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The Honourable GEORGE J. FUREY,
Speaker

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THE SENATE

Thursday, September 28, 2017

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

Hon. Senators: Hear, hear.

Prayers.

ORANGE SHIRT DAY

SENATORS' STATEMENTS

EVERY CHILD MATTERS

CANADA-EUROPEAN UNION COMPREHENSIVE ECONOMIC AND TRADE AGREEMENT

Hon. David Tkachuk: Honourable senators, last Thursday, September 21, the Canada-European Union Comprehensive Economic and Trade Agreement between Canada and the European Union, CETA for short, came into effect. Much of the groundwork for that was laid, of course, by the Conservative government of Stephen Harper and the capable leadership of Minister Ed Fast.

In October 2013, Stephen Harper tabled in the House of Commons the Canada-European Union Comprehensive Economic and Trade Agreement summary of the negotiated outcomes, which was an agreement in principle. In other words, in 2013 the Conservatives had already negotiated an agreement in principle with the EU, which Prime Minister Harper called a milestone toward the most ambitious trade agreement in Canadian history.

In fact, 2013 was the most productive for international trade and investment in Canadian history. It included, besides the signing of the Canada-European Union Comprehensive Economic and Trade Agreement, bringing into force or signing free-trade agreements with three priority countries and concluding or bringing into force a record 10 foreign investment promotion and protection agreements. This agreement was so close to coming into effect that The Conference Board of Canada predicted, in June 2015, that it would come into effect the very next year. At that time The Conference Board of Canada pointed out that it would be larger in scale than any other international trade agreement in Canada's history.

In March 2015, Stephen Harper gave a speech in which he pointed to his government's record on signing free-trade agreements, which far outstripped the previous Liberal government's. He said:

Under our Conservative government, Canada is going to have virtually unfettered access for our world-class products, workers and investors in 43 countries across the world . . . compared to just five when we took office.

Of that five, the most significant one was the trade agreement with the United States that was negotiated by Brian Mulroney.

Under the Harper government, FTAs with 10 countries came into force, with Peru, Colombia, Jordan, Panama, Honduras and South Korea, under individual agreements; and Iceland, Liechtenstein, Norway and Switzerland under a goods-only regional agreement. The deal with the European Union brought another 28 countries into free trade with Canada.

Hon. Murray Sinclair: Colleagues, I rise today to share with you the story of Phyllis Webstad, a six-year-old girl who was excited to attend the first day of school. On that occasion she was given a new orange shirt by her grandmother to wear for her first day. Her grandmother, who was living in poverty, had somehow managed to buy it for her.

Many of you, of course, will remember your first day of school in Grade 1, and you may remember the feeling of wearing a new outfit on your first day of school. Unfortunately for Phyllis, this excitement and feeling of pride soon vanished. On arriving at the St. Joseph's Indian Residential School in Williams Lake, B.C., she was stripped of all of her personal belongings, including that new orange shirt which she never saw again.

Needless to say, the colour orange became a negative connotation for Phyllis for the rest of her life until she was able to channel that negativity into something positive. On September 30, 2013, Phyllis had the courage to confront the years of systemic discrimination and racism by taking back the colour orange. She organized the first Orange Shirt Day in Williams Lake as a way to acknowledge the harm suffered by Canada's indigenous peoples at the hand of Indian residential schools.

Every September 30 since then has been acknowledged by the indigenous community, particularly survivors of residential schools, as Orange Shirt Day, and the motto placed on the shirt is "Every Child Matters."

I would put this on and wear it for you, but unfortunately I look like a pumpkin when I wear it. You might get the wrong idea of what it is I'm trying to celebrate.

Phyllis was not only literally stripped of the clothes on her back but also symbolically by the Government of Canada's policy to strip indigenous children of their cultural identity. This was a deliberate act by the administration of residential schools to sever all ties between First Nation, Inuit and Metis children and their heritage.

[*Translation*]

Honourable colleagues, I invite you to join me in putting on an orange shirt or wearing orange next Saturday to show that every child matters.

