guests of the Honourable Senator Deacon (*Ontario*).

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

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

### ROUTINE PROCEEDINGS

#### ADJOURNMENT

#### NOTICE OF MOTION

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, October 8, 2024, at 2 p.m.

#### COMMONWEALTH PARLIAMENTARY ASSOCIATION

COMMONWEALTH CONFERENCE ON PARLIAMENTARY  
SCRUTINY AND OVERSIGHT OF NATIONAL SECURITY,  
NOVEMBER 21-23, 2023—REPORT TABLED

**Hon. Rosemary Moodie:** Honourable senators, I have the honour to table, in both official languages, the report of the Commonwealth Parliamentary Association concerning the Commonwealth Conference on Parliamentary Scrutiny and Oversight of National Security, held in London, England, from November 21 to 23, 2023.

WESTMINSTER SEMINAR ON EFFECTIVE PARLIAMENTS,  
MARCH 11-15, 2024—REPORT TABLED

**Hon. Rosemary Moodie:** Honourable senators, I have the honour to table, in both official languages, the report of the Commonwealth Parliamentary Association concerning the Seventy-second Seminar on Effective Parliaments, held in London, England, from March 11 to 15, 2024.

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## QUESTION PERIOD

### PRIME MINISTER'S OFFICE

#### INDEPENDENT ADVISORY BOARD FOR SENATE APPOINTMENTS

**Hon. Donald Neil Plett (Leader of the Opposition):** Government leader, last week, I asked you about a completely inadequate recent response to one of my written questions about the advisory board for Senate appointments. That question was first put on the Order Paper on May 1, 2020.

Last year, my office submitted an access-to-information request to the Privy Council Office, or PCO, seeking any documents they produced in response to my question. Yesterday, through the access-to-information request, we learned that, in fact, the PCO approved an answer on June 15, 2020. An email on that date stated, "It may now go to PMO for final approval."

As well, the PCO's answers to my specific questions were redacted, and their response tabled last week didn't answer them either.

Leader, why did the Prime Minister's Office, or PMO, keep this response from me for over four years?

**Hon. Marc Gold (Government Representative in the Senate):** Senator, I have no idea. I regret — I'm the government leader, yes, and I know what I — excuse me, I'm the Government Representative. That's who I am according to the law, thank you very much. Accuracy does matter, and I'm trying to be accurate.

You asked me an honest question. It's a fair question. I don't know the answer.

**Senator Plett:** Well, in fact, our previous Speaker ruled you were the government leader, not the Government Representative, and you should have the answer.

On January 27, 2022, the PCO sent an email to redacted addresses, most certainly in the PMO, saying:

Attached for signature by the Parliamentary Secretary to the Prime Minister, the response from PCO to Senate Written Question No. 90.

This was almost three years ago, but nothing was tabled until last week. Who in the PMO is responsible for hiding this response from me and from Canadians? If you don't have the answer, find it.

**Senator Gold:** I don't have the answer. The Parliament of Canada Act at the time I was appointed —

**Senator Plett:** My question was about this, not who you are.

**Senator Gold:** I'm answering your question. I'm trying to correct the record, and you know the answer very well.

I have answered the question. I don't have the answer. Under the Parliament of Canada Act — and you know this very well, senator — I am legally now entitled to call myself, in law, the Government Representative, even though you know that at the time I was appointed —

**Senator Plett:** I'll call you what you are.

**Senator Gold:** I have nothing more to say in response to this.

## PUBLIC SAFETY

### FOREIGN INTERFERENCE

**Hon. Leo Housakos:** Senator Gold, when first we heard from whistle-blowers that your government had been ignoring their warnings of foreign interference in Canada, Justin Trudeau denied knowing anything about it. He denied having been briefed about allegations of foreign interference despite the fact his chief of staff testified at a committee that Mr. Trudeau reads everything put in front of him.

Over the past year, thanks to a public inquiry that the government was forced by the official opposition — the Conservatives — into calling, we now know that Mr. Trudeau lied about not having been briefed. We have specific dates as to when he received those briefings, Senator Gold, and they're public.

Now, thanks to our Order Paper question that your government finally got around to answering, we also learned that your government was additionally warned 163 separate times over a six-year period about illegal foreign activity in Canada.

