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(HANSARD)

Thursday, March 30, 2017

The Honourable GEORGE J. FUREY
Speaker

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THE SENATE

Thursday, March 30, 2017

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

Prayers.

[Translation]

SENATORS' STATEMENTS

THE HONOURABLE CLAUDE CARIGNAN, P.C.

EXPRESSIONS OF THANKS FOR ROLE AS LEADER

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I rise today on behalf of the Conservative caucus, Her Majesty's loyal opposition, to express our sincere appreciation for our colleague, friend and bold leader, the Honourable Claude Carignan.

Hon. Senators: Hear, hear!

Senator Martin: Senator Carignan has served with distinction in various leadership roles, both in government and in opposition.

[English]

Since this is a thank you tribute, I will not go into all of the details of Senator Carignan's long and illustrious career as a successful lawyer since his admission to the Quebec bar in 1988 to this day; his impact as Mayor of Saint-Eustache for nearly a decade, full of progressive achievements that improved the quality of life for his city's residents; his time as president of the Conseil sur les services policiers du Québec; nor any of his many career milestones.

What we can conclude, colleagues, is that his professional leadership experience prior to his appointment to the Senate of Canada and his legal expertise in civil litigation, public law, labour relations, and health and social services law made him the right person to be appointed Leader of the Government by the Right Honourable Stephen Harper in 2013. As government leader, he led us assuredly through a challenging period of intense media and public scrutiny during the Auditor General's multi-year forensic audit; and since being elected as opposition leader in 2015, he has worked tirelessly to lead our caucus during this period of transition from government to opposition.

Your strength has kept our family together through turbulent times and rocky paths.

As your deputy, I have worked closely with you long enough to say with conviction that your humble roots and deep humility, great patience, open-mindedness and wisdom are the hallmarks of your character and outstanding leadership. Through our close working relationship and our conversations, I have glimpsed into your heart and at your photos to see your profound love of Brigitte and family and pride of your children, Jérémie, Jean-Francis and Anne-Charlotte.

It has been an honour to serve as your deputy since September 2013. It is hard to believe that after nearly four

years as seatmates on both sides of the aisle, today is your last day sitting in the leader's seat.

Though this is the last time Senator Carignan will be my seatmate, I know that at the next sitting of the Senate our front benches will be tougher and stronger as he takes his new seat.

[Translation]

Honourable senators, join me in recognizing Senator Claude Carignan and his incredibly devoted team led by Chief of Staff Jean-Martin Masse for their remarkable contribution to the Conservative caucus and the Senate of Canada.

Thank you.

Hon. Senators: Hear, hear!

Hon. Peter Harder (Government Representative in the Senate): Colleagues, allow me to add a few words of thanks to our colleague, Senator Carignan.

[English]

Looking back, when I arrived in this chamber as the newly appointed Government Representative in the Senate and a new senator, I did not always feel lucky to have you across the aisle, but I now know I was lucky indeed.

[Translation]

As part of the opposition, you raised the bar and pushed us to continually do better.

[English]

Your dedication to holding the government to account has enriched the work of this chamber and made uncomfortable my life from time to time.

Your commitment to fairness and respect for the institution has allowed us to change and improve. I am referring specifically to the sessional order in December that adjusted committee proportionality.

[Translation]

Whether during question period, committee meetings, or elsewhere, you represented the Conservative Party with integrity and judiciousness. The Senate underwent major changes while you were leader. I am sure that you will inspire your successor and will continue to contribute substantially to the work of this place.

[English]

While you make room for a new leader of your caucus, we know that we will continue to benefit from your insight and trademark wit. I notice that you've smiled more in the last three weeks than you have in the last three months.

[Translation]

Let me congratulate you on your considerable contributions and thank you most sincerely.

[English]

Let me now also briefly congratulate Senator Smith, the new leader of the Conservative caucus. I look forward to working with him in this chamber, as I have with you. I know the spirit of collaboration that you inspired will continue under his leadership. Merci, Claude.

[Translation]

Hon. Joseph A. Day (Leader of the Senate Liberals): Honourable senators, I would like to take this opportunity at the changing of the guard, on behalf of the Independent Senate Liberals, to extend my best wishes to my colleague and counterpart, Senator Claude Carignan, as he steps down from his role as Leader of the Opposition at the end of this month, which happens to be tomorrow.

Senator Carignan has spent most of his time in this chamber as a member of the leadership team of his caucus. From 2011 to 2013, he was Deputy Leader of the Government in the Senate, and then Leader of the Government in the Senate from 2013 to 2015. I'm sure he would agree that he held these positions during one of our more, shall we say, interesting times.

Through the many challenges and changes that our institution faced during this time, Senator Carignan was a poised and articulate spokesperson not only for his caucus but for the Senate as a whole. His legal background prepared him well to thoughtfully consider his words.

I remember that he often began his speeches and his answers with the word "écoutez," and those of us who faced off against him during Question Period would certainly agree that he was adept at that role. He rose to the challenge of effectively answering not only our questions, but also the questions we posed on behalf of Canadians who wrote to us.

• (1340)

After the election in 2015, the Conservative caucus elected Senator Carignan to stay on as their leader, this time as Leader of the Opposition in the Senate. It was a new challenge, certainly, but one that he ably took on.

I have no doubt that as Senator Carignan steps down from his leadership role he will not slow down in the slightest, but will simply redirect his energies. As one of the younger senators in our chamber, I am pleased that he has decided to stay on with us in the Senate for years to come. I am certain that we shall see much more from Senator Carignan and I wish him the best in these new challenges.

[English]

As the Conservative caucus has just recently announced, it is now time for Senator Smith to face a new challenge as he takes over as both leader of that caucus as well as Leader of the Opposition in the Senate. Senator Carignan has certainly left some large shoes to fill, but I have no doubt that Senator Smith will be eager to make his mark, and, as Senator Harder has just said, I anticipate that we will have the opportunity to work

together collaboratively in the manner that has been so evident between Senator Carignan and us over the past years.

Congratulations are also due to Senator Martin, who will be continuing in her role as Deputy Leader of the Opposition, and Senator Wells, who will be assuming the new role of caucus chair. I wish you all success in your new — for some of you, not so new — roles and positions, and I look forward to working with each of you.

Hon. Elaine McCoy: Senator Carignan, it is my pleasure to add my voice on behalf of members of the Independent Senators Group to wish you all the best. Now we get to engage with you, I'm sure, on a frequent basis on legislation and we will have the full benefit of your attention, which is meticulous.

I got to know you better in the last eight months after we came back in October and reached out to the leaders of the political caucuses to begin to discuss how we can accommodate the independents, certainly led by Senator Day and yourself. I was very pleased we could come to an accommodation which, of course, Senator Harder supported.

Throughout that negotiation you never lied to me once. So I give you that as the highest accolade that I can give a politician. You have never lied to me.

You have not always told me everything. That's the second highest accolade I can give a politician. I can usually tell when you are beginning to move into your negotiation stance. You do have a few little dimples and telltale signs. You are charming and it is always fun negotiating with you. You do that very well; there is no doubt about it.

When our new colleagues arrived in November and I saw you go over to greet Senator Forest, it appeared to me that you knew him well. I thought to myself, "Oh, no, the Quebec senators aren't making a play for the new ones yet, are they?" No grass under your feet, Senator Carignan. Then I discovered that you've known one another from before.

Senator Forest tells me that he, as you all knew, was president of the Union of Quebec Municipalities, but before him Senator Carignan had that role. Before that, I think you were first vice-president and before that treasurer. Senator Forest said that every time you stepped up, he stepped up. Now he is following you again to the Senate. I very much was worried and immediately said to Senator Forest, "No more. He is a good mentor, but no more."

Maybe we can convince you, now that you are stepping out of that role, that maybe you could reverse the role model and follow Senator Forest for a change.

I want to pay tribute to the fact that you created — I am not sure I am saying this properly in English — the Elite Foundation for Saint-Eustache, which is another mentorship role you have undertaken for young people in your community. That hasn't been mentioned today, but I hold you in high esteem for doing that and for continuing to do that.

[Senator Harder]

Last, I was very impressed with the meticulous nature of your legal acuity, which I observed first-hand sitting beside you in the committee when we were discussing the unionization bill for the RCMP. For that I also hold you in high regard on a professional level.

I look forward to continuing service with you and with Senator Martin, Senator Wells and Senator Smith. Thank you very much.

Hon. Senators: Hear, hear!

[Translation]

WORLD THEATRE DAY

Hon. René Cormier: Honourable senators, allow me to thank Senator Carignan for his ability to express the French language so eloquently in this chamber. Thank you, Senator Carignan.

The French novelist André Maurois said, and I quote:

Art is the effort to create a more humane world alongside the real world.

I believe that theatre, which we celebrated on World Theatre Day on March 27, does just that and quite admirably. This performance art, a collective effort, a true meeting place for all manner of artistic disciplines, is one of the last places in our modern society where people come together and see reflections of our life embodied by living breathing human beings.

[English]

Although it can be seen as entertainment, theatre is certainly not meant to be based on consensus. Theatre disturbs, moves deeply and questions our connection with the world. It reveals with great depth the human soul and spirit, the darkness as well as the vitality that allows us to better understand our contemporaries.

[Translation]

Honourable senators, today I would like to pay tribute to the contributions of three outstanding women, each of whom blazed her own exceptional career trail.

First in the spotlight is the remarkable contribution of director Brigitte Haentjens, winner of a 2017 Governor General's Performing Arts Award, who generously shared her cash prize among five up-and-coming young creators.

