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OFFICIAL REPORT
(HANSARD)

Thursday, May 2, 2013

The Honourable NOËL A. KINSELLA
Speaker

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(Daily index of proceedings appears at back of this issue).

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THE SENATE

Thursday, May 2, 2013

The Senate met at 1:30 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

MENTAL HEALTH

Hon. Denise Batters: Honourable senators, I rise today to discuss an issue that has touched my life, just as it has the lives of millions of Canadians. This is the issue of mental health.

My late husband, former Member of Parliament Dave Batters, suffered from severe anxiety and depression. In 2008, Dave bravely chose to publicly disclose his struggle in the hope that sharing his story would raise awareness and help de-stigmatize mental health issues. Tragically, I lost Dave to suicide in 2009.

Honourable senators, I know all too well the profound loss mental illness can bring. At least one in five Canadians will deal with mental illness in their lifetime. Sadly, two out of three do not seek the help they need. Mental illness strikes people from all walks of life. It can affect people who have successful careers, loving families, and even those people who are easygoing and always smiling. Dave was like that.

Mental illness can affect you, your spouse, your children and your parents, and the less it is talked about, the worse it gets.

I was honoured last week to be present for the announcement of Clara's Big Ride, a major mental health awareness initiative sponsored by Bell Canada. Starting next March, six-time Olympic medalist Clara Hughes will cycle across Canada. Clara will share her own story of her struggle with depression and, in so doing, raise awareness and help fight the stigma surrounding mental health issues.

Clara's Big Ride, spanning more than 100 days and 12,000 kilometres, will cover every Canadian province and territory. All money raised by the ride will stay in the communities it visits to fund local mental health initiatives. I look forward to cycling with Clara when she comes to Regina, although I have already warned her she will have to slow down for the likes of me.

Honourable senators, inspiring individuals like Clara Hughes, my husband Dave and thousands of other brave Canadians have stepped out of the shadows to bring to light the issue of mental illness. Clara's Big Ride will spread that light to millions across this country. I am fortunate to have a national platform to discuss critical issues like this. Raising awareness about mental health and suicide issues will continue to be a personal priority for me during my time in the Senate.

On May 27, we are hosting the Dave Batters Memorial Golf Tournament in Regina. All tournament proceeds are used to broadcast the 30-second TV ad we produced which increases

awareness and dispels stigma about mental illness and suicide. This commercial is available on YouTube — just search Dave Batters. Please post this link on Facebook and Twitter pages. I would also welcome honourable senators' support for our tournament either by golfing with us or via donation.

I invite honourable senators to join me in bringing light to the discussion of mental illness for all Canadian families touched by this.

Hon. Senators: Hear, hear!

BATTLE OF THE ATLANTIC

Hon. Joseph A. Day: Honourable senators, this weekend is the commemoration of the Battle of the Atlantic. As honourable senators are no doubt aware, the Battle of the Atlantic was the longest continuous military campaign of World War II, lasting from 1939 until almost the final shot of the Allied war with Nazi Germany. The battle was the ongoing struggle to keep supply lines open to Britain — supply lines which launched mainly from Canada's East Coast. These supply convoys were the lifeline for Britain and required navy escort in the face of routine attacks by German submarines.

Honourable senators, one would be hard-pressed to overstate the importance of the Canadian effort during the Battle of the Atlantic, nor would it be hyperbole to state that the battle was a transformative event for the Royal Canadian Navy.

In 1939, the Royal Canadian Navy comprised only six worthy warships. To face the German threat to Atlantic convoys, the government of Mackenzie King called for the wholesale naval expansion of the Canadian navy. Canadian shipyards began speedily producing Bangors and Corvettes 24 hours a day, seven days a week because at the rate the ships were needed, the crews were given only the most basic training before they were sent out into the harsh conditions of the Atlantic Ocean.

At home, Canada's East Coast served as the front line for the war effort against the German U-boats. As a result, Canadian ports exploded with activity. The ports of Halifax, Sydney and Saint John played double duty not only in preparing new ships for launch, but also in assembling the endless stream of Allied merchant ships joining the convoy.

The entry of the Americans into the war in 1941 brought no reprieve to the RCN in the Atlantic. It actually had the adverse effect of bringing German U-boats even closer to our doorstep in North America. Canada now had to defend its own territory against enemy intrusion while also escorting Allied ships across the Atlantic. Submarines actually sank 21 vessels in the St. Lawrence during that period of time.

UNB historian Marc Milner points out in his book, *The Battle of the Atlantic*, that Allied defences of shipping were so overpowering that at no point between the end of May 1943

and May 1945 were Allied plans or operations threatened by the German campaign in the Atlantic. This was in large part due to the explosion in the size of the Royal Canadian Navy, which began as a relatively small navy to become the third largest navy in the world by the end of the war. Neither must we forget the contribution of the merchant navy in this particular battle.

- (1340)

I would invite all honourable senators to pay homage to the Royal Canadian Navy and the Canadian Merchant Navy veterans for their heroic contribution to our freedom during this momentous battle, one which would prove a turning point for our navy, for our country and for the world.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the Governor General's gallery of Mr. John Rafferty, President and CEO of the Canadian National Institute for the Blind; Margaret McGrory, Vice President and Executive Director of the Library; Jane Beaumont, Chair of the National Board; Steve Lutz, Director, and Lordes Rojas Saldana, client and member of the Talking Book Club. They are all guests of the Honourable Senator Seth.

On behalf of all honourable senators, I welcome the Canadian National Institute for the Blind to the Senate of Canada.

Hon. Senators: Hear, hear!

VISION HEALTH MONTH

Hon. Asha Seth: Honourable senators, unfortunately in our country, vision loss remains one of the most important pervasive problems. For more than 1 million Canadians living with blindness or significant vision loss, reality can be dark and comfortless. Partial or total vision loss affects one in ten Canadians over the age of 65 and over 23,000 Canadian children under the age of 15. For me, these numbers are truly shocking, as they represent more than the number of Canadians with breast cancer, prostate cancer, Alzheimer's disease and Parkinson's disease combined.

The effect on the Canadian economy is also severe, as vision loss costs governments and citizens close to \$16 billion — amazing — which is \$500 for every Canadian.

The good news is that 75 per cent of vision loss can be treated or prevented, and we can do much to decrease the number of people affected. That is why the Canadian National Institute for the Blind joins us today: to promote the important yearly initiative known as Vision Health Month.

The theme for this Vision Health Month is "Eyes are for life." CNIB is calling on all Canadians to participate in this nation-wide awareness campaign designed to increase education on the

importance of proper diet, regular eye examinations and eye safety.

CNIB works all year to provide many vital services that include rehabilitation and support. The federal government is proud to be a partner in this effort. We have committed \$3 million in the budget for the continued development of CNIB's national digital hub that will provide a national library service and alternative print format for all Canadians with print disabilities.

Through our support of CNIB, we can ensure that people living with vision loss continue to have access to the services they need to live a full and dignified life. With the right support, people who are blind or partially sighted can do almost anything, and it is our privilege to give them the tools they need to succeed and thrive.

BATTLE OF VIMY RIDGE COMMEMORATION

Hon. Marie-P. Charette-Poulin: Honourable senators, in 2017 we will be commemorating the one hundredth anniversary of the Battle of Vimy Ridge. This battle was a defining moment in our history. It was when we became Canadians.

Some 20 years ago I read a wonderful essay written by Joel Ralph, then a high school student in Sudbury, who described what transpired at Vimy Ridge:

... the attack proved the Canadians to be the best army in the world, they accordingly would form the iron tip of the spearhead that would end the war in 1918.... The troops came from Nova Scotia to Montreal, Ottawa to Winnipeg, Regina to Vancouver, even the North West and everywhere else in between.... That morning when they set out to seize Vimy Ridge they were Commonwealth soldiers, but when they reached the summit they were Canadians.

We now pause each April 9 to remember these valiant soldiers and the birth of our nationhood. Vimy Ridge Day has been marked by the lowering of the Peace Tower flag to half-mast since 2003, when my colleague Brent St. Denis, then-Member of Parliament for Algoma—Manitoulin—Kapusksasing, brought forward a private member's bill calling for the establishment of a National Day of Remembrance of the Battle of Vimy Ridge. I was proud to sponsor the bill in the Senate.

Honourable senators, I would like to acknowledge another northern Ontarian, Robert E. Manuel of Elliott Lake. It was his millennium project that was the inspiration for the bill and quickly found enthusiasm across a broad spectrum of Canada, from the National Council of Veteran Associations in Canada, to the Royal Canadian Legion, to parliamentarians of all stripes.

Finally, I would like to thank Erin O'Toole, the new Member of Parliament for Durham, for taking up the torch. Last week, he hosted, in Toronto, the inaugural Vimy Foundation Gala Dinner, the first step in the march to the Vimy 2017 commemoration.

ASIAN HERITAGE MONTH

Hon. Yonah Martin: Honourable senators, on the occasion of Asian Heritage Month this month of May, I rise to recognize, first, the “godmother” of Asian Heritage Month, our former colleague the Honourable Vivienne Poy.

[Translation]

I would now like to speak about another colleague, the Honourable Salma Ataullahjan, the first woman of Pakistani origin appointed to the Senate of Canada.

[English]

In late March, I attended an event in Surrey, British Columbia, hosted by the Pakistani Canadian Cultural Association of BC, where I accepted an award for her outstanding achievements. I went on her behalf, as she was leading the Canadian delegation to the most recently held Assembly of the Inter-Parliamentary Union, the IPU, in Quito, Ecuador.

[Translation]

I was moved by the community’s warmth and its great admiration for and pride in Senator Ataullahjan. That evening, as Salma’s colleague, I was pleased to witness the respect and gratitude she was shown. Honourable senators, we experience success or failure together. When we share our successes, our pride and our joy grow.