Government leader, why did the Prime Minister lie about this instead of doing something about it? Why? Was it to protect the Liberal Party? Why?

**Hon. Marc Gold (Government Representative in the Senate):** The Prime Minister answered accurately and honestly in terms of what he personally knew, which is a separate question from when information is necessarily sent to his office.

Again, senator, having been in government, you know that, too. So, once again, I've answered that question. The government has put into place important measures to protect Canadians from foreign interference. It's committed to doing so, and it will continue to act in the best interests of Canadians, rhetoric notwithstanding.



**Senator Housakos:** What I know, Senator Gold, is that governments should be accountable and transparent.

Senator Gold, one of the worst offenders of foreign interference is the Chinese Communist Party, or CCP, in Beijing. It's been 16 months since your government was forced to boycott the Beijing-led Asian Infrastructure Investment Bank after news broke that the CCP had infiltrated it. Can you tell this chamber what your government has done in those 16 months to get back nearly a quarter of a billion dollars of taxpayer money your government sank into that fiasco? How much taxpayer money has your government recuperated?

• (1430)

**Senator Gold:** I have been clear in this chamber with regard to how the government has corrected its course as the nefarious activities of the regime in China have become more and more evident. The government made its decisions with the best interests of Canada in mind.

## GLOBAL AFFAIRS

### CONFLICT IN SUDAN

**Hon. Mary Coyle:** Senator Gold, the conflict in Sudan has caused one of the largest humanitarian crises in the world, with over 15,000 people dead, 10.7 million people displaced and 25 million people requiring humanitarian assistance.

With our embassy in Khartoum closed since April 2023, Global Affairs Canada recently confirmed it will be augmenting its presence in the region by deploying resources to its regional hub in Ethiopia to manage the related diplomatic responsibilities in Sudan.

Former ambassador to Sudan Nicholas Coghlan argues that, while this is a positive step, Canada still lacks the capacity to effectively engage with African leaders and international partners on critical peace-building and humanitarian issues without a senior-level diplomatic presence in that region.

Senator Gold, will the government commit to placing a high-level diplomat in the region to engage with other leaders on bringing peace and stability to Sudan?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. Indeed, the situation in Sudan is highly volatile and disturbing. The government, in the strongest possible terms, condemns the violence that is happening in Sudan, which includes sexual and gender-based violence. It must end.

I have great respect for former ambassadors and their recommendations. Canada will continue to support the work and ongoing discussions to restore security and stability in Sudan. The government is and will continue to work with international and regional partners, because Canada strongly supports Africa-led solutions.

**Senator Coyle:** I hope it will place a senior-level person who can have influence there. Thank you.

Canada's family reunification program for Sudanese nationals is capped at 3,250 applications; none of these have yet been approved to date. A recent report in *The Globe and Mail* indicated applicants have been told processing may take up to 54 months, leaving many at risk of death as they wait for years for a decision.

What steps is the government taking to accelerate the processing of these applications for these people in a desperate situation?

**Senator Gold:** Thank you for your question and for underlining the terrible circumstances they find themselves in.

It's my understanding the government is prioritizing the processing of completed temporary and permanent residence applications from individuals who are still in Sudan, as well as for those who have fled the country with Canadian family members to the surrounding region.

In addition, the government has also launched a humanitarian pathway for extended family members of those affected in Sudan so they can reunite here with their families permanently.

## INNOVATION, SCIENCE AND ECONOMIC DEVELOPMENT

### CANCODE

**Hon. Tony Loffreda:** My question is for the Government Representative in the Senate.

Senator Gold, Friday is World Teachers' Day, a day to celebrate the transformative role teachers have in the lives of our youth. I know we all have a special memory about a teacher who helped shape who we are.

World Teachers' Day reminded me of a Budget 2024 promise to provide an additional \$40 million to the CanCode program. Can you provide us with an update on the department's work in advancing the next phase of the program?

Set to expire in March 2026, CanCode helps students develop coding and digital skills, setting them up for success in an increasingly digital economy. Some 450,000 teachers have already been equipped with tools to help students learn to code.

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question and for highlighting World Teachers' Day as well as the fantastic program to which you referred.

The government recently announced it has launched the fourth phase of CanCode, including a \$39.2-million investment in the program. The program is currently looking for applications from not-for-profit organizations offering students from kindergarten through Grade 12 the opportunity to learn digital skills such as coding, as well as AI knowledge.