[English]

This Saturday, September 30, is Orange Shirt Day, and I invite all of you to join with me on that day by wearing something orange. I can imagine a Canada where every child matters, and we start to take concrete actions to ensure that no other child ever feels invisible or unwanted in our country.

• (1340)

Hon. Senators: Hear, hear!

RAISE-A-READER DAY

ILLITERACY IN ATLANTIC CANADA

Hon. Michael Duffy: Honourable senators, it's very difficult to follow such a profound and moving statement as the one our colleague has just given, but in a way they are related because it relates to the ability of people in our country to play a full role in our society. Illiteracy is a major problem in Atlantic Canada. Studies suggest that more than 50 per cent of our population is functionally illiterate; they don't have the reading skills to do many of the things that the rest of us take for granted.

From reading instructions for machinery in the workplace to reading a newspaper to reading a book for pleasure, they are at a disadvantage.

Recently, the federal government cut core funding for literacy projects in the Atlantic region. Fortunately for P.E.I., Premier Wade MacLauchlan stepped up with interim funding for the PEI Literacy Alliance for the next two years.

The Literacy Alliance led by Amanda Beazley and her energetic group of volunteers does amazing work in coordinating literacy programs across P.E.I.

Last Wednesday was Raise-a-Reader day on P.E.I. This project, sponsored by *The Guardian* and the *Journal Pioneer* newspapers, part of the SaltWire news network, raised nearly \$20,000 to support family and children's literacy projects.

In a little more than 2 hours, 31 teams and more than 150 volunteers from Alberton, Tignish, O'Leary, Summerside, Charlottetown, Montague and Souris fanned out across the province. Their work made a huge difference in the lives of Prince Edward Island children.

Those volunteers and the two newspapers are to be congratulated on their commitment to helping their fellow Islanders.

Colleagues, yesterday, senators from all four Atlantic provinces met to see how we can do our part to improve literacy in our region. This meeting of senators from all four Atlantic provinces from all political parties and groupings is a first, and it's a sign that Atlantic senators are ready to work together for our region.

As we know, education is a provincial responsibility, but the negative social and economic impact of illiteracy is so great that it will take the combined resources of Ottawa and the provincial governments to make a difference.

Congratulations are due to our colleague Senator Diane Griffin, who is leading on this issue, and to all Atlantic senators for their commitment to resolving this problem which affects the lives of so many of our fellow citizens. Thank you.

Hon. Senators: Hear, hear!

DR. MONA NEMER, C.M., C.Q.

CONGRATULATIONS ON APPOINTMENT AS CHIEF SCIENCE ADVISOR

Hon. Kelvin Kenneth Ogilvie: Honourable senators, I rise to bring to your attention a very important event that occurred this past Tuesday — the appointment of the Chief Science Advisor for Canada.

This was a promise of the current government, and I congratulate them for fulfilling that promise.

And I congratulate Dr. Mona Nemer on her appointment as the Chief Science Advisor.

Dr. Nemer is a brilliant and accomplished academic, a world recognized researcher and a skilled academic administrator.

Dr. Nemer received her PhD from McGill University, and following her post-doctoral studies, she launched her independent research career in human heart genetics.

She has more than 155 peer-reviewed scientific publications in the leading journals in her field. These publications have received over 13,000 citations and have an H-factor value of 36. You will rightly ask what an H-factor is. It is a number assigned to measure the impact of a scientist's publications, and 36 is outstanding.

During her 11 years as Vice-President of Research at the University of Ottawa, Dr. Nemer has worked with her colleagues and together they have achieved a remarkable and broad-based development of facilities, personnel and impact. Through this role, she has been a leader in Ontario and Canada in promoting university research.

Dr. Nemer's vast experience, both here, at home and abroad, and her public leadership roles in research and academic leadership, have made her a skilled and respected communicator.