[English]

Therefore, I take this opportunity to reflect on Senator Salma Ataullahjan’s accomplishments of the past year, such as her visit to activist Malala Yousafzai in October 2012 while she was in the hospital recovering from the senseless, brutal attack of the Taliban; her initiative as a member of the Standing Senate Committee on Human Rights that led to an important study on cyberbullying; her dedicated leadership as Chair of the Canada-Pakistan Parliamentary Association in deepening bilateral ties; her recent initiative that brought the Government of Canada to partner with the End of Polio campaign to lead the world in eradicating polio by 2018; and her election as President of the Canadian Group of the IPU.

[Translation]

Since her appointment to the Senate in 2010, Senator Ataullahjan has become a spokesperson for Canada abroad through her involvement in the Inter-Parliamentary Union, especially on issues related to maternal and child health.

[English]

In fact, Senator Ataullahjan was instrumental in not only having the IPU adopt a landmark resolution on maternal and child health, but in ensuring its accountability. Her very recent appointment by the IPU as Goodwill Ambassador for Maternal, Newborn and Child Health speaks to the impact of her leadership and effective representation of Canada on the world stage.

• (1350)

As a Canadian of Pakistani origin residing in the largest urban centre of Canada — Toronto, a microcosm of the world — she is able to relate to people from any corner of the globe. Salma Ataullahjan truly embodies our Canadian tradition of diplomacy.

Congratulations, dear colleague and friend.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, before calling for Tabling of Documents, I wish to draw your attention to the presence in the Prime Minister’s gallery of Sir Ronald Sanders, former senior ambassador in the Caribbean, member of the Commonwealth Eminent Persons Group and Visiting Fellow at the University of London’s Institute of Commonwealth Studies. Sir Ronald is the guest of the Honourable Senator Segal.

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

Hon. Senators: Hear, hear!

[Translation]

ROUTINE PROCEEDINGS

STUDY ON PRESCRIPTION PHARMACEUTICALS

FOURTEENTH REPORT OF SOCIAL AFFAIRS,
SCIENCE AND TECHNOLOGY COMMITTEE—
GOVERNMENT RESPONSE TABLED

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, pursuant to rule 12-24 of *The Rules of the Senate*, I have the honour to table, in both official languages, the government’s response to the fourteenth report of the Standing Senate Committee on Social Affairs, Science and Technology, entitled: *Canada’s Clinical Trial Infrastructure: A Prescription for Improved Access to New Medicines*.

[English]

STUDY ON THE USE OF THE INTERNET, NEW MEDIA AND SOCIAL MEDIA AND THE RESPECT FOR CANADIANS’ LANGUAGE RIGHTS

FIFTH REPORT OF OFFICIAL LANGUAGES
COMMITTEE—GOVERNMENT
RESPONSE TABLED

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the government response to the fifth report of the Standing Senate Committee on Official Languages entitled: *Internet, New Media and Social Media: Respect for Language Rights!*

VISITORS IN THE GALLERY

The Hon. the Speaker: Before calling the next item, honourable senators, it is always a great honour to welcome the youth of Canada to the Senate.

Today I draw your attention to the presence in the Speaker's gallery of Grade 9 students from the King's School in Winnipeg, accompanied by their chaperone, Marc Labossière, as well as their teachers, Janet Newediuk and Tyler Hendren. They are the guests of the Honourable Senator Plett.

Students, welcome to the Senate of Canada.

Hon. Senators: Hear, hear!

TAX CONVENTIONS IMPLEMENTATION BILL, 2013

ELEVENTH REPORT OF BANKING, TRADE AND COMMERCE COMMITTEE PRESENTED

Hon. Irving Gerstein, Chair of the Standing Senate Committee on Banking, Trade and Commerce, presented the following report:

Thursday, May 2, 2013

The Standing Senate Committee on Banking, Trade and Commerce has the honour to present its

ELEVENTH REPORT

Your committee, to which was referred Bill S-17, An Act to implement conventions, protocols, agreements and a supplementary convention, concluded between Canada and Namibia, Serbia, Poland, Hong Kong, Luxembourg and Switzerland, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes, has, in obedience to the order of reference of April 17, 2013, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

IRVING R. GERSTEIN
Chair

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

(On motion of Senator Greene, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

INTERNATIONAL BOUNDARY WATERS TREATY ACT INTERNATIONAL RIVER IMPROVEMENTS ACT

BILL TO AMEND—TWELFTH REPORT OF FOREIGN AFFAIRS AND INTERNATIONAL TRADE COMMITTEE PRESENTED

Hon. A. Raynell Andreychuk, Chair of the Standing Senate Committee on Foreign Affairs and International Trade, presented the following report:

Thursday, May 2, 2013

The Standing Senate Committee on Foreign Affairs and International Trade has the honour to present its

TWELFTH REPORT

Your committee, to which was referred Bill C-383, An Act to amend the International Boundary Waters Treaty Act and the International River Improvements Act, has, in obedience to the order of reference of April 25, 2013, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

RAYNELL ANDREYCHUK
Chair

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

(On motion of Senator Andreychuk, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

[*Translation*]

NATIONAL DEFENCE ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-15, An Act to amend the National Defence Act and to make consequential 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 Carignan, bill placed on the Orders of the Day for second reading two days hence.)

[English]

CRIMINAL CODE NATIONAL DEFENCE ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-394, An Act to amend the Criminal Code and the National Defence Act (criminal organization recruitment).

(Bill read first time.)

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

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

QUESTION PERIOD

THE SENATE

PARLIAMENTARY REFORM

Hon. Joan Fraser: Honourable senators, my question is for the Leader of the Government in the Senate.

On Monday of this week, *Le Devoir* published a very interesting interview with our former colleague, Bert Brown. Senator Brown was, as we will all recall, the Prime Minister's point man for "Senate reform." He criss-crossed the country I do not know how many times meeting with the provincial governments to persuade them of the virtues of the many bills that the Prime Minister's government has presented for so-called Senate reform since taking office.

However, although we all know that although the government has assured us many times that these bills were within the unilateral competence of Parliament, former Senator Brown told *Le Devoir* that that cannot be done without "a constitutional change approved by seven provinces representing at least 50 per cent of the population." Now we learn that the government has known all along that what it was telling us was constitutional was not, in fact, constitutional. How can the leader justify that?

• (1400)

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I must correct the honourable senator's opening comments wherein she identified the former Senator Bert Brown as the Prime Minister's point person on Senate reform.

Some Hon. Senators: Oh, oh.

Senator LeBreton: The Prime Minister's point person on Senate reform is the Minister of State for Democratic Reform, the Honourable Tim Uppal. Having said that, I am aware of the former Senator Brown's comments, which do not accurately reflect the views of the government.

Senator Fraser: Honourable senators, on a supplementary question, Senator Brown told this chamber, as well as others, that he was making those trips across Canada to the provincial and territorial governments "on behalf of Prime Minister Harper."

A journalist with *Le Devoir*, Hélène Buzzetti, is one of the best and most experienced journalists on the Hill. She asked Senator Brown why he supported these seven bills if he knew they were not constitutional? Former Senator Brown responded:

[Translation]

It allowed us to go to each province and convince them to establish their own elections. It was an offer, not a command. It was a first step. We wanted to show that it was legitimate.

[English]

How can anything unconstitutional possibly be termed legitimate?

Some Hon. Senators: Oh, oh.

Senator LeBreton: Honourable senators, I was quite impressed with the senator's comments about what former Senator Brown said to the reporter, and I am equally impressed that he has such good capacity for both official languages.

As honourable senators know, Senator Brown, for many years, was a fervent supporter of Senate reform, which is to his great credit. He dedicated many years of his life to Senate reform. In his capacity as a senator and as an elected senator, he met many premiers and other government officials across the country.

Senator Mercer: On behalf of the Prime Minister.

Senator LeBreton: The government and senators on this side were grateful to him for doing so.

Senator Fraser: Honourable senators, I was not accusing Senator Brown of hiding his bilingual capacity for all the years he was here. I simply wanted to get on the record the precise words that appeared in the newspaper. The reporter, of course, is fluently bilingual, and I have not known her to make a mistake of this nature.

I will ask the leader once more. Senator Brown made these trips on behalf of the Prime Minister of Canada. He said that he did so in order to argue to the provinces that these changes were legitimate, a position the government also is taking before the Supreme Court of Canada. This man, who had endless briefings from high, high persons in the civil service, as he would tell us at any chance, knew all along that what he was proposing and what the government was proposing was unconstitutional.

Forget Senator Brown; is that not an insult to the provinces?

Senator LeBreton: Honourable senators, the views Senator Brown has expressed since leaving the Senate were his views. I never heard him express those views about constitutionality.

Senator Brown was one of five elected senators from Alberta. Senator Brown actively pursued Senate reform, which came as no surprise to anyone, especially those who flew over the farmer's field carved out with three large Es. He was a passionate, fervent supporter of Senate reform. He made his views known not only in this place, but also in his travels across the country.

However, as I pointed out earlier, the official spokesperson for the government on Senate reform is the minister responsible for democratic reform.

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, the leader knew full well that former Senator Brown was travelling across this country on the taxpayers' dime selling the government's plans for Senate reform. The leader knew that. Why did she not throw him under the bus then? Why now?

Senator LeBreton: I do not think I have thrown Senator Brown under the bus. I have simply stated his right in his capacity as a senator to visit various parts of the country on very important Senate business — Senate reform. I fail to understand why the senator would find that unusual.

It was clear to all honourable senators how he felt about Senate reform. He was passionate about it and exercised his right as a senator to advance an issue that he felt strongly about and that related directly to the Senate.