This iteration of the program also aims to offer learning opportunities to 1.5 million students and to train 100,000 teachers to incorporate new digital skills and technologies into the classroom.

**Senator Loffreda:** Thank you for that answer.

Can you speak to us about CanCode's project management framework and the control mechanisms in place to track individual project progress?

What reporting requirements will funding recipients have to meet?

We know, for instance, that nearly \$230 million has already been invested in various not-for-profit organizations, and over 9 million students have already benefited from coding training.

**Senator Gold:** I understand the Department of Innovation, Science and Economic Development works with recipients to monitor the project's progress and offer guidance on relevant policies. This can include periodic attendance at meetings or classes as an observer.

In addition, there is regular and frequent contact that facilitates the sharing of information between parties to the contribution agreement.

## ENVIRONMENT AND CLIMATE CHANGE

### FEDERAL OFFSET PROTOCOLS

**Hon. Colin Deacon:** Thank you, Your Honour. My question is for the Government Representative in the Senate.

Senator Gold, the federal government's pace in developing greenhouse gas offset protocols is concerningly slow. For example, the Direct Air Carbon Dioxide Capture and Sequestration protocol, now targeted for the fall of 2024, has been in progress for many years.

Repeating this slow process for every specific new technology risks Canada losing billions in global purchases of carbon credits and investment in innovative carbon removal companies.

Most governments are racing ahead, including that of B.C. here in Canada; it is purposefully developing an open-ended protocol that can include multiple types of carbon removal.

My questions are these: First, with further technologies evolving rapidly, is the federal government prioritizing the development of efficient, agile and adoption-focused protocols that provide certainty to buyers of carbon credits and investors in carbon removal companies? Second, what confidence can you provide that the federal government is moving fast enough to prevent the Canadian market from fragmenting jurisdictionally?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question, senator, and for your continued advocacy on this pertinent issue.

I've been informed that Environment and Climate Change Canada, or ECCC, develops federal offset protocols on an ongoing basis. This is done with input from a team of external technical experts for each protocol.

My understanding is draft protocols are then posted on Canada's Greenhouse Gas Offset Credit System website for a comment period. This gives stakeholders and the public a chance to submit comments to help improve the quality and useability of protocols. As protocols are completed and published, work on new protocols begins.

**Senator C. Deacon:** Thank you for describing the process; however, I'm looking for the timelines.

When creating these protocols, what is ECCC's view of who the customer is? Are they aiming to provide a reliable, investment-friendly environment for scaling important new technologies?

**Senator Gold:** To be frank, colleague, I'm more familiar with the processes and stakeholders — including Indigenous participants as well as other departments — in terms of how this program is moving forward.

I will raise this question with the minister when I have the opportunity to do so.

## CROWN-INDIGENOUS RELATIONS

### RESIDENTIAL SCHOOL DOCUMENTS ADVISORY COMMITTEE

**Hon. Brian Francis:** Senator Gold, I rise today to ask about the status of the Residential School Documents Advisory Committee, which was given a short mandate to assist with identifying, reviewing and sharing federal documents not transferred to the National Centre for Truth and Reconciliation, or NCTR, as stipulated under the 2006 settlement agreement.

Last July, the Committee on Indigenous Peoples specifically called for adequate funding to expedite this work. However, in August, the chairman and other independent members suspended their participation in the committee because of minimal funding to fulfill its mandate, after repeated requests to fund an independent audit and other activities.

Senator Gold, given its stated commitment to reconciliation, will the federal government reconsider and urgently provide the additional funding requested by the Residential School Documents Advisory Committee?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you, senator, for your question and for underlining the critical work that is being done — and, indeed, which needs to be done — as we continue on this important path toward reconciliation.

I would be happy to work with you. We should speak further so I can attempt to better respond to your question.

**Senator Francis:** Senator Gold, on a related note, will the federal government also commit to providing adequate funding to ensure the NCTR can manage the likely millions of outstanding records from Canada and the Catholic Church that are to be housed by the archive?

• (1440)

We need answers to these critical questions on an urgent and priority basis.

