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OFFICIAL REPORT
(HANSARD)

Tuesday, October 18, 2016

The Honourable GEORGE J. FUREY
Speaker

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

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THE SENATE

Tuesday, October 18, 2016

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

[*English*]

Prayers.

SENATORS' STATEMENTS

RESTORATION OF BLACK ROD

The Hon. the Speaker: Honourable senators, before we begin the sitting, I would like to tell you of a special event that took place this past weekend.

Last Sunday, I had the honour and privilege of participating in a ceremony at Windsor Castle where Her Majesty the Queen presented back to the Senate the black rod, which had been restored.

[*Translation*]

Her Majesty herself returned the black rod to our Usher, Greg Peters, who accepted it on behalf of the Senate.

[*English*]

The restored black rod had already been blessed by the Dean of St. George's Chapel, the Right Reverend David Conner, at a dedication service Saturday afternoon.

The restoration of the black rod was carried out by the gifted artisans attached to the Royal Household as a project to commemorate the sesquicentennial of Canada. As honourable senators may know, significant repairs were needed as a result of an accident which caused severe damage. This work took place at Windsor over the summer. The idea of the project was the result of a collaborative initiative of the Usher and the Windsor artisans with the full support of Her Majesty.

Honourable senators, the restoration of the black rod to mark the one hundred and fiftieth anniversary of Confederation is an important gesture that underscores the strong personal attachment of the Queen to Canada and also the abiding importance of the Crown in our parliamentary system.

[*Translation*]

I invite all honourable senators to have a look at the black rod over the coming days in preparation of the celebration of the 150th anniversary of Canada and of the Senate in our bicameral Parliament.

PACIFIC NORTHWEST LNG

Hon. Richard Neufeld: Honourable senators, I am happy to rise today in honour of the hard-working men and women in my community and across northeastern and northwestern British Columbia who received some good news last month.

The Trudeau government approved, with 190 conditions, the Pacific NorthWest LNG project after months of delay. This is welcomed news for the people of my province who have been waiting a long time for this LNG project to receive the green light from the federal government.

I remain hopeful that the proponent, Petronas, will be in a position to meet the government's conditions and announce its final investment decision. It's time we put shovels in the ground and kick-start Canada's LNG industry.

As I have said before in this chamber, this privately funded \$36 billion project, which includes an \$11 billion export terminal in Prince Rupert, will generate billions of dollars for all governments, including many First Nations who have already signed benefit-sharing agreements.

British Columbia is in a unique position to help displace the use of coal in Asian markets and help reduce GHG emissions globally with the world's cleanest liquefied natural gas. Communities across B.C. are anxiously waiting for LNG projects to move forward.

Just two weeks ago, the Standing Senate Committee on Energy, the Environment and Natural Resources travelled to Western Canada as part of its study on transitioning to a lower-carbon economy. We had the opportunity to visit Kitimat, B.C., which is the proposed location for the export terminal for another project, LNG Canada or Shell. Senators heard first-hand what LNG means to local communities. It means good-paying, family-supporting jobs for thousands of families.

Honourable senators, what really strikes me with this recent approval by the Trudeau government is the fact that it clearly shows us that the Canadian Environmental Assessment Act is working, despite all the rhetoric from environmental groups and other naysayers. What worked under the Conservatives works under the Liberals.

I often find myself having to remind Canadians that we, as a country, should be proud of our EA process. Those who think otherwise need to be reminded that these agencies that conduct

environmental assessments have an unprecedented reputation around the world.

As one former National Energy Board CEO wrote in July, these agencies:

. . . have dealt with energy project applications on the basis of a long tradition of reliance on science, evidence and procedural fairness, integrating into one decision all the relevant social, economic and environmental dimensions of the public interest they are asked to determine under their enabling legislation.

Honourable senators, Canada's Environmental Assessment Agency did its due diligence and advised the Environment Minister, and ultimately cabinet decided that the Pacific NorthWest LNG project is in the best interest of Canada. Clearly, the Canadian Environmental Assessment Act works, and LNG facilities in Canada can operate in an environmentally sustainable way.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of the Honourable Tom Osbourne, Speaker of the Newfoundland and Labrador House of Assembly.

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

Hon. Senators: Hear, hear!

HIS HIGHNESS PRINCE KARIM AGA KHAN

CONGRATULATIONS ON ADRIENNE CLARKSON PRIZE FOR GLOBAL CITIZENSHIP AWARD

Hon. Mobina S.B. Jaffer: Honourable senators, I rise today with great pride as I congratulate His Highness Prince Karim Aga Khan on being awarded the inaugural Adrienne Clarkson Prize for Global Citizenship.

I would like to thank Madame Clarkson for recognizing the work His Highness the Aga Khan does for women and men both in Canada and abroad.

Just last week, many of us celebrated the International Day of the Girl. We posted on social media, we changed our Facebook pictures, and we committed to ensuring that girls around the world have access to education and equal opportunity.

While today this is something that seems like a basic human right, I am sure you will agree that 60 years ago this was not a common sentiment. However, it most certainly was in my household.

Even 60 years ago, the Aga Khan and his grandfather before him advocated for the rights of girls, proclaiming that if you have a son and a daughter and you can only afford to educate one,

educate your daughter, because if you educate a man or a boy, you educate an individual, but if you educate a girl, you educate a family.

• (1410)

Honourable senators, it was because of the Aga Khan's commitment to educating girls that I received an education. In fact, I truly believe that everything I am and everything I have achieved is thanks to the work of His Highness and the support of my parents and my husband.

I am also extremely grateful that so many others, often in the most remote and vulnerable corners of this world, continue to feel the social impact of the work of His Highness. Today, thousands of young girls, just like myself, are born in Aga Khan hospitals and educated in Aga Khan schools.

Honourable senators, I understand that the Aga Khan has been a recipient of many great honours and awards. However, no award, statement or accolade could ever capture the impact he has had on my life and the lives of people all over the world.

Thank you, your Highness Prince Karim Aga Khan, for all you have done and continue to do for me, for Canadians and for all of humanity. Thank you.

THE LATE WAYNE ROBERTS

Hon. Daniel Lang: Honourable senators, I rise to pay tribute to a proud Yukoner, Wayne Roberts. Last fall, Yukoners said their final goodbyes to Wayne Roberts, who passed away two months shy of his fiftieth birthday.

Wayne was a rugged individualist and an adventurer, and like many Yukoners, he was a man who walked to his own drum and one who was determined to make a difference in his community.

Growing up on the coast of British Columbia, Wayne started his life journey selling fish on the wharf as a young boy and moved on to become a heavy equipment operator and then on to outdoor guiding and later a business operator.

He became very skilled in any sport that was classified as extreme, from parachuting to mountain climbing and mountain biking.

The combination of wilderness and mountain bike guiding opportunities drew him to the small community of Carcross in Yukon, where he promoted the vision of Montana Mountain becoming an international, world-class mountain biking venue.

While Wayne was exploring the mountains, he indirectly benefited from the 2006 Carcross/Tagish First Nation land agreement and the establishment of the Single Track to Success program, which had a goal to build a destination one trail at a time in Carcross. As part of the program, First Nations youth were employed to go out and build the trails on the mountain.

In 10 short years his vision became a reality with the International Mountain Bicycling Association inducting Wayne's Mountain Hero Trail into the epic trails category in

2011. It became only the fifth trail in all of Canada to achieve this significant designation.

Thanks to his efforts, Yukon is now recognized as one of the foremost destinations for world-class mountain biking. This recognition was evident during the recent tour of Yukon by the Duke and Duchess of Cambridge, as they visited Montana Mountain and Carcross for a mountain biking demonstration as part of their historic visit to Yukon.

Colleagues, Wayne Roberts fought a four-year battle with cancer which finally took its toll. He was one of Yukon's first residents to utilize the provisions of the federal assisted dying legislation in order that he could chart his own course as he said good-bye.

Wayne's passing was amazing to behold as all his neighbours and friends made the pilgrimage to Carcross to say goodbye and thank him for all his work in making Yukon a better place.

His partner Deanna and his sister Michele walked with him in the final days and were able to celebrate the many virtues of Wayne Roberts — a man who bravely took on many changes, and helped to make his chosen home, Yukon, a better place for all. Thank you.

[Translation]

L'ASSOCIATION CANADIENNE-FRANÇAISE DE L'ALBERTA

NINETIETH ANNIVERSARY

Hon. Claudette Tardif: Honourable senators, I would like to acknowledge the 90th anniversary of the Association canadienne-française de l'Alberta, which is better known in Alberta by its acronym ACFA. Founded in 1926, this provincial umbrella association is the official representative of Alberta's francophone community. With its 13 regional associations, it promotes the interests and development of Alberta's francophone community in a number of areas such as education, arts, culture, the economy and immigration. The association also advances the linguistic rights of all francophones in Alberta and plays an active role in promoting both of Canada's official languages.

This anniversary was celebrated with great fanfare at the annual meeting of the Franco-Albertan community held on October 14 and 15. The meeting was well attended by many Franco-Albertans and distinguished guests who travelled to be part of the celebrations.

I want to pay tribute to the pioneers who laid the foundation of our community as it stands today, a modern, dynamic, and well-rooted community. Alberta's francophone and francophile community, to which my family and I are proud to belong, is over 240,000 strong.

This community has survived and prospered thanks to the tremendous work of countless visionaries and volunteers whose tenacity, perseverance, and commitment have shone through over the years. There have been more than 30 presidents at the head of

[Senator Lang]

ACFA since its founding. All of them made successful contributions to the association and their achievements did not go unnoticed.

In fact, on September 28, ACFA received the Prix du 3-juillet-1608, a prize that commemorates the founding of Quebec City by Samuel de Champlain and marks his historic significance to North American francophones. The prize, awarded by the Conseil supérieur de la langue française, honours a resilient, energetic and dynamic organization in North America that provides or provided exceptional services to a French-speaking community and the North American Francophonie as a whole. The ACFA is eminently deserving of this honour.

Congratulations to an exceptional organization and to all of the people who have been a part of it throughout its 90-year history. The Franco-Albertan community owes you all so much.

[English]

ROUTINE PROCEEDINGS

TAXPAYERS' OMBUDSMAN

2015-16 ANNUAL REPORT TABLED

Hon. Peter Harder (Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, the 2015-16 annual report of the Taxpayers' Ombudsman.

FEDERATION OF SOVEREIGN INDIGENOUS NATIONS AND ASSEMBLY OF FIRST NATIONS

RESOLUTIONS IN SUPPORT OF BILL S-215 TABLED

Hon. Lillian Eva Dyck: Honourable senators, pursuant to rule 14-1(3), I ask for leave to table the resolutions of the Federation of Sovereign Indigenous Nations and the Assembly of First Nations in support of Bill S-215, An Act to amend the Criminal Code (sentencing for violent offences against Aboriginal women).

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Senators: Agreed.