Senator Cowan: I absolutely agree. It was entirely appropriate for him to travel across the country to speak to politicians, and not only premiers. I am sure he asked other senators to help arrange meetings with provincial politicians of various political stripes, as he put it, as the official representative of the Government of Canada, specifically asked by the Prime Minister of Canada to talk to provincial politicians and explain why, in his view and in the Prime Minister's view, this was the appropriate way to proceed with changing this institution.

That is what he was saying. The leader knows that he was travelling across the country holding himself out as representing the views of the Prime Minister and the Government of Canada. I am sure he was. I absolutely believe that he was. The difficulty is that he is saying now that he knew the gospel he was preaching

then was wrong and that the story he was pushing was unconstitutional. That is the problem. I have no problem with Senator Brown travelling across the country and working hard in support of what he believed. However, it appears now that he did not believe it at all. That is the problem.

Senator LeBreton: Honourable senators, the honourable senator sees a problem, but Senator Brown never once indicated in my discussions with him on Senate reform that he did not believe in the work of the government and the minister. I cannot answer for Senator Brown, and I could not do so if he were in the Senate. I can no more answer for Senator Brown's recent comments, which were since he left this place, than I could answer for his comments when he was in this place.

Hon. Jean-Claude Rivest: Honourable senators, I am not sure but perhaps this is the first time I have heard the Liberals applaud Mr. Brown's statement.

Some Hon. Senators: Oh, oh.

Some Hon. Senators: Hear, hear!

Senator Rivest: In that sense, it is certainly historic.

[*Translation*]

Honourable senators, I have a supplementary question. My question follows up on the questions from our Liberal colleagues. If the Leader of the Government in the Senate is so sure that the government's Senate reform proposals are valid, why did the government decide to turn to the Supreme Court, which I believe could confirm what Senator Brown said?

I would also remind the Leader of the Government in the Senate that the Standing Senate Committee on Legal and Constitutional Affairs heard from about 20 Canadian constitutional experts, and nearly all of them, except Peter Hogue, said that the government had to take the constitutional route to bring about any real Senate reform.

• (1410)

In light of all this, why is the government stubbornly pursuing an approach criticized by all of Canada's constitutional experts?

[*English*]

Senator LeBreton: Honourable senators, I thank the Honourable Senator Rivest for the question. I did note the senator's comment, which I thought was rather appropriate, that this is the first time the Liberal members opposite have ever applauded anything Senator Brown did. I do realize that they perhaps are a little sensitive today because this is May 2, and two years ago today the Canadian electorate voted in a majority Conservative government and reduced the Liberals to the smallest

Some Hon. Senators: Hear, hear!

Senator LeBreton: In answer to the senator's question, we referred these matters to the Supreme Court to help accelerate the process of reforming the Senate and laying the foundation for

further reform. Of course, as honourable senators know, the questions referred were seeking legal certainty on the constitutional amending procedure for term limits for senators, democratic selection of Senate nominees, and net worth and property qualifications for senators. The abolition of the Senate is another matter that was referred as well.

The decision was made to make the reference to the Supreme Court because clearly — and we have been dealing with this for seven years — once the courts have decided on this it will in fact help move Senate reform forward one way or the other.

[Translation]

TREASURY BOARD

FINANCIAL VIABILITY OF CROWN CORPORATIONS

Hon. Céline Hervieux-Payette: Honourable senators, my question is for the Leader of the Government in the Senate. I was referring to Bill C-377, which I will be talking about later today. Bill C-377 undermines Canada's unions and is also unconstitutional.

In Bill C-60, the Conservative government is setting itself up to intervene in Crown corporations' collective bargaining processes. Under Bill C-60, which is a budget bill, the government will be able to oversee collective bargaining, impose collective bargaining mandates, send a representative to sit in on negotiations, and impose employment terms and conditions.

Here I thought that the Conservatives believed in the free market, minimal state intervention and freedom to negotiate. This is unbelievable.

Aside from the usual lines about transparency and protecting taxpayers — who are not particularly well served considering the tens of millions in EI overpayments — how can the Conservative government justify exerting political control over Crown corporations in a budget bill that, as usual, the Conservatives are preventing the opposition in both Houses from debating?

[English]

Hon. Marjory LeBreton (Leader of the Government): First, with regard to Bill C-377, this is a private member's bill that is before Parliament at the moment. It is before the Senate. Obviously it will receive full study in the Senate. I cannot comment on what happens with a private member's bill and how ultimately —

Senator Mercer: Are they free to vote whichever way they want? Say it now!

Senator LeBreton: Senator Mercer is having a very difficult day today and I can understand that, especially since his former position was executive director of the Liberal Party.

With regard to Bill C-60, the government has the ultimate financial responsibility for Crown corporations. We must ensure that these costs are sustainable. Budget 2013 stated that the government will look at options to improve the financial viability

[Senator LeBreton]

of Crown corporations, including compensation levels. We are only ensuring that the public service labour costs align and that the taxpayers' dollars are used efficiently. Obviously, the object of the exercise is to make sure labour costs are aligned throughout the public service and the Crown corporations. That is why it is in Bill C-60.

[Translation]

Senator Hervieux-Payette: Given that the government's unprecedented intervention in the CBC's collective bargaining process is motivated by economic concerns, can the leader tell us whether the government will intervene to reduce the \$700,000 annual salary paid to Don Cherry, whose controversial statements about francophones led to an inquiry by the Commissioner of Official Languages? Will Don Cherry's salary be reduced to something less than the Prime Minister's?

[English]

Senator LeBreton: I have been asked to explain a lot of things but I am not going to try to explain Don Cherry.

Honourable senators, the fact of the matter is the decisions of the CBC and their on-air personalities are of no consequence to the government one way or the other. In terms of financial viability of the Crown corporations, we are simply trying to bring them into line with the public service.

[Translation]

Senator Hervieux-Payette: The difference between a state broadcaster in China and the one in Canada is its independence from government. However, Bill C-60 sanctions the government's interference in the CBC's internal affairs. This is not about money, as Marc-Philippe Laurin, Canadian Media Guild branch president at CBC/Radio-Canada, pointed out. He said:

The Conservative government is effectively modifying the Broadcasting Act to inject itself into decisions such as staffing...

In other words, if the amendments to the Broadcasting Act allow the government to exert economic control over the CBC, how can the control that the Conservative government is seeking to exert over freedom of negotiation with Bill C-60 be anything but political?

[English]

Senator LeBreton: Obviously there is a difference between wanting to make sure Crown corporations align themselves with the public service and the hiring practices of the CBC.

I will simply report, and the honourable senator knows this, that the CBC receives an incredible amount of money from the Canadian taxpayers, in the range of \$1 billion a year. The CBC president himself said that they will and can continue to fulfill their mandate and implement their 2015 plan while, at the same time, participating in our plan for growing the economy.

[Translation]

Senator Hervieux-Payette: I do not think that we understand each other. Every year, the government passes a budget. That budget allocates amounts to the CBC, and the CBC manages that money and receives other money from advertising.

What is the purpose of interfering in the negotiation of collective agreements if it is not to have a say in the way the business is run? Merely focussing on salaries does not allow the government to do that, and you told me earlier that you did not intend to get involved in the case of Mr. Cherry. The minute the government puts a representative at the negotiating table, it has taken control of what will happen at the CBC.

Madam leader, your government already has this power, and this bill is not democratic for the corporations it targets.

[English]

Senator LeBreton: Honourable senators, my answer stands. We are simply ensuring that the public service labour costs align and that the significant taxpayers' dollars that go to CBC are respected. That is the answer.

[Translation]

Hon. Pierrette Ringuette: Honourable senators, I have a supplementary question. Is the leader aware of whether all collective agreements with federal Crown corporations are currently reviewed carefully and approved by the Treasury Board and whether they have been in the past?

• (1420)

[English]

Senator LeBreton: Well, the honourable senator just made my point. Ultimately, Crown corporations get their funding from the Canadian taxpayer, and the government simply wants to ensure that the labour costs align with the rest of the public service.

[Translation]

Senator Ringuette: Honourable senators, I would like to have an answer to my question. I asked the leader if she was aware that every Crown corporation collective agreement is currently approved by the Treasury Board and has been in the past. Can she confirm that?

[English]

Senator LeBreton: Treasury Board has a specific responsibility in government, and, as in the past and in the future, it will continue to have the same responsibility.

[Translation]

Senator Ringuette: The question really must be raised. The indirect answer is yes, that the Treasury Board does verify and approve these agreements.

What, then, is the purpose of Bill C-60? The leader told my colleague that it is to align Crown corporation salaries and pensions with the rest of the public service. That happens already. My question is this: what is the objective of the new initiative in Bill C-60 and why it is there?

[English]

Senator LeBreton: The purpose was and is to align the cost in the Crown corporations with the public service. That is why it is there, and I am sure the President of the Treasury Board will ensure, as we go forward, that there is uniformity throughout the public service, including the Crown corporations.

[Translation]

Senator Ringuette: The leader just reconfirmed that the system Bill C-60 would put in place already exists; therefore, we must conclude that, as long as the leader has the facts straight, the government is taking additional measures to interfere in the operations of Crown corporations.

[English]

Senator LeBreton: We are not interfering in the operations of the Crown corporation. I will repeat this: The government has the ultimate financial responsibility for Crown corporations. We must ensure that costs are sustainable. Budget 2013 stated that the government will look at options to improve the financial viability of Crown corporations, including compensation levels. We are ensuring that the public service labour costs align and that taxpayers' dollars are used efficiently and effectively.