Dr. Nemer has been recognized by awards, national and international, that take up pages in her CV. To name only a few: Fellow, American Association for the Advancement of Science; Foreign Honorary Member, American Academy of Arts & Sciences; Fellow, Academy of Medical Science, Argentina; and the Order of Canada.

I am confident that the government has chosen exceptionally well and has an adviser who will satisfy the most important demands of her mandate.

Dr. Nemer's responsibilities are, but not limited to: Providing expert and timely advice to the Prime Minister, the Minister of Science and members of cabinet; providing advice on improving support for scientific research within the federal system and that federal science is fully available to the public; providing an annual report on her activities and the state of federal science.

It is with great pride that I ask my honourable colleagues to join me in saluting Dr. Mona Nemer, an exceptional Canadian, as she assumes her new responsibility as Canada's Chief Science Advisor. Thank you.

Hon. Senators: Hear, hear!

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Stephen Huddart, Niamh Leonard, Laura Schnurr, Sophie Mechin and James Tansey. They are the guests of the Honourable Senator Omidvar.

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

Hon. Senators: Hear, hear!

STEPHEN HUDDART

Hon. Ratna Omidvar: Thank you, Your Honour. I am very pleased to welcome Stephen Huddart, CEO and President of the J.W. McConnell Family Foundation, to the Senate today, and, of course, to welcome his colleagues.

McConnell is well known in Canada as one of Canada's largest private foundations with a long and very successful history in supporting universities, arts and culture and social and environmental issues. I think of Stephen as a true renaissance man or in cricket terms someone who can both bat and bowl. He has worked for Raffi, the famous children's musician; he has been the owner of a jazz café in Vancouver; he has produced award-winning documentaries. It is no surprise to me that Stephen is always looking for new ideas, and I don't mean that in simply the flirtatious sense of the word, but ideas that have the potential to reshape our lives.

The Hon. the Speaker: I'm very sorry to interrupt you, but I have just been informed by the Black Rod that there seems to be a situation involving a possible fire. The west side of the building is being evacuated. They have asked that we evacuate as well, and I would ask you to follow the Black Rod down the south stairs to the outside.

(The sitting of the Senate was suspended.)

(The sitting of the Senate was resumed.)

• (1350)

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, the sitting is resumed. Senator Omidvar, I apologize for having interrupted you. You are ready for the balance of your time.

STEPHEN HUDDART

Hon. Ratna Omidvar: Thank you, Your Honour. I always wanted to set the chamber on fire with my words, but this is not quite how I expected it would happen.

I was introducing Stephen Huddart — imagine him in virtual reality there — from the J.W. McConnell Family Foundation. I wanted to tell you about a big idea he is leading that is truly transformational. He wants to create a new ecosystem, a whole new marketplace where proven social solutions meet with financial investors both to make money and to do good work, leaving a reasonable profit for the investor and also a legacy of public good — profit with purpose, as someone has called it.

To give you an example of what this means, let's take housing on First Nations reserves as an example. Certainly this is a difficult problem to tackle. However, McConnell has found a successful path forward in partnership with the Huron people, the federal government and private financial institutions. Close to 400 community members in the Huron-Wendat First Nation in Quebec have been able to access mortgages from a community-operated fund. They are now homeowners. In addition to the creation of home ownership for 400 people, jobs for trades people in the community have been created, and, of course, an investment return for the mortgage holders has been assured.

Honourable senators, I think we all agree and realize that the complexity of problems facing Canadians is only growing. We also know that it is impossible to meet all the needs of all Canadians through government grants and funds. Creating a new marketplace of social finance, where proven ideas meet money, seems to me to be a truly big idea and worthy of our attention.

Later today, along with Stephen Huddart, I am convening a group of fellow parliamentarians and representatives from business, and others from the social innovation community, to discuss how Canada can amplify these and similar efforts on a national, regional and local scale. I hope to update you periodically on the progress of this big idea. In the meantime, please join me in congratulating Stephen Huddart and the J. W. McConnell Foundation for their courage in not simply being satisfied with doing good charitable work but reaching for transformative and systems change.