[Translation]

SENATE MODERNIZATION

SEVENTH REPORT OF SPECIAL COMMITTEE PRESENTED

Hon. Paul J. Massicotte, Member of the Special Senate Committee on Senate Modernization, presented the following report:

Tuesday, October 18, 2016

The Special Senate Committee on Senate Modernization has the honour to present its

SEVENTH REPORT

Your committee, which was authorized by the Senate on Friday, December 11, 2015, to consider methods to make the Senate more effective within the current constitutional framework, now reports as follows:

In its first report tabled on October 4, 2016, your committee examined regional representation in the Senate and now recommends the following:

That the Senate direct the Committee on Rules, Procedures and the Rights of Parliament to consider and recommend amendments to the *Rules of the Senate* to require standing committees to consider regional impacts in their reports on legislation by way of observations or in the report of subject-matter studies, where significant and prejudicial.

That the Senate direct the Committee on Internal Economy, Budgets and Administration to make available sufficient funds for committees to travel to all regions of the country when studying bills with potential regional impacts or when considering issues with potential regional impacts where significant or important.

Respectfully submitted,

PAUL J. MASSICOTTE

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

(On motion of Senator Massicotte, report placed on the Orders of the Day for consideration two days hence.)

EIGHTH REPORT OF SPECIAL COMMITTEE PRESENTED

Hon. Claudette Tardif, Member of the Special Senate Committee on Senate Modernization, presented the following report:

Tuesday, October 18, 2016

The Special Senate Committee on Senate Modernization has the honour to present its

EIGHTH REPORT

Your committee, which was authorized by the Senate on Friday, December 11, 2015, to consider methods to make the Senate more effective within the current constitutional framework, now reports as follows:

In its first report tabled on October 4, 2016, your committee examined the broadcasting of Senate proceedings, and now recommends the following:

That the Senate direct the Committee on Internal Economy, Budgets and Administration to ensure that the Government Conference Centre be equipped with cameras, facilities and resources to enable the broadcasting or webcasting of Senate proceedings.

That the Senate direct the Committee on Rules, Procedure and Rights of Parliament to examine and propose to the Senate any amendments to the *Rules of the Senate* to allow and facilitate broadcasting of its proceedings.

That the Senate direct the Senate administration to negotiate with the Canadian Public Affairs Channel to provide for more broadcast exposure of Senate proceedings, whether committee or Chamber.

Respectfully submitted,

CLAUDETTE TARDIF

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

(On motion of Senator Tardif, report placed on the Orders of the Day for consideration two days hence.)

• (1420)

[English]

ABORIGINAL PEOPLES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO EXTEND DATE OF FINAL REPORT ON STUDY OF BEST PRACTICES AND ON-GOING CHALLENGES RELATING TO HOUSING IN FIRST NATIONS AND INUIT COMMUNITIES IN NUNAVUT, NUNAVIK, NUNATSIAVUT AND THE NORTHWEST TERRITORIES

Hon. Lillian Eva Dyck: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, notwithstanding the order of the Senate adopted on Thursday, February 18, 2016, the date for the final report of the Standing Senate Committee on Aboriginal Peoples in relation to its study on best practices and on-going challenges relating to housing in First Nation and Inuit communities in Nunavut, Nunavik, Nunatsiavut and the Northwest Territories be extended from October 31, 2016 to December 31, 2016.

QUESTION PERIOD

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, pursuant to the motion adopted in this chamber on Thursday, October 6, 2016, Question Period will take place at 3:30 p.m.

ANSWER TO ORDER PAPER QUESTION TABLED

FOREIGN AFFAIRS—INTERNATIONAL
DEVELOPMENT AND LA FRANCOPHONIE—
INTERNATIONAL TRADE—GLOBAL AFFAIRS
CANADA

Hon. Peter Harder (Government Representative in the Senate): tabled the answer to Question No. 1 on the Order Paper by Senator Downe.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Peter Harder (Government Representative in the Senate): Honourable senators, I have the honour to table answers to the following oral questions: the question by Senator Housakos on April 14, 2016, concerning the expansion of the Toronto City Airport; the question by Senator White on April 14, 2016, concerning airport security; the question by Senator Carignan on April 19, 2016, concerning the Canada-Panama Free Trade Agreement; the question by Senator Fraser on April 19, 2016, concerning the Canada-Panama Free Trade Agreement; by Senator Downe on May 4, 2016, concerning time limits for answers to written questions; the question by Senator Patterson on May 4, 2016, concerning Iran; by Senator Carignan on May 5, 2016, concerning Canada Post; the question by Senator Patterson on May 10, 2016, concerning Nunavut and northern infrastructure; the question by Senator Tardif on June 8, 2016, concerning Air Canada; the question by Senator Martin on June 16, 2016, concerning the minister's visit to South Korea; the question by Senator Martin on June 16, 2016, concerning the minister's visit to South Korea; the question by Senator Nancy Ruth on June 16, 2016, concerning extractive sector business practices.

TRANSPORT

EXPANSION OF TORONTO CITY AIRPORT

(Response to question raised by the Honourable Leo Housakos on April 14, 2016)

This Government believes that the very positive reports about the C-Series since it entered service, demonstrates that Bombardier can produce new and innovative products. The C-Series is a great aircraft, and to tie its future, and the future of the company that makes it, to a decision regarding a single airport is incorrect, and shows a lack of faith in both the aircraft and the company.

The government stands by its decision regarding the Billy Bishop Toronto City airport. The current Tripartite Agreement strikes the right balance between commercial and community interests; taking in consideration the evolution of the waterfront and the availability of a jet capable airport close by, the government believes there was no compelling case to change the current approach.

Such decisions cannot focus on the interests of a single party; they must address all interests.

PUBLIC SAFETY

AIRPORT SECURITY

(Response to question raised by the Honourable Vernon White on April 14, 2016)

As the lead department responsible for aviation security in Canada, Transport Canada works to establish and maintain a robust aviation security system built on multiple and complementary layers of security outlined in legislation, policies and regulations.

That said, the responsibility for preventing and responding to security incidents at our airports is one shared amongst a number of agencies and departments — such as Public Safety Canada, the Royal Canadian Mounted Police, the Canadian Security Intelligence Service, and Canada Border Services Agency — as well as local law enforcement agencies, and stakeholders like airports and airlines. These entities work together to prevent or deter attacks at airports.

For security reasons, these activities cannot be disclosed.

INTERNATIONAL COOPERATION

CANADA-PANAMA FREE TRADE AGREEMENT

(Response to question raised by the Honourable Claude Carignan on April 19, 2016)

The Canada-Panama Free Trade Agreement entered into force on April 1, 2013 and helped level the playing field for Canadian business against competitors in the Panamanian market.

The Agreement improves market access for goods and services, and provides a stable and predictable environment for Canadian investment in Panama. It does not promote, encourage or facilitate tax evasion by Canadian exporters and investors. Nor does the Agreement limit Canada's ability to regulate or legislate against such activities should they occur.

Canada has a separate agreement with Panama that deals specifically with the exchange of tax information. The Tax Information Exchange Agreement ("TIEA") between Canada and Panama entered into force in December 2013. The TIEA with Panama allows the Canada Revenue Agency to request information from Panamanian tax authorities

that is relevant to Canada's domestic tax laws in order to better enforce and administer Canada's taxation laws and to prevent international tax evasion.

We have also been pursuing the issue of tax evasion in venues such as the G-20, and the OECD. For example, the April 2016 G-20 Finance Ministers and Central Bank Governors Meeting Communiqué reiterates the high priority attached to financial transparency and the tackling of tax evasion.

CANADA-PANAMA FREE TRADE AGREEMENT

(Response to question raised by the Honourable Joan Fraser on April 19, 2016)

The free trade agreement with Panama does not address bank secrecy or exchange of tax information because Canada has a separate agreement with Panama that deals specifically with the exchange of tax information. The Tax Information Exchange Agreement ("TIEA") between Canada and Panama was signed in March 2013 and entered into force in December 2013. The TIEA with Panama allows the Canada Revenue Agency to request information from Panamanian tax authorities that is relevant to Canada's domestic tax laws in order to better enforce and administer Canada's taxation laws and to prevent international tax evasion.

THE SENATE

TIME LIMITS FOR ANSWERS TO WRITTEN QUESTIONS

(Response to question raised by the Honourable Percy E. Downe on May 4, 2016)

While there is no specific deadline identified in the *Rules of the Senate* for responses by the Government to written questions published in the *Order Paper and Notice Paper*, a time frame of forty-five days is reasonable for the Government to retrieve the information and provide it to the senator who asked the question.

The Government, through the Government Representative in the Senate, will aim to provide responses to written questions published in the *Order Paper and Notice Paper* within forty-five days, unless the Senate otherwise decides.

FOREIGN AFFAIRS

IRAN—WEAPONS SALES

(Response to question raised by the Honourable Dennis Glen Patterson on May 4, 2016)

Presently, Global Affairs Canada does not have any information which indicates that Russia has violated United Nations (UN) Security Council resolutions or directives regarding the provision of military equipment or technology to Iran.

Any UN Member State wishing to sell, supply or transfer certain conventional weapons to Iran must have the permission in advance of the UN Security Council to do so, as provided for in UN Security Council Resolution 2231 (2015). Russia has indicated that it transferred surface-to-air missile batteries to Iran in April 2016. The United States has indicated that this transfer was not a violation of UNSCR 2231. The UN Secretary-General's first implementation report on UNSCR 2231, dated July 12, 2016 did not identify any breaches by Russia. The Government of Canada expects all UN Member States to adhere to the obligations of UNSCR 2231.

PUBLIC SERVICES AND PROCUREMENT

CANADA POST—HOME DELIVERY

(Response to question raised by the Honourable Claude Carignan on May 5, 2016)

Canada Post's plan to convert door-to-door delivery to community mailboxes has been suspended.

The Government of Canada is committed to ensuring that Canadians receive quality postal services at a reasonable price.

In May, the Government launched an independent, evidence-based review of Canada Post to ensure Canadians receive quality and sustainable postal services at a reasonable cost.

Phase I included the establishment of an independent four-member Task Force that was asked to come up with viable options for the future of Canada Post, while engaging as many Canadians as possible.

The Task Force has delivered. The discussion paper will act as a starting point for the next phase of the review, led by the Standing Committee on Government Operations and Estimates.

The Committee is holding public hearings across the country, throughout the fall, to hear from Canadians from coast to coast about the Canada Post services they need and value.

The Committee's study will result in a report to be presented to the House of Commons in December.

The Government is expected to make a decision about the future of Canada Post in the spring of 2017.

INFRASTRUCTURE AND COMMUNITIES

NUNAVUT—NORTHERN INFRASTRUCTURE

(Response to question raised by the Honourable Dennis Glen Patterson on May 10, 2016)

Our government just recently signed and announced a bilateral agreement with the Government of Nunavut on September 6, 2016 including a list of proposed projects

under the Clean Water and Wastewater Fund (CWWF). Government of Nunavut officials worked with the City of Iqaluit on the project and it was included on the list of projects put forward for funding under CWWF. The project is valued at over \$26 million, of which Canada is contributing almost \$20 million.