ELECTIONS CANADA

CHIEF ELECTORAL OFFICER—VOTING REFORM

Hon. Marie-P. Charette-Poulin: Honourable senators, last Tuesday, April 30, the Chief Electoral Officer received the report and recommendations of an independent electoral consultant, Harry Neufeld, on ways to improve compliance with registration and voting processes on election days.

The review included a national audit of poll documentation from the 2011 election. Key stakeholders, including political party representatives, provincial and territorial electoral agencies, returning officers and front-line election workers, were consulted.

The result of that audit was that irregularities — serious errors — occurred.

The Chief Electoral Officer has agreed with Mr. Neufeld that while there is not time to implement a new services model for voting for the next general election, a number of improvements can be made by 2015. For example, it would include a full online voter registration service, which would reduce the number of voters who must register at the time of voting. It would include ensuring that there is a supervisor at each polling site who has clear authority, which would improve quality control during the voting process. It would even include the simplification of procedures followed when administering vouching and other oaths.

My question, therefore, is for the Leader of the Government in the Senate. Will the government commit to implementing the report's recommendations as accepted by the Chief Electoral Officer, including online registration to be used in the next general election?

Hon. Marjory LeBreton (Leader of the Government): Thank you, senator, for the question. Obviously, the report highlights widespread errors in Elections Canada's operations during the last election. I read a lot of the report and the reporting on it. Clearly, election day with the huge number of volunteers has contributed to some of these errors.

The short answer to the question, honourable senators, is that we will soon be tabling a bill to reform the electoral act. We will be calling the bill the "elections reform act," and the recommendations of this report and other recommendations that the Chief Electoral Officer has already made to the government will be taken into consideration as we prepare to table that bill before Parliament.

Senator Charette-Poulin: I have a supplementary question. I am glad the leader is bringing up the intended tabling of the bill on the Canada Elections Act. In the name of democracy, will the government be respecting the independence of the Chief Electoral Officer and of his or her office? Could she guarantee that to this chamber?

Senator LeBreton: I would simply say to the honourable senator that she should await the tabling of the bill in Parliament to see what will or will not be in it.

Senator Charette-Poulin: When can we expect that bill to be tabled, and, before the tabling, will the Chief Electoral Officer be consulted?

Senator LeBreton: The Chief Electoral Officer has made many recommendations. They are obviously important to the government in the drafting of this bill. As to when the bill will be tabled before Parliament, I cannot give a precise date. It will be soon, hopefully.

[Translation]

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, I have the honour to table an answer to the oral question raised by the Honourable Senator Moore on February 7, 2013, concerning the Last Post Fund and an answer to the question raised by the Honourable Senator Tardif on March 26, 2013, concerning research and development.

[Senator Charette-Poulin]

VETERANS AFFAIRS

LAST POST FUND—FUNERAL AND BURIAL PROGRAM

(Response to question raised by Hon. Wilfred P. Moore on February 7, 2013)

Funeral and Burial Program application:

To protect the privacy of Veterans, information on specific circumstances surrounding any specific Funeral and Burial Program application cannot be provided.

Funeral and Burial Program and Last Post Fund:

Veterans Affairs Canada values the Last Post Fund's dedication and support it provides to Veterans. Veterans Affairs Canada works in close partnership with the Last Post Fund, which delivers the Funeral and Burial Program on behalf of the Department. Through the Last Post Fund, Veterans Affairs Canada provides funding to all Veterans who qualify for Funeral and Burial benefits under the *Veterans Burial Regulations 2005*.

Veterans Affairs Canada's Funeral and Burial Program, as administered by the Last Post Fund, is designed to assist the families of Veterans with the cost of a funeral and since 2006, the families of approximately 10,000 Veterans have benefited from it. As a standalone, Veterans Affairs Canada's program covers the full cost of a burial for a Veteran and helps with the cost of the funeral.

The Funeral and Burial Program provides funeral and burial assistance to all Veterans who die of a service-related disability. Assistance is also provided for Second World War and Korean War Veterans through means-testing of their estate if they are in financial need. Some modern-day Veterans are also eligible if they are in financial need and are in receipt of a Veterans Affairs Canada disability benefit, Earnings Loss Benefit or Canadian Forces Income Support benefit.

Veterans Affairs Canada continues to look for ways to improve all programs and services, including the funeral and burial program, in a challenging fiscal climate.

Economic Action Plan 2013 proposes \$65 million over two years to enhance the Funeral and Burial Program by simplifying the program for Veterans' estates and by more than doubling the current funeral services reimbursement rate from \$3,600 to \$7,376.

Eligibility for Last Post Fund assistance:

Veterans Affairs Canada has examined the Funeral and Burial Program as part of its commitment to meeting the needs of Veterans and their families. For example, the *Veterans Burial Regulations 2005* were amended as part of the New Veterans' Charter initiative on April 1, 2006, and eligibility to means-tested funeral and burial assistance was

expanded to include low-income modern-day Veterans who were in receipt of Canadian Forces Income Support and Earnings Loss Benefits. The regulations were again amended January 1, 2010 to restore pre-1995 eligibility for Allied Veterans living in Canada with respect to funeral and burial assistance.

SCIENCE AND TECHNOLOGY

RESEARCH AND DEVELOPMENT

(Response to question raised by Hon. Claudette Tardif on March 26, 2013)

Since 2006, our government has provided more than \$9 billion in new resources to support Science and Technology, and the growth of innovative firms in Canada. This funding has helped to make Canada a world leader in postsecondary education research and to create knowledge and a highly-skilled workforce that businesses require to innovate and create high-value jobs.

On May 17, 2007, the Prime Minister launched the Government of Canada's Science and Technology Strategy, *Mobilizing Science and Technology to Canada's Advantage*. The Strategy is focused on making Canada a world leader through Science and Technology (S&T). In implementing this Strategy, the government has invested a significant amount of funding towards developing a world class S&T enterprise here in Canada.

A recent report from the Council of Canadian Academies on the state of Canada's S&T enterprise concluded that Canadian S&T is healthy and growing. The report illustrated that S&T in Canada is growing in both output and impact with Canada being the only G7 country to have achieved an increase above the world average in the number of scientific papers produced between 2005 and 2010. The report also notes that, over the past decade, there has been a net migration of researchers into the country. This is additional evidence that this Government's Strategy is not only working, but that we should continue forward with it.

Outlined below are just some of the major S&T initiatives from 2007 to 2012, along with some of the proposed initiatives in Economic Action Plan 2013:

- From 2007 to 2012, the federal government committed over \$1.7 billion to the Canada Foundation for Innovation to support advanced research infrastructure across Canada. Economic Action Plan 2013 proposes that \$225 million in interest income of the CFI be committed to advanced research infrastructure priorities and sustaining CFI's long term operations.
- The National Research Council's Industrial Research Assistance Program (NRC-IRAP) provides advisory and financial assistance to help small and

medium-sized companies build their innovation capacity and create high-paying jobs. Economic Action Plan 2012 provided new resources to double the program's support for companies.

- Economic Action Plan 2013 proposes to provide \$20 million over three years to help small and medium-sized enterprises access research and business development services at universities, colleges and other non-profit research institutions of their choice through a new pilot program to be delivered through NRC-IRAP.
- Since 2007, the Government has provided over \$440 million to Genome Canada, including \$60 million through Economic Action Plan 2012. Budget 2013 proposes to provide an additional \$165 million in multi-year funding beginning in 2014-2015.
- Since 2007, the Government has provided over \$415 million in new funding for scholarships and awards for Canadian students and researchers. This money was allocated to the Canada Graduate scholarships, Vanier Canada Graduate Scholarships, Gairdner International Awards, and the Banting Postdoctoral Fellowships.
- Since 2007, the Government has provided over \$350 million in new ongoing annual funding to the Canadian granting councils, including \$48 million for the Indirect Costs Program. Economic Action Plan 2013 further strengthens Canada's advanced research capacity by providing \$37 million in new annual support for research partnerships with industry through the granting councils.
- Venture Capital plays an important role in promoting a more innovative economy. That is why since 2007, the Government has provided \$875 million dollars in funding to the Business Development Bank of Canada for Venture Capital-related initiatives, with an additional \$178 million dollars proposed in Budget 2013 to enhance Canada's broader venture capital system.
- In 2011 the Government allocated \$40 million dollars to Sustainable Development Technology Canada. Economic Action Plan 2013 also proposes to provide an additional \$325 million to Sustainable Development Technology Canada to continue support for the development and demonstration of new, clean technologies.
- Significant investments in budget 2013 are also targeted toward collaboration between industry and academia; skills training, manufacturing; aerospace and space sectors; infrastructure through a new Building Canada Plan and linking Canadian researchers to their colleagues throughout the world.

Examples of success stories driven by federal support for research and development include:

- Cangene Corporation, a biopharmaceutical company, has licensed a technology platform developed by a researcher at the University of British Columbia to treat Alzheimer's disease. The discovery will allow the company to advance an immune therapeutic treatment to directly impact the disease's progression. In time, the discovery could lead to a preventative vaccine.
- A team of neuroscientists at the University of Waterloo have created the largest functioning model of the brain. Described in *Science* magazine, this model is the first to explain how brains can perform a wide variety of tasks in a flexible manner and how the brain coordinates the flow of information between different areas to exhibit complex behaviour.
- Researchers at the University of Toronto have created the Wind-Earthquake Coupling Damper, a construction technology to cost-effectively reduce wind and earthquake vibrations in high-rise buildings. Developed in partnership with leading architects and designers, the technology can absorb vibrations without reducing leasable building space. The commercialization of this technology is being undertaken by the University of Toronto's spin-off company Kinetica Dynamics.