• (1400)

[Translation]

**CANADIAN INSTITUTE FOR MILITARY AND VETERANS
HEALTH RESEARCH**

Hon. Pamela Wallin: This week in Toronto I had the honour to attend the eighth annual forum of the Canadian Institute for Military and Veteran Health Research, known as CIMVHR, which brings together the work of 43 Canadian universities, governments and veterans' organizations. I also want to thank Dr. Hans Jung, whose years as a military physician convinced him of the need for more actual research into the wounds of war and whose commitment led to the creation of the institute.

The purpose is to enable the complicated process of transition from military to civilian life, especially while coping with injury.

The new Veterans Affairs minister, Seamus O'Regan, reported that more than 17,000 Canadian veterans are now receiving disability benefits related to PTSD. He promised new efforts to ensure that military members and veterans alike receive the support they need.

Our former Senate colleague General Roméo Dallaire, who also suffers from PTSD, echoed the sentiment: "Unless we treat mental health with the same sense of urgency as we treat a dangling arm on someone who has just been shot at, we will continue to take the fatal casualties" of deaths by suicide. CIMVHR has become a critical organization in this battle and is now internationally respected for its research.

This year the forum was held in partnership with the Invictus Games, where we witnessed veterans from 17 countries demonstrate the will to overcome physical and psychological wounds to triumph on the sporting field.

The Invictus patron, Prince Harry, himself a British Army veteran with two Afghan tours, told delegates at CIMVHR that for many wounded veterans it is a long journey back: "Fighting to find a purpose. Fighting to reconnect with family. Fighting to leave the house. And in some cases, fighting to stay alive."

While we celebrate the athletic efforts of our wounded warriors this week, we must also celebrate and support the work of CIMVHR, whose powerful and dedicated research helps heal the broken bodies and minds of those who risk all for us.

Hon. Senators: Hear, hear.

ROUTINE PROCEEDINGS

INFORMATION COMMISSIONER

SPECIAL REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the special report to Parliament of the Information Commissioner of Canada, entitled *Failing to Strike the Right Balance for Transparency - Recommendations to improve Bill C-58: An Act to Amend the Access to Information Act and the Privacy Act and to Make Consequential Amendments to Other Acts*, pursuant to the *Access to Information Act*, R.S.C. 1985, c. A-1, s. 39.

[English]

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO DEPOSIT
REPORT ON STUDY OF THE ROLE OF AUTOMATION IN THE
HEALTHCARE SYSTEM WITH CLERK DURING
ADJOURNMENT OF THE SENATE

Hon. Kelvin Kenneth Ogilvie: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Social Affairs, Science and Technology be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate a report relating to its study on the role of robotics, 3D printing and artificial intelligence in the healthcare system, between October 20 and November 3, 2017, if the Senate is not then sitting, and that the report be deemed to have been tabled in the Chamber.

**QUESTION PERIOD
FINANCE**

SMALL BUSINESS TAX

Hon. Larry W. Smith (Leader of the Opposition): My question is for the Leader of the Government in the Senate, today, once again, on the issue of tax changes for small business and farmers proposed by the Minister of Finance.

I would like to draw Senator Harder's attention to an interview with Minister Morneau today in *The Globe and Mail* during which he claims that the tax changes are targeting so-called "dead money" sitting on the balance sheets of small businesses. The article states:

Speaking to *The Globe and Mail's* editorial board on Wednesday, the minister presented an entirely new argument in defence of the controversial tax package. The term “dead money” was never used when he held an extensive news conference in July to announce the changes.

I would note that the minister did not repeat the phrase “dead money” when he was questioned by the Finance Committee of the other place earlier today.

Could the government leader please clarify this for us: When the Minister of Finance refers to “dead money,” what is he referring to? For example, is it the money set aside by small-business owners for a rainy day or to pay for their retirement or maternity leave, or is it money currently held in private trusts and numbered corporations?