**Senator Gold:** Again, let's work together and see if we can make progress on this.

## PUBLIC SAFETY

### CRIME RATES

**Hon. Michael L. MacDonald:** Senator Gold, crime is seriously up in this country. Like all crime, auto theft is apparently going through the roof. The Insurance Bureau of Canada reports the cost of insurance claims for auto theft in this country reached \$1.5 billion last year. That's an increase of 254% since 2018.

It's also well known that the majority of these stolen cars leave Canada through your hometown, the Port of Montreal, which is the largest container port in Eastern Canada.

About a year ago, a newspaper in Montreal reported that the Canada Border Services Agency, or CBSA, had only five agents working on the waterfront in the port inspecting shipping containers. They also relied on one cargo scanner, which was broken down half the time. It kept breaking down.

**Senator Housakos:** Shame.

**Senator MacDonald:** Could you give us an update on the circumstances around the Port of Montreal today and what they are doing to alleviate this obvious problem?

**Senator Housakos:** It's the Trudeau export strategy.

**Senator LaBoucane-Benson:** They interrupt their own people too.

**Hon. Marc Gold (Government Representative in the Senate):** Thank you. I was waiting for the noise to die down a little.

As I have stated in this chamber before, this is a disturbing problem in my hometown and, indeed, in far too many others.

The government has done a number of things to increase the capacity of the CBSA to address this issue. Indeed, there are results, as I reported in this chamber: The CBSA intercepted over 1,800 stolen vehicles last year alone. Police continue to collaborate across jurisdictions. The government is supporting this work through significant investments. This includes \$28 million to support the work of the CBSA, strengthen our borders against stolen vehicles and provide support for them in all areas of their work.

**Senator MacDonald:** Well, you didn't really answer what is going on at the Port of Montreal, but there is also the Port of Halifax. In May, the head of the Halifax Port Authority, Captain Allan Gray, spoke to the House committee. He informed the House committee that the CBSA was scanning zero export shipping containers at the Port of Halifax — none — so they would not know whether they were losing cars or not. He also said that in the five years that he has been managing the port, he has never seen the seizure of one car.

**Senator Housakos:** Unbelievable.

**Senator MacDonald:** Can you give us an update on what's going on at the Port of Halifax?

**Senator Gold:** I don't have specific information about the Port of Halifax. I'll raise this with the minister.

## INFRASTRUCTURE AND COMMUNITIES

### AFFORDABLE HOUSING

**Hon. Yonah Martin (Deputy Leader of the Opposition):** Leader, last Thursday, the NDP-Liberal government's own housing authority confirmed once again that this government is failing to build the homes Canadians need.

In its Fall 2024 *Housing Supply Report*, the Canada Mortgage and Housing Corporation, or CMHC, said the number of new homes being built "... isn't enough to reduce the existing supply gap and improve affordability for Canadians." In Vancouver, B.C., CMHC said housing starts fell in the first half of 2024. In your home of Montreal, leader, CMHC said, "... the pace of construction is barely keeping up with the growth in housing needs."

As this crisis drags on, why should Canadians believe your government has a plan to fix what is broken?

**Senator Plett:** Exactly. Why?

**Hon. Marc Gold (Government Representative in the Senate):** The housing crisis is a real crisis. This question is quite properly addressed because it's top of people's minds and people are struggling, but I'm not going to be pedantic with you.

The fact remains that the government has a plan that it has put in place. It has made serious investments. It's working in a serious way with the provinces, territories and municipalities. It has put money on the table. It has put a plan on the table. The only other alternative that we're hearing is the statement of the problem, which the government accepts is a problem. The difference is this government is actually doing something about it rather than simply talking about it.

**Senator Martin:** I quote CMHC again: "... the pace of construction is barely keeping up with the growth in housing needs." Leader, what is the current housing supply gap? Do we still need 3.5 million homes over and above your government's projections just to restore affordability by 2030, or has the gap become worse in the last year?

**Senator Housakos:** He doesn't know.

**Senator Plett:** He has no idea.

**Senator Gold:** There is a serious housing gap. And the serious housing gap, which is a quantitative measure, is related to but distinct from whether available housing is affordable for those in different communities — that varies from neighbourhood to neighbourhood, from city to city and from province to province.

The government is doing all that it can within its jurisdiction to address this, and it will continue to do so.