OFFICIAL LANGUAGES

AIR CANADA—BILINGUAL SERVICES

(Response to question raised by the Honourable Claudette Tardif on June 8, 2016)

Our Government would like to thank Mr. Fraser for his work on this important file. We take the Commissioner's findings very seriously. The vitality of Canada's two official languages, as well as the capacity of Canadians to exercise their right to services in the official language they choose, remains a top priority for our Government. We will continue to work with all parties to address the concerns raised in this report.

INTERNATIONAL COOPERATION

MINISTER'S VISIT TO SOUTH KOREA

(Response to question raised by the Honourable Yonah Martin on June 16, 2016)

The Government of Canada recognizes Science, Technology and Innovation (STI) cooperation with South Korea as a key element of the bilateral relationship. Canada and Korea have concluded negotiations on a STI treaty. Officials are now working to complete internal processes that will lead to the signature and ratification of the Agreement; the treaty is expected to be proposed for ratification in the next months.

The STI Agreement serves as a formal framework under which priority areas for collaboration are established. Aerospace, automotive, Arctic technologies, biotechnologies, clean energy and sustainable technologies, health and life sciences, startup ecosystems and information and communications technology are among the fields for cooperation that could provide the most benefit for both countries.

It is anticipated that the STI Agreement will complement the Canada-Korea Free Trade Agreement by facilitating access for Canadian stakeholders to an innovation ecosystem that is highly dependent on formal government mechanisms and large industrial conglomerates that control value chains.

There are already a number of memoranda of understanding between individual government departments and research institutes on STI related topics including:

industrial science, engineering and technology research cooperation, sustainable technologies and Arctic research and development.

MINISTER'S VISIT TO SOUTH KOREA

(Response to question raised by the Honourable Yonah Martin on June 16, 2016)

We are working with Korea to ensure smooth implementation of the Canada-Korea Free Trade Agreement (CKFTA). We have held working committee meetings, and the first CKFTA Joint Commission took place on June 30.

Recognizing that smaller Canadian businesses lack understanding of FTAs, we are developing initiatives to promote CKFTA opportunities, in particular the significant tariff reductions that will take effect January 1, 2017, through strategic use of media, communication tools, and webinars for specific sectors.

Expanding on the CKFTA, the signing and implementation of the Canada-Korea Science, Technology and Innovation (STI) Cooperation Agreement will facilitate Canadian access to Korea's innovation ecosystem.

During my mission to South Korea, I strongly promoted the CKFTA and the STI Agreement.

I met with Minister Yanghee Choi of the Ministry of Science, ICT, and Future Planning (MSIP), sharing high expectations that the STI Agreement will encourage collaboration in both basic science and industrial R&D.

I met with Presidents and CEOs of major Korean corporations to encourage investment in Canada.

I also met with successful Canadian companies active in Korea to learn what the CKFTA means to them, what more support we can provide, and how we can encourage more Canadians to enter the market.

INTERNATIONAL TRADE

EXTRACTIVE SECTOR—BUSINESS PRACTICES

(Response to question raised by the Honourable Nancy Ruth on June 16, 2016)

The gender considerations raised are important to any responsible business approach. Canada's Corporate Social Responsibility (CSR) Strategy sets out the Government of Canada's expectations of Canadian extractive sector companies operating abroad to reflect Canadian values in all activities, including women's rights. The Strategy promotes CSR standards which include gender considerations, such as the OECD Guidelines for Multinational Enterprises which provide guidance on respecting women's rights, avoiding adverse impacts, and equal training opportunities. While I cannot speak to what a

Strategy renewal in 2019 may entail, the government continuously engages with stakeholders on CSR and notes suggestions for strengthening our approach.

The government has announced it will renew Canada's Action Plan on Women, Peace and Security (WPS) for the implementation of UN Security Council Resolution 1325, and will ensure that the WPS principles are incorporated into our promotion of conflict-sensitive business practices.

We are implementing the 2013 UN report, *Women and Natural Resources: Unlocking the Peacebuilding Potential*, and addressing gender equality through implementation of our international development policy which requires that all programs and projects contribute to gender equality. Canada's current policy platform on sustainable economic growth also continues to make women's economic empowerment a priority.

ORDERS OF THE DAY

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Jaffer, seconded by the Honourable Senator Cordy:

That the following Address be presented to His Excellency the Governor General of Canada:

To His Excellency the Right Honourable David Johnston, Chancellor and Principal Companion of the Order of Canada, Chancellor and Commander of the Order of Military Merit, Chancellor and Commander of the Order of Merit of the Police Forces, Governor General and Commander-in-Chief of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

Hon. David Tkachuk: Honourable senators, before I begin, I'd like to give independent senators — those who were recently appointed and those who were born again like Senator Mitchell — an opportunity to close their ears if they so wish because this speech is going to be a bit partisan.

Senator Harder: What a surprise.

Senator Tkachuk: It's very difficult not to be, considering the actions of the government over the past year.

Honourable senators, it has been almost a year since the election of the Liberal government. The Liberals launched their new government in the election campaign, actually. They promised change, and they made a myriad of promises that expressed that change.

It began with the promise of deficit financing — the new world monetary order — \$10 billion a year for two years and then a return to balanced budgeting before the 2019 election. It concluded with the promise of bringing in 25,000 Syrian refugees to Canada by the end of 2015. This is in addition to those already in the pipeline under the Conservative government and those being sponsored privately. This was the new Trudeau government.

But there was more: the withdrawal of our CF-18s from the campaign against ISIS, which they made clear meant our withdrawal from the fighting and a return to the traditional and mystical role of non-combat aid and training — peacekeeping — a return to the so-called glory days of sucking up to the United Nations and a return to the old Liberal anthem of “give peace a chance.” The argument, of course, was that this is the Canadian tradition, to work through the UN, not to be critical of it.

And there was more — much more. “Transparency” was their big watchword. Government would be open and transparent, unlike the previous Conservative government. And transparency seems more than anything else to consist of the Prime Minister taking selfies and, of course, other ministers taking pictures of themselves.

Minister McKenna was simply being transparent when she spent a whopping \$17,000 of taxpayers' money for vanity photos of herself and her officials in Paris last November — no photo of three of those officials dining out on the taxpayers' dime to the tune of \$12,000, though.

Transparency has its limits, it seems. They promised to cancel the F-35 contract, a deal we made with our NATO allies, with no certainty of what would take its place. “We'll have a competition,” they said, “but the makers of the F-35 need not apply.”

Then there was the new environmental policy, with beefed-up targets and a national policy for action in cooperation with the provinces. Flexibility and consultation was the new mantra. Everyone was excited now.

Now I'm sure there were more promises, but these were the hallmark number. And the press, in their zeal to rid the country of the Conservative government, never questioned them. In fact, they promoted them as part of sunny ways; questions with vacuous answers like “because it's 2015” were not only allowed by

the media to stand but were celebrated as being deeply profound in their simplicity. “Canada is back,” a line at once insulting and empty, and one that the Prime Minister could not stop saying.

Canada is back all right, back from a balanced budget to runaway deficits. That \$10 billion they promised to borrow during the election? That turned into an estimated \$30 billion after they tabled their budget in March. That \$30 billion has now turned into \$46 billion. And where will it stop? TD economists forecast a debt of \$150 billion over the next five years. Canada is back all right.

“Canada is back,” the Prime Minister told a UN climate summit in Paris last November. Then he turned around and adopted the same greenhouse gas targets as the previous Conservative government, the very government that Mr. Trudeau has supposedly returned Canada to the world from. The difference, we are told, is that the Liberals have a plan. Part of that plan is carbon taxes, and, in their election platform, the Liberals promised to:

. . . partner with provincial and territorial leaders to develop real climate change solutions. . . .

We will work together to establish national emissions-reduction targets, and ensure that the provinces and territories have targeted federal funding and the flexibility to design their own policies to meet these commitments, including their own carbon pricing policies.

• (1430)

And what did they do? They didn’t establish national emission-reduction targets; they adopted the previous government’s targets. How did they do it? They didn’t cooperate with the provinces; they imposed it on them.

Here’s how the Prime Minister put it on October 3, in the House of Commons, when announcing his plan for carbon pricing:

The provinces and territories that choose cap-and-trade systems would need to decrease emissions in line with both Canada’s target and the reductions expected in jurisdictions that choose a price-based system. If neither a price nor a cap-and-trade system is in place by 2018, the Government of Canada would implement a price in that jurisdiction.

That’s not working together with the provinces. That’s an edict. And to what end exactly? Canada’s contribution to global GHG emissions is less than negligible. As a matter of fact, we’re actually negative in the area of production of carbon because Canada is a land with only 35 million people, and we actually absorb more carbon than we emit. So we’re a negative carbon producer, not a positive carbon producer, and have no effect whatsoever on global warming or on the production of worldwide CO₂. So the reductions will not make a whit of difference in climate change worldwide compared to the negative effect that they will have on our industries in the West.

Economist Andrew Leach estimates that carbon prices would need to reach \$100 a tonne to reach the 2030 targets established in Paris.

The Prime Minister also promised that they would be revenue neutral. The only problem is we have no idea — and it seems

neither does he — on how that will be achieved. Nor does the federal government have control over what it will be. The provinces do. In our province, the Premier of Saskatchewan is fighting back on what the federal government is doing and is saying that the only effect this edict that the Prime Minister has issued on carbon pricing is going to have is to destroy our economy and the economy of our neighbouring province of Alberta.

The Hon. the Speaker: Excuse me, Senator Tkachuk. It has just been brought to my attention that you spoke to this motion on April 20, 2016. In order to speak again and continue with your speech, you will need leave of the Senate.

Is leave granted, honourable senators?

Hon. Senators: Agreed.

Senator Tkachuk: I spoke on this?

The Hon. the Speaker: Yes, you did.

Senator Tkachuk: That’s what happens when you turn 71. I’d never have believed that.

An Hon. Senator: It doesn’t sound the same to me.

Senator Tkachuk: Fifteen minutes? I spoke on it 15 minutes? Oh, my goodness!

Another one of their election promises was to end Canada’s combat mission in Iraq and to focus, as they put it, on “what we do best.” I wonder what the CF-18 pilots thought of that statement. I do know there was barely a foreign policy expert in the land that didn’t look askance at that commitment.

Combat, in their minds, is clearly not what we do best, so, under the Liberals, we would do our part by shifting our efforts to the training of local forces. Well, the Liberals certainly pulled out the CF-18s, but it turns out that the promise to end the combat mission in Iraq was another broken promise.

Our so-called trainers are, according to a recent briefing by National Defence, on the front line, exchanging fire with the enemy. Of course, in the spirit of their much vaunted commitment to transparency, the government won’t say how often this happens.