[English]

Inhabited by questions regarding identity, sexuality and power, this symbolic figure of Canadian theatre is acclaimed for her original and avant-gardist productions. Since 2012, Brigitte Haentjens is the artistic director of the NAC French theatre.

[Translation]

I would like to take a moment to congratulate the National Arts Centre and its CEO, Peter Herrndorf, on their recent announcement of a brand-new indigenous theatre department to showcase the work of First Nations creators.

This week, Canada, Quebec and Acadia lost two dedicated artists. Janine Sutto was a passionate, hard-working performer

who loved her craft and her fellow theatre people. She was an inspiration to generations of artists throughout her very long career, and will surely inspire generations more.

We also lost a friend and colleague this week, Aurore Thériault, who was trained at the National Theatre School and very active in the arts and culture scene. She left us far too soon.

• (1350)

[English]

Producer and cultural manager, this great community enthusiast devoted her life to the distribution and consumption of Acadian arts, whether it be for theatre, literature or film.

[Translation]

She was recently involved in welcoming immigrants, and her final post on Facebook was an African proverb, "Hope is the pillar of the world." We will remember that when we think of her and all those who have the courage and the mettle to work in theatre and share their world with us. Thank you.

SENATE PAGE PROGRAM

Hon. Paul E. McIntyre: Honourable senators, I too would like to take this opportunity to thank Senator Carignan for the important role he played these past few years as Leader of the Government and Leader of the Opposition in the Senate. Congratulations and thank you, Claude.

[English]

Each year, the Senate of Canada opens its doors not only to our senators, their esteemed staff and Senate administration, but also to highly motivated undergraduate students participating in the Senate Page Program. Each year we are honoured to welcome the young generation of Canadians in the Red Chamber.

With their first step in this building, they become members of the Senate of Canada, and we are happy to provide them with the opportunity to be amongst the key contributors to the Canadian parliamentary system.

Dating back to 1765 and well-established by 1868, the Senate page position has become a valuable role in Parliament.

Originally the requirement to become a Senate page was to be a "smart little boy." The height of the pages was important because of the lack of microphones in the Senate Chamber. A tall boy might obscure a senator's voice or view. Due to these restrictions, pages were usually forced to retire by the age of 17.

While being smart is still a requirement, we have expanded on what we are looking for. Now, the young men and women that are enrolled in their first undergraduate degree, and who demonstrate exceptional skills, may apply for a two-year period, unless they become chief page or deputy chief page, remaining then for a third year.

The role of the Senate page has also changed. Historically, Senate pages were responsible for the chamber during the sittings. Today their role and duties are becoming even more important as

they are far more involved in numerous activities by ensuring the effective operations of the Senate, whether it is through their work on the committees, at notable events, or through outreach programs, and so on.

The Senate pages work under the direction of the Usher of the Black Rod, J. Greg Peters, M.V.O. They execute a wide variety of activities associated with the legislative process as well as providing a range of necessary services to senators and the Senate. These activities provide the talented young individuals with experience and permit them to further their knowledge of the Senate's parliamentary, administrative and legal procedures, which will ultimately benefit the Canadian population, as they are the leaders of tomorrow.

Honourable senators, our duty is to secure the best future for our great nation. To do so, we must ensure that young generations share the Senate values and are involved in the democratic process. The past has shown us that the best way to do this is to have our youth directly involved in our legislative process.

We've welcomed today the best 15 young Canadians to become part of our Senate family. We will do our part to invest in the education of this young generation. In exchange, their skills, motivation and involvement will contribute to our daily activities, as has been done since the 18th century.

Hon. Senators: Hear, hear!

THE HONOURABLE PANA MERCHANT

EXPRESSION OF THANKS UPON RETIREMENT

Hon. Pana Merchant: Honourable senators, this will be my last day in the Senate Chamber. I am not resigning because of health. I am not resigning because of some pending problem. I am not resigning because I should spend time with my family.

Fourteen years — 5,200 days — helping to bring about change. Being here is like life: service, position. Five thousand days is not enough. If 50,000 days were possible, it would not be enough.

Well, sadly, enough.

It has been my great honour and privilege to serve with each of you here and colleagues who, as I do this day, left before me.

I became a member of Parliament in the Senate as a Liberal, in halcyon Liberal times. I leave in similar times of optimism and trust in the future for the country we cherish. In this chamber, we work to help Canadians to come together with confidence.

I have enjoyed almost every minute of my time, and I am honoured to have been granted the privilege of serving Saskatchewan and Canadians for over 14 years. I leave with the best of memories and highest respect for this institution, admiration for your energy, your work and integrity, and with affection for both the senators who came before me and those I leave behind, and the staff who assist us every day.

[Senator McIntyre]

Each of us has a narrative, the Canadian narrative. In the late 1600s, the Merchant family sought a better life in the then New World, on the shores of Newfoundland and later Nova Scotia.

And my own people, the Papageorgiou family, survivors of the early 20th century Greek-Pontic genocide, were refugees in Athens. Subsequently there was my father's and mother's journey to Saskatchewan, with a dream of a better path, far from war, for their young family of two sons and three daughters.

As a Canadian of Greek birth, I am particularly proud of the multicultural agenda which Canadians have embraced, that the Liberal Party brought into effect in this country. It has made men and women from all over the world welcome, enthusiastic contributors to a peaceful, tolerant, prosperous Canada.

I am proud of our continuing efforts to acknowledge and uphold our obligations to Canada's indigenous peoples and of the steps our government is taking toward reconciliation of wrongs to their communities.

[Translation]

I am proud of the respectful partnership between anglophones and francophones in protecting language rights, especially when it comes to the policies on bilingualism put in place by the successive governments. First advocated by the government of Lester B. Pearson, these policies were introduced by the government of Pierre Elliott Trudeau and consolidated by the government of Jean Chrétien, whom my husband and I know well.

Good luck, dear friends.

[English]

With greatest respect to all of you, I say adieu. Thank you for your many kindnesses and friendship. I wish you lifelong good health and continuing wisdom in all your future Senate work.

Hon. Senators: Hear, hear!

• (1400)

ROUTINE PROCEEDINGS

THE HONOURABLE PANA MERCHANT

NOTICE OF INQUIRY

Hon. Joseph A. Day (Leader of the Senate Liberals): Honourable senators, I give notice that, two days hence:

I will call the attention of the Senate to the career of the Honourable Senator Merchant.

[Translation]

QUESTION PERIOD

TRANSPORT

MONTREAL—LIGHT RAIL PROJECT

Hon. Claude Carignan (Leader of the Opposition): My question is for the Leader of the Government in the Senate and pertains to the City of Montreal's light rail project.

In the budget it tabled yesterday, the Government of Quebec allocated approximately \$1.3 billion to light rail, which is nearly 25 per cent of the total cost of the project. The Caisse de dépôt et placement du Québec is planning to contribute \$2.7 billion, which is 51 per cent of the cost. The federal government's budget, tabled last week, mentions Montreal's metropolitan electric network but doesn't commit any of the funding that Quebecers and their government were hoping for.

Can the Leader of the Government in the Senate tell us at what point in time the federal government plans to announce the funding it will commit to Montreal's light rail project?

[English]

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question, and I have kept saying, "Thank you for your last question." I hope that I can say that as Leader of the Opposition.

With respect to the Montreal light train, the federal government, as you will know, made a clear commitment for public transit funding across the country. As senators will know, it's up to the municipalities and the provinces to choose public transit priorities, and the government is working with our partners in that regard.

The money that is on the table is, as again senators will know from the budget and from statements made, rather significant. I have made inquiries with respect to this specific story and am told that the government is working closely with the Government of Quebec and the CDPQ on the due diligence for this project. The Government of Canada is confident it will be able to meet their required timelines.

[Translation]

Senator Carignan: Will the federal government's contribution match the Province of Quebec's?

[English]

Senator Harder: I would encourage the honourable senator to wait for the announcement.

JUSTICE

CRIMINAL COURT DELAYS— JUDICIAL APPOINTMENTS

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

Senator Harder, earlier this month, in response to a question on court delays, Prime Minister Trudeau said in the House of Commons that his government has made over 100 appointments. When I asked the Minister of Justice to clarify whether he meant 100 appointments government-wide, she said she didn't know what he was talking about and she would get back to our Legal Committee with an answer.

Here we are, three weeks later, and — surprise — still no answer, but now we see media reports confirming that the Trudeau government has, in fact, only made around 100 appointments government-wide in almost 18 months of governing. The number of vacant GIC appointments has ballooned to a shocking 572, meaning more than one out of every three appointments is currently vacant.

On this issue, as with many others, this Trudeau government is nearly paralyzed by inaction and delay.

Senator Harder, you were the head of the Trudeau government transition team, and a key part of your role was to assist the government on appointments and the appointment process. Your job now, of course, is to answer for the Trudeau government in this chamber, and that means you have to answer for this failure of an appointment system you helped create.

Why is this government having such trouble making key Governor-in-Council appointments? Is it because of poor planning or have they just exhausted the list of names from the Trudeau Foundation?

Hon. Peter Harder (Government Representative in the Senate): I would like to respond to the question by underlining the importance this government attaches to a transparent appointment process and to ensure that the appointment process itself yields the kind of diversity that the Government of Canada, in this year and this decade, should espouse in the appointments it makes.

It is absolutely true that it has taken some time to ensure the appropriate arm's-length advisory processes are in place, but it is also true that the appointments that have been made have been broadly representative of the diversity that Canada is at its best.

Senator Batters: Senator Harder, there is no excuse for the inaction and delay of this Trudeau government. Its failure to make appointments is having some grave consequences.