[Translation]

## CANADIAN HERITAGE

### ANTI-RACISM STRATEGY

**Hon. Marie-Françoise Mégie:** My question is for the Government Representative. Senator Gold, after my speech on national immigration month, my colleague, Senator Simons, rightly pointed out that the American Republican candidate's comments about dogs and cats were disingenuous and racist.

That same week, our Prime Minister was invited to appear on "The Late Show" in the United States. The Right Honourable Justin Trudeau said that Canada plays a role internationally by actively engaging in bringing people together. He spoke about Haiti in particular. That is when the interviewer asked him how our cats and dogs were doing here in Canada. Our Prime Minister avoided the question by saying, "I'm gonna move right past that one."

Senator Gold, I am having a hard time understanding the dichotomy between the government's anti-racism rhetoric here and its silence elsewhere. As an ally, does Canada intend to make its voice heard against the rise in racism and xenophobia?

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for the question. The Government of Canada is deeply concerned about the rise in xenophobic, if not outright racist, discourse, not only in the United States, but also in Canada and other parts of the world. The government is going to keep promoting a discourse and political engagement based on human rights, respect for diversity, and all the values that I hope are central to our society as a whole.

That said, the Prime Minister has decided to refrain from engaging or involving himself in the current political situation in the United States precisely because the Prime Minister's role demands a cautious approach, especially before an election.

**Senator Mégie:** Two hundred years ago, Canada took in Black Americans fleeing the racist and pro-slavery policies of the South. If candidate Trump is elected, will Canada be ready to receive more foreign nationals from the communities in question, and what will happen to the Safe Third Country Agreement?

**Senator Gold:** At the moment, I don't feel comfortable about commenting on possible scenarios related to the election. I'm sure you can appreciate that the government has to show

discretion for now, not only with regard to what will eventually happen in the United States, but also in terms of its response, whatever that may be, to the situation facing our southern neighbour.

[English]

## NATIONAL DEFENCE

### NORTH AMERICAN AEROSPACE DEFENSE COMMAND

**Hon. Paula Simons:** First of all, *shana tova*. I'm wishing you a very sweet new year.

On Saturday, Alberta's premier, Danielle Smith, attended a town hall where she entered into a discussion about the possibility of chemtrails over Alberta, and speculated that she had been told that perhaps the U.S. military was flying over Alberta and spreading chemtrails. She said she would investigate this, but she has little control over the U.S. Department of Defense.

I'm wondering if you could set to ease the minds of Albertans and other Canadians by confirming that neither NORAD nor the U.S. North American air command are flying chemical dumping missions over Alberta nor any other part of Canada.

**Hon. Marc Gold (Government Representative in the Senate):** Thank you for your question. I'm going to try to continue to model what I have just suggested that one should do.

The idea is completely without foundation and has been completely debunked. Regrettably, it took a little time for the Government of Alberta or the Office of the Premier to be as clear as one would have hoped when the issue first hit the papers, but my understanding is that her office has also finally acknowledged that there is no foundation for these conspiracy theories.

• (1450)

## HEALTH

### NATIONAL PHARMACARE

**Hon. Jim Quinn:** Senator Gold, Bill C-64 contains a critical drafting error where the government does not have the legal authority to spend money on emergency contraceptives and insulin. Under the principles of statutory interpretation, by using the term "prescription drug" rather than "drug," the bill is excluding non-prescription drugs, which, by definition, do not require a prescription. These drugs cannot be classified as a related product, as that has a specific technical meaning of a device or supply. Will the government support a simple amendment to provide the legal spending authority on emergency contraceptives and insulin to remove any legal risks regarding the integrity of the program?

**Hon. Marc Gold (Government Representative in the Senate):** First of all, thank you for your question.

Let me be clear: The government does not share your interpretation, Senator Quinn. The government's position on this historic piece of legislation, which is currently being studied in committee and will proceed to clause-by-clause consideration — it will be of no surprise to hear this from me, but I'm glad to have the opportunity to speak to all senators on this matter — is that this bill, this important, historic framework bill, should be passed with dispatch and without amendment. It is a framework within which bilateral agreements will be negotiated and concluded, and Canadians will benefit from this historic step toward a pharmacare system. With the greatest of respect, the government will not support an amendment.