Examples of success stories driven by the College and Community Innovation Program which helps firms to become more innovative and productive by supporting collaboration between colleges and industry on applied research and development include:

- In partnership with SAIT Polytechnic in Calgary, Alberta, Get Mobility Solutions Inc. has designed a new prototype of a multifunctional wheelchair able to overcome challenging obstacles such as ascending and descending staircases. This project has allowed the company to build and assemble a second-generation prototype of this innovative wheelchair.
- Fleming College has increased the capacity of its Centre for Alternative Wastewater Treatment in Lindsay, Ontario, to develop, apply and commercialize new technologies. The applied research capacity of the college will be integrated in student curricula to involve students in research, learning and training. In 2011-2012 the Centre pursued research activities with over 15 firms in the natural resources, instrumentation, clean technology and consulting sectors.

ORDERS OF THE DAY

ECONOMIC ACTION PLAN 2013 BILL NO. 1

NATIONAL FINANCE COMMITTEE AUTHORIZED
TO STUDY SUBJECT MATTER

Hon. Claude Carignan (Deputy Leader of the Government),
pursuant to notice of May 1, 2013, moved:

That, in accordance with rule 10-11(1), the Standing Senate Committee on National Finance be authorized to examine the subject-matter of Bill C-60, An Act to implement certain provisions of the budget tabled in Parliament on March 21, 2013 and other measures, introduced in the House of Commons on April 29, 2013, in advance of the said bill coming before the Senate.

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

(Motion agreed to.)

[*English*]

- (1430)

NATIONAL STRATEGY FOR CHRONIC CEREBROSPINAL VENOUS INSUFFICIENCY (CCSVI) BILL

FIFTEENTH REPORT OF SOCIAL AFFAIRS, SCIENCE
AND TECHNOLOGY COMMITTEE—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Ogilvie, seconded by the Honourable Senator Wallace, for the adoption of the fifteenth report of the Standing Senate Committee on Social Affairs, Science and Technology (Bill S-204, An Act to establish a national strategy for chronic cerebrospinal venous insufficiency (CCSVI), with a recommendation), presented in the Senate on November 22, 2012.

Hon. Jane Cordy: Honourable senators, I would like to thank Senator Tardif and His Honour the Speaker for asking that the clock start again. Yesterday my daughter had our second grandson.

Some Hon. Senators: Hear, hear!

Senator Cordy: There were more important things for me than speaking in the Senate. I thank all of you for allowing me to speak today.

I would like to begin my speech today by thanking Dr. Kirsty Duncan, the Liberal M.P. for Etobicoke North, who works tirelessly to help those with MS. She has held numerous meetings on the Hill for senators and MPs who wish to learn more about MS and CCSVI, and has been instrumental in formulating Bill S-204.

My Liberal colleagues have been amazing in their support of Canadians with MS, CCSVI. Many of you attended information sessions, asked questions of me and gave me so much support; I thank you all from the bottom of my heart. I am proud to be part of this team.

I would also like to thank the many Canadians with MS who answered my numerous questions, especially Christopher Alkenbrack from Nova Scotia and Linda Hume-Sastre, President of Ontario CCSVI. They both work continuously to help others.

I am speaking today on Bill S-204, An Act to establish a national strategy for chronic cerebrospinal venous insufficiency, or CCSVI. This bill, in addition to establishing a national strategy for MS, also calls for a national registry to collect information from MS/CCSVI patients who have had the venous angioplasty procedure done outside the country. The bill also calls for follow-up care for those who have had the procedure done outside the country and, of course, it calls on the government to have clinical trials in Canada for those with MS/CCSVI.

Unfortunately, honourable senators, this bill was killed at the Social Affairs Committee. The Conservatives on the committee voted that the bill not proceed to clause-by-clause consideration, that the committee recommend that the Senate not proceed further with the bill, and that the committee adopt the report which is before the Senate. This was moved by Senator Martin at the beginning of our public meeting, which was preceded by an in camera meeting. Honourable senators can guess what the topic was at the in camera meeting.

By the way, when asked the day before by Senator Munson if clause-by-clause consideration would be in public, the chair said that it would be an agenda item in public and that he had given this assurance to Senator Eggleton, the Liberal deputy chair. I guess it was a play with words because the "item" of clause-by-clause was on the agenda, it was just voted by Conservative senators that clause-by-clause would not take place. Certainly, the spirit of the chair's comments that clause-by-clause would be public was not followed through.

Many Canadians with MS were watching, and listening, and waiting for clause-by-clause consideration of the bill. Of course, that did not happen.

The report, which was passed by the committee by the votes of the Conservative majority, does not reflect what we heard from the witnesses.

I was very disappointed with the process at committee regarding Bill S-204. We heard some excellent witnesses. Unfortunately, we did not hear from any MS patients, many of whom made written requests to appear before the committee. I

brought forward a motion to this chamber that MS/CCSVI patients who have undergone venous angioplasty appear as witnesses before the committee. Unfortunately, every Conservative senator in this chamber voted against that motion. Why would we not want to hear testimony from those most affected?

As Senator Merchant told us in this chamber, the premier and the health minister of Saskatchewan contacted MS/CCSVI patients in their province and requested a meeting with a number of them. Yet here, in the Senate, in the chamber of sober second thought, Conservative senators voted unanimously to not hear those voices. I cannot understand why the Conservative senators would not want to hear "real people, real faces, real stories," to quote Senator Munson. Why did the Conservative senators not have the courage to hear their stories?

Michelle, who has MS, wrote to all senators stating:

I am a Multiple Sclerosis patient from Saskatchewan and am absolutely disgusted and appalled by your latest decision not to hear from actual patients about our experiences with our CCSVI procedures we have had abroad.

Denise wrote to senators on the committee:

I am appalled, but sadly, not at all surprised that the Conservatives are blocking the people with the most at stake and with the most intimate knowledge concerning CCSVI treatment from being permitted to speak as witnesses.

Paragraph 3 of the Conservative report states:

... in the early stages, some patients were refused medical treatment after having experienced complications resulting from venoplasty performed in other countries. However, it should be noted that provincial health authorities and the colleges of medicine took quick action to ensure that no Canadians would be denied medical treatment.

Honourable senators, the committee simply did not hear any evidence that MS patients are no longer being refused medical treatment, but we certainly did hear evidence that some MS patients who have had angioplasty outside the country are not receiving follow-up care. We heard it from witnesses and from written submissions from Canadians with MS who were not allowed to be witnesses because all the Conservatives voted against it.

Dr. Rubin, who was a witness, said it was unacceptable that patients are not receiving follow-up care. Dr. Zivadinov said it was unacceptable. Dr. Laupacis said it was unacceptable. Dr. Juurlink said it was a human rights issue. They were all witnesses before our committee.

We all heard from Senator Jaffer the story of Roxane Garland, who had the procedure done outside of Canada and who was refused medical care and died from complications last summer. All members of the committee received written submissions from patients who were refused medical care on their return to Canada.

This week all members of the committee received an email about a teenaged girl who had the procedure outside the country and was refused care here in Canada. Dr. Kirsty Duncan and I are in touch with over 2,000 Canadians with MS/CCSVI.

Then, we have a committee report saying that this might have happened in the early stages but it no longer happens? That is completely false. Why should Canadians with MS be denied follow-up care? This is Canada.

Bill S-204 calls for a national registry. Dr. Zivadnov stated, "absolutely, you need a registry." Dr. Laupacis said that a registry would provide useful information particularly about long-term side effects.

Paragraph 7 of the Conservative senators' report states:

...that a national registry, such as proposed by Bill S-204, would be costly and provide little benefit in the understanding of CCSVI and patient outcomes resulting from vinoplasty.

I find this particularly unusual since on March 23, 2011, the Minister of Health announced a new monitoring system for MS. This system will capture information to identify disease patterns and track treatments and long-term outcomes for people living with MS, including those who have undergone treatment for CCSVI.

• (1440)

The witnesses clearly thought a registry would be valuable, as did the minister in March of 2011. However, the Conservative senators on the committee clearly disagreed with the witnesses and the minister. Of course, as with many other announcements made by the Minister of Health, the monitoring system for MS has been delayed, and despite the correspondence with the minister's office by Dr. Kirsty Duncan and by me, I am still unable to tell honourable senators if the monitoring system is in place.

Honourable senators, the bill calls for clinical trials. We have had three announcements by the minister about clinical trials. The first was June 29, 2011, almost two years ago, three days after Bill S-204 was tabled. A coincidence, I am sure.

The second announcement was made on April 18, during break week, and just before the critic, Senator Unger, spoke on the bill the following week. No doubt another coincidence. The third announcement was in 2012, less than a week before Bill S-204 went to the committee, no doubt another coincidence.

In this last announcement last fall, Minister Aglukkaq said that there would be national MS trials. Dr. Traboulee, who heads the trials, said that they would be pan-Canadian. We now know that the trials will take place in British Columbia, Manitoba and Quebec. That is great if you live in British Columbia, Manitoba or Quebec.

We also know that if you are not from these three provinces, you cannot take part in the so-called national or pan-Canadian trials. Those living in Atlantic Canada are not eligible. I am from Nova Scotia. No MS patient from Nova Scotia is eligible for

clinical trials. Those living in Ontario are not eligible. Those in Alberta are not eligible. In the Northwest Territories, they are not eligible. Those in Nunavut are not eligible. They are not eligible to participate in the so-called pan-Canadian trials. Unless you live in Quebec, British Columbia or Manitoba, you are out of luck.

Unfortunately, honourable senators, the Conservative senators on this committee have played politics with MS patients. The science was thrown away. They voted to refuse MS patients the opportunity to testify before the committee. They killed the bill before even allowing it to go to clause-by-clause consideration. They misled Canadians by stating in the report that no MS patient is refused follow-up care, despite evidence to the contrary.

