



MINUTES OF PROCEEDINGS

OTTAWA, Thursday, May 4, 2023

(53)

[English]

The Standing Senate Committee on Social Affairs, Science and Technology met this day at 11:31 a.m., in room C128, Senate of Canada Building, the chair, the Honourable Ratna Omidvar, presiding.

Members of the committee present: The Honourable Senators Bernard, Bovey, Burey, Cordy, Cotter, Dasko, Gold, P.C., McPhedran, Moodie, Omidvar, Osler, Pate, Petitclerc and Seidman (14).

Other senators present: The Honourable Senator Kutcher (1).

Participating in the meeting: Ericka Dupont and Angus Wilson, procedural clerks, Committees Directorate; Laura Blackmore and Sarah Dodsworth, analysts, Library of Parliament.

Pursuant to the order of reference adopted by the Senate on Thursday, March 9, 2023, the committee continued its consideration of Bill C-22, 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.

WITNESSES:

Employment and Social Development Canada:

Krista Wilcox, Director General, Office for Disability Issues;

Elisha Ram, Senior Assistant Deputy Minister, Income Security and Social Development Branch.

The committee resumed clause-by-clause consideration of Bill C-22.

Resuming debate on clause 9.

The Honourable Senator McPhedran moved that Bill C-22 be amended in clause 9, on page 3, by replacing line 29 with the following:

“this Act;

(c.1) cannot be recovered or retained, in whole or in part, under the terms of any contract, insurance plan or similar instrument; and”.

At 11:56 a.m., the Honourable Senator Bovey replaced the Honourable Senator Cordy as a member of the committee.

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

YEAS

The Honourable Senators

Bernard, Burey, Dasko, McPhedran, Moodie, Omidvar, Osler, Pate — [8]

NAYS

The Honourable Senators

Bovey, Cotter, Gold, Seidman — [4]

ABSTENTIONS

The Honourable Senator

Petitclerc — [1]

It was agreed that clause 9, as amended, carry.

It was agreed that clause 10 carry.

The Honourable Senator McPhedran moved that Bill C-22 be amended on page 4 by adding the following after line 5:

“10.1 A person, or any other person on their behalf, may appeal, to a body identified in regulations made under paragraph 11(1)(i), a Minister’s determination

(a) that the person is ineligible for a Canada disability benefit; or

(b) of the amount a Canada disability benefit that the person has received or will receive.”.

After debate, the question being put on the motion in amendment that new clause 10.1 carry, it was adopted on the following vote:

YEAS

The Honourable Senators

Bernard, Burey, Dasko, McPhedran, Moodie, Osler, Pate, Petitclerc — [8]

NAYS

The Honourable Senators

Bovey, Cotter, Gold, Omidvar, Seidman — [5]

ABSTENTIONS

NIL

The chair asked whether clause 11 shall carry.

The Honourable Senator Dasko moved that Bill C-22 be amended in clause 11, on page 6, by replacing lines 11 and 12 with the following:

“must take into consideration

- (a)** the *Official Poverty Line* as defined in section 2 of the *Poverty Reduction Act*;
- (b)** the additional costs associated with living with a disability;
- (c)** the challenges faced by those living with a disability in earning an income from work;
- (d)** the intersectional needs of disadvantaged individuals and groups; and
- (e)** Canada’s international human rights obligations.”.

Krista Wilcox answered questions from time to time.

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

YEAS

The Honourable Senators

Bernard, Burey, Dasko, McPhedran, Moodie, Osler, Pate — [7]

NAYS

The Honourable Senators

Cotter, Gold, Omidvar, Petitclerc, Seidman — [5]

ABSTENTIONS

The Honourable Senator

Bovey — [1]

The Honourable Senator McPhedran moved that Bill C-22 be amended in clause 11, on page 6, by adding the following after line 12:

“(1.2) Within 12 months of this Act coming into force, the Governor in Council must make regulations under paragraphs 11(1)(a) to (f), (h), (i), (k) and (n) that are necessary to enable a Canada disability benefit to be paid in accordance with this Act.”.

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

YEAS

The Honourable Senators

Bernard, Bovey, Burey, Dasko, McPhedran, Moodie, Osler, Pate, Petitclerc, Seidman — [10]

NAYS

The Honourable Senators

Cotter, Gold, Omidvar — [3]

ABSTENTIONS

NIL

The Honourable Senator Dasko moved that Bill C-22 be amended in clause 11, on page 6, by adding the following after line 15:

“(3) When a regulation is made under paragraph (1)(a), (b) or (c), the Minister must cause that regulation to be tabled in each House of Parliament, on one of the first three days on which that House is sitting after that regulation is made, together with a report describing how the regulation will address the needs of persons with disabilities who live in poverty.”.

After debate, the question being put on the motion in amendment, it was negatived on the following vote:

YEAS

The Honourable Senators

Dasko, McPhedran, Pate — [3]

NAYS

The Honourable Senators

Bovey, Burey, Cotter, Gold, Omidvar, Osler, Petitclerc, Seidman — [8]

ABSTENTIONS

The Honourable Senator

Moodie — [1]

The Honourable Senator McPhedran moved that Bill C-22 be amended in clause 11, on page 6, by adding the following after line 15:

“(3) After the amount of the benefit and the eligibility criteria to qualify for the benefit are initially established by regulations, any regulations proposed by the Governor in Council that would reduce the amount of the benefit or make it more difficult for a person to qualify for the benefit must be tabled by the Minister in each House of Parliament, and the regulation may not come into force until it is approved by vote in both Houses of Parliament.”.

After debate, the question being put on the motion in amendment, it was negatived on the following vote:

YEAS

The Honourable Senators

McPhedran, Pate — [2]

NAYS

The Honourable Senators

Bovey, Burey, Cotter, Gold, Omidvar, Osler, Petitclerc, Seidman — [8]

ABSTENTIONS

The Honourable Senators

Bernard, Dasko, Moodie — [3]

It was agreed that clause 11, as amended, carry.

It was agreed that clause 12 carry.

It was agreed that clause 13 carry.

The chair asked whether clause 14 shall carry.

After debate, it was agreed that clause 14 stand postponed until the next meeting.

At 1:30 p.m., the committee adjourned to the call of the chair.

ATTEST:

Emily Barrette

Clerk of the Committee