**Senator Quinn:** Senator Gold, you may want to check with the departmental officials on what I have said.

I have a second question: Non-insured health benefits include coverage for diabetes related to medication for First Nations people and Inuit under the age of 64, but not for Métis and other Canadians. Why, going into the pharmacare, would the federal government not raise the floor as the starting point so that all Canadians regardless of status start from the same basis with regard to access and availability of diabetes medication?

**Senator Gold:** This issue has been raised. You have raised it, and it has been raised before committee. It will apparently continue to be raised. It is the government's position that the bill's framework, which was carefully considered, carefully negotiated and carefully drafted, is the right step, and this is the right time to take that step without amendment.

## NATURAL RESOURCES

### TRANS MOUNTAIN PIPELINE

**Hon. Donald Neil Plett (Leader of the Opposition):** NDP-Liberal government leader, the NDP-Liberal government failed to give Kinder Morgan the regulatory certainty it needed to build the Trans Mountain pipeline. The company walked away, and the Prime Minister forced taxpayers to pay for his utter incompetence.

Yesterday, I received the answer to a question I put on our Order Paper a year and a half ago regarding costs associated with the Trans Mountain Corporation. The response shows that between January 2018 and March 2023 this Crown corporation spent \$363 million on compensation, and — get this — of this total, just over \$75 million was paid out in — guess what — bonuses.

Leader, isn't this yet another example — please answer this truthfully — of the horrific mismanagement of this NDP-Liberal government? Isn't this one more reason why Canadians should get rid of this incompetent, anti-energy government?

**Hon. Marc Gold (Government Representative in the Senate):** Senator Plett, I guess it is the role of the opposition to substitute responsible engagement to improve situations with whatever seems to serve your partisan political priorities.

This government made the important decision for the benefit of all Canadians and for our resource centre to step in at some political cost early on in its mandate to secure the construction of this pipeline. It did so for the benefit of all Canadians, and it will continue to defend that decision. It was the right decision.

**Senator Plett:** A different answer that I received recently claimed as follows:

There were 17 investors that expressed interest in exploring the possibility of purchasing Trans Mountain in June 2018.

Yet, taxpayers are still on the hook, Senator Gold. Didn't your anti-energy policies scare these investors away? How much of this \$369 million would have been spent if we had had a competent government? It's zero, isn't it?

**Senator Gold:** I suppose the answer to your question, if you were in the position of the government, would be to disregard the interests of the provinces, disregard the interests of Indigenous stakeholders whose rights were affected and to simply bulldoze your way through them.

The fact is that this government has acted responsibly and honourably with regard to this particular project and will continue to seek ways to recover its investment.

## ANSWERS TO ORDER PAPER QUESTIONS TABLED

### HOUSING, INFRASTRUCTURE AND COMMUNITIES— NATIONAL INDIGENOUS HOUSING CENTRE

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the response to Question No. 257, dated September 19, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the National Indigenous Housing Centre.

### HOUSING, INFRASTRUCTURE AND COMMUNITIES— CANADA INFRASTRUCTURE BANK

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the response to Question No. 258, dated September 19, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the Canada Infrastructure Bank.

HOUSING, INFRASTRUCTURE AND COMMUNITIES—  
FIXED TRANSPORTATION LINK BETWEEN  
NEWFOUNDLAND AND LABRADOR

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the response to Question No. 312, dated February 29, 2024, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding a fixed transportation link between Newfoundland and Labrador across the Strait of Belle Isle.

EMPLOYMENT, WORKFORCE DEVELOPMENT AND OFFICIAL  
LANGUAGES—CANADA STUDENT LOANS PROGRAM

**Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate)** tabled the response to Question No. 320, dated April 9, 2024, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the Canada Student Loans Program.

[Translation]

## ORDERS OF THE DAY

### BILL TO AMEND THE CRIMINAL CODE AND THE WILD ANIMAL AND PLANT PROTECTION AND REGULATION OF INTERNATIONAL AND INTERPROVINCIAL TRADE ACT

#### SPEAKER'S RULING—RULING SUSTAINED

On the Order:

Resuming debate on the motion of the Honourable Senator Cotter, seconded by the Honourable Senator Woo, for the adoption of the twenty-fifth report of the Standing Senate Committee on Legal and Constitutional Affairs (*Bill S-15, An Act to amend the Criminal Code and the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act, with amendments and observations*), presented in the Senate on June 20, 2024.