Honourable senators, an access to information request on MS contained a report on a Conservative caucus meeting held on Tuesday, February 7, 2012. At that meeting, the Minister of Health, the parliamentary secretary and CIHR President Dr. Alain Beaudet — by the way, CIHR is an arm's-length agency — were present to discuss Bill S-204.

There were excellent questions and comments made by Senator Lang, Senator Stewart Olsen, Senator Tkachuk and Senator Finley. Many Conservative senators and MPs approached Dr. Kirsty Duncan and me and told us to keep fighting and that we were doing the right thing. While we appreciated the comments, it is a shame that all senators did not have the opportunity to vote on the bill, to make amendments if they wished to or to speak to the bill at third reading. Perhaps, if a Conservative senator brings forward a private member's bill to help MS patients, it will not be stopped before clause by clause.

We learned that at the Conservative caucus meeting in February of 2012, CIHR, the arm's-length agency of the government, would take the lead in drafting a five-pager for the minister. We also know that one page was dealing with why the government cannot support either Bill S-204, which was my bill, or Bill C-280, Dr. Kirsty Duncan's bill on MS-CCSVI, which was tabled in the House of Commons.

This information leads me to ask the following: When was the decision made to not support the bill? When was the decision made to kill the bill by not allowing clause-by-clause consideration? When was the decision made to not allow MS patients to appear as witnesses? Who drafted the committee report that ignored testimony? Who made the decision to kill the bill? Who made the decision to not allow MS patients to appear as witnesses? Who decided to pretend to Canadians with MS that there was a possibility that Bill S-204 would be voted on in the Senate?

Honourable senators, 75,000 Canadians have MS, and 1,000 new cases are diagnosed each year.

I met many of these Canadians at the national CCSVI conference in Alberta last fall. I have met many in Ottawa, in Nova Scotia and around the country. They are very courageous people, fighting for rights not just for themselves but also for others. I have heard stories that make one jump for joy, like that of the woman I spoke to in Halifax, who lived in a nursing home.

[Senator Cordy]

After venous angioplasty, she now lives independently in her own apartment. Not only that, this woman now volunteers at the same nursing home where she had lived. A man from Ontario went into the hospital in a wheelchair and walked out of the hospital on his own after angioplasty. I have heard stories that make one want to cry, like that of Roxanne Garland, who died after being refused follow-up care in Canada, or like those of the MS patients who have mortgaged their homes or borrowed money because they have to travel outside of the country for medical help.

In September of this year, the national MS-CCSVI meetings will take place in Quebec. I invite every senator in the chamber, whether you believe in the clinical trials and in my bill or not, to spend a day, or even a few hours, with some of the most amazing, courageous people you will ever meet.

Ask your questions of the presenters. Talk to the MS patients who were not allowed to appear as witnesses. Hear their stories, the stories that they were not able to tell in the Senate of Canada.

Honourable senators, surely it is not too much to ask that we, in Canada, have a national strategy for MS, that we have a national registry so that we can learn from others or that we have clinical trials that are truly pan-Canadian. We should certainly have follow-up care for MS patients who have had the procedure outside of the country.

Is it too much to ask that a bill asking for this not be killed at committee before clause-by-clause consideration could take place? Is it too much to ask that all senators be allowed to vote on whether or not we support a bill?

On behalf of the 75,000 MS patients here in Canada, honourable senators, let us try to do better.

(On motion of Senator Tardif, for Senator Merchant, debate adjourned.)

• (1450)

FINANCIAL ADMINISTRATION ACT

BILL TO AMEND—SECOND READING— ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Moore, seconded by the Honourable Senator Day, for the second reading of Bill S-217, An Act to amend the Financial Administration Act (borrowing of money).

Hon. Wilfred P. Moore: Honourable senators, before I consent to stand this item, I would like to know when Senator Carignan expects to speak to the bill and when I can expect to have it referred to the Standing Senate Committee on National Finance.

[*Translation*]

Hon. Claude Carignan (Deputy Leader of the Government): As I explained to the Deputy Leader of the Opposition when planning the debates on different bills, I will speak to this bill immediately after the break week, and it will then be referred to committee for study.

[*English*]

Senator Moore: To clarify, the honourable senator will be sending it to Finance Committee in the week immediately after the break week?

Senator Carignan: Exactly.

(Order stands.)

[*Translation*]

INCOME TAX ACT

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Eaton, seconded by the Honourable Senator Rivard, for the second reading of Bill C-377, An Act to amend the Income Tax Act (requirements for labour organizations).

Hon. Céline Hervieux-Payette: Honourable senators, we are studying a very important bill that has a serious impact on the people in my province, Quebec, because 39 per cent of Quebec workers are unionized. They are the most likely to be adversely affected by this legislation. This does not mean that provinces where there is less union representation should be subject to this legislation. I am just indicating how important this issue is to me.

I would like to share with you a letter sent to Minister Raitt in December by her provincial counterpart, Agnès Maltais, who wrote:

We have reviewed the private member's bill to amend the Income Tax Act (C-377)...

She continued:

...we believe that if this bill were passed, it would result in a serious shift in the balance of power between unions and employers, because it specifically and exclusively targets labour organizations.

She concluded as follows:

This bill would create a precedent that goes against the way Quebec views and manages labour relations. Furthermore, according to certain experts, it violates the

shared jurisdiction in this area....Accordingly, we ask that you postpone or put a halt to the legislative process until that meeting takes place, given its serious repercussions.

The letter is dated December 2012. Minister Raitt must be very busy, because I checked with officials in Quebec City, and Minister Maltais still has not met with her federal counterpart to share her very serious concerns.

I would now like to review all the negative effects this bill could have on workers and on labour peace in our province.

The first point I would like to make about this bill, which was passed by the House of Commons in December, is that it is unconstitutional, because the subject matter of the bill does not come under federal jurisdiction, but rather under the exclusive powers of the provincial legislatures, and I intend to prove that.

Furthermore, a number of provisions in this bill open the door to a serious constitutional challenge because they could violate the fundamental rights that are enshrined in the Canadian Charter of Rights and Freedoms, which I voted for as an MP several decades ago. They violate sections 2(b) and 2(d) on freedom of expression and freedom of association; sections 7 and 8 on the right to privacy; and lastly, section 15 on the right to equality.

Bill C-377 flies in the face of Canada's international treaty obligations towards organizations that deal with labour relations issues. In terms of both its purpose and its effects, this bill does not come under the jurisdiction of Parliament, and certainly not the Senate, since it should be passed by the provinces.

Pursuant to subsection 92(13) of the Constitution Act, 1867, which has to do with property and civil rights, to determine the constitutional validity of a law in Canada, it is necessary first to determine the pith and substance of the law having regard to its purpose and effects.

As the Supreme Court of Canada recently confirmed, in *Reference re Securities Act, 2011*, although this bill amends the Income Tax Act, it is not related to taxes. The summary itself shows the bill's true purpose. The summary of this bill states that it amends the Income Tax Act to require that labour organizations provide financial information to the minister for public disclosure.

Imagine that in the months to come, there is a registry of spending over \$5,000 by thousands of unions across Canada. This is a pile of information, yet as a member of the Standing Senate Committee on Banking, Trade and Commerce, I think that the department should be looking at tax evasion instead of a bill like this.

In Bill C-377, subsection 149.01(4) shows the bill's true purpose, which is to make public the requested information, under the pretext that this will make the conduct of labour organizations' business more transparent to Canadians. If that were the case, it would be the role of the provinces to do so, and this is something they do.

[Senator Hervieux-Payette]

On January 23, 2013, Henri Brun, a constitutional law professor and lawyer emeritus from Quebec, sent a legal opinion to the CSN. In light of the statements made in the House by the bill's sponsor and by government members of Parliament, he came to the conclusion that this was not a tax bill, but a union bill.

Page 5 of his legal opinion reads in part:

The statements made by the bill's sponsor and members of the federal government seem to suggest that this bill is more about political transparency than about taxes.

The link that these individuals regularly make between the bill and the mandatory nature of union dues clearly shows that the objective has to do with unions, not taxation.

This finding is reinforced by the fact that the bill does not target non-profit organizations such as the Canadian Federation of Independent Business, the Conseil du patronat du Québec and many other employer associations throughout Canada that collect dues from their members. It targets only unions.

The obligation imposed on unions to provide financial information to the minister for public disclosure falls under section 92(13) of the Constitution Act, 1867. Before being accredited as a bargaining agent, a union is first and foremost an association of people whose memorandum of association is beyond the authority of the federal Parliament under section 91. Only by way of exception can Parliament regulate unions at the federal level, as established by the Judicial Committee of the Privy Council in *Toronto Electric Commissioners v. Snyder* in 1925, AC/396.

The Constitution allows Parliament to establish a full labour relations regime designed to regulate collective labour relations between businesses under federal jurisdiction and employee associations established for that purpose. In 1977, the Supreme Court pointed out in *Canada Labour Relations Board v. Yellowknife*, [1977], 2 S.C.R., 729 and 736, that:

[Federal jurisdiction] depends on the legislative authority over the operation, not on who is the employer

The bill therefore targets all labour associations in Canada and not those made up of employees of federally regulated enterprises. What is more, the purpose of this bill has no basis in taxation that could link it to Parliament's taxing power.

On March 13, in the House of Commons, the bill's sponsor said:

The purpose of the bill is not about requiring disclosure to union members. Rather its purpose is requiring disclosure to the general public because the public is providing a financial benefit through the tax system. The public has a right to know how the benefit they provide to labour organizations is being used.