This government's failure to make judicial appointments is amplifying the crisis in court delays in this country. Because of extreme court delays, due in no small part to a lack of federally

appointed judges, we are now seeing cases of first-degree murder and even horrific cases of sexual and physical assault of children being stayed by the courts.

There are currently 57 vacant judicial positions, and the government just announced the creation of a further 28 judicial positions in last week's budget. For this government, all that means is that we now have a whopping 85 vacancies.

In October, the Trudeau government dismantled all Judicial Advisory Committees, bringing the appointment process to a crawl. Almost six months later, 10 out of 17 of those JACs remain completely vacant.

Senator Harder, this is an emergency. We need less talk and more action. Why won't this government immediately move to appoint more judges — something only the federal government has the ability to do — to help fix this court delay crisis?

Senator Harder: Again, I thank the honourable senator for her question and will certainly pass on her concerns to the minister responsible.

I want to simply assure all senators and the senator asking the question that the Minister of Justice and the Government of Canada takes very seriously judicial appointments. It also takes seriously the need to revamp the GIC process so that it is more broadly represented and yields more broadly representative judicial appointments.

[Translation]

INNOVATION, SCIENCE AND ECONOMIC DEVELOPMENT

ARTIFICIAL INTELLIGENCE AND ROBOTICS

Hon. Claudette Tardif: The independent Liberal senators regularly invite all parliamentarians and the general public to discuss various issues with groups of subject-matter experts during their open caucuses.

The most recent of those discussions was held yesterday, March 29, on the subject of robotics and artificial intelligence. Specifically, we talked about how to foster innovation, set ethics parameters and maximize the social benefits of integrating robotics and artificial intelligence.

Leader, what is the Government of Canada doing to manage the integration of robotics and artificial intelligence into Canadian society, particularly with regard to innovation, job creation and ethics?

[English]

Hon. Peter Harder (Government Representative in the Senate): I want to thank the honourable senator for her question.

[Senator Batters]

Before I answer the question, I want to acknowledge the innovation of the open caucuses, as they have given all senators the occasion to hear from a more broadly representative group of Canadians on specific subjects. I can't think of a more interesting and timely subject than artificial intelligence, and I would note that it parallels the work being done by our Social Affairs Committee on this important subject, although the committee is looking at it more on the health care side.

You will know from the budget itself that there is significant investment in artificial intelligence specifically. The centres of excellence are referenced in the document, and I believe \$125 million is attached to that, but there is also related innovation funding that will take advantage of developments in artificial intelligence, particularly in strengthening the clusters in Montreal, Toronto and Edmonton that are emerging as world-class platforms for the way in which artificial intelligence can inform and innovate many sectors, not just research itself.

[Translation]

Senator Tardif: Thank you for your answer. I believe that the Standing Committee on Transport and Communications is currently studying the issue of robotics as it relates to cars.

We know that the budget includes investments in innovation; however, the experts we heard from yesterday believe that a national roadmap is needed to better govern the considerable and rapid technological changes on the horizon. The experts pointed to several European countries that have established such a roadmap.

Leader, does the government intend to make up for lost time by putting forward a comprehensive vision addressing all the challenges and opportunities in this field?

[English]

Senator Harder: Again, let me thank the honourable senator for her question and acknowledge that in a federation like Canada, it works best when the federal government is working cooperatively, particularly in the area of innovation and economic development, with its partners at the provincial level and, indeed, in some sectors at the local levels.

• (1410)

The Minister of Innovation, Science and Economic Development has rejuvenated the federal-provincial working group. In fact, there is now a very active federal-provincial coordination of innovation programming. The desire of the Government of Canada is to simplify its own programs, and that was referenced in the budget, to ensure that there is appropriate and easy access of programming from Canadians that take advantage of the innovation investments.

I will undertake to bring the minister up to date on the open caucus that your caucus has sponsored this week.

INTERNATIONAL TRADE

CANADA-EUROPEAN UNION COMPREHENSIVE ECONOMIC AND TRADE AGREEMENT— INTERPROVINCIAL TRADE

Hon. Marc Gold: Honourable senators, my question is for the Government Representative in the Senate.

I was going to ask you a question about judicial appointments, but it has already been asked, albeit in a different form than I might have asked it.

With respect to the Canada-EU free trade agreement, which is now being studied by the Senate, suppliers of services and goods in Europe will have greater access to opportunities across the country. Alas, that's not always the case for provincial suppliers of goods and services, who often still face some barriers if they try to do business in other provinces.

Could you provide the Senate with an update on the progress that the government is making with provincial counterparts to ensure that we continue to move towards a freer market in Canada as we are internationally?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question and his interest in internal free trade, particularly as we in this chamber will hopefully be dealing with the recommendations from the standing committee very soon.

As you know, the CETA is an important initiative, and it is the view of both parties that we should do all we can to ensure its coming into force by May 1. By both parties, that is to say the European Union has done its part, and Canada, so in that sense, they are both parties to the agreement. That is the work that the Senate of Canada is completing.

With respect to the free trade within our federation, I am informed that good progress is being made and that the minister hopes to be in a position of articulating that progress in the near future.

NATIONAL DEFENCE

CANADIAN ARMED FORCES—OFFICE OF THE OMBUDSMAN

Hon. Pamela Wallin: Honourable senators, on Tuesday the Canadian Forces Ombudsman, Mr. Gary Walbourne, issued a report calling for a new independent mandate for his office that would see the ombudsman report to Parliament rather than to the Minister of National Defence. This is not a new idea. When the office was created 18 years ago, it was expected that it would soon have a parliamentary mandate.

Despite requests from all five of the ombudsmen who have served, this independent mandate has never been approved. Without it, the ombudsman falls under the governance of the very department he is called upon to investigate and report on. Furthermore, the ombudsman says some of his recent reports

have been ignored and in fact have been sent back for a review to the department he is reviewing. This leaves many, including CF members, wondering whether the department can be objective about critiques and advice offered and, therefore, whether the ombudsman's role is being taken seriously.

My question is to the Government Representative here in the chamber. Will the government act upon this request from Mr. Walbourne and finally give the Canadian Forces Ombudsman true independence by ensuring he reports to Parliament and not just to the minister?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for her question and for her ongoing interest on these issues. As the honourable senator recognized in the question, this has been an issue over many years with many governments and ministers. I will undertake to raise this issue with the minister concerned and report back.

PRIVY COUNCIL OFFICE

PRIME MINISTER'S TRAVEL—TOUR TECHNICIAN— TRAVEL SUPPORT

Hon. David Tkachuk: Honourable senators, I don't know whether senators remember or watch, but I always liked *National Lampoon's Christmas Vacation*. Do you remember the Griswolds? I watch it almost every Christmas. I was getting a little tired of it, but we have a new Christmas vacation. It's called the Trudeau Christmas vacation.

If you remember, last year it was the St. Kitts Trudeau Christmas vacation where there was redacted flight manifests and he-said-she-said scenes between the Department of National Defence and the PMO, each scrambling not to take responsibility for keeping the names of nannies and in-laws secret.

In this year's sequel we have another Christmas vacation, in which the PMO went all blockbuster on us and tried not only to keep the names of the people secret, but they were actually trying to keep the whole vacation secret.

This year there was a new character, the tour technician, which I asked about yesterday. I'm wondering if you could tell me, Senator Harder, why the tour technician would charge \$626 for meals and incidentals and another \$1604 for per diems on the same trip. I thought per diems covered meals and incidentals. Why would there be a separate itemization?

Hon. Peter Harder (Government Representative in the Senate): I want to thank the honourable senator for his question. Of course, if we're going into the analogies of Christmas movies, my favourite is *How the Grinch Stole Christmas!*, and I know what role you would play.

Let me simply say that I will add this to my inquiry of yesterday.

Senator Tkachuk: There's probably no question that that would be the role I would play. I won't say it; I won't say anything that I'm going to be sorry for later.

Global Affairs staff also made the trip and charged \$1,267 in per diems.

I will say it.

Senator Neufeld: It's a long flight.

Senator Tkachuk: Yes, it is. It's almost as much as the single tour technician charged for his time on the island. I would like to know if you could, at the same time, make an inquiry and obtain and table in the Senate the names of all the people from Global Affairs and the Privy Council who travelled to the island during the PM's vacation, and an itemization of their expenses.

Senator Harder: I will make that additional request on to my earlier commitment.

INFRASTRUCTURE AND COMMUNITIES

RURAL AND NORTHERN COMMUNITIES

Hon. Dennis Glen Patterson: Honourable senators, I'd like to ask the Government Representative in the Senate about Budget 2017. It identifies several large envelopes of money that are to be the subject of bilateral or multilateral agreement negotiations, including \$9.2 billion for green infrastructure, \$3.2 billion for the affordable housing initiative and \$2 billion for infrastructure.

On the issue of infrastructure, the \$2 billion will be paid over 11 years, and the bilateral agreements are set to be negotiated in the coming months. The formula that was identified is base plus per capita, and I know the budget identifies that there are unique infrastructure needs in rural and northern communities and talks about the need to deliver more reliable energy networks and greater digital connectivity.

I'm worried about the proposed funding formula for the bilateral agreements and the mention of per capita. Can the Government Representative in the Senate enlighten me as to whether the government will take into account the higher costs of construction and labour in the North when determining their base amounts in an effort to offset the relatively lower population numbers in the territories?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. The Government of Canada, as he will know, takes this specific matter into account by providing a higher cost share, 75 per cent for the territories, while ensuring that funding is allocated on the base plus per capita funding under the green community, culture and recreation of rural and northern streams of funding.

With respect to the National Housing Strategy and the affordable housing initiative, I would be happy to discuss this with the minister responsible, Minister Duclos, to ensure the needs of the North, as he's referenced them, are appropriately taken into account.