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for his questions on these matters. As he will know, the minister will be here next week to answer questions directly. With respect to *The Globe and Mail* report and the minister’s comments before the committee of the other place this morning, they speak for themselves. However, senators will know that there is an economic term “dead money,” meaning money that is being accumulated and is not being put to use to grow jobs or businesses, buy capital or hire people. That term has been applied to the way in which some corporate functions are being managed.

Senator Smith: Thank you, sir. That is an interesting phrase, and it could be tied to another phrase we have been using, namely, “passive income.”

The government leader may remember that on Wednesday I drew his attention to the number of provinces that have spoken out against these tax changes. We can add one more to the list.

As of yesterday, the Yukon premier voiced concerns about the proposals and the 75-day consultation period. Yesterday, the Premier of Nova Scotia raised the possibility of adding the tax changes to the agenda of the first ministers’ meeting that will take place in the National Capital Region next Tuesday.

Could the government leader please tell us if the federal government will include this issue on the agenda for discussion when the Prime Minister meets with the premiers next week?

Senator Harder: I thank the honourable senator for his question.

The agenda of first ministers’ meetings are established between the first ministers themselves, and I will leave it to the first ministers to determine that question.

HOUSE OF COMMONS

STATUS OF WOMEN COMMITTEE

Hon. Donald Neil Plett: My question is also for the Leader of the Government in the Senate.

[Senator Smith]

Senator Harder, the Liberal government, including Prime Minister Justin Trudeau, has spoken at length about strength in our diversity. However, in a committee meeting earlier this week, Liberal MPs acted in true Liberal fashion when they proved once again that they are pro-diversity except when it comes to diversity of thought, opinion or belief. They disrespected MP Rachael Harder, the parliamentary process and Canadians when they did not even bother to engage in debate on the Conservative’s choice for chair, but stormed out like schoolchildren having a temper tantrum because Ms. Harder had a different belief than they have — a belief that happens to be shared by many Canadians.

Leader, how can you justify the actions of Liberal MPs this week, and do you believe this reflects the tolerance of diversity that the Liberal government claims to stand for?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. Let me simply say that it is not for me to make judgments on the behaviour of members of Parliament in the other place.

• (1410)

It is well-known that the policy of the Government of Canada is one that respects the choice of women on a number of issues of particular importance to women, and whether or not those issues were at play in this action I will leave for others to speculate. Let me simply say that for this chamber, our responsibility is to act appropriately and with respect to all voices.

Senator Plett: Of course, I asked you about your beliefs.

Leader, you do represent the government in this chamber. Liberal MPs tried to justify their actions by stating that the Chair of the Status of Women Committee needs to represent all women in Canada. All women in Canada.

Can you explain how their actions Tuesday represented and respected the values of pro-life women in Canada?

Senator Harder: Again, this is an action taken by members of Parliament in the other place, and they will have to answer for their behaviour. I’m the representative of the Government of Canada in this institution, and I’m happy to respond to questions with respect to the Government of Canada.

FOREIGN AFFAIRS

MYANMAR—SUPPORT FOR ROHINGYA REFUGEES

Hon. Mobina S. B. Jaffer (Acting Deputy Leader of the Independent Senate Liberals): My question is also to the leader in the Senate.

Leader, Canada has been a world leader when it comes to preventing ethnic cleansing around the world. When the former Yugoslavia fragmented into Bosnia and Herzegovina, Serbia and Croatia, ethnic cleansing broke out in the region. Canada was among the first countries to call for action. As early as 1991,

Canadian Armed Forces members were on the ground and helping with relief and monitoring efforts before most other countries.

When the UN deployed its peacekeeping force one year later, Canadians monitored the ceasefires, brought food and supplies to civilians and have been credited with the saving of countless lives in a conflict that has become known as one of the bloodiest in history.

Myanmar faces its own ethnic cleansing today. According to CBC reports, 480,000 Rohingya have fled the country as security forces burn down Rohingya villages and kill any people unable to escape. However, Canada's response so far is weaker than before. While we have provided Rohingya refugees with a few relief funds, we are not taking an active role in ending this bloody conflict.