• (1500)

In addition to requiring that certain information, as set out in subsection 149.1(3), be disclosed, this bill authorizes the revenue minister to publish the information that must be disclosed if Bill C-377 receives Royal Assent. Publishing that information has nothing to do with taxes. This matter clearly relates solely to property and civil rights, which fall under provincial jurisdiction.

Now I would like to talk about complying with privacy laws. Subsections 149.01(2), (3) and (4), which the bill would add to the Income Tax Act, are designed to force unions to provide the minister with personal information about officers, managers, union officials and beneficiaries — in other words, anyone outside the union — who receive amounts greater than \$5,000. That is a clear invasion of privacy, which violates these individuals' basic rights as well as the treaties Canada has signed. There is no question that a person's salary is private, unless he or she holds public office.

While certain amendments were made to the first version of the bill, there are still grey areas that are a disgrace to Canada as a signatory to these international conventions.

The right to privacy was originally set out in the Universal Declaration of Human Rights, which Canada supported. Subsequently, that declaration was reinforced by the International Covenant on Civil and Political Rights, which Canada also ratified. Article 17 reads as follows:

1. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.
2. Everyone has the right to the protection of the law against such interference or attacks.

The Human Rights Committee, which is responsible for enforcing the covenant, states:

The obligations imposed by this article require the State to adopt legislative and other measures to give effect to the prohibition against such interferences and attacks as well as to the protection of this right.

It states:

The expression "arbitrary interference" is also relevant to the protection of the right provided for in article 17. In the Committee's view the expression "arbitrary interference" can also extend to interference provided for under the law. The introduction of the concept of arbitrariness is intended to guarantee that even interference provided for by law should be in accordance with the provisions, aims and objectives of the Covenant and should be, in any event, reasonable in the particular circumstances.

Forcing unions to provide personal information on some of their officials so it can be published in a public registry can in no way be considered reasonable.

The Supreme Court of Canada in *Health Services and Support*, [2007], 2 R.C.S. 391, paragraph 78, states:

...confidential to the persons to whom, and restricted to the purposes for which it is divulged, must be protected.

The whole issue of confidentiality is important and we all know that when we pay our taxes, they are normally seen only by officials from the department in question and not by the public. Our information is not published in a registry accessible by the public.

In conclusion, it is not outlandish to say that Bill C-377 infringes and attacks the fundamental values enshrined in our Charter, since it requires the disclosure of certain individuals' personal information. These attacks are not justified in a free and democratic society as set out in section 1.

This bill violates the right of association, which is protected under paragraph 2(d) of the Charter. In his doctoral thesis, published by Carswell, Alain Robert Nadeau says the following:

An individual's right of association will be subject to court challenges each time the government limits an individual's ability to engage with another individual. Guaranteed under the first amendment of the American Constitution and paragraph 2(d) of the Canadian Charter, the right of association gives individuals the right to join an association and participate in its activities without any government interference. In particular, they can argue the right to privacy, the right to freedom from government surveillance and the right to not having information published about their activities and memberships.

A constitutional lawyer, Nadeau drew inspiration from Professor Tribe at Harvard University, who said the following in his book titled *American Constitutional Law*:

[English]

Indeed, virtually every invasion of personhood is also an interference with association, just as virtually every intrusion upon association works a displacement of human personality.

[Translation]

How can they justify and describe the requirement, set out in the bill, to publish the names and salaries of union officials and all those who receive more than \$5,000? We are talking about a major invasion of these people's privacy, simply because they are heavily involved in union activities. There is no other justification, other than putting their private lives on display. Unions have no accountability to the general public.

As for the right to equality, I would like to remind honourable senators that all Canadians are equal before the law and have the right to equal protection and equal benefit, without discrimination based on political convictions. Section 15 of the Charter guarantees that.

Among other things, the Privacy Act gives Canadians the right to access their personal information held by the government and protects that information from any unauthorized use or disclosure.

The tax information that all Canadians are required to provide the government is therefore guaranteed maximum protection under section 241 of the Income Tax Act, so the very law that would disclose everything about unions is the same one that protects all Canadians from the disclosure of information. That is certainly contradictory.

What is more, section 15 of the Charter provides that:

Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Bill C-377 violates the protection provided by law by discriminating against those who belong to a labour organization, actively participate in its activities and, for senior officers, receive earnings of over \$100,000 per year. Unions are employee associations that stand up for the economic, social and professional interests of their members.

The Supreme Court has, on many occasions, pointed out the important role that unions play in public debate. Union leaders choose this path as a matter of political choice. For this reason alone, because of their activism, they lose their right to privacy. This clearly constitutes a discriminatory requirement, which is contrary to the right to equality guaranteed by the Canadian Constitution.

For example, an employers' association, such as the Conseil du patronat in Quebec, is not obligated to disclose the earnings of its directors when they exceed \$100,000 a year. Yet, these associations get their income from membership dues, which constitute an eligible expense under the Income Tax Act.

Honourable senators, I think I have proven that this bill is invalid, that it violates our constitutional rights and the specific rights set out in the Canadian Charter of Rights and Freedoms. For that reason, I would ask honourable senators to withdraw this bill rather than continue to study a bill that has no place in Parliament.

[English]

Hon. Elaine McCoy: Honourable senators, I intend to speak also on Bill C-377. In summary, this bill is attempting to impose upon one group, and one group only — that is, labour unions — an unprecedented line-by-line disclosure of private information on a public website, and all this is to be accomplished by calling the Income Tax Act into play, an act that has, for 95 years — it was introduced in 1917 — steadfastly protected the privacy of the information that is filed pursuant to that act.

[Senator Hervieux-Payette]

• (1510)

Bill C-377 is so audacious, so mendacious, so outrageous, that I can really only think of one two-sentence review, and in this I am paraphrasing Dorothy Parker, whom many honourable senators will know. She once said in her two-line book review:

This is not a novel to be tossed aside lightly. It should be thrown with great force.

This comment of hers is attributed to a book written by Mussolini called *The Cardinal's Mistress*.

Let me paraphrase Dorothy Parker: This is not a bill to be tossed aside lightly. It should be thrown with great force.

I will not go through the bill clause by clause or with a legalistic approach. Senator Cowan, at great length and with exquisite particularity, and others including Senator Hervieux-Payette and Senator Segal, have done it proud. I will say, it is this simple. I think Bill C-377 violates the Canadian code of fairness. It is not fair to pick out one group and not others who are, in fact, in a similar situation.

It is not fair to lay confidential information open to one and all and, in particular, competitors, whether they are commercial or in the field of labour relations.

It is not fair to use the full weight of government and the tyranny of the majority in Parliament, in both the House of Commons and now the Senate, to attack a group that seemingly is falling under the rubric of enemies. One can only come to that conclusion when one reads in the newspaper this morning a comment by a cabinet minister of the Government of Canada who is saying that “unions are not my bosses.” To make a statement like that, ladies and gentlemen, reflects a total misunderstanding of the field of labour relations. As a former labour minister from the province of Alberta, I can tell you that neither the management nor the labour are seen to be dominant. This is not a bully's game. The best, most productive and rewarding results financially came when labour and management worked together. We had many fine examples of that in Alberta and I know we have in other parts of this country, but that does not seem to be within the realm of experience of the administration that we suffer under today.

Senator Mercer: “Suffer” is the word.

Senator McCoy: Not only is it not fair, it offends our very Constitution. Section 91 of the Constitution Act, 1867, says in the first three lines:

It shall be lawful for the Queen, by and with the Advice and Consent of the Senate and House of Commons, to make Laws for the Peace, Order, and good Government of Canada...

That, honourable senators, is what we are all about. After all is said and done, after all the jockeying for position, after all the colour-coded insults are hurled around, our job is to make laws for the peace, order and good government of Canada.

I will say this: Bill C-377 will not contribute to the peace in our country. It will not contribute to order, civil order, labour relations order or any other kind of order of decency, and it will not contribute to good government by its very definition. Trying to make a distinction where no difference exists, this bill violates the very principles of good government.

I will speak to the anglophone tradition because I was raised in it. In fact, I was raised in England for a goodly portion of my schooling and so I apologize to those from the francophone tradition because I do not know it as well. However, for a thousand years in our tradition on the anglophone side, we have been slowly evolving until we have a society that is fair to one and all. We have a society that includes everyone. We do not make a difference when no difference exists. This bill violates all of those principles. It violates a 1,000-year-old tradition. It violates the Canadian code of fairness. I think this bill should be forcefully, forcefully rejected, and I trust we will do that when the time comes.

Some Hon. Senators: Hear, hear!

Hon. Terry M. Mercer: Honourable senators, it started with the attack on unions at Air Canada and Canada Post, and now the Growing Old Government continues its onslaught on Canada's labour organizations and the hard-working members they represent. To be quite frank, honourable senators, I do not even know where to begin. Bill C-377 is that flawed. What is worse, it is unneeded.

Honourable members and I on this side, both here and in the other place, see this legislation for what it is — an attempt to hide behind accountability and transparency. We all know and have seen the attempts to make government more accountable, notably the Federal Accountability Act which is a grand piece of legislation the government continues to ignore. The reformatories talk often about the greater good. Yes, we are all in favour of open, fair and responsible activities within government and with the people it does business with, but that is not what this bill does.

Honourable senators, this bill is a blatant attack on our labour organizations. It exposes their members — and their members only — to violations of their privacy. I do not believe the bill will pass the constitutional sniff test.

The sheer cost of what will emanate from the bill, the system of recording and maintaining such information, is ridiculous, and for what? The Conservative government's unabashed lack of support for our labour organizations is entirely political in nature, even if they will not admit it. Like other honourable senators on this side, we all believe we can do a better job in ensuring fair and reasonable accountability and responsible practice. This naturally would include labour organizations. This bill does not do that.