**The Hon. the Speaker:** Honourable senators, I am prepared to rule on the point of order raised by Senator Plett on September 25, 2024, as to whether Bill S-15, An Act to amend the Criminal Code and the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act, requires a Royal Recommendation. Consideration of the point of order continued on September 26, and I invite colleagues to review the *Debates of the Senate* for the full analysis provided by senators who took part. Although the point of order was raised during consideration of the report of the Standing Senate Committee on Legal and Constitutional Affairs recommending amendments to the bill, if the concern that Senator Plett identified is found to be valid, the bill itself could not be before the Senate, and the report would therefore be a nullity.

Senator Plett's fundamental concern relates to the possibility that Bill S-15 would expand the range of governmental actions permitted under the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act* and therefore require expenditures for a novel purpose not provided for under the current act. If this is the case, the bill would have to be accompanied by a Royal Recommendation, and it could not begin in the Senate.

On the other hand, the senators arguing for favouring the receivability of the bill stated that it does not give rise to distinct spending not already authorized and that it generally operates within the existing act's structure and purpose. There were also concerns that an overly rigid interpretation concerning the Royal Recommendation could impede the Senate's role as a legislative body.

It is a basic principle in our system of government that the Crown must agree to public expenditures before they can be approved by Parliament. This agreement is signalled by the expenditures being recommended to the House of Commons by the Governor General. Any such bill must begin in that house. This basic principle is expressed in rule 10-7, which states that "[t]he Senate shall not proceed with a bill appropriating public money unless the appropriation has been recommended by the Governor General." This rule embodies some of the obligations imposed by sections 53 and 54 of the *Constitution Act, 1867*.

It is not, however, always evident when the financial initiative of the Crown comes into play, and procedural authorities and past rulings identify a range of factors to be taken into account. During consideration of the point of order, reference was made to key decisions such as that of February 24, 2009, concerning Bill S-204, and to another ruling of December 1 of that year, concerning Bill S-241. Extracts from other relevant rulings can be found in the third edition of the *Companion to the Rules of the Senate*, tabled earlier this year, in the citations relating to rule 10-7.

Factors that can be taken into consideration when determining whether a bill requires a Royal Recommendation include whether it contains a clause appropriating money, whether there is a novel expenditure not already authorized in law, whether the bill broadens the purpose of an expenditure already authorized by a Royal Recommendation, whether there is a relaxing of criteria to qualify for a benefit, whether the bill merely structures how a public agency will perform functions it can already undertake without imposing new duties, and whether the bill only imposes minor administrative expenses. This is not an exhaustive list of the points to consider, and each case must be evaluated separately. In the case of a bill to amend an existing statute, reference may also be made to whether the parent act was accompanied by a Royal Recommendation or not.

In ambiguous or uncertain cases, the Senate has a well-established preference, expressed in numerous rulings, for allowing debate to continue if a valid and reasonable argument that the bill is in order can be established. This principle of favouring debate if reasonably possible is fundamental to many

aspects of the practical application of our procedure. It allows senators to reach a final decision, except in cases where an item is clearly out of order, thereby preserving the Senate's role as a house of discussion and reflection.

It may also be noted that on some issues relating to public finance and expenditure, the Senate and the House of Commons have divergent analyses and can reach different conclusions. The most evident case is that the Senate recognizes that it has the right to amend supply bills — even though it rarely does so — while the House of Commons does not accept this position. It is thus entirely possible for a house to reach one conclusion, and for the other house to reach a different conclusion. This is in keeping with the bicameral nature of our Parliament; a bill can only proceed if both houses agree on every aspect.

Before proceeding with the specific case of Bill S-15, it should also be understood that there is no precise sum of money that triggers the requirement for a Royal Recommendation. If a bill would require a small expenditure for a purpose that is totally new and distinct, it may need a Royal Recommendation, whereas large increases in operational expenditures due, for example, to structuring how a government body performs existing responsibilities, may not require one. The fact that there may be expenditures consequential to the adoption of Bill S-15, as suggested by the report from the Parliamentary Budget Officer to which reference was made, does not, therefore, resolve the issue.

When dealing with issues of the Royal Recommendation, the Speaker's role is to examine the text of the bill before the Senate, sometimes within the context of an existing law. Of course, when making this assessment the Speaker seeks, as in all procedural matters, to avoid interpreting constitutional issues or questions of law.