Today we find ourselves faced with a situation just like in the former Yugoslavia in the 1990s. Leader, I believe that Canada must do more than just send a few relief funds and condemn Myanmar's government. These actions will not end of plight of the Rohingya and allow them to return to their homes.

Leader, we are forgetting our legacy of stopping ethnic cleansing, as we did in Yugoslavia and Sudan, two decades later. While we declared that Canada is back on the world stage and are readying to provide 600 troops to UN peacekeeping operations, we are failing in Myanmar even now.

I again ask you, as I asked you a few days ago: What exactly are Canada's plans?

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for her question and for her ongoing interest and concern about these issues, particularly the Rohingya situation.

The Government of Canada is very active on this file. The senator has in her question referenced the commitment of \$9.18 million. Seventy per cent of the Rohingya affected population are women and children, and these funds are dedicated to supporting women and children in these camps. That is the beginning of the immediate relief being provided.

The Government of Canada is also very active on the diplomatic side. Last week the Minister of Foreign Affairs and the Minister of International Development were part of a round table brought together in the context of the UN General Assembly to focus on this very issue.

Today, the UN Security Council is debating this situation, and the Canadian mission and the ambassador are very much implicated in this even though we are not members of the Security Council. The Government of Canada is working within the context of the various international organizations that need to concert their efforts so that we can effect greater change in response to the situation by acting together with like-minded countries.

Senator Jaffer: Leader, I very much appreciate your answer and I believe you answered as well as you could in the circumstances. But everything you have said, leader, is to work

with others. I believed we were leaders. I was the envoy to the Sudan when Mr. Chrétien and then Mr. Martin took a leadership role in Darfur. They were leaders, not working with people. When will we show our leadership role?

Senator Harder: Again, I thank the honourable senator for her question and for her recollection of the role that she and Canada played in different circumstances.

Every circumstance is unique in terms of what actions countries take, and Canada is in this situation being very active, both directly and indirectly, with concerting our interests with our like-minded colleagues, and we will continue to do that.

The government will undertake an assessment of what further actions are taken, whether they are concerted or otherwise, but as the honourable senator will know, the Prime Minister has taken a direct personal interest in this through private diplomacy with those who are most in charge, as well as asking his ministers of Foreign Affairs and of International Development both to deliver Canadian direct messaging and aid and assistance, and also to work with like-minded countries to bring more concerted pressure on the affected parties.

[Translation]

OFFICIAL LANGUAGES

SUPPORT FOR CHILDREN

Hon. Raymonde Gagné: My question is for the Government Representative in the Senate and it is about early childhood.

In October 2016, the former commissioner of official languages, Graham Fraser, published a report entitled *Early Childhood: Fostering the Vitality of Francophone Minority Communities*, in which he emphasized the crucial role of early childhood in community vitality and language transmission. He pointed out that francophone minority communities are in desperate need of funding for early childhood.

Since then, the government has announced a national early learning and child care program. However, upon review of the multilateral framework and the three bilateral agreements that have been signed to date with Ontario, Prince Edward Island, and Nunavut, it would seem that the needs of francophone communities appear only in the guiding principles and among things to "consider".

My main concern is that the government, in making this massive \$7.5 billion investment over 11 years, may have missed a golden opportunity to meet a significant need for early childhood education in French and thereby swell the ranks of our schools, colleges, and universities for years to come.

My questions are as follows. What percentage of that \$7.5 billion over 11 years will be spent on francophone daycares, early childhood centres, and preschools? Does the federal government have any expectations in that regard? Will there be any accountability? If provinces neglect to invest in francophone communities, what will the consequences be?

[*English*]

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for her question and understanding and commitment to these issues. I don't have those answers with me but would be happy to make inquiries and report back.