In a letter from the Canadian Labour Congress, their president, Ken Georgetti had this to say:

Proponents of Bill C-377 would have you believe our opposition to this bill means unions do not want transparency or accountability. These are words that

quickly lose their true meaning when tossed around by those with ulterior motivations and agendas.

And they lose their true meaning when used by those who do not accept that unions are private entities that are already responsible and accountable by law and in practice — to their members.

I could not agree more, honourable senators.

On privacy, the bill provides for a disproportionate amount of disclosure compared to other tax entities. The disclosure of an employer or contractor who does business with a union when they receive payment for services of over \$5,000 raises many red flags, honourable senators, and we should all be very concerned that this precedent is being set.

• (1520)

In testimony before the Finance Committee in the other place, Privacy Commissioner Jennifer Stoddart stated:

...requiring the names of all individuals earning or receiving more than \$5,000, as well as the amounts they receive, to be published on a website, is a serious breach of privacy.

This woman is an officer of this Parliament. She came before us at Committee of the Whole for our stamp of approval when she was appointed. This is a woman into whom we have put our trust to give us solid advice on privacy, and she has told us it is "a serious breach of privacy."

What of the administrative assistant who earns \$40,000, or the student who goes to work for a labour organization and makes \$5,000 over the summer? Here is their information; their private information will now be plastered over the Internet for all to see. Would honourable senators want that for a son or daughter? I do not think so.

Disclosure of the amounts of goods and/or services over \$5,000 would mean that those companies supplying items and services to a union would be disadvantaged and unable to compete fairly for contracts. If I see what someone is charging the union and I want that business, I would then know what price I have to beat. I would also know where the person is getting their business.

What is worse is that such things as strike funds would also be made public, which puts the membership at a disadvantage when the union is in contract negotiations.

Honourable senators, does the government even believe this bill will pass a constitutional challenge? The question really is: Does the bill regulate labour relations?

While it is clear the bill is highly intrusive into the activities of labour organizations, proponents of the bill say it is all about accountability and transparency. It seems pretty clear to me that the bill is attempting to regulate labour organizations, which are under provincial jurisdiction.

Many labour laws, including the federal Canada Labour Code, include sections on financial transparency for members by unions. Unions are already regulated and subject to rules of conduct, which they adhere to. Again, unions are accountable to their members, so why is there a need for this bill?

Honourable senators, the cost to set up such a system to monitor, record and distribute this information is quite high. Why are we spending upwards of \$30 million to monitor labour organizations when they are already regulated? Other types of professional organizations, such as the Police Association of Ontario, are not subject to the type of regulation that this bill proposes. What if we added all the other types of associations into the mix? How much would the system cost then?

Again, those associations are governed by regulations already. What about the Nova Scotia Barristers' Society? What about the Certified General Accountants of Ontario? What about the Insurance Brokers Association of Canada? What about the Royal College of Physicians and Surgeons of Canada?

There are hundreds of professional associations across the country, some of which honourable senators may have been a member of before coming to this place or may still be a member of. These organizations are valued in the same way if not more than labour organizations in Canada. Indeed, the very sponsor of the bill in the other place has said that these other organizations cost the taxpayers \$340 million to \$400 million, and it is not collected or it is used in deductions for the fees paid. However, they are not classified as labour organizations, so they will not be affected by this bill.

One thing I would like to point out, honourable senators, is that proponents of the bill say it is simply bringing unions into line with other entities like charities. What a crock. The charitable sector in Canada costs upwards of almost \$3 billion per year in tax deductions, but puts billions more benefits back into communities. It is monitored and administered by the Canada Revenue Agency. However, the charitable sector is almost seven times larger than labour organizations and their membership costs per year.

Does it seem logical that we are setting up a system to monitor, record and disseminate the private information of labour organizations to the public at such a cost in these times of fiscal restraint? I do not think so, not when they already monitor themselves and are accountable to their membership.

Honourable senators, Shelley Morse, President of the Nova Scotia Teachers Union, states in a letter she wrote to me:

No other institution or organization is required to do this, and matters of a highly sensitive and private matter will be open to any individual who may have access to the government's website. This is an unwarranted and inappropriate invasion of our members' privacy. It is also unlawful.

[Senator Mercer]

However, it is consistent with the attack of this government on the teaching profession. We have seen that in the last couple of weeks.

She goes on to say:

It will compromise the ability of our organization to purchase goods and services from suppliers, many of whom will be unwilling to have their proprietary information published in a public forum.

I think that sums up what many in organized labour are feeling, and I cannot agree more.

One last concern I have is why this is a private member's bill at all. All of the members in the other place on the Conservative side voted in favour of this bill, as I recall. Was it not all? No, almost all of them. You are right; thank you, Senator Tardif.

If what we understand is true, that the government wants this bill, why did they not have the intestinal fortitude to introduce it as a government bill, instead of having a private member from British Columbia introduce it? This is totally unacceptable.

We now know that if the budget passes, someone from the government will be at the table during collective bargaining as a "minder." Someone in the media referred to the idea as "the boys in short pants from the Langevin Block" who will be sitting in labour negotiations at Canada Post Corporation and the CBC. God knows where else they will stick their nose.

The government will also have the right to approve or reject any offerings that change the terms and conditions of employment. This is very regressive. I will save most of that debate for another day.

In conclusion, honourable senators, this is a bad bill. It is unnecessary and most likely unlawful, and I will be voting against it. I would encourage all honourable senators, on both sides of the chamber, to join me in doing that.

I actually know that there are members opposite who feel very uncomfortable about voting for this legislation. Some members opposite are former leaders of trade unions themselves. Some opposite have worked for trade unions, and many of us have been members of trade unions over the years.

I would encourage all members to join me and the honourable senators on this side of the chamber in voting against this bad piece of legislation.

Hon. Pierrette Ringuette: Before I adjourn the debate in my name, I would like to remind honourable senators that the three who have spoken on this bill have spoken with my agreement. Therefore, I reserve my right for a 45-minute speech.

The Hon. the Speaker: Is it agreed, honourable senators, that the matter remains adjourned in the name of the Honourable Senator Ringuette?

Hon. Senators: Agreed.

(On motion of Senator Ringuette, debate adjourned.)

**STUDY ON SERVICES AND BENEFITS FOR MEMBERS
AND VETERANS OF ARMED FORCES AND CURRENT
AND FORMER MEMBERS OF THE RCMP,
COMMEMORATIVE ACTIVITIES
AND CHARTER**

**NINTH REPORT OF NATIONAL SECURITY AND
DEFENCE COMMITTEE AND REQUEST FOR
GOVERNMENT RESPONSE ADOPTED**

On the Order:

Resuming debate on the motion of the Honourable Senator Dallaire, seconded by the Honourable Senator Day, that the ninth report (interim) of the Standing Senate Committee on National Security and Defence, entitled: *A Study of the New Veterans Charter*, tabled in the Senate on March 21, 2013, be adopted and that, pursuant to rule 12-24(1), the Senate request a complete and detailed response from the Government, with the Minister of Veterans Affairs being identified as minister responsible for responding to the report.

Hon. Donald Neil Plett: Honourable senators, I rise today to speak to the report of the Subcommittee on Veterans Affairs' regarding the New Veterans Charter. As deputy chair, I had the pleasure of working with Senator Dallaire and other members of the subcommittee to guide this study to completion.

• (1530)

In 2010, then Bill C-55, what is now the Enhanced New Veterans Charter Act, was introduced in the other place in order to improve on the limitations of the original NVC, Bill C-45. Our committee undertook a study to examine the effectiveness of the New Veterans Charter in carrying out its obligations to veterans and their families.

Honourable senators, the principle that all Canadian Forces personnel and veterans should receive the best care and service that our country has to offer is not bound by party lines. The New Veterans Charter represents a new beginning in the relationship between the Canadian public and the men and women who have served them as members of the Armed Forces.

Overall, the committee found that Veterans Affairs Canada and the New Veterans Charter are serving the majority of veterans and their families very well. What is most important to note about the Charter is that it is a living document, meaning that it will continue to evolve as needed to adapt to our changing security environment.

I am proud of our government's ongoing commitment to serving our men and women in uniform, and specifically our veterans. Our government introduced the first-ever Veterans Bill

of Rights, which enshrines veterans' rights into a clearly understood document.

We have significantly increased our overall Veterans Affairs budget since 2006, allowing for more money and services in the hands of our veterans. We also created the Veterans Ombudsman, so that the government is up to date on the major concerns of veterans and veterans' families, which will in turn allow us to adjust our legislation, like the New Veterans Charter, accordingly.

Honourable senators, I would like to thank the members of the Veterans Affairs Committee, and specifically the Honourable Romeo Dallaire, for his leadership on this important study. As always, Senator Dallaire's unique perspective on the issues faced by veterans and their families is of the utmost value as we evaluate how we can better serve our brave men and women.

I would also like to thank my staff and Senator Dallaire's staff, who worked tirelessly on drafting this report, which included more than 15 revised versions, until we arrived at what, in my opinion, is a comprehensive assessment of the New Veterans Charter.

Finally, I thank the library analysts and translation staff for supporting us through this process.

Honourable senators, as I said, the committee believes the New Veterans Charter is serving the majority of veterans very well, and we will always strive to improve the way we serve our brave men and women in uniform. I look forward to the implementation of our recommendations and the complete and detailed response from our government.

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

(Motion agreed to and report adopted.)

[Translation]

ADJOURNMENT

MOTION ADOPTED

Leave having been given to revert to Government Notices of Motions:

Hon. Claude Carignan (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding Rule 5-5(g), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, May 7, 2013, at 2 p.m.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(The Senate adjourned until Tuesday, May 7, 2013, at 2 p.m.)

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