In the case of Bill S-15, a key issue relates to the permitting regime that currently exists under the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act* relating to the transport of certain animals. If Bill S-15 is adopted, this regime would be extended to the possession, and not just limited to the transport, of elephants and great apes. Senators supportive of the point of order argued that this would constitute novel expenditures unrelated to the existing act. Senators who thought debate can continue argued that this was a minor adjustment to the existing permitting regime that would not require new spending authority and would fit within the existing structure and purpose of the act, which is broadly to protect certain species. On this point it is interesting to note that when the act was first adopted in 1992, the bill as introduced in the House of Commons did not receive a Royal Recommendation.

We thus face two clear arguments as to whether Bill S-15 can continue before the Senate. While the concerns about the measure are understandable, they can nevertheless be reasonably understood as being limited to matters very directly related to the purpose of the existing act, building on its structure, and complementing it. Coupled with the fact that the original act did not require a Royal Recommendation, there are strong arguments in favour of the continuation of debate. In keeping with our precedents and practice, the ruling must therefore be that the bill is in order and consideration can continue.

Before concluding, I wish to thank Senator Plett for his vigilance on this question. As I noted earlier, the financial initiative of the Crown is a key principle in our system of parliamentary government, and places restrictions on measures that can start in the Senate. All senators must bear these limitations in mind when considering bills or amendments that originate in the Senate.

• (1500)

[English]

**Hon. Donald Neil Plett (Leader of the Opposition):** Your Honour, to say that I am disappointed would be an understatement. I am indeed saddened that we are breaking the Constitution in a number of different ways here again in this new, improved Senate that we have. It's truly unfortunate. It is unfortunate that if and when this bill does go to the other place, the Speaker of the other place will — I am sure — rule that this is out of order, and they will not accept the bill over there. For us to do something else here is very unfortunate.

I am disappointed, Your Honour, and I believe that I would like this new, improved Trudeau Senate to make a ruling on this and see if the entire Senate would agree that we should circumvent the Constitution here on this.

Respectfully, Your Honour, I will challenge your ruling.

**The Hon. the Speaker:** Honourable senators, just to be clear, the motion cannot be debated, so we will be voting on this motion to appeal.

Honourable senators, shall the Speaker's ruling be sustained?

**Some Hon. Senators:** Yes.

**Some Hon. Senators:** No.

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

**Some Hon. Senators:** Yea.

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

**Some Hon. Senators:** Nay.

**The Hon. the Speaker:** In my opinion the "yeas" have it.

*And two honourable senators having risen:*

**The Hon. the Speaker:** Is there agreement on the bell? I hear one hour. Therefore, the vote will take place at 4:10 p.m.

Call in the senators.

• (1610)

Speaker's ruling adopted on the following division:

YEAS  
THE HONOURABLE SENATORS

Al Zaibak	Lankin
Anderson	Loffreda
Arnot	MacAdam
Aucoin	Massicotte
Audette	McBean
Bellemare	McCallum
Bernard	McNair
Boyer	McPhedran
Brazeau	Mégie
Burey	Miville-Dechêne
Busson	Moncion
Cardozo	Moodie
Clement	Moreau
Cotter	Muggli
Coyle	Omidvar
Cuzner	Osler
Dalphond	Oudar
Dasko	Pate
Deacon ( <i>Nova Scotia</i> )	Petitclerc
Deacon ( <i>Ontario</i> )	Petten
Dean	Quinn
Duncan	Ravalia
Forest	Robinson
Francis	Ross
Fridhandler	Saint-Germain

Galvez	Senior
Gerba	Simons
Gignac	Smith
Gold	Sorensen
Greenwood	Tannas
Harder	Varone
Hartling	Verner
Kingston	Wells ( <i>Alberta</i> )
Klyne	Woo
LaBoucane-Benson	Yussuff—70

NAYS  
THE HONOURABLE SENATORS

Ataullahjan	Marshall
Batters	Martin
Carignan	Plett
Housakos	Seidman
MacDonald	Wells ( <i>Newfoundland and Labrador</i> )—11
Manning	

ABSTENTIONS  
THE HONOURABLE SENATORS

Nil

(At 4:17 p.m., pursuant to the order adopted by the Senate on September 21, 2022, the Senate adjourned until 2 p.m., tomorrow.)



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