[Senator Tkachuk]

• (1420)

PUBLIC SAFETY

CANADA BORDER SERVICES AGENCY—DETENTION OF REFUGEE CHILDREN

Hon. Mobina S. B. Jaffer: Honourable senators, my question is also to the leader in the Senate. Leader, I know you will not be surprised by my question. I ask about this subject on a regular basis and I will continue to ask this question because it relates to the detention of young children in prison.

When the minister came to the Defence Committee almost a year ago, he said he was going to look into this matter. He said to us — and I took that as a commitment from him — that he was going to try to find a way not to detain children.

Leader, I was willing to wait and I got your response, and it has made me so angry that I am going to have to watch how I say this.

You tabled a response — and I'm sure you got this response from the minister's office. In the response, it says:

... policy is clear in that children are detained only as a last resort and only after officers carefully consider what is in the best interest of the child(ren).

The best interest of the child is carefully considered? As you know, I was a lawyer for many years. For 40 years, I worked in protection cases. I went to the judge to tell him that it wasn't in the best interest of the child to take the child away from the parents. Then I worked with family law. I told the judge that it wasn't in the best interest of the child not to see his father or mother. Never in my life have I thought the best interest of a child would be to keep him in prison.

Leader, I'm not asking you to respond to this because I don't think you would say this. I'm asking you to ask the minister to define what exactly he means by it is in "the best interest of a child" to keep him in prison. This is Canada.

The last time I spoke on this question, I mentioned that in France they immediately send children in similar situations to schools on a farm. I have personally visited this farm. And we in Canada send unaccompanied children to prison and we say that's in the best interest of the child? Leader, that's not acceptable.

I would like a commitment from you to get an answer from the minister to explain how he can justify saying that sending a child to prison is in the best interest of that child.

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for her question. I would be happy to undertake that commitment.

I would also wish honourable senators to know that in the coming weeks I expect the minister responsible to be here for Senate Question Period. By no means does that mean I will not

wait until then to raise the question, but I do know this issue and other issues involving Immigration, Refugees and Citizenship Canada have raised very passionate concerns. They need to be debated and understood.

Senator Jaffer: Leader, this issue is not under the purview of the Department of Immigration; it falls under the responsibilities of the Minister of Public Safety, Mr. Goodale.

Leader, the detention of children, even for short periods, has a detrimental and lasting impact on their minds. The University of Toronto has indicated that, on average, 242 children were put into detention — 242 children are going into detention in Canada. I find that unbelievable.

I again ask you to please ask the minister how he can justify this practice when over a year ago he came to the Defence Committee and said he was going to put a stop to it.

Senator Harder: Again, I would be happy to do so. I would simply point out, though, that the University of Toronto study you referenced shows significant decline in 2016-17. I'm not for a moment suggesting that the number you cited is not one to be concerned about, but I do think that we ought to acknowledge that there's been a significant decrease of those detention experiences and that the use of detention in the policy, as the honourable senator has pointed out, has been based on what is viewed as the best interest of the child.

INNOVATION, SCIENCE AND ECONOMIC DEVELOPMENT

CHINA—ITF TECHNOLOGIES

Hon. Thanh Hai Ngo: My thanks to the Leader of the Government in the Senate for being here every day to answer our questions during Question Period.

Mr. Leader, on Monday the Trudeau government approved the Chinese takeover of ITF Technologies. With this approval, O-Net Communications will acquire the Montreal-based company, which is a leader in fibre-laser technology. This dual-purpose technology can be used in telecommunication, but it can also be used in direct energy weaponry. It is important to note that over a quarter of O-Net is owned now by Chinese state-owned companies with direct ties to the Communist Party.

This announcement raises several troubling questions. The previous government blocked this takeover in 2015 when it judged that the investment would be injurious to national security. Our own security experts in CSIS and National Defence, including our former ambassador to China, have expressed concerns over the deal.

Innovation Minister Navdeep Bains has refused to talk openly about the government decision because doing so could compromise national security. Minister Bains has assured us that the government has attached new conditions to the deal designed to address these security concerns and prevent China from acquiring sensitive technology.

However, it was reported that the previous government did consider this option and decided that it was not sufficient to protect national security.

Mr. Leader, this is my question: Can you tell us what has changed in Canada's national security to merit a reconsideration of this Chinese corporate takeover? And what new conditions have been attached to this deal?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. I would like to remind all senators it was after more than a year of pending litigation that challenged the legality of the original cabinet order that the government consented to an order from the Federal Court requiring it to conduct a new review. The government acted on the full evidence and advice provided by our security intelligence experts. This law has been followed scrupulously. The rigorous review allowed the minister to make the decision that he announced.

In your question you refer to the minister indicating that national security matters are not disclosed by the Government of Canada. That continues to be the policy. Therefore, I'm not able to answer the question with respect to national security.

However, I want to assure all senators and, through this answer, all Canadians, that the government is confident that the measures that it has put in place are in the best interests of Canada, which is what the law requires.

Senator Ngo: This week the Government of Australia cancelled a vote to ratify an extradition treaty with China. It becomes clear that the treaty would not receive parliamentary approval due to serious concern surrounding China's legal system.

The 2016-17 Amnesty International report on China states:

Shortcomings in domestic law and systemic problems in the criminal justice system resulted in widespread torture and other ill-treatment and unfair trials.

My question for the Leader of the Government in the Senate is: Why is the Government of Canada still pursuing an extradition treaty with China? Could the government leader make inquiries and let us know exactly how advanced the negotiations are between Canada and China?

Senator Harder: I want to thank the honourable senator for his question. I want to assure him and all senators that the protection of human rights is an integral part of Canada's foreign policy, as I discussed yesterday in the questions with respect to another matter of Canada-China relations.

You will know that the Government of Canada has established a national security and rule of law dialogue that allows us to emphasize that Canada has very high expectations around the rule of law. You will also know from press reports that our new ambassador has made some statements with respect to expectations of the Government of Canada in that regard.

Canada and China are not extradition partners. Canada has, as all senators will know, very high standards for extradition treaties, and those will always be upheld with any country around the world.

• (1430)

That remains the view of the Government of Canada and any potential agreement for extradition with China or with any other country would have to uphold the high standards that Canada insists on.

SCRUTINY OF REGULATIONS

SECOND REPORT OF COMMITTEE PRESENTED

Leave having been granted to revert to Presenting or Tabling of Reports from Committees.

Hon. Pana Merchant, Joint Chair of the Standing Joint Committee for the Scrutiny of Regulations, presented the following report:

Thursday, March 30, 2017

The Standing Joint Committee for the Scrutiny of Regulations has the honour to present its

SECOND REPORT

Your committee, which was authorized by the Senate on Thursday, December 10, 2015, to review Statutory Instruments, now presents its Second Report entitled: *Accessibility of Documents Incorporated by Reference in Federal Regulations*.

Respectfully submitted,

PANA MERCHANT
Joint Chair

(For text of report, see today's Journals of the Senate, Appendix A, p. 1429.)

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

(On motion of Senator Merchant, report placed on the Orders of the Day for consideration at the next sitting of the Senate.)

THIRD REPORT OF COMMITTEE PRESENTED

Hon. Pana Merchant, Joint Chair of the Standing Joint Committee for the Scrutiny of Regulations, presented the following report:

Thursday, March 30, 2017

The Standing Joint Committee for the Scrutiny of Regulations has the honour to present its

THIRD REPORT

Your committee, which was authorized by the Senate on Thursday, December 10, 2015 to review Statutory Instruments, now presents its third report entitled: *Marginal Notes*.

Respectfully submitted,

PANA MERCHANT
Joint Chair

(For text of report, see today's Journals of the Senate, Appendix B, p. 1451.)

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

(On motion of Senator Merchant, report placed on the Orders of the Day for consideration at the next sitting of the Senate.)

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate): Honourable senators, pursuant to rule 4-13(3), I would like to inform the Senate that, as we proceed with Government Business, the Senate will address the items in the following order: third reading of Bills C-40, C-41 and C-6 and Bill C-4 in that order, followed by all remaining items in the order that they appear on the Order Paper.

[Translation]

APPROPRIATION BILL NO. 5, 2016-17

THIRD READING

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate) moved that Bill C-40, An Act for granting to Her Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2017, be read the third time.

She said: Honourable senators, yesterday we had an extensive debate on Bill C-40 and on the report concerning Supplementary Estimates (C). As you know, Bill C-40 provides for the release of supply for the Supplementary Estimates (C) for the end of the 2016-17 fiscal year.

We have already debated this, so I move adoption of the bill.

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

Some Hon. Senators: Yes.

Some Hon. Senators: No.

(Motion agreed to and bill read third time and passed.)

[Senator Harder]

[English]

APPROPRIATION BILL NO. 1, 2017-18

THIRD READING

Hon. Diane Bellemare moved third reading of Bill C-41, An Act for granting to Her Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2018.

She said: As honourable senators will recall, yesterday we had second reading debate on Bill C-40, the Appropriation Act for around 41 per cent of the sum of money that we want. This is the expenditure for 2017-18 and it is the appropriation of about 30 per cent of the sum of money that the government needs.

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

Hon. Senators: Question.

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

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

(Motion agreed to and bill read third time, on division.)

The Hon. the Speaker: Ordered that a message be sent to the House of Commons to acquaint that house that the Senate has passed this bill without amendment.

CITIZENSHIP ACT

BILL TO AMEND—THIRD READING— MOTION IN AMENDMENT— DEBATE

On the Order:

Resuming debate on the motion of the Honourable Senator Omidvar, seconded by the Honourable Senator Gagné, for the third reading of Bill C-6, An Act to amend the Citizenship Act and to make consequential amendments to another Act.