Canada is back to the United Nations as well, that same old, tired, bureaucratic nightmare, about which a recently retired UN assistant secretary-general wrote, in *The New York Times*:

If you locked a team of evil geniuses in a laboratory, they could not design a bureaucracy so maddeningly complex, requiring so much effort but in the end incapable of delivering the intended result. The system is a black hole into which disappear countless tax dollars and human aspirations, never to be seen again.

We are back to peacekeeping, except, a full year later, the Liberal government has yet to identify a mission for our peacekeepers. They announced a \$450 million fund in the summer, and they announced the number of troops we would be willing to contribute. But they have not yet announced a mission. Our troops are all dressed up with no place to go.

[Senator Tkachuk]

Let's just hope it's not Mali, as has been rumoured. The peacekeeping force there is engaged not in peacekeeping but a daily battle of self-protection against terrorists they were neither equipped nor prepared to combat. Fifty-six peacekeepers have been killed there already. As the aforementioned ex-UN official said:

The United Nations in Mali is day by day marching deeper into its first quagmire.

Remember this too: Peacekeeping missions that were once routinely two years are now often ten.

We are also back to sending arms to Saudi Arabia, a sale the Liberals criticized the former government for. But these things change, especially when you need to buy every vote you can for a meaningless seat on the Security Council. So they troll the Middle East and Africa for every anti-Israel, anti-Semitic nation they can find for more UN votes.

Has our foreign policy come to this? They look south at the Trumpian motives in ingratiating himself to Putin while they do the same with Russia over Ukraine and with the Communists in China.

And how about those 25,000 refugees they promised to bring in by the end of December 2015? When they made that promise, it was manifestly an impossible one to keep, and the media was so interested in getting rid of Stephen Harper that it accepted the policy unquestioningly. Only once he was gone and Mr. Trudeau was firmly ensconced in the Langevin Block, did they regain their critical faculties. Sure enough, the media proclaimed and, soon, the government announced that they couldn't do it. In fact, according to Terry Glavin, in the end, their plan pretty much resembled the Conservative plan to bring in 20,000 government-assisted refugees before the end of 2016, with no limit on the number of privately sponsored refugees brought to Canada.

Maybe they should change the slogan to the "Liberals are back": back to making promises that were not planned out or thought through. They could not produce a budget bill in December 2015 that could pass the Senate. They produced Bill C-2, which Senator Smith devastatingly criticized in the Senate before we left on our break.

The most important thing and the thing they have talked most about is transparency. Everything was such a big secret under the Conservatives, but not under the Liberals. It would be open; it would be transparent. Everybody would know what everybody is doing. Except in the Prime Minister's Office, when they were exchanging \$20,000 in cash in envelopes with their two chief political mentors. That was okay. Incidentals, they called it; \$20,000 in cash given to their chief political advisers, and they called it incidentals. How much Starbucks can you drink moving from Toronto to Ottawa?

But it became transparent when the information was tabled in response to a Conservative question in the house and then they paid it back.

There is no reason to celebrate the first year. It is a black hole. It's not a building block, but a black hole to a more disastrous three years.

I look forward to making the same speech again next year. I'm sure we'll be talking about the \$150 billion deficit. I'm sure we'll be talking about more envelopes in the Prime Minister's Office. I'm sure we'll be talking about more broken promises, and I'm sure we're going to be talking about one of the largest deficits incurred by a government since Justin Trudeau's father.

(On motion of Senator Plett, debate adjourned.)

• (1440)

CRIMINAL CODE

BILL TO AMEND—THIRD READING— DEBATE ADJOURNED

Hon. Bob Runciman moved third reading of Bill S-217, An Act to amend the Criminal Code (detention in custody), as amended.

He said: Honourable senators, I'd like to speak briefly about Bill S-217, which would amend the Criminal Code to implement a minor change in the rules governing bail hearings. I say a minor change, but it's one I believe, and the Legal and Constitutional Affairs Committee believes, could make a considerable difference.

The first thing this bill does is amend section 515(10) of the Criminal Code to expand the criteria for justifying detention in custody. As it stands now, criminal suspects are to be released on bail unless keeping them in jail is necessary for reasons of public safety, to ensure their attendance in court and, finally, to maintain confidence in the administration of justice.

Clause 1 of Bill S-217 expands the criteria for that third reason for detention in custody — maintaining confidence in the administration of justice. It adds two criteria: the fact that the accused has failed to appear in court in the past and the fact the accused has previous convictions or is awaiting trial on other charges at the time.

The second change this bill, if passed, will bring into effect — and I consider it the heart of the bill — is an amendment to section 518 of the Criminal Code. Section 518 authorizes the prosecutor during a bail hearing to introduce certain information about the accused: whether he has previously been convicted of a criminal offence; whether he is charged with and awaiting trial for an offence other than the one before the court; whether he has previously been convicted under section 145 of the Criminal Code, which includes such offences as failing to attend court, breach of undertaking or escaping from custody; and to show the strength of the prosecutor's case.

Section 518 says the prosecutor "may" lead such evidence. Bill S-217 proposes to change "may" to "shall." It's as simple as that.

In June, the Legal and Constitutional Affairs Committee heard some powerful evidence about how this simple change has the potential to make a big difference.

As the sponsor of Bill S-217, I was honoured to appear at committee beside Shelley MacInnis-Wynn, the widow of RCMP Constable David Wynn. David Wynn was brutally murdered in January 2015 by a career criminal who had skipped bail four months earlier. This bill is a consequence of that terrible crime.

Shawn Rehn had been charged hundreds of times, had dozens of convictions and was facing a number of charges, including possession of a prohibited weapon, when he came before a court in Edmonton in September of 2014 for a bail hearing.

There was also a warrant for his arrest for charges from the previous year when he had failed to attend court. He was 34 years old, but he had lived a full life of crime. If there was ever a case for detention in custody on any of the three grounds, this was it.

Shawn Rehn could be counted on not to attend court. He was a threat to public safety, and his release has certainly brought the administration of justice into disrepute.

But there was no mention of Shawn Rehn's record at the brief bail hearing. He was released and failed to attend court.

On January 17, 2015, a good cop doing his job came upon Shawn Rehn, with tragic results. Rehn shot two police officers that day. Auxiliary Constable Derek Bond is still recovering. Constable David Wynn died four days later. As his widow, Shelley, told our committee, it forever changed the lives of her and their three sons.

She told the committee members:

I'm here to help you see how I have to live my life, every second of every day, without my husband. I'm here to show you that changing that one simple word could save another family from literally going through the hell that I have gone through in the past year and a half.

It was the most emotional testimony I've heard during my six and a half years on the Legal Committee, as she described the impact this one decision by the court has had on her and her family. I can tell you, there weren't too many dry eyes in the committee room. Her testimony was a powerful argument in favour of this bill, and I thank her for her help and salute her courage.

I want to make clear that Bill S-217 does nothing to restrict judicial discretion, and in my view, it does not impose a new burden on prosecutors or police. This information is routinely presented at bail hearings. In this terribly tragic case, this evidence was not presented. A mistake was made, a life was lost, a loving wife was deprived of her husband, and three young boys lost their father. I don't want that mistake to happen again, and I ask you to support Bill S-217.

Hon. Wilfred P. Moore: Honourable senators, I rise today to speak at third reading of Bill S-217, An Act to amend the Criminal Code (detention in custody). I, too, will keep my

remarks brief as I'm sure Senator Runciman is anxious to see Bill S-217 clear this final hurdle.

Bill S-217 is a response to a tragic event which should never have happened. In January 2015, Constable David Wynn was shot and killed in the line of duty. Constable Wynn was murdered by Shawn Rehn, who should not have been free to commit such an act. That this person was not in custody is shocking because he was facing some 29 outstanding charges, had a history of violent crime and had served two jail terms. But in Provincial Court in Edmonton on September 4, 2014, Rehn was granted bail, and as Senator Runciman has stated, there was no mention of the previous lifetime of disregard for the law on the part of Rehn. He was released on \$4,500 bail.

Bill S-217 seeks to amend section 515 of the Criminal Code, as Senator Runciman has mentioned, by adding two criteria for consideration when granting bail. The first is that the individual has not appeared in court when ordered to do so in the past; second, that the accused has previous convictions or is awaiting trial on other charges at the time of the hearing.

Bill S-217 also amends section 518 of the Criminal Code by changing the wording from "may" to "shall," which compels the prosecutor to provide the judge or Justice of the Peace with the accused's criminal record at a bail hearing.

• (1450)

The Standing Senate Committee on Legal and Constitutional Affairs studied Bill S-217 on Thursday, June 16, 2016. The bill was amended in committee and the amendment agreed to at the report stage in this chamber. One observation was attached which asked the Minister of Public Safety to review the Canadian Police Information Centre with the intent of keeping its data current.

Anyone who heard the testimony of Constable Wynn's widow, Shelly, in committee would be hard-pressed to vote against the passing of Bill S-217. I have read her testimony, and I saw reaction to it by colleagues on the committee. If this bill can prevent another tragedy like that which led to the death of Constable Wynn, then today we should move this bill closer to becoming law.

I would like to commend Senator Runciman for this initiative and for his efforts to make the streets safer, especially for our first responders.

(On motion of Senator Sinclair, debate adjourned.)

SENATE MODERNIZATION

THIRD REPORT OF SPECIAL COMMITTEE— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Eggleton, P.C., seconded by the Honourable Senator Day for the adoption of the third report (interim) of the Special Senate Committee on Senate Modernization, entitled *Senate Modernization: Moving Forward (Committees)*, presented in the Senate on October 4, 2016.

[Senator Runciman]

Hon. Frances Lankin: Honourable senators, it's my intent to speak to this motion today. It stands adjourned in the name of Senator Plett. When I finish my remarks, if no other senator wishes to speak, I will adjourn in Senator Plett's name.

The Hon. the Speaker: Excuse me, Senator Lankin.

Is leave granted, honourable senators, to adjourn in Senator Plett's name?

Hon. Senators: Agreed.

The Hon. the Speaker: On debate, Senator Lankin.

Senator Lankin: Thank you very much. I am pleased to have the opportunity to speak today to this. I want to begin by thanking the Modernization Committee, Senator McInnis and all of the senators, both members of the committee and those who participated. A huge amount of work has been done. I'm cognizant of the fact it is their first report and that there is more work to be done in this fall session. In fact some of the thornier and more difficult issues will be undertaken to try to reach consensus. I think that will be a very difficult job. I've listened to people. I don't know how we'll characterize the discussion to come, whether using the Westminster system, or what will be the role of political caucuses. There's a lot of anxiety about what the future will look like, and I think it is worthy of a fulsome discussion this fall. I look forward to it, although not as a member of the committee. I would love to be a member of the committee. I look forward to participating at that table.

Unfortunately, I won't be able to participate in the vote of such a committee unless some of the rules currently in place around the treatment of independent senators are changed. Thus I am delighted to speak to the motion that was moved by Senator Eggleton and seconded by Senator Day with respect to Recommendation 24, the first report of the Modernization Committee. As a member of that committee, Senator Eggleton is bringing forward this motion. My understanding is that it received considerable discussion at committee and that there was at the end of the day a consensus to support this recommendation.

