



MINUTES OF PROCEEDINGS

OTTAWA, Tuesday, November 18, 2025

(13)

[English]

The Standing Senate Committee on Indigenous Peoples met this day at 9:01 a.m., in room C128, Senate of Canada Building, the deputy chair, the Honourable Margo Greenwood, presiding.

Members of the committee present: The Honourable Senators Audette, Clement, Francis, Greenwood, McCallum, McNair, McPhedran, Moreau, P.C., Pate, Prosper, Sorensen and Tannas (12).

Participating in the meeting: Sara Fryer and Allison Lowenger, Analysts, Library of Parliament.

Pursuant to the order of reference adopted by the Senate on Wednesday, June 25, 2025, the committee continued its consideration of Bill S-2, An Act to amend the Indian Act (new registration entitlements).

WITNESSES:

Indigenous Services Canada:

Lori Doran, Director General, Individual Affairs Branch, Services to Individuals Sector;

Stuart Hooft, Director, Individual Affairs Branch, Services to Individuals Sector.

Department of Justice Canada:

Jean-Charles Lebeau, Legal Counsel, Operations and Programs Section, CIRNA/ISC Legal Services.

It was agreed that the committee proceed to clause-by-clause consideration of Bill S-2.

It was agreed that the title stand postponed.

The chair asked whether clause 1 shall carry.

It was agreed that clause 1 carry.

The chair asked whether clause 2 shall carry.

It was agreed that clause 2 carry.

The chair asked whether clause 3 shall carry.

It was agreed that clause 3 carry.

The chair asked whether clause 4 shall carry.

The Honourable Senator Prosper moved that Bill S-2 be amended in clause 4, on page 2,

(a) by adding the following after line 28:

“(1.1) Paragraph 6(1)(a.3) of the Act is replaced by the following:

(a.3) that person is a direct descendant of a person who is, was or would have been entitled to be registered under paragraph (a), (a.1) or (a.2);”;

(b) by adding the following after line 31:

“(2.1) Paragraph 6(1)(f) of the Act is replaced by the following:

(f) at least one parent of that person is entitled to be registered under this section or, if the parent is no longer living, was or would have been so entitled at the time of their death.

(2.2) Subsections 6(2) and (2.1) of the Act are repealed.

(2.3) The portion of subsection 6(3) of the Act before paragraph (a) is replaced by the following:

(3) For the purposes of paragraphs (1)(a.3) and (f),”;

(c) by adding the following after line 37:

“(4) Paragraph 6(3)(b) of the Act is replaced by the following:

(b) a person who is described in paragraph (1)(a.1) or (f) and who was no longer living on April 17, 1985, is deemed to be entitled to be registered under that paragraph; and”.

Lori Doran, Stuart Hooft and Jean-Charles Lebeau were invited to the table and answered questions.

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

YEAS

The Honourable Senators Audette, Clement, Francis, Greenwood, McCallum, McPhedran, Pate, Prosper, Sorensen, Tannas – [10]

NAYS

The Honourable Senator McNair – [1]

ABSTENTIONS

Nil

It was agreed that clause 4, as amended, carry.

The chair asked whether clause 5 shall carry.

The Honourable Senator Prosper moved that Bill S-2 be amended in clause 5, on page 2, by replacing line 38 with the following:

“5 (1) Paragraph 11(1)(d) of the Act is replaced by the following:

(d) that person is entitled to be registered under paragraph 6(1)(f) and at least one parent of that person is entitled to have their name entered in the Band List or, if the parent is no longer living, was or would have been so entitled at the time of death.

(1.1) Paragraph 11(2)(a) of the Act is repealed.

(1.2) Paragraph 11(2)(b) of the Act is replaced by the following:

(b) if that person is entitled to be registered under paragraph 6(1)(f) and a parent referred to in that provision is entitled to have their name entered in the Band List or, if no longer living, was or would have been, at the time of their death, entitled to have their name entered in the Band List.”.

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

It was agreed that clause 5, as amended, carry.

The chair asked whether clause 6 shall carry.

It was agreed that clause 6 carry.

The chair asked whether clause 7 shall carry.

It was agreed that clause 7 carry.

The chair asked whether clause 8 shall carry.

It was agreed that clause 8 carry.

The chair asked whether clause 9 shall carry.

The Honourable Senator Prosper moved that Bill S-2 be amended on page 4 by adding the following after line 23:

“9.1 For greater certainty, subject to any deletions made by the Registrar under subsection 5(3) of the Indian Act, any person who was, immediately before the day on which subsection 4(2.2) of this Act comes into force, registered and entitled to be registered under subsection 6(2) of the Indian Act is deemed registered under paragraph 6(1)(f) of the Indian Act.

9.2 For greater certainty, for the purpose of paragraph 6(1)(f) of the Indian Act, the Registrar must recognize any entitlements to be registered that existed under subsection 6(2) of the Indian Act immediately before the day on which subsection 4(2.2) of this Act comes into force.”.

The question being put on the motion in amendment that new clauses 9.1 and 9.2 carry, it was adopted.

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

The chair asked whether clause 10 shall carry.

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

YEAS

The Honourable Senator McNair – [1]

NAYS

The Honourable Senators Audette, Clement, Francis, Greenwood, McCallum, McPhedran, Pate, Prosper, Sorensen, Tannas – [10]

ABSTENTIONS

Nil

The chair asked whether clause 11 shall carry.

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

YEAS

The Honourable Senator McNair – [1]

NAYS

The Honourable Senators Audette, Clement, Francis, Greenwood, McCallum, McPhedran, Pate, Prosper, Sorensen, Tannas – [10]

ABSTENTIONS

Nil

The chair asked whether clause 12 shall carry.

The Honourable Senator Prosper moved that Bill S-2 be amended on page 5 by adding the following after line 19:

“Coming into Force

12 Subsections 4(1.1), (2.1), (2.2), (2.3) and (4) and 5(1) and (1.2) come into force six months after the day on which this Act receives royal assent.”.

After debate, the Honourable Senator Tannas moved that the motion in amendment be amended by replacing “six” with “12”.

After debate, the question being put on the subamendment, it was adopted.

The question being put on the motion in amendment, as amended, it was adopted.

It was agreed that clause 12, as amended, carry.

It was agreed that the title carry.

It was agreed that the bill carry, as amended.

It was agreed that the Law Clerk and Parliamentary Counsel be authorized to make necessary technical, grammatical or other required non-substantive changes resulting from the amendments adopted by the committee, in both official languages, including updating cross-references and renumbering of provisions.

It was agreed that observations be appended to the committee's report on the bill.

At 10:58 a.m., the committee adjourned to the call of the chair.

ATTEST:

Sébastien Payet

Clerk of the Committee