And on the motion in amendment of the Honourable Senator McCoy, seconded by the Honourable Senator Ringuette:

That Bill C-6 be not now read a third time, but that it be amended,

(a) in clause 3, on page 4, by replacing line 1 with the following:

“3 (1) Subsection 10(2) of the Act is repealed.

(2) Subsection 10(3) of the Act is replaced by the following:

(3) Before revoking a person’s citizenship or renunciation of citizenship, the Minister shall provide the person with a written notice that

(a) advises the person of his or her right to make written representations;

(b) specifies the form and manner in which the representations must be made;

(c) sets out the specific grounds and reasons, including reference to materials, on which the Minister is relying to make his or her decision; and

(d) advises the person of his or her right to request that the case be referred to the Court.

(3.1) The person may, within 60 days after the day on which the notice is received,

(a) make written representations with respect to the matters set out in the notice, including any humanitarian and compassionate considerations — such as the best interests of a child directly affected — that warrant special relief in light of all the circumstances and whether the Minister’s decision will render the person stateless; and

(b) request that the case be referred to the Court.

(3.2) The Minister shall consider any representations received from the person pursuant to paragraph (3.1)(a) before making a decision.

(3) The Act is amended by adding the following after subsection 10(4):

(4.1) The Minister shall refer the case to the Court under subsection 10.1(1) if the person has made a request pursuant to paragraph (3.1)(b) unless the person has made written representations pursuant to paragraph (3.1)(a) and the Minister is satisfied

(a) on a balance of probabilities that the person has not obtained, retained, renounced or resumed his or her citizenship by false representation or fraud or by knowingly concealing material circumstances; or

(b) that sufficient humanitarian and compassionate grounds warrant special relief in light of all the circumstances of the case.

(4) The Act is amended by adding the following after subsection 10(5):

(5.1) The Minister shall provide a notice under subsection (3) or a written decision under subsection (5) by personally serving the person. If personal service is not practicable, the Minister may apply to the Court for an order for substituted service or for dispensing with service.

(5.2) The Minister's decision to revoke citizenship or renunciation of citizenship is final and is not subject to judicial review under this Act or the *Federal Courts Act*.”;

(b) in clause 4, on page 4,

(i) by replacing line 2 with the following:

“4 (1) Subsection 10.1(1) of the Act is replaced by the following:

10.1 (1) If a person makes a request under paragraph 10(3.1)(b), the person's citizenship or renunciation of citizenship may be revoked only if the Minister seeks a declaration, in an action that the Minister commences, that the person has obtained, retained, renounced or resumed his or her citizenship by false representation or fraud or by knowingly concealing material circumstances and the Court makes such a declaration.

(2) Subsections 10.1(2) and (3) of the Act are re-, and

(ii) by adding after line 6 the following:

“(3) Subsection 10.1(4) of the Act is replaced by the following:

(4) If the Minister seeks a declaration, he or she must prove on a balance of probabilities that the person has obtained, retained, renounced or resumed his or her citizenship by false representation or fraud or by knowingly concealing material circumstances.

(5) In an action for a declaration, the Court

(a) shall assess, on a balance of probabilities, whether the facts — acts or omissions — alleged in support of the declaration have occurred, are occurring or may occur; and

(b) with respect to any evidence, is not bound by any legal or technical rules of evidence and may receive and base its decision on any evidence adduced in the proceedings that it considers credible or trustworthy in the circumstances.”;

(c) on page 4, by adding after line 7 the following:

“5.1 Subsection 10.5(1) of the Act is replaced by the following:

10.5 (1) On the request of the Minister of Public Safety and Emergency Preparedness, the Minister shall — in the originating document that commences an action under subsection 10.1(1) on the basis that the person obtained, retained, renounced or resumed his or her citizenship by false representation or fraud or by knowingly concealing material circumstances, with respect to a fact described in section 34, 35 or 37 of the *Immigration and Refugee Protection Act* other than a fact that is also described in paragraph 36(1)(a) or (b) or (2)(a) or (b) of that Act — seek a declaration that the person who is the subject of the action is inadmissible on security grounds, on grounds of violating human or international rights or on grounds of organized criminality under, respectively, subsection 34(1), paragraph 35(1)(a) or (b) or subsection 37(1) of the *Immigration and Refugee Protection Act*.”;

(d) on page 7,

(i) by adding after line 16 the following:

“19.1 A person whose citizenship or renunciation of citizenship was revoked under subsection 10(1) of the *Citizenship Act* after the day on which this Act receives royal assent but before the day on which all of subsections 3(2) to (4) come into force, is deemed never to have had their citizenship revoked.” and

(ii) by adding after line 21 the following:

“20.1 If, immediately before the coming into force of section 4, a notice has been given to a person under subsection 10(3) of the *Citizenship Act* and the matter was not finally disposed of before the coming into force of that section, the person may, within 30 days after the day on which that section comes into force, elect to have the matter dealt with and disposed of as if the notice had been given under subsection 10(3) of the *Citizenship Act*, as enacted by subsection 3(2).”;

(e) on page 8, by replacing lines 16 to 25 with the following:

“25 Subparagraphs 40(1)(d)(ii) and (iii) of the *Immigration and Refugee Protection Act* are replaced by the following:

(ii) subsection 10(1) of the *Citizenship Act* in the circumstances set out in section 10.2 of that Act before the coming into force of paragraphs 46(2)(b) and (c), as enacted by *An Act to amend the Citizenship Act and to make consequential amendments to another Act*, or

(iii) subsection 10.1(3) of the *Citizenship Act* in the circumstances set out in section 10.2 of the *Citizenship Act* before the coming into force of paragraphs 46(2)(b) and (c), as enacted by *An Act to amend the Citizenship Act and to make consequential amendments to another Act*.

26 Paragraphs 46(2)(b) and (c) of the Act are replaced by the following:

(b) subsection 10(1) of the *Citizenship Act*; or

(c) subsection 10.1(3) of the *Citizenship Act*.”; and

(f) in clause 27, on page 9, by adding after line 9 the following:

“(3.1) Subsections 3(2) to (4), subsections 4(1) and (3) and section 5.1 come into force one year after the day on which this Act receives royal assent or on any earlier day or days that may be fixed by order of the Governor in Council.”.

Hon. Peter Harder (Government Representative in the Senate): Honourable senators, I rise in the hope of making it three in a row.

An Hon. Senator: Good luck!

Senator Harder: As senators will know, this bill is important for defining citizenship in Canada. It comes at a rather propitious time. I had hoped to speak to this measure yesterday because it was the day in which Royal Assent was granted on the British North America Act, 1867, setting up the events that led to what was then Dominion Day on July 1, 1867. While that act itself didn't deal with citizenship, given the nature of the development of our country, citizenship, over the course of our 150 years, has regularly been refreshed, adopted and modernized as we have, as a country, adjusted to the reality of who we are.

The important business of government is before us and that is Bill C-6. The amendment that I am speaking to would improve procedural fairness in the process of revocation of citizenship for fraud or false representation.

I want to share my personal perspective on the general need for an appeal process, and I also will share, as the Government Representative, the government's position with respect to this amendment.

[Translation]

I would like to begin by thanking the sponsor of the bill, Senator Omidvar, who was deeply invested in this bill. She and her staff worked tirelessly to improve Bill C-6, particularly with respect to appeals.

I would also like to thank Senator McCoy, who proposed the amendment for our consideration.

[English]

Honourable senators, as a former Deputy Minister of Citizenship and Immigration, I believe our citizenship laws are in need of greater fairness with respect to the revocation process. Such a change will further Canada's interest in that all Canadians have an interest in not seeing members of our society unjustly

deprived of citizenship. In working to improve this legislation, Parliament can create a legal mechanism to prevent potential injustices.

Before sharing my views on this specific amendment, I will briefly outline the government's position with respect to creating an appeal mechanism.

In his speech in the other place at second reading, then Minister McCallum stated:

... [if] there is insufficient right of appeal to such a decision —

Meaning a decision to revoke citizenship based on misrepresentation.

— then the government and I would certainly be prepared to contemplate such an amendment to our bill.

Appearing at the Senate Question Period on October 4 last year, then Minister McCallum reiterated that he would be open to an amendment with respect to an appeal process for revocation.

On March 1 of this year, Minister Hussen, now Minister of Immigration, Refugees and Citizenship, stated at the Standing Senate Committee on Social Affairs, Science and Technology:

• (1440)

... we are very much open to examining any proposals that add to procedural fairness with respect to citizenship revocation. We have always said that we will examine those proposals and work closely with the senators on that. I can't predict the outcome of that process, but I can assure you that I and my department are open to working closely with you on any proposals you may bring forward that deal with additional procedural fairness on this issue.

With respect to this particular amendment, which proposes a right to proceedings in the Federal Court, I will vote for it. However, I will vote for this amendment in the spirit of proceeding with the legislation that includes greater procedural fairness for revocation, while noting that the government continues to consider the precise form of an appeal process that it will support. Should the government's deliberations result in a different preferred model, I will comment further at that appropriate time.

That said, I would note that I am pleased with what I believe is the emerging consensus between the government and many senators that legislation is required with respect to the issue of the process for revocation of citizenship based on misrepresentation. I look forward to facilitating further constructive work on this issue.

I would also note, colleagues, that Bill C-6 has been in our chamber since June of last year. That is a very long time for sober second thought, and I would ask that the Senate proceed with this legislation, this amendment, as quickly as possible. After all, it was mandated by Canadians as a specific program in the electoral

platform of the government, and I trust we can make timely decisions in this body, both with respect to the amendment and Bill C-6 in its entirety. Canadians deserve no less, now.