Recommendation 24 deals with the composition of committees. While there are a number of steps with respect to the Selection Committee or with respect to how senators' representation from various parts of this chamber would be put forward, the essence of the intent of the recommendation is to bring about proportional representation. You heard Senator Eggleton speak to this last week. Currently, members of the chamber, 17 per cent of the seats on standing committees and other committees in total are allotted to members who are not members of political caucuses at this point in time. So those of us who are sitting in this general area who call ourselves independent have 17 per cent of the seats on committees. In this chamber, however, we have 24 per cent. So there's a mismatch between the level of representation and, I would put more to the point, the level of ability for us to fully participate and undertake our full duties, including the right of membership on committees and the right to vote on matters.

That is what I wish to speak to today. I will, however, note that I think there are three recommendations that could be considered together. Recommendation 7 deals with how groups are recognized within the Senate. Current rules talk about the

construction of caucuses and recognize caucuses as coming from political parties. The intent of Recommendation 7 would be to create another category to allow groups of senators within certain numbers to establish themselves as a group and to have full, equal representation. We're moving there with scrolls and the administration of the chamber. Gradually there has been some recognition that there's a large group of people who need to be included in those processes. But the rule would actually establish that.

Rule 8 would deal with the resourcing of such groups if they are in fact recognized. So there's a natural continuance of the discussion there.

Then Recommendation 21, which I am speaking to today, speaks to the proportionality of participation in committees and the equal treatment of all senators.

I wish to comment that those recommendations, perhaps being grouped together, could be dealt with in a different time frame than some of the other recommendations in the first report. We are all aware and we've all spoken about the future advent of more senators being appointed to this chamber and the likelihood that those senators may sit as independent senators. At that point in time, 40 per cent of the seats of this chamber will be taken up by independent senators, who, if we don't change the rules, will have 17 per cent of committee representation. I'm hoping that people might want to try and fix the inequity in that problem before the next group of new colleagues arrive.

• (1500)

I also think that so many of these recommendations, as they are complex, connected and interconnected, if we allow ourselves to become tied up by the whole group in answering all of the questions, I fear we will not move on any parts of this.

For example, in a discussion at the Rules Committee this morning about the issue of designation of senators, we actually spent a long time talking about what the future might look like and the concerns around the issues of the role of political parties and the role of government, opposition and all of those things which the Modernization Committee will be delving into in much more depth this fall. I see these things as being possible to decouple. Not that they're not important, not that we don't want to understand, foreshadow and not cut off opportunities for the evolution and the operations of this chamber, but I believe there are certain things that we could take more definitive steps on.

One of the things I would like to ask of this chamber is to think about how we could facilitate an earlier dealing with the recommendations number 7, 8 and 21. For example, I'm aware of this because I was fortunate enough to have been appointed and be here for the debate that took place on Bill C-14.

I'm told it was a bit novel, but we actually had a group of people come together and talk about what was the best process to deal with that bill as it came out of committee, to deal with the amendments that had been proposed at committee, and we designed a process, facilitated by the Clerk's office and the Law Clerk's office, that really created a rational debate where all views

were expressed, heard and considered. There has been much comment in appreciation of how the Senate carried out its work on that bill at that point in time.

I propose the possibility of the leaders of the opposition, the leaders of the Liberal caucus, the government leader, the facilitator of the independent senator group and perhaps others, to come together and talk about whether there is a way we can facilitate discussion on these motions.

For example, could we agree there are two days going to be set aside, and we all have the opportunity to debate these motions, to talk about them? We will bring to a conclusion and determine whether or not in this chamber there is support for this concept of proportionality and equal treatment of all senators and that the rules could be put in place in time for a group of new senators to arrive and take up fully their participation on an equal basis in this chamber, in all committees and in all matters of the administration of the Senate.

I really don't want to say much more, because I think the arguments are pretty clear. If there is an agreement that proportionality, representation and equal treatment are important, there is the question of timing. Some might argue we could wait until all of these rules or recommendations are dealt with and are passed into rules. We could wait until there's a prorogation. We could wait, or we could move in a timely fashion to try and deal with these.

I note that one of the recommendations has a timeline that has been put on it, recommending that the Rules Committee deal with and report back by November 30. I recognize that might be aspirational in how the committee works, but there has been an attempt. It might be that all three of these could be done. That would require this chamber to have an early focus on the discussion, the debate and the passage of this on to the Rules Committee.

So that's my plea. I'm not in a position to make that happen, but I look at the deputy leader sitting across from me, I look at the whip of the Conservative caucus sitting across from me, I look to the leader of the Liberal caucus, I look to our facilitator and to the Government Representative. Of course, I'm a NASCAR fan. I could use my NASCAR language and say just "get 'er done," but what I would hope is that there might at least be a conversation about how to facilitate that.

Honourable senators, I know that there's much discussion of change, and I know there is not a universal embracing of some of the concepts that are being put forward. I think we have to chart this way forward together. In order to do that together, with the number of senators who are sitting here without the ability to fully participate on an equal basis, including membership and voting on committees, we can't chart together. We can only hope, wish and plea that our voices be heard.

I don't think that's right. I don't think that's in the respect of the intent of how this chamber should work, and honestly, I don't think it's the way individual senators around this chamber think that we should proceed.

[Senator Lankin]

I leave that request hanging. I hope it doesn't hang for too long and that some progress may be made. I thank you for your attention on this.

Some Hon. Senators: Hear, hear!

Hon. Pamela Wallin: I, too, am intrigued by some of the notions that the senators have put forward here, particularly having been part of the Bill C-14 discussion and seeing how that process worked.

I would like to speak to this motion briefly tomorrow, if I could, and maintain the adjournment in Senator Plett's name, if that's doable.

The Hon. the Speaker: Senator Wallin, you will require leave. You can raise the issue tomorrow, if you wish.

Senator Wallin: Thank you.

(On motion of Senator Lankin, for Senator Plett, debate adjourned.)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

BUDGET AND AUTHORIZATION TO ENGAGE SERVICES—STUDY ON THE ISSUE OF DEMENTIA IN OUR SOCIETY— FOURTH REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the fourth report of the Standing Senate Committee on Social Affairs, Science and Technology (Budget—study on the issue of dementia in our society—power to hire staff), presented in the Senate on October 6, 2016.

Hon. Kelvin Kenneth Ogilvie moved the adoption of the report.

He said: Honourable senators, the Standing Senate Committee on Social Affairs, Science and Technology has conducted and completed a study on dementia in Canada. It has developed a report that has been, in final draft, unanimously approved by the committee as a whole. It is in the process of developing the formatting of the document in order to bring it to the Senate for ultimate approval.

In that regard, the committee wishes to develop a report along the lines of its characteristic reports that look something like this in final form, and it has worked with our communications group in terms of a strategy for developing the report. We are all in agreement of the type of document that we would like to see produced, and that will require an expenditure not exceeding \$7,000.

This request by the committee for this particular purpose has gone to the Internal Economy Committee and been reviewed by a subcommittee of that committee that met with Senator Eggleton

and myself. They recommended to the full committee that Internal Economy support this recommendation.

For the benefit of senators, I can tell you that the committee incurred no other expense throughout its study of this. There was no travel expenditure; there was no other expense. The entire cost for developing this particular report will not exceed \$7,000.

Honourable colleagues, I ask that you approve this so that we can move rapidly to bring the report to the Senate.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

• (1510)

THE SENATE

MOTION TO PERMIT PHOTOGRAPHIC COVERAGE DURING QUESTION PERIOD ON OCTOBER 4, 2016, WITHDRAWN

On the Order:

Resuming debate on the motion of the Honourable Senator Campbell, seconded by the Honourable Senator Sinclair:

That a photographer be authorized in the Senate Chamber to photograph the appearance of Minister McCallum during Question Period today, with the least possible disruption of the proceedings.

Hon. Larry W. Campbell: Honourable senators, I rise to humbly withdraw this motion.

The Hon. the Speaker: Is it agreed, honourable senators?

(Motion withdrawn.)

MOTION TO AMEND THE *RULES OF THE SENATE* AND THE *ETHICS AND CONFLICT OF INTEREST CODE FOR SENATORS* TO PROVIDE FOR A REPRESENTATIVE OF INDEPENDENT, NON-PARTISAN SENATORS TO BE ELECTED TO THE ETHICS AND CONFLICT OF INTEREST FOR SENATORS COMMITTEE— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Wallace, seconded by the Honourable Senator Demers:

That, in order to provide for a representative of independent, non-partisan senators to be elected to the

Standing Committee on Ethics and Conflict of Interest for Senators;

1. The *Rules of the Senate* be amended by replacing rule 12-27(1) by the following:

“Appointment of Committee

12-27. (1) As soon as practicable at the beginning of each session, the Leader of the recognized party with the largest number of Senators shall move a motion, seconded by the Leader of the recognized party with the second largest number of Senators, on the membership of the Standing Committee on Ethics and Conflict of Interest for Senators. This motion shall be deemed adopted without debate or vote, and a similar motion shall be moved for any substitutions in the membership of the Committee.”; and

2. The *Ethics and Conflict of Interest Code for Senators* be amended by replacing subsections 35(4) to (6) by the following:

“Election of members

(4) Two of the Committee members shall be elected by secret ballot in the caucus of the recognized party with the largest number of Senators at the opening of the session; two of the Committee members shall be elected by secret ballot in the caucus of the recognized party with the second largest number of Senators at the opening of the session; the fifth member shall be elected by secret ballot by the majority of the Senators who are authorized to attend sittings of the Senate and who do not belong to the caucus of the recognized party with either the largest or second largest number of Senators at an in camera meeting called by the Clerk of the Senate at the opening of the session.

Presentation and adoption of motion

(5) The Leader of the recognized party with the largest number of Senators, seconded by the Leader of the recognized party with the second largest number of Senators, shall present a motion on the full membership of the Committee to the Senate, which motion shall be deemed adopted without any debate or vote.

Chair

(6) The Chair of the Committee shall be elected by its five members.”.

Hon. Pierrette Ringuette: Honourable senators, you will understand that this motion was tabled before this chamber way back in February 2016. It’s an extremely important motion for us to consider with regard to the wording. Much has happened since then, so I would like to put forth my comments with regard to where we are as of October 2016. Therefore, I would like to adjourn this motion for the rest of my time.

(On motion of Senator Ringuette, debate adjourned.)

INTER-PARLIAMENTARY UNION'S COMMITTEE ON HUMAN RIGHTS OF PARLIAMENTARIANS

INQUIRY—DEBATE CONCLUDED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Fraser, calling the attention of the Senate to the work of the Inter-Parliamentary Union's Committee on the Human Rights of Parliamentarians.