[*Translation*]

CANADIAN HERITAGE

CULTURAL POLICY

Hon. René Cormier: My question is for the Government Representative in the Senate. Although some concerns have already been voiced today by the cultural community about some aspects of the minister's Canadian cultural policy, I want to first acknowledge the work of the honourable Mélanie Joly, Minister of Canadian Heritage, who announced Canada's new cultural policy. This policy has three main pillars: investing in creators, cultural entrepreneurs and their stories; promoting discovery and distribution at home and globally; strengthening public broadcasting and supporting local news.

In this context, we will follow very closely and with interest the review of the Copyright Act, the reform of the Copyright Board of Canada, the review of the Broadcasting Act and the Telecommunications Act, and anything to do with cultural diplomacy.

• (1420)

That said, given the asymmetry between the various regions of the country, between urban and rural areas, and given the specific characteristics of their various art forms and linguistic communities, including minority communities, can you confirm in what specific way the Minister of Canadian Heritage and the Government of Canada will take these considerations into account in the implementation of this cultural policy?

[*English*]

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. He is referencing, of course, an announcement made at noon today by the minister, which is profound for the cultural sector in Canada. The announcement is multifaceted and involves literally hundreds of millions of dollars being committed over a lengthy period of time. I think it would be helpful for all of us to digest the announcement and reflect on how the transformation of this sector will unfold in the coming months and years.

With respect to linguistic minority interests, particularly the francophone community, I reference the fact that the announcement included \$25 million being directed as part of a broader marketing development strategy for the development of French-language content and production, including Quebec and French-language communities across the country with respect to the Netflix program. The Netflix fund of \$500 million over five years is also accessible for official language and other productions.

I have not yet reviewed the documentation in its entirety, although I would reference the part of the document that speaks to specific support for official language content and markets and note that the Canada Media Fund sets aside a special funding envelope for the creation of digital content on multiple platforms, such as television, wireless devices and Internet in francophone minority communities across Canada.

So I think this document and this policy is rich in its potential, and I would encourage all senators to examine the policy to see how it will affect interested communities and find ways of engaging with stakeholders to ensure that the policy is the best it can be.

[*Translation*]

Senator Cormier: Thank you for your response. We appreciate the \$25 million.

Obviously, minority communities are wondering how this envelope will be divided between Quebec and francophone communities outside Quebec, something that was not clearly defined in the document you referred to.

Implementation of the Canadian cultural policy falls under Heritage Canada's purview, but also the Government of Canada's as a whole. As such, what mechanisms does the Minister of Canadian Heritage intend to put in place to ensure that the whole of government embraces the objectives and implementation of this cultural policy that is so important to the future of our country?

[*English*]

Senator Harder: Again, I thank the honourable senator for his question and would be happy to ask the minister and report back, because as the senator implied in his question, this is a broader responsibility that the minister has the lead on but is a whole-of-government approach that the government is seeking to achieve.

INTERNATIONAL TRADE

EXPORT OF PULSE CROPS TO INDIA

Hon. Victor Oh: Honourable senators, my question is for the Leader of the Government in the Senate. Senator Harder, my question concerns the ongoing issue of Canada's exports of peas and lentils to India.

In late June, India granted Canada yet another short-term exemption from pest control requirements on our pea and lentil exports to the country. Exports leaving Canada on or before September 30 will not require fumigation in our country.

Could the government leader please tell us if the Government of Canada expects a permanent resolution to this dispute will be active before the end of September, or will there be another three-month exemption?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. Obviously, the Government of Canada is intent on negotiating a permanent solution as quickly as possible. I will inquire of the ministry concerned as to what the state of the negotiations are, but if an end-of-September goal is to be achieved, there would be an announcement in the very short future. I will report back.

Senator Oh: It is my understanding that India granted six-month exemptions to other countries, including the United States, which expire at the end of December. Canada was the only country that received just a three-month exemption.

Could the Government Representative please make an inquiry and tell us why this was the case?

Senator Harder: I will be happy to.

PRIVY COUNCIL OFFICE

GOVERNOR-IN-COUNCIL APPOINTMENTS

Hon. Paul E. McIntyre: Honourable senators, my question is for the Government Representative in the Senate. It has to do with the appointment process under the current government regarding officers of Parliament.