Some Hon. Senators: Hear, hear!

Hon. Yonah Martin (Deputy Leader of the Opposition): I have a question for Senator Harder. Would he take a question?

Senator, you spoke about the importance of this amendment, which would ensure procedural fairness. You also cited the revocation based on misrepresentation that already exists in the act.

I am aware that the appeal process in those cases — and I only have a personal example, as I was meeting with one such individual who was facing deportation. That entire process took about 20 years. That's quite a long process.

I totally understand the importance of procedural fairness, but would you speak to whether the government is putting in place certain measures that would ensure procedural fairness but also timeliness? Twenty years is a very long time. As I said, that is one example, but I am aware that there are lots of delays because of the procedure that is in place.

Would you speak to that, please?

Senator Harder: The honourable senator raises an important point, and that is the integrity of our refugee determination. Our immigration system and our citizenship laws rest with the balance of appropriate rights and protections, at the same time as appropriate expeditiousness of decision-making itself.

I am pleased to note that, in the last budget tabled, there were additional resources to the appropriate agencies and boards that have a lot to do with this matter in this area. Of course, as the government considers this amendment or another approach, it will want to ensure that any provision of access to review an appeal is able to be accomplished in an appropriately expeditious fashion.

Senator Martin: You speak about allocation of resources, but specifically how would procedural fairness be efficiently applied in considering this amendment, when we already see the delays that are happening for the other cases? I am looking at very specific measures that the government plans to take to assure Canadians that it will not bog down the entire system.

Senator Harder: Thank you for the question. Of course, should Parliament enact such an appeal mechanism, the Government of Canada will have to ensure that, in implementing such an appeal mechanism or right of access to the Federal Court, procedural processes are done expeditiously. It would be premature for me now to describe how the government is going to implement a process we have not yet accepted in Parliament.

Hon. Serge Joyal: Honourable senators, I don't want to nitpick this afternoon. I often address you in English, but I want to tell you that I also read the French version of bills.

[Senator Harder]

I would like to draw the attention of the sponsor of the amendment, Senator McCoy, to the French version. At page 4 of the Order Paper, under paragraph 4, 5.1 in the French version:

[Translation]

In the French version it says:

(5.1) L'avis visé au paragraphe (3) ou la décision visée au paragraphe (5) est signifié à personne.

[English]

It means in French that notice is given to no one. That's what it means, because the article "la" is not there.

You are the author of the amendments, so if you want to seek concurrence to add the article "la" before the word "personne" in French, that would make the meaning equal to the other one. I will leave it there before I make my general comments.

Hon. Elaine McCoy: May I seek leave of the Senate to clarify the French version to ensure that notice is given to a person, and the very elegant words of Senator Joyal?

What it says, apparently, if I understood what he just said, is that the French version of the amendment in giving notice, as it sits right now, actually means giving notice to no one. "Personne" in French means "no one," or "anyone"; it doesn't mean an individual. So to add a couple of words in French to clarify that you are giving it to the individual would be "la."

Would you be so kind as to give me leave to alter that one word to ensure that we have concordance between the English and French versions?

Some Hon. Senators: Agreed.

Senator Martin: On a point of clarification: Senator McCoy, you are asking to amend your amendment motion; correct?

Senator McCoy: It's a technical translation.

The Hon. the Speaker: Senator Martin, I believe Senator McCoy is asking that, rather than move a formal amendment, she is requesting leave of the house to change a technical error in the French language by adding "la" in front of "personne."

Is leave granted, honourable senators?

Some Hon. Senators: Yes.

Senator Plett: No.

[Translation]

Hon. Renée Dupuis: I would like some clarification in light of Senator Joyal's request.

[English]

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

For clarity, honourable senators, the house is master of itself. We can add a technical change to correct an inadvertent error in the text rather than go to a formal amendment. Obviously, it requires the consent of the house. If someone wants to see that as a formal amendment, they just say no to the request for consent, and the senator will then have to move a formal amendment.

Senator Dupuis, do you want to add something?

[Translation]

Senator Dupuis: My concern is this: that Senator McCoy's request — which I support — include verification of the need in this context to say "signifie à la personne" instead of "signifie à personne".

[English]

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

Hon. Senators: Agreed.

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

Senator Joyal: This is the last suggestion regarding corrections. I thank honourable senators for their concurrence in that.

I will be brief this afternoon, but I want to draw the attention of honourable senators in relation to this amendment proposed by Senator McCoy that the revocation of citizenship is a very serious decision.

• (1450)

In fact, if you read the Charter of Rights and Freedoms, there are two sections in the Charter that recognize rights only to citizens. Generally, the rights are to a person, but there are two kinds of rights in the Charter that are recognized only for citizens. If you lose your legal condition of citizen, you cannot claim those rights. That's my first point, and I'm going to recite to you which of those two rights are very well stated in the Charter.

The second one is that section 24 of the Charter has a very specific clause that imposes upon us the requirement to manage a remedial legal system for anybody who feels that his or her rights are aggrieved or removed. That is section 24. Let me read section 24(1) of the Charter:

Anyone whose rights or freedoms, as guaranteed by this Charter, have been infringed or denied may apply to a court of competent jurisdiction to obtain such remedy as the court considers appropriate and just in the circumstances.

So any of those rights in the Charter are subject to enforcement in court if anyone feels aggrieved.

I come back to my first proposal to you, which is: Which of the rights do we enjoy specifically because we are Canadian citizens, in our condition as citizens? Section 3 states:

"Democratic rights of citizens"

Every citizen of Canada —

And I insist not every person of Canada —

Every citizen of Canada has the right to vote in an election of members of the House of Commons or of a legislative assembly and to be qualified for membership therein.

The Supreme Court has interpreted that right very widely. It is the right to run in an election. It is the right to a certain division of ridings in Canada, as you know. It is the principle of effective representation. The Supreme Court has drawn a lot of conclusions in relation to that right: the right to vote with all the ensuing privileges that are entitlements of the right to vote.

Another group of rights that are reserved only to the citizens, and those are, in a way, more telling for an individual person, if I can use that tautology:

Section 6 is entitled "Mobility of citizens." I read:

(1) Every citizen of Canada has the right to enter, remain in and leave Canada.

(2) Every citizen of Canada and every person who has the status of a permanent resident of Canada has the right

(a) to move to and take up residence in any province; and

(b) to pursue the gaining of a livelihood in any province.

As you will understand, honourable senators, when we remove the condition of citizenship from a person, from a citizen, we cannot, at the same time, deny them the right to go to court. That's section 24. If we were to curtail freedom of expression in Canada, under section 2(a) of the Charter, that person could go to the courts and challenge such a piece of legislation.

We had a debate in this chamber around this a while ago. It is the same for the protection of a person who has the title of citizen. If there is a decision to remove citizenship, that person, according to the Charter, has the right to go to court because it is a very serious right. You are removing the democratic rights and the mobility rights of a person when you remove the citizenship.

I have always been supportive of initiatives that aim to re-establish some kind of process. Senator Martin is right; there are not thousands and thousands of cases of revocation of citizenship. We are not in the refugees domain of activities here. You're totally right; a person who claims that his or her right has been revoked or will be terminated certainly has the right to be heard in court in an efficient and reasonable time period. You are totally

right. That is what the Supreme Court confirmed last summer, as you know, in relation to in how many months you can expect a decision in a provincial court — 18 months — and 30 months in a superior court. The reasonable delay is an important point, and you have raised it, in my opinion, with a lot of justification.

However, we are not facing the refugee problem here that we know the refugee boards have to address. The revocation of citizenship happens. There are a couple of hundred cases, but it is not the flood of issues. I think you are totally right in relation to that.

I am very strongly supportive of those amendments because they re-establish enforceability of rights contained in the Charter. That doesn't mean that the person has to appeal to the Federal Court. The government could think of a system of appeal that would be fair. That is essentially what we aim for here. It could be the Federal Court, a superior court, an administrative court, but at least there will be a review process to make sure that the decision has been fairly taken and that the person has had an opportunity to state his or her case. That's what we call due process; a fair hearing.

I strongly support this amendment because, especially in this chamber—I am looking at Senator Bellemare—we question how we want to make sure that each bill is in sync with the Charter. I think this bill needed to be in sync with the Charter, and I am happy that the initiative was taken at the committee to highlight that point and that today we will be able, I hope, to vote on those amendments that, in my opinion, will bring the legislation into conformity with the rights of Canadians.

Hon. Daniel Lang: Will the honourable senator take a question?

Senator Joyal: With pleasure, Senator Lang.

Senator Lang: I don't think anybody argues with the premise that due process should be in place for any Canadian or permanent resident who has, perhaps, put themselves into this situation and that an appeal procedure would perhaps meet some of the areas of concern that have been expressed.

I guess the question that I have, in view of your comments at the outset, is: You referred to the Constitution and the rights of every Canadian and the right for an appeal. What I'm going to ask you is this: If we go with an appeal procedure, does that not still leave the right for an individual to appeal that decision of the review process? If it's put in place and they do not agree with the decision that's taken, do they still have the right, then, to go to the Federal Court for another appeal?

The question that I have is—and you have said this yourself in reference to Senator Martin—the question of those who play and game the system. They know that, if they appeal and they appeal and they appeal, they can spend the next 10 years here because of the backlog in the court, the problems that they have for the purposes of utilizing, going through the system.

I just read about a situation where Minister Goodale is being told by the court that he has to make a decision with respect to individuals who, for one reason or another, have had to appeal to

him for the right to stay in this country in view of activities that they have been involved in. But those individuals have been appealing for 15 years.