Hon. Salma Attaullahjan: Honourable senators, I rise today to speak about the Inter-Parliamentary Union's Committee on the Human Rights of Parliamentarians. Senator Fraser has highlighted the extraordinary work of the Inter-Parliamentary Union and the work of the IPU Committee on the Human Rights of Parliamentarians, and I would like to both recognize and applaud Senator Fraser for her ongoing support and involvement with the IPU.

The IPU's Committee on Human Rights works to protect parliamentarians against abuses and, thus, defend the parliament institution. The committee's work is invaluable to parliamentarians around the globe who may otherwise not have a mechanism to address violations of human rights perpetrated against them by their own government.

In this regard, I'm reminded of the time when my daughter was in grade 6. She entered an essay-writing contest on the importance of democracy. The theme of her essay was about how lucky she felt to live in a country where she was free to speak her mind without fear of being put in prison like her grandfather, a senator in Pakistan, had been simply because of political affiliation.

My daughter was one of the winners of that contest, and the prize was a trip to the Parliament of Canada. It was on that trip that I visited Parliament for the very first time. I can assure you that never in my wildest dreams did I imagine at the time that one day I would be here.

I recall when I first became involved with the IPU. As a newly appointed senator, I was inspired by the exchange of ideas and the dedication to worldwide parliamentary dialogue; the promotion of democracy, women's involvement in politics, peace and security; and the commitment to defend the fundamental human rights of all parliamentarians.

This year the Committee on the Human Rights of Parliamentarians has examined complaints of alleged violations of the rights of parliamentarians in Africa, the Americas, Asia and the South Pacific. The complaints included allegations of death threats, intimidation, harassment, restrictions of freedom of expression and assembly, arbitrary arrest and detention, obstruction of justice, absence of due process, arbitrary revocation of parliamentary mandate, violations of parliamentary immunity, arbitrary stripping of nationality, withholding of financial entitlements, and years of delay and lack of transparency in the investigation of the assassination of a parliamentarian.

Senators, as parliamentarians in a country such as Canada, we may take for granted the rights and freedoms we exercise without fear every day in our work, but we must not. We must never forget that for parliamentarians in other countries, it may not always be the case that their fundamental rights are respected and upheld. When a government violates the rights of its parliamentarians, it undermines the ability of each parliamentarian to exercise his or her parliamentary mandate, and it affects the ability of parliament, as an institution, to fulfill its role.

Canada must therefore continue its support of the IPU and the Committee on the Human Rights of Parliamentarians to ensure that governments that violate the fundamental rights of their parliamentarians are held accountable.

The Hon. the Speaker: If no other honourable senator wishes to speak or adjourn the debate, this item is considered debated.

(Debate concluded.)

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, the Senate has come to the end of its business for the day. Pursuant to the order, I declare the sitting suspended until 3:30 p.m., when the sitting will resume for Question Period.

The bells will start ringing at 3:25, unless it's agreed that, should the minister be delayed because of votes in the other place, we give a 5-minute bell when we realize that she is on her way.

Is it agreed, honourable senators?

Hon. Senators: Agreed.

(The sitting of the Senate was suspended.)

(The sitting of the Senate was resumed.)

• (1540)

QUESTION PERIOD

Pursuant to the order adopted by the Senate on December 10, 2015, to receive a Minister of the Crown, the Honourable Judy Foote, the Minister of Public Services and Procurement appeared before Honourable senators during Question Period.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, the Honourable Judy Foote, MP, Minister of Public Services and Procurement, is with us today to take part in proceedings by responding to questions relating to her ministerial responsibilities.

As has been the case in past weeks, I ask colleagues to limit themselves to one question, and if necessary, at most, one supplementary. But we have a long list of senators who wish to ask questions, so please, honourable senators, keep the preambles to your questions as short as possible so we can get to as many senators as possible.

Welcome, Minister Foote.

[Translation]

MINISTRY OF PUBLIC SERVICES AND PROCUREMENT

PHOENIX PAYROLL SYSTEM

Hon. Claude Carignan (Leader of the Opposition): Welcome, minister. My first question has to do with sound stewardship of public funds.

Before the Phoenix payroll system was launched last February, the government had hired two private consulting companies to write two analysis reports.

We recently learned, minister, that you read only one of those two reports, and in fact, you did not read the report prepared by Gartner Consulting, which sounded the alarm regarding the accuracy and speed of the pay system. I would remind the chamber that that report cost taxpayers a whopping \$221,073.88.

Minister, why didn't you take the time to read that report? What is the point of paying a quarter of a million dollars for a report that you don't even bother to consult?

[English]

Hon. Judy Foote, P.C., M.P., Minister of Public Services and Procurement: Thank you so much for the question. Honourable senators, let me say at the outset, my apologies for not being here on time. There were votes in the other place, and, of course, you need to be there for votes.

But it is a pleasure, certainly, to be here, in this honourable house. Thank you very much for the opportunity and the invitation.

The Phoenix payroll system has become a serious issue for us, as you would know. With respect to the Gartner report, to which your question was specific, it was done for the Treasury Board. It was not done for Public Services and Procurement Canada. When the report that was presented to me, which had to do with whether or not we should go ahead with the Phoenix pay system, that report, in all versions of it, said proceed, and that there was no reason why we should not go ahead with Phoenix. I asked repeatedly if there was anything at all that was happening with Phoenix and if there was any reason why we should not proceed with it, and was told repeatedly it was ready to go. They had conducted thousands of different testing scenarios, and they had looked at every possibility.

I was told after the Gartner report that things contained in it were actually amended or fixed in terms of looking at what was recommended through the report. There were similar concerns

raised in both reports. What I was told, after the fact, was that concerns that had been raised in the Gartner report were essentially taken care of, and that the report that I saw was very much of a similar nature and had, in fact, recommended, on all fronts, that we proceed with Phoenix.

[Translation]

Senator Carignan: Still on the topic of Phoenix, we also learned last week that the bureaucrat in charge of implementing the system, Rosanna Di Paola, has been moved to another position.

Why was she simply shuffled around? If she was responsible for the Phoenix problems, why is she still in such a handsomely paid position in the public service? Considering the mistakes that were made, is that not akin to rewarding incompetence?

• (1550)

[English]

Ms. Foote: Again, thank you for the question, Your Honour.

A lot of people have worked hard on this system — a system put in place by the previous government, and it was the right thing to do. We were replacing a 40-year-old system that had failed on occasion; in fact, on several occasions it had failed completely, so it was the right thing to do. The issue for us came when the amount of training that was required was not in fact taken advantage of. What had been recommended by IBM was that there should be a certain amount of training, but the decision was made not to go down that path.

In terms of the decisions and who was involved, there were a lot of people involved in the implementation of Phoenix. Rosanna was just one of those individuals. Rosanna isn't the only individual who has been moved to another position. We're not into paying people for incompetence, but people worked very hard on the file. And yes, some mistakes have been made. My job is to fix those mistakes, and we're going to do that. It's taking us a little longer than we'd like, but we are going to fix the mistakes, and we will have a really good payroll system as a result of the previous government recognizing the need to get rid of the 40-year-old system and put in place a more efficient one.

But bear in mind that when Phoenix came on stream we inherited 40,000 backlog cases. Those were cases dealing with pay of either overtime or first hires or student employment or people on maternity leave — people who had not been paid. So the types of issues that we're dealing with in Phoenix aren't new. In fact, when we took over Phoenix, 40,000 cases were backlog cases, and we're dealing with those, in addition to other cases that have accrued as a result of having to deal with the backlog.

SHIPBUILDING PROGRAM

Hon. James S. Cowan: Welcome, minister. Last week, a number of us Nova Scotian senators visited the Irving Shipbuilding yard in Halifax and we toured the yard, which as a Haligonian I can say is apparently the most modern shipbuilding yard in North America, and we discussed the construction of Canada's new naval fleet.

The construction of the Arctic/Offshore Patrol Ships, as you well know, is under way, and that's to be followed, in phase 2, by construction of the Canadian Surface Combatant vessels. In June you announced that to save time and money the government would be using an off-the-shelf design for the surface combatant vessels, and in order to maintain continuity in construction and avoid the boom and bust which has been the hallmark of Canadian shipbuilding in the past, it's essential, as you said at the time, that the government select the design of these vessels as soon as possible.

Can you tell me when that final decision will be made?

Hon. Judy Foote, P.C., M.P., Minister of Public Services and Procurement: Thank you. Honourable senators, this is a good question because what we have happening in Halifax, through the centre of excellence and the shipyard there, is a good news story. What's happening in Vancouver with Seaspan is also a good news story, at the other centre of excellence.

In Halifax we're actually building the combat ships. And we're doing everything we can to make sure that our navy and our Coast Guard get the ships that they need and deserve to do the work expected of them.

We are very close to making an announcement with respect to the combat surface ship, and, as you say, the AOPS are under way there. The good news is that we have 4,500 people working at the shipyard in Halifax. Over \$480 million has been invested in the shipyard. So it is a good news story. We also have an excellent program there, and I have to give credit to the Irving shipyard for coming up with a program for Women Unlimited, which is a program where they hire people who are at risk or they hire young women and single mothers. It's a really good program that I'm very proud of, and I commend the company for doing that.

Some Hon. Senators: Hear, hear.

Senator Cowan: I accept all that, minister, but my question had to do with the continuity of the program. It was our understanding, in consultation with the officials at the yard, that if the decision is not made fairly quickly — and the first phase will come to an end in 2018-19 — there will be substantial layoffs, and then we'll be into the boom-and-bust cycle.

Can you assure me and, more importantly, the thousands of shipyard workers that there will be no lull, there will be no gap, there will be a seamless transition between phase 1 and phase 2? That presupposes an early decision by your government as to the selection of the off-the-shelf design of the combatant vessel.

Ms. Foote: Thank you. I apologize for not answering the question in the way you expected. But I can tell you that that was an issue for the shipyard. It was an issue for me. It was an issue for the employees at the shipyard. And that's why we in fact decided to go with a different procurement process where we take an off-the-shelf design.

We have to ensure in doing that that we get as much Canadian content as we possibly can, because it's crucial for Canadian

companies and for Canadians to make sure that any work that's done, all the work that can be done, will be done in Canada.

We are going to make sure and we're working as hard as we can with the company to make sure that gap does not exist. We meet on a regular basis with them, again, to make sure that we give Canadian companies and Canadians the work they need and deserve. But you're absolutely right; we want to avoid that gap if at all possible.

[*Translation*]

CANADA POST—PROTECTION OF RIGHTS
FOR PEOPLE WITH DISABILITIES

Hon. Chantal Petitclerc: Welcome, Madam Minister. Canada Post's 2013 decision to halt home mail delivery created yet another obstacle for Canadians with disabilities and functional limitations. Canada Post came under fire for that unexpected decision then as now. Yes, Canada Post must adapt to 21st-century realities, but certainly not at the expense of an accessible and inclusive Canada.

