



MINUTES OF PROCEEDINGS

OTTAWA, Thursday, September 21, 2023

(68)

[English]

The Standing Senate Committee on Legal and Constitutional Affairs met in camera this day at 11:45 a.m., in room B30, Senate of Canada Building, the chair, the Honourable Brent Cotter, presiding.

Members of the committee present: The Honourable Senators Batters, Boisvenu, Clement, Cotter, Dalphond, Dupuis, Jaffer, Klyne, Pate, Simons and Tannas (11).

Participating in the meeting: Aoife Mc Donald, Administrative Assistant, Committees Directorate; Michaela Keenan-Pelletier, Analyst, and Emilie Doyons, Research Assistant, Library of Parliament.

Pursuant to the order of reference adopted by the Senate on Thursday, November 3, 2022, the committee continued its consideration of Bill S-212, An Act to amend the Criminal Records Act, to make consequential amendments to other Acts and to repeal a regulation.

Pursuant to rule 12-16(1)(d), the committee discussed in camera a draft agenda (future business).

At 11:53 a.m., the committee resumed in public.

The chair asked whether the committee shall proceed to clause-by-clause consideration of Bill S-212.

After debate, the question being put on the motion, it was adopted on the following vote:

YEAS

The Honourable Senators

Clement, Cotter, Dupuis, Jaffer, Klyne, Pate, Simons, Tannas — [8]

NAYS

The Honourable Senators

Batters, Boisvenu, Dalphond — [3]

ABSTENTIONS

Nil

It was agreed that the title stand postponed.

It was agreed that clause 1, which contains the short title, stand postponed.

With leave and pursuant to rule 12-20(4), it was agreed that the committee group clauses in groups of 10.

It was agreed that clauses 2 to 10 carry, on division.

The chair asked whether clauses 11 to 20 shall carry.

The Honourable Senator Pate moved that Bill S-212 be amended in clause 11,

(a) on page 6,

(i) by replacing line 31 with the following:

“(3) The prior approval of the Minister is not required

(a) for”,

(ii) by replacing line 35 with the following:

“that has been imposed for an offence; and

(b) to disclose the existence of the record to a police force in prescribed circumstances when that police force considers the disclosure to be desirable in the interest of the administration of justice or for any purpose related to the safety or security of Canada or any state allied or associated with Canada.”;

(b) on page 7, by deleting lines 28 to 34.

After debate, the question being put on the motion in amendment, it was adopted, on division.

It was agreed that clauses 11 to 20 carry, as amended, on division.

The chair asked whether clauses 21 to 30 shall carry.

The Honourable Senator Pate moved that Bill S-212 be amended in clause 21, on page 10, by adding the following after line 14:

“(c.12) prescribing circumstances for the purposes of paragraph 6.1(3)(b);”.

After debate, the question being put on the motion in amendment, it was adopted, on division.

The Honourable Senator Pate moved that Bill S-212 be amended in clause 24, on page 11, by replacing line 6 with the following:

“(Subsections 6.1(8) and 6.3(2) and sections 7 and 7.2)”.

After debate, the question being put on the motion in amendment, it was adopted, on division.

After debate, with leave, it was agreed that the motion in amendment to clause 24, page 11, line 6 adopted by the committee be replaced with the following:

“(Subsection 6.3(2) and sections 7 and 7.2)”.

The Honourable Senator Pate moved that Bill S-212 be amended in clause 25, on page 11, by replacing line 10 with the following:

“(Subsections 6.1(8) and 6.3(2) and sections 7 and 7.2)”.

After debate, the question being put on the motion in amendment, it was adopted.

After debate, with leave, it was agreed that the motion in amendment to clause 25, page 11, line 10 adopted by the committee be replaced with the following:

“(Subsection 6.3(2) and sections 7 and 7.2)”.

It was agreed that clauses 21 to 30 carry, as amended, on division.

It was agreed that clauses 31 to 40 carry, on division.

It was agreed that clauses 41 to 51 carry, on division.

It was agreed that clause 1, which contains the short title, carry.

It was agreed that the title carry.

The chair asked whether the bill, as amended, shall carry

After debate, the question being put on the motion, it was adopted on the following vote:

YEAS

The Honourable Senators

Clement, Cotter, Dupuis, Jaffer, Klyne, Pate, Simons— [7]

NAYS

The Honourable Senators

Batters, Boisvenu, Tannas— [3]

ABSTENTIONS

The Honourable Senator

Dalphond— [1]

It was agreed that the chair report Bill S-212, with amendments, to the Senate, at the earliest opportunity.

At 12:50 p.m., the committee adjourned to the call of the chair.

ATTEST:

Vincent Labrosse

Clerk of the Committee