If, like any other Canadian, you have the right to go to court if you feel, as a citizen, that your rights have been intruded upon, why don't we just leave it the way it is because that right is already there?

Senator Joyal: I think the honourable senator has raised a question that can be addressed in various ways.

• (1500)

First, the government, the Minister of Justice or the Minister of Immigration, in the process of appeal that can be put into place, could determine the length and the period of time for which you have to signify your intention to appeal to limit the extension to which a person would want to avail himself or herself of that right. Then, as I mentioned, there could be a way to establish an administrative tribunal and determine the reasons for appeal. You can specifically determine the reasons why the appeal could be allowed. Canadian courts have already—

I would need to have five more minutes.

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

Hon. Senators: Agreed.

Senator Joyal: You could determine a certain route, in other words, or a basis of appeal that could also be vindicated by the court because there are examples in our administrative tribunal whereby the review is limited to a certain number of checks within the system. In other words, it's not arguing the case again from one level to the other.

In the case of the revocation of citizenship, there are possibilities to put together a system of appeal that would meet the test of fair hearing in the administrative context that would give the person who feels aggrieved the capacity to appeal from the decision.

However, there is something outrageous about the fact that the person is not heard, sends his or her argument in writing only and receives an answer, as Senator McCoy has said, with a number. When you read that you have the impression of being in a Soviet-era administration. The person has the right to be heard and the person has the right to argue. It's not the same to argue in writing as arguing in person with fair assistance or with no assistance a case in which you feel personally very much involved.

There is certainly a way to establish a more efficient system that will take into account the need to have reasonableness in terms of delay, and at the same time the maintenance of the right of the person to have his or her case heard by a Court of Justice, be it an administrative tribunal or the Federal Court.

Senator Lang: Your Honour, I would like to follow up because one of my questions wasn't asked.

[Senator Joyal]

At the end of this appeal procedure, and if he or she does not agree with the tribunal decision that has been set down, he or she does, then, have the right to appeal to the court again for the purpose of a hearing of his or her case under certain conditions; is that not correct?

Senator Joyal: Yes, senator, you are totally right. The superior court or the Federal Court has a general responsibility of review of due process. That's part of section 11 of the Charter. In other words, that has to be maintained at the same level as in any other case where the rights of a person are at stake. There has to be a capacity for the superior court or the Federal Court to review to make sure that due process has been observed in coming to terms with that request.

Senator Martin: I move the adjournment of the debate.

Some Hon. Senators: No.

The Hon. the Speaker: It was moved by the Honourable Senator Martin, seconded by the Honourable Senator Carignan, that further debate be adjourned until the next sitting of the Senate.

Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker: All those in favour of the motion will please say "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed to the motion will please say "nay."

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the "nays" have it.

And two honourable senators having risen:

The Hon. the Speaker: Do we have an agreement on the bell?

An Hon. Senator: One hour.

The Hon. the Speaker: The vote will take place at 4:04 p.m. Call in the senators.

• (1600)

Motion to adjourn debate negated on the following division:

YEAS THE HONOURABLE SENATORS

Andreychuk	Neufeld
Batters	Ngo
Beyak	Ogilvie
Boisvenu	Patterson
Carignan	Plett
Enverga	Raine
Frum	Runciman
Greene	Seidman
Housakos	Smith
Lang	Stewart Olsen
MacDonald	Tkachuk
Martin	Unger
McInnis	Wells
McIntyre	White—28

NAYS THE HONOURABLE SENATORS

Bellemare	Joyal
Bernard	Kenny
Boniface	Lankin
Bovey	Marwah
Brazeau	McCoy
Campbell	McPhedran
Christmas	Merchant
Cools	Mitchell
Cormier	Moncion
Dean	Munson
Duffy	Omidvar
Dupuis	Pate
Forest	Petitclerc
Fraser	Pratte
Gagné	Ringuette
Gold	Saint-Germain
Griffin	Tardif
Harder	Wetston
Hartling	Woo—39
Jaffer	

ABSTENTIONS THE HONOURABLE SENATORS

Nil

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

Hon. Donald Neil Plett: Your Honour, I move the adjournment of the Senate.

The Hon. the Speaker: It is moved by the Honourable Senator Plett, seconded by the Honourable Senator Frum, that the Senate do now adjourn. Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker: All those in favour of the motion please say “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed to the motion will please say “nay.”

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the nays have it.

And two honourable senators having risen:

The Hon. the Speaker: I see two senators rising. Is there an agreement on the bell?

An Hon. Senator: One hour.

The Hon. the Speaker: The vote will take place at 5:13 p.m. Call in the senators.

• (1710)

Motion to adjourn the sitting of the Senate negated on the following division:

YEAS THE HONOURABLE SENATORS

Andreychuk
Batters
Beyak
Boisvenu
Carignan
Enverga
Frum
Greene
Housakos
Lang
MacDonald
Martin

McInnis
McIntyre
Neufeld
Ngo
Patterson
Plett
Runciman
Seidman
Smith
Stewart Olsen
Unger—23

NAYS THE HONOURABLE SENATORS

Bellemare
Bernard

Jaffer
Joyal

Boniface
Bovey
Brazeau
Campbell
Christmas
Cools
Cormier
Dean
Duffy
Dupuis
Forest
Fraser
Gagné
Gold
Griffin
Harder
Hartling

Lankin
Marwah
McCoy
McPhedran
Merchant
Mitchell
Moncion
Munson
Omidvar
Pate
Petitclerc
Pratte
Ringuette
Saint-Germain
Wetston
Woo—37

ABSTENTIONS THE HONOURABLE SENATORS

Nil

[Translation]

ROYAL ASSENT

The Hon. the Speaker informed the Senate that the following communication had been received:

RIDEAU HALL

March 30th, 2017

Mr. Speaker:

I have the honour to inform you that the Right Honourable David Johnston, Governor General of Canada, signified royal assent by written declaration to the bills listed in the Schedule to this letter on the 30th day of March, 2017, at 3:50 p.m.

Yours sincerely,

Stephen Wallace
Secretary to the Governor General

The Honourable
The Speaker of the Senate
Ottawa

Bills Assented to Thursday, March 30, 2017:

An Act for granting to Her Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2017 (*Bill C-40, Chapter 1, 2017*)

An Act for granting to Her Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2018 (*Bill C-41, Chapter 2, 2017*)

[English]

CITIZENSHIP ACT

BILL TO AMEND—THIRD READING—MOTION IN AMENDMENT—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Omidvar, seconded by the Honourable Senator Gagné, for the third reading of Bill C-6, An Act to amend the Citizenship Act and to make consequential amendments to another Act.

And on the motion in amendment of the Honourable Senator McCoy, seconded by the Honourable Senator Ringette:

That Bill C-6 be not now read a third time, but that it be amended,

(a) in clause 3, on page 4, by replacing line 1 with the following:

“3 (1) Subsection 10(2) of the Act is repealed.

(2) Subsection 10(3) of the Act is replaced by the following:

(3) Before revoking a person’s citizenship or renunciation of citizenship, the Minister shall provide the person with a written notice that

(a) advises the person of his or her right to make written representations;

(b) specifies the form and manner in which the representations must be made;

(c) sets out the specific grounds and reasons, including reference to materials, on which the Minister is relying to make his or her decision; and

(d) advises the person of his or her right to request that the case be referred to the Court.

(3.1) The person may, within 60 days after the day on which the notice is received,

(a) make written representations with respect to the matters set out in the notice, including any humanitarian and compassionate considerations — such as the best interests of a child directly affected — that warrant special relief in light of all the circumstances and whether the Minister’s decision will render the person stateless; and

(b) request that the case be referred to the Court.

(3.2) The Minister shall consider any representations received from the person pursuant to paragraph (3.1)(a) before making a decision.

(3) The Act is amended by adding the following after subsection 10(4):

(4.1) The Minister shall refer the case to the Court under subsection 10.1(1) if the person has made a request pursuant to paragraph (3.1)(b) unless the person has made written representations pursuant to paragraph (3.1)(a) and the Minister is satisfied

(a) on a balance of probabilities that the person has not obtained, retained, renounced or resumed his or her citizenship by false representation or fraud or by knowingly concealing material circumstances; or

(b) that sufficient humanitarian and compassionate grounds warrant special relief in light of all the circumstances of the case.

(4) The Act is amended by adding the following after subsection 10(5):

(5.1) The Minister shall provide a notice under subsection (3) or a written decision under subsection (5) by personally serving the person. If personal service is not practicable, the Minister may apply to the Court for an order for substituted service or for dispensing with service.

(5.2) The Minister’s decision to revoke citizenship or renunciation of citizenship is final and is not subject to judicial review under this Act or the *Federal Courts Act*.”;

(b) in clause 4, on page 4,

(i) by replacing line 2 with the following:

“4 (1) Subsection 10.1(1) of the Act is replaced by the following:

10.1 (1) If a person makes a request under paragraph 10(3.1)(b), the person’s citizenship or renunciation of citizenship may be revoked only if the Minister seeks a declaration, in an action that the Minister commences, that the person has obtained, retained, renounced or resumed his or her citizenship by false representation or fraud or by knowingly concealing material circumstances and the Court makes such a declaration.

(2) Subsections 10.1(2) and (3) of the Act are re-”, and

(ii) by adding after line 6 the following:

“(3) Subsection 10.1(4) of the Act is replaced by the following:

(4) If the Minister seeks a declaration, he or she must prove on a balance of probabilities that the person has obtained, retained, renounced or resumed his or her citizenship by false representation or fraud or by knowingly concealing material circumstances.