Madam Minister, you received a mandate to undertake a review of Canada Post. According to the report from the task force you set up, 92 per cent of Canadians were resistant to changes that would affect mail services to those with mobility challenges. With respect to the decision that you have to make by April 2017, can you provide some reassurance to the 3.8 million Canadians living with a disability and promise them that any Canada Post restructuring will respect their rights, their autonomy, and their individual independence? Thank you.

[*English*]

Hon. Judy Foote, P.C., M.P., Minister of Public Services and Procurement: Thank you for the question, Your Honour. This is an important one for me, as Minister responsible for Canada Post Corporation. As you know, in addition to the parliamentary committee that is now travelling throughout the country consulting with Canadians from coast to coast to coast, we also had a task force in place of four individuals who spent four months looking at every possible aspect of Canadian post. But we also wanted to hear from Canadians during that process, and we did. We had significant input from Canadians. We especially heard from people with disabilities, we especially heard from seniors, and of course we heard as well from one of the major stakeholders, and that would be the unions.

We are looking forward to receiving the report. We have the report from the task force. In fact, that report is fuelling the parliamentary committee. They've taken that task force on the road. They're not limited to what's contained in that task force. They will present what is in the task force, but they will also take input from Canadians if there happens to be something different that Canadians want to suggest.

I'm waiting anxiously for the committee to clue up its hearings, which will be the end of December. They're supposed to have a report to me by the end of December. Right now they're in Vancouver. Then we will take from January to make a decision based on the input from Canadians. We'll look at that and hopefully have something ready by April.

[Senator Cowan]

AIRCRAFT PROCUREMENT

Hon. Daniel Lang: Welcome, Madam Minister. I'd like to go back to a similar question asked by Senator Cowan, and that has to do with the CF-18 fighter aircraft and the fact that I understand you've been mandated to start a new open and transparent competition.

I have a very basic question: When is that open and transparent competition going to begin? More importantly, when can we expect a decision to be taken on the question of the CF-18s?

Hon. Judy Foote, P.C., M.P., Minister of Public Services and Procurement: Thank you. Honourable senators, as you might expect, I work very closely with the Minister of National Defence, and we are working on this file. You're absolutely right; the CF-18 is the one that needs to be replaced. We are consulting. We've been meeting with industry, which is really important. Of course we're also waiting for the defence policy review. That will be a key part of anything we do with respect to replacing the CF-18s. That and meeting with industry on a regular basis, giving them an opportunity to have some input into this process, are already ongoing. In fact, the minister of ISED and I were over in Farnborough for the air show. We met with the five "primes" over there to talk to them and gauge their level of interest in the open competition. They were all invited to make their expressions known as to whether or not they would even be interested in putting forward any kind of an interest in a procurement process. So we did that.

• (1600)

It's ongoing. It's not something that isn't happening, bearing in mind that we are still waiting on the defence policy review.

Senator Lang: Colleagues, I understand the defence policy is one element that you have to deal with, but the question I had was with respect to the target date for the purpose of a decision around the CF-18s. Further to that, can you give me some sort of a target date? This has been an ongoing debate for many years, not for months, in the previous government, over the last 10 years. So this isn't news.

Second, I would also like you to inform the house of the assessment with regard to the interoperability of the F-35 over the next 20 years and beyond, whether that has been undertaken and, if it has been, if there are any reports to table.

Ms. Foote: Again, thank you for the question. As I said at the outset, I work very closely with the Minister of National Defence. My job is with respect to procurement, so I follow very closely his advice in terms of the information that he's able to glean, what he's able to do and what he's gleaning through his defence policy review. The target date is one that will be up to him. He will decide when he's ready, but we work closely in terms of looking at procurement.

In terms of the actual replacement date, there's still a lot of work that's ongoing. It's not something that stops for any period of time. We work very closely from that perspective. But, again, when the decision is made, it will be made within the best interests of the Canadian Forces, and we'll make sure that we get the best equipment possible.

CONSTRUCTION INDUSTRY—PROMPT PAYMENT

Hon. Donald Neil Plett: Thank you, minister, for being here.

Minister, the single largest reason trade contractors are going out of business in Canada is because of delayed payments for completed work. There are substantial delays in remitting payments down the subcontract chain, even when there is no dispute that the work has been completed according to the contract.

As you know, minister, a trade contractor has to bear a substantial amount of cost up front, for example, regular wage payments, materials and equipment rentals, CRA payments, all of which have no deadline flexibility, meaning that delays in payments continue to put contractors out of business.

Delayed payment has become a tolerated practice in the Canadian construction industry. There is no bargaining power for subcontractors. Contractors force subcontractors to accept late payments as part of the cost of doing business. They can do this because they control the flow of work, and no trade contractor can afford to be struck off the bidders' list.

Virtually all U.S. jurisdictions, including the federal government, the U.K., Ireland, and New Zealand, just to name a few, have enacted prompt payment legislation. Canada is the outlier. Quite simply, if you do the work, you should get paid.

Minister, I know that the need for prompt payment legislation in Canada is an issue that you have strongly supported for many years, and I commend you for your acknowledgment of this problem. As you know, I have introduced Bill S-224, the Canada prompt payment bill, in the Senate, and I am pleased that it has received widespread support from provincial party leaders and from parliamentarians, including members of your own caucus.

Minister, can you assure the construction industry in Canada that the government will support this critically important initiative?

Hon. Judy Foote, P.C., M.P., Minister of Public Services and Procurement: I thank my colleague for his question. It is a serious issue. As I've said repeatedly on other files, no one should do work and not get paid for that work or wait an exorbitant length of time to get paid.

Interestingly enough, for the Government of Canada, while we only cover about 1 per cent of the construction contracts in the country, 96 per cent of the ones that we have get paid within the 30-day pay period. The issue becomes the subcontractors, as you've identified.

As you know too, a lot of these subcontractors and the work that's done are under provincial jurisdiction. So, from my perspective, what I want to do is to work with my federal-provincial-territorial counterparts, making sure that we work together to try to deal with this issue. It's a really important issue, and we need to cut down that time frame.

Just to repeat what you said, it's so unacceptable for a subcontractor to wait longer than a contractor would wait.

Maybe it can be done even in a shorter period of time. These are all things I think we need to look at.

I can't stand here and tell you that the Government of Canada will support your bill without it going to cabinet, obviously, but it is certainly something that we discuss and some of my caucus members have discussed. We certainly support the idea of subcontractors being paid in a much more timely fashion.

[Translation]

CONFERENCE INTERPRETATION SERVICES—
AUTOMATED PROCUREMENT SYSTEM

Hon. Claudette Tardif: The government plans to implement a new procurement system for conference interpretation services on October 31. At present, this system is designed to choose the lowest bidder in an area where highly specialized services are required. Choosing the lowest bidder is acceptable for office supplies or car rentals. However, Canada's official languages are far too important and we should not be bound by a single parameter.

Minister, why is the government insisting on moving forward with this new automated procurement system, which opens the door to eliminating the criterion of world-class international accreditation standards and jeopardizes our national and international reputation?

[English]

Hon. Judy Foote, P.C., M.P., Minister of Public Services and Procurement: Thank you for the question. No government considers official languages more important or thinks more highly of doing the right thing when it comes to the two official languages than this Government of Canada.

I can tell you that we have worked very hard; we're very committed. We looked very closely at all of the considerations of the Standing Committee on Official Languages and carefully reviewed all of the recommendations. We are committed to making sure that we do everything we possibly can, that we focus very thoroughly on making sure that we have the right translation system in place and that we adhere to what is expected of us as a government. We're doing just that. With our Translation Bureau and our comprehension tool, we're committed to making sure that that is the first-class standard that it can possibly be in terms of dealing with information that parliamentarians and departments of government need.

[Translation]

Senator Tardif: I am certain that no one wants to again experience problems such as those created by the new translation tool, Portage, and the Phoenix pay system. This afternoon, you answered questions about this mechanism. Would you be prepared to stop the implementation of this new procurement system, which could compromise the quality of conference interpretation services just to reduce costs? Would you agree, Minister, to halt the implementation of this new system?

[Ms. Foote]

[English]

Ms. Foote: Honourable senators, I give my commitment that we will make sure that everything that can possibly be done to ensure we have the quality system that is needed will be done.

PHOENIX PAYROLL SYSTEM—
DISPLACED EMPLOYEES

Hon. Murray Sinclair: Welcome, minister. I have a question that also relates to the Phoenix pay system that has been mentioned already in this chamber.

As a result of the implementation problems of the Phoenix pay system, a number of nurses who work in Northern nursing stations, particularly in indigenous communities, have had to leave their employment in order to find other employment that actually paid them because they were not being paid as a result of difficulties in the Phoenix pay system. These nurses, many of whom had been working in those communities for years, have a proven commitment to working with indigenous people in their communities.

• (1610)

Does the government have any plans to offer reemployment to them now that the system is working out its kinks or to allow them to be reinstated into their previous positions so they can return to those communities where they have established not only long-standing relationships with local patients, but also where they are trusted by local communities?

Hon. Judy Foote, P.C., M.P., Minister of Public Services and Procurement: Thank you. Honourable senators, I have to say that some of the hardship cases we've heard that have transpired as a result of Phoenix and the pay system have indeed been heartbreaking. We have made sure that any individuals who suffered hardships as a result of the system will be reimbursed. In terms of jobs, I expect that if there is an individual who was displaced because of Phoenix, they will have an opportunity.

In working with Treasury Board, we have taken measures to compensate those who have incurred additional interest costs. I hear what you're saying in terms of the level of comfort these individuals have in working in their home environment and wanting to return there. I would like to think that that would be possible for them.

With respect to Phoenix, I'm assuming that their case would have been a new hire or overtime they would have been entitled to, but I know that every two weeks, 300,000 public servants get their regular pay. We have the largest payroll system in the country. So while we are delivering through Phoenix on the government's payroll system, there are still issues that we're encountering.

One good thing that will come as a result of Phoenix, for anyone that's experiencing issues with respect to overtime or new hires, they will be able to input their own information with respect

to overtime. New hires will get done quickly because we now have trained human resources personnel and compensation advisors in all departments.

In terms of jobs people have left because of loss of revenue, I understand that that is a terrible hardship for them, and I would like to think that if they have the ability, they will be able to get back to work there.

Senator Sinclair: In view of that answer, Madam Minister, I have a list of nurses who have spoken to me or contacted me about their loss of employment. Some of them have been reinstated into different positions in different communities, but that proves to be an even greater hardship for them and the communities.

If I were to bring specific cases to your attention, would you be able to follow that up with the individuals?

Ms. Foote: Thank you again for the question. I have said to anyone who finds themselves in a situation where they have information we may be able to help with, by all means bring it to our attention. As you know, we look at every situation on a case-by-case basis. Again, I don't know the circumstances around those individual cases, but if you have individuals cases that you would like to bring to my attention, by all means.

CANADA POST—DELIVERY SERVICES

Hon. Linda Frum: Thank you for being with us today, Minister Foote. My question is also about Canada Post.