(5) In an action for a declaration, the Court

(a) shall assess, on a balance of probabilities, whether the facts — acts or omissions — alleged in support of the declaration have occurred, are occurring or may occur; and

(b) with respect to any evidence, is not bound by any legal or technical rules of evidence and may receive and base its decision on any evidence adduced in the proceedings that it considers credible or trustworthy in the circumstances.”;

(c) on page 4, by adding after line 7 the following:

“5.1 Subsection 10.5(1) of the Act is replaced by the following:

10.5 (1) On the request of the Minister of Public Safety and Emergency Preparedness, the Minister shall — in the originating document that commences an action under subsection 10.1(1) on the basis that the person obtained, retained, renounced or resumed his or her citizenship by false representation or fraud or by knowingly concealing material circumstances, with respect to a fact described in section 34, 35 or 37 of the *Immigration and Refugee Protection Act* other than a fact that is also described in paragraph 36(1)(a) or (b) or (2)(a) or (b) of that Act — seek a declaration that the person who is the subject of the action is inadmissible on security grounds, on grounds of violating human or international rights or on grounds of organized criminality under, respectively, subsection 34(1), paragraph 35(1)(a) or (b) or subsection 37(1) of the *Immigration and Refugee Protection Act*.”;

(d) on page 7,

(i) by adding after line 16 the following:

“19.1 A person whose citizenship or renunciation of citizenship was revoked under subsection 10(1) of the *Citizenship Act* after the day on which this Act receives royal assent but before the day on which all of subsections 3(2) to (4) come into force, is deemed never to have had their citizenship revoked.”, and

(ii) by adding after line 21 the following:

“20.1 If, immediately before the coming into force of section 4, a notice has been given to a person under subsection 10(3) of the *Citizenship Act* and the matter

was not finally disposed of before the coming into force of that section, the person may, within 30 days after the day on which that section comes into force, elect to have the matter dealt with and disposed of as if the notice had been given under subsection 10(3) of the *Citizenship Act*, as enacted by subsection 3(2).”;

(e) on page 8, by replacing lines 16 to 25 with the following:

“25 Subparagraphs 40(1)(d)(ii) and (iii) of the *Immigration and Refugee Protection Act* are replaced by the following:

(ii) subsection 10(1) of the *Citizenship Act* in the circumstances set out in section 10.2 of that Act before the coming into force of paragraphs 46(2)(b) and (c), as enacted by *An Act to amend the Citizenship Act and to make consequential amendments to another Act*, or

(iii) subsection 10.1(3) of the *Citizenship Act* in the circumstances set out in section 10.2 of the *Citizenship Act* before the coming into force of paragraphs 46(2)(b) and (c), as enacted by *An Act to amend the Citizenship Act and to make consequential amendments to another Act*.

26 Paragraphs 46(2)(b) and (c) of the Act are replaced by the following:

(b) subsection 10(1) of the *Citizenship Act*; or

(c) subsection 10.1(3) of the *Citizenship Act*.”; and

(f) in clause 27, on page 9, by adding after line 9 the following:

“(3.1) Subsections 3(2) to (4), subsections 4(1) and (3) and section 5.1 come into force one year after the day on which this Act receives royal assent or on any earlier day or days that may be fixed by order of the Governor in Council.”.

Hon. Richard Neufeld: Honourable senators, I would like to speak to this, but because the time has been short to get my notes together, I would like to take the adjournment of the debate in my name.

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

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker: All those in favour of the motion will please say “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed will please say “nay.”

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the “nays” have it.

And two honourable senators having risen:

The Hon. the Speaker: Do the whips have agreement on a bell?

An Hon. Senator: One hour.

The Hon. the Speaker: One hour. The vote will take place at 6:22p.m. Call in the senators.

• (1820)

Motion to adjourn debate negated on the following division:

YEAS THE HONOURABLE SENATORS

Andreychuk	McIntyre
Batters	Merchant
Beyak	Munson
Boisvenu	Neufeld
Carignan	Ngo
Enverga	Plett
Frum	Runciman
Housakos	Smith
Lang	Stewart Olsen
Martin	Unger—21
McInnis	

NAYS THE HONOURABLE SENATORS

Bellemare	Jaffer
Boniface	Joyal
Bovey	Lankin
Brazeau	Marwah
Cools	McCoy
Cormier	Mitchell
Dean	Moncion
Duffy	Omidvar
Forest	Pate
Fraser	Petitclerc
Gagné	Pratte
Gold	Ringuette
Griffin	Wetston
Harder	Woo—29
Hartling	

ABSTENTIONS THE HONOURABLE SENATORS

Nil

The Hon. the Speaker: Honourable senators, it is now past six o'clock and pursuant to rule 3-3(1) I am obliged to leave the chair until eight o'clock when we will resume, unless it is your wish, honourable senators, not to see the clock. Is it agreed not to see the clock?

Some Hon. Senators: Agreed.

An Hon. Senator: No.

The Hon. the Speaker: Did I hear a no? I'll ask again. Honourable senators, is it agreed not to see the clock?

Hon. Senators: Agreed.

The Hon. the Speaker: Agreed. Resuming debate on the motion in amendment.

[Translation]

Hon. Claude Carignan (Leader of the Opposition): Honourable senators, in reading the amendment I realized that before revoking a person's citizenship or renunciation of citizenship, the minister shall provide the person with a written notice that advises the person of his or her right to make written representations and specifies the form and manner in which the representations must be made. The minister sets out the specific grounds and reasons, including reference to materials, on which the minister is relying to make his or her decision and advises the person of his or her right to request that the case be referred to the Court.

• (1830)

Nowhere does it state how the notice is to be sent. I think the minister should be given more latitude and should not be required to send written notice.

MOTION IN SUBAMENDMENT

Hon. Claude Carignan (Leader of the Opposition): I therefore move in subamendment:

That the motion in amendment be not now adopted, but that it be amended by replacing the words “written notice” by the word “notice”.

[English]

An Hon. Senator: Agreed.

Senator Plett: Good amendment.

The Hon. the Speaker: As a subamendment, it is moved by the Honourable Senator Carignan, seconded by the Honourable Senator Martin, that the motion in amendment be not now adopted but that it be amended by replacing the words “written notice” by the word “notice.”

On debate, Senator Carignan?

An Hon. Senator: Question.

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

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker: All those in favour of the motion will please say “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed will please say “nay.”

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the “nays” have it.

And two honourable senators having risen:

I see two senators rising. Is there agreement on the clock?

Senator Plett: The next sitting, at 5:30 p.m.

The Hon. the Speaker: The vote will be suspended until the next sitting at 5:30 p.m.

[Translation]

THE SENATE

MOTION TO AFFECT QUESTION PERIOD ON APRIL 4, 2017, ADOPTED

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of March 29, 2017, moved:

That, in order to allow the Senate to receive a Minister of the Crown during Question Period as authorized by the Senate on December 10, 2015, and notwithstanding rule 4-7, when the Senate sits on Tuesday, April 4, 2017, Question Period shall begin at 3:30 p.m., with any proceedings then before the Senate being interrupted until the end of Question Period, which shall last a maximum of 40 minutes;

That any Minister who participates in Question Period on that day, have permission to be accompanied by a stranger;

That, if a standing vote would conflict with the holding of Question Period at 3:30 p.m. on that day, the vote be postponed until immediately after the conclusion of Question Period;

That, if the bells are ringing for a vote at 3:30 p.m. on that day, they be interrupted for Question Period at that time, and resume thereafter for the balance of any time remaining; and

That, if the Senate concludes its business before 3:30 p.m. on that day, the sitting be suspended until that time for the purpose of holding Question Period.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[English]

ADJOURNMENT

MOTION ADOPTED

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of March 29, 2017, moved:

That when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, April 4, 2016, at 2 p.m.

She said: Honourable senators, this motion is on the Order Paper on page 9 on my paper, but it's Motion No. 78. It reads: “That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, April 4, at 2 p.m.”

Senator Plett: Okay.

Senator Bellemare: We may agree or not agree. If we do agree on this motion, then we come back on Tuesday. If we don't agree, we come back tomorrow at nine o'clock.

The Hon. the Speaker: It was moved by the Honourable Senator Bellemare, seconded by the Honourable Senator Harder, that when the Senate next adjourns after the adoption of this motion it do stand adjourned until Tuesday, April 4, 2017, at 2 p.m.

Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker: All those in favour of the motion will please say “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed will please say “nay.”

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the “nays” have it.

And two honourable senators having risen:

The Hon. the Speaker: I see two senators rising. Is there an agreement on the bell?

An Hon. Senator: One hour.

The Hon. the Speaker: The vote will take place at 7:34 p.m. Call in the senators.

• (1930)

[*Translation*]

Senator Bellemare: Honourable senators, with leave of the Senate, I move that we hold a voice vote.

[*English*]

The Hon. the Speaker: Honourable senators, as a standing vote has already been ordered by the chamber, leave will be required to go to a voice vote. Is leave granted, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: It was moved by the Honourable Senator Bellemare, seconded by the Honourable Senator Harder, that when the Senate adjourns after the adoption of this motion, it do stand adjourned until Tuesday, April 4, 2017, at 2 p.m.

All those in favour of the motion please say “yea.”

Hon. Senators: Yea.

The Hon. the Speaker: All those opposed to the motion please say “nay.”

The motion is carried.

(Motion agreed to.)

(The Senate adjourned until Tuesday, April 4, 2017, at 2 p.m.)

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Hon. David Tkachuk	2642	Hon. Diane Bellemare.	2657
Hon. Peter Harder	2642	Adjournment	
		Motion Adopted.	
		Hon. Diane Bellemare.	2657

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