The number of Canadians who use the postal service is rapidly decreasing. Advances in technology have made postcards, letters and paper bills a thing of the past. It is for this reason that the former Conservative government implemented updates to make Canada Post more efficient and cost-effective.

However, in September of last year, the current Prime Minister ignored the economics of the situation and said, "On Canada Post, we promise to restore home delivery." A mere eight months later, when you announced the Canada Post review, you were less definitive. You said, "I'm not going to pre-judge the outcome. Nothing is being ruled out in terms of home delivery."

My question is simply this: Which is it, yes or no to restoring home delivery?

Hon. Judy Foote, P.C., M.P., Minister of Public Services and Procurement: Thank you for the question. I am anxiously awaiting the outcome of the consultation process. It's important Canadians have a say in the type of service they need and deserve, and that varies.

If you look at the consultation that has taken place so far and the input we have received, there are Canadians who will say to you, "Well, maybe we need door-to-door but maybe two days a week instead of five days a week." We have individuals saying, "I'm quite happy with the roadside mailboxes." It's important for us to listen to Canadians, and that is what this review is giving us the opportunity to do.

Through the task force and looking at all the financials around Canada Post and what's happening in other countries, drawing on their experiences, talking to Canadians and getting input from Canadians online, these are all opportunities for us to hear firsthand what Canadians want and expect.

I say "need" and not "want" because for a lot of us, we realize we might want a lot of things, but whether or not it's sustainable is another question. There are circumstances where, when we talk about the disabled and seniors, obviously priority must be given.

Senator Frum: I respect the consultation and review process you're engaged in right now, but it makes me ask this question: Why was such a firm and definitive commitment made during the election?

Ms. Foote: Thank you for the question. I think it's important for us to take advantage of a consultation process. It's really important to listen to Canadians, because we've been hearing from Canadians. Despite what was said during the campaign, people do come and say, "I'm not sure we want to have door-to-door reinstated everywhere. I'm not sure we need it."

The question came, then: Why don't we ask Canadians what they would like to have? Bearing in mind what is happening and what has happened with Canada Post over the years in terms of fewer letters being mailed but a lot more parcels being mailed, these are all things that are factoring into Canada Post's bottom line.

We're anxious, and we are hearing from Canadians in large numbers about the kind of postal service they not only need but deserve.

REPURPOSED FEDERAL GOVERNMENT BUILDINGS— HOUSING AND HOMELESSNESS

Hon. Mobina S. B. Jaffer: Minister Foote, first of all, I want to congratulate you on your appointment as Minister of Public Services and Procurement and welcome you.

Minister, as you know, I'm a senator from British Columbia, and housing and homelessness have been top issues in my province, especially in the last year. In Vancouver alone, we count more than 2,000 homeless people and just under 1,000 living on the streets. Unfortunately, in Vancouver, because of house prices and the cost of living, those numbers are increasing.

My question to you is with regard to affordable housing. In your mandate letter, it reads:

Work with the Minister of Infrastructure and Communities to conduct an inventory of all available federal lands and buildings that could be repurposed for affordable housing in communities.

Can you please tell this chamber if your government has conducted an inventory of the federal buildings? If so, are any of those buildings repurposed for affordable housing?

Hon. Judy Foote, P.C., M.P., Minister of Public Services and Procurement: Thank you for that question. That is of great interest to me, and I've been working closely with my colleague Minister Jean-Yves Duclos. He is responsible for homelessness and social housing.

We have conducted an inventory. We have worked very closely with Minister Duclos to make him aware of the property the government owns and looking at how that can be repurposed, and obviously some can and some can't. We're working with him in terms of what it is we need to accomplish throughout the country with respect to responding to his mandate letter, and of course part of my mandate crosses his as well. We're working very closely to make sure that any buildings that can be repurposed will be.

Senator Jaffer: Minister, I come from a province where we have homelessness, but the situation for Aboriginal people in my province is dire. With the focus that the Prime Minister and the cabinet and your government have to empower Aboriginal people, are you looking at any of those buildings being repurposed, especially for Aboriginal housing?

I'm more interested if you are looking for young people, because you know in Vancouver it is really sad. We have the most beautiful city in the world, but we have a sad situation where many of our Aboriginal young people are on the streets. Are you looking at that?

Ms. Foote: Thank you for the question. Yes, we are. It's important to recognize that homelessness knows no age. We are, with Minister Duclos, being very cognizant of the need throughout the country, recognizing what is happening in Vancouver but as well in the larger cities. We are working to make sure we put in place a program through his department that responds to the need inasmuch as it is possible for us to do so.

• (1620)

[Translation]

CONFERENCE INTERPRETATION SERVICES — AUTOMATED PROCUREMENT SYSTEM

Hon. Raymonde Gagné: My question follows on Senator Tardif's question and has to do with the automated procurement system your government is about to implement to grant contracts to freelance interpreters. The process was supposed to be launched on September 7, 2016, but at your request it was postponed first to September 30 and then to October 31.

Can we take this as a sign that you are thinking about implementing the recommendations of the House of Commons Standing Committee on Official Languages to ensure that the bureau responsible for that service can improve its capacity to provide top-quality translation services, restore the expertise lost in recent years and provide the support that federal institutions need to meet their language obligations regarding communications with and services to the public?

[English]

Hon. Judy Foote, P.C., M.P., Minister of Public Services and Procurement: Thank you. Honourable senators, we have, in fact, looked at all the recommendations of the standing committee, and we take them very seriously. Our priority, of course, is to ensure that the Translation Bureau continues to provide high-quality services to members of Parliament and to government departments.

So for us, we are committed to ensuring both official languages, but, in this case, French is the language that is given extra attention because we want to make sure that people who want to speak French are able to do so and that those who need translation services are able to get the highest quality that we can possibly deliver.

AIRCRAFT PROCUREMENT

Hon. Pamela Wallin: Minister, thanks for being with us. My question is also a question about procurement and will follow up on some of the issues raised by Senator Lang.

The Minister of National Defence has assured us that there will be an open competition process that would include the F-35s, but there have also been suggestions that the government was considering a Super Hornet sole source purchase, so the messages are a little mixed.

I was recently at a NATO meeting where the issue of interoperability as a pre-requisite for allied action was restated yet again, and knowing that the U.S., the U.K., Italy, Australia and the Netherlands have already placed orders for F-35s, can you please clarify whether the F-35 is still under active consideration, and second, whether our payments are up to date in order to keep our place in the consortium and whether we will continue to do that?

Hon. Judy Foote, P.C., M.P., Minister of Public Services and Procurement: Thank you for the question. We have not as a government made any decision yet on replacing the CF-18s and what they will be replaced with. It's an ongoing file for us. We're committed to providing the men and women of the Armed Forces with the equipment they need and deserve to do the job expected of them. No decision has been made. It's one that's ongoing. We're working closely with the Minister of Defence and with the Minister of Innovation, Science and Economic Development. These are issues that are crucial for us as a government and as a country, so it's not something we're rushing into. We need to get this right, and we will.

Yes, we have made our payments. It's important that we do that so Canadian companies can avail themselves of the opportunities, and we'll continue to do that.

NUNAVUT-SPECIFIC PROCUREMENT POLICY

Hon. Dennis Glen Patterson: Thank you and welcome, minister. As I'm sure you know, the Nunavut Land Claims Agreement signed April 1, 1999, and the major lawsuit settlement agreement

between the Government of Canada and Nunavut Tunngavik Incorporated signed May 4, 2015, among other things, committed Canada to a Nunavut-specific federal procurement policy. That policy recognized the right of Inuit-owned companies to have access to federal procurement contracts and, in certain circumstances, to have preference on procurement contracts with the aim of creating Inuit employment and business opportunities.

When can we expect that policy to finally be put in place? How is your government going to implement this important policy across all federal departments?

Hon. Judy Foote, P.C., M.P., Minister of Public Services and Procurement: Thank you for the question. We are indeed committed to ensuring that opportunities are available to indigenous groups. Certainly, through PSPC, we're working closely with Treasury Board and Indigenous and Northern Affairs Canada and other government departments to develop a Nunavut-specific procurement policy. It's my hope and expectation that this work will result in enhanced Inuit opportunities.

We are working in close consultation, by the way, with the Nunavut Tunngavik and expect to implement the Nunavut-specific procurement policy early in 2017.

CANADA POST—PROTECTION OF RIGHTS FOR
PEOPLE WITH DISABILITIES

Hon. Serge Joyal: Will the minister entertain another question?

Hon. Judy Foote, P.C., M.P., Minister of Public Services and Procurement: Of course.

Senator Joyal: I listened carefully to the answer you gave to our colleague Senator Petitclerc about the rights of people with disabilities in relation to Canada Post, and I am left on my appetite, if I can say so, because you gave her an answer that was essentially a description of a committee that travels across Canada to seek the opinion of Canadians. But I think that I would want to get from you a commitment that, as a minister, you will ensure the rights of people with disabilities in Canada that are protected under section 15 of the Charter. People with disabilities have the right not only to equality but also to the same benefit of the law as does any other Canadian. You, as a minister, in my humble opinion, have a responsibility to make sure that in the revision of the mandate of Canada Post that the rights of people with disabilities will be protected.

Can you make that pledge to me in this chamber that you will bring personal attention to it to make sure that is observed?

Ms. Foote: Thank you and I apologize if I left that impression, but absolutely. Our government is committed to doing everything we possibly can to make our buildings and anything that we're responsible for accessible, so I make that commitment.

As I said, we're listening to Canadians from coast to coast to coast. I may have pre-judged the outcome of that consultation process, but certainly our government is committed to doing everything we can to make sure that our buildings are accessible and that any buildings our Crown agencies are responsible for are also accessible.

Senator Joyal: In that regard, could you make sure that when the service is redefined there won't be an additional burden for a person with a disability to have to hire somebody to go and pick up the mail at whatever corner or place the mail will be put and people will then have to have an additional personal expense to get a right that they already enjoy presently under the system?

Ms. Foote: Thank you for the question. Just let me repeat that we are as committed as any government has ever been or will ever be to making sure that those who are disabled have access to the services that they need.

The Hon. the Speaker: Honourable senators, the time for Question Period has expired. I certainly would like you to join me in thanking Minister Foote for being with us today. Thank you, Minister Foote.

Hon. Senators: Hear, hear!

The Hon. the Speaker: We look forward to seeing you again sometime in the future, no doubt.

Ms. Foote: Absolutely. Thank you.

[*Translation*]

BUSINESS OF THE SENATE

Hon. Claude Carignan (Leader of the Opposition): Our minister just talked about the importance of French and effective bilingual communication. I had a look at the documents submitted to us, which were written responses to questions on the Order Paper, including the response to a question from Senator Downe. However, I received only the English version, without the French. Could we get the French version of that response, please?

Hon. Peter Harder (Government Representative in the Senate): Of course.

(The Senate adjourned until tomorrow at 2 p.m.)

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