Senator, I note that the Commissioner of Lobbying, Karen Shepherd; the Conflict of Interest and Ethics Commissioner, Mary Dawson; and Information Commissioner, Suzanne Legault, have all had their mandates extended, three times in the case of Ms. Shepherd and Ms. Dawson and once in the case of Ms. Legault as the government continues to search for their replacements.

That said, the government did post job vacancies this past summer for all three of these important officers of Parliament positions; however, I note that no deadline was given for candidates to submit their applications. Why did the government choose to leave these job postings open-ended?

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for his question, and I will endeavour to find an answer for him. I would simply speculate that the government was anxious not to foreclose potential candidates by imposing a particular date, but I will investigate and report back.

Senator McIntyre: In your inquiry, could you also find out if the government intends to fill these important positions before the end of the year?

Senator Harder: I will do so.

PRIME MINISTER'S OFFICE

SENATE APPOINTMENTS

Hon. Percy E. Downe: As you know, Senator Harder, there is a Senate vacancy in Prince Edward Island with the retirement of our colleague and friend Senator Hubley. I have been asked if the same appointment procedure is going to be used as was used last time when we had our colleague Senator Griffin join us.

Hon. Peter Harder (Government Representative in the Senate): Thank you, senator, for your question. It gives me the opportunity to remind senators that the arm's length independent appointment process for Senate appointments continues to do its work. That group is chaired by Huguette Labelle, who is known to many senators, and the appointment process involving representation from provincial governments where they choose to participate is in place. It is my understanding that that process is alive and well and being utilized for the vacancies that are —

Some Hon. Senators: Oh, oh.

Senator Harder: I note the comments of senators and I would perhaps share that view.

Senator Downe: Just to be clear, in the case of Prince Edward Island, are the same five individuals on the panel? And if you don't know, I would appreciate if you could confirm that next week.

We obviously have highly qualified individuals in Prince Edward Island interested in serving the Senate, but we seem to have a few gaps within the Senate itself that the Prime Minister has often used to fill through Senate appointments, gaps in Parliament overall. Correct me if I'm wrong, but I don't think we have any full-time farmers. I don't think we have any full-time fishers, men or women, and I may be wrong. I'm not sure we have veterans any longer. All those categories are available in Prince Edward Island. Will they be given extra consideration by the appointments committee?

Senator Harder: Let me simply respond to the first part of the question: I'll have to validate whether or not that is the case. I'm not aware of a change or a vacancy.

With respect to overall representation in this body, the government is acutely aware of the need to have balanced representation of disciplines, of experience, of gender and of diversity in its fullest forms. That is why the process that has been adopted is in place, and I will bring to the attention of those who make these decisions the suggestions of the honourable senator.

• (1430)

[*Translation*]

CANADIAN HERITAGE

CULTURE POLICY—TAX EXEMPTIONS

Hon. Claude Carignan: My question is for the Leader of the Government in the Senate and it deals with Minister Joly's announcement about the new cultural policy. More specifically, I want to talk about the agreement that the government made with an American company under which that company does not have to pay taxes in Canada. As a result, the company will not collect GST, or QST in the case of Quebec, and it will also not contribute to the Canada Media Fund.

Can the Leader of the Government in the Senate tell us whether this new policy that gives tax exemptions to the wealthy will also apply to groups like Apple Music, Spotify, YouTube, and others?

[*English*]

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for the question. Let me simply say the announcement today speaks for the way in which Netflix has agreed to contribute to the development of Canadian content over multiple years, at a very significant number of dollars; \$500 million is a significant investment in this sector. It represents an agreed approach on how the obligations of access to the Canadian market can be enhanced.

[*Translation*]

Senator Carignan: Government Representative, I know a lot of small businesses that would gladly agree to invest in their products in order to be tax exempt. Will this tax exemption granted to companies that invest in their product also apply to small businesses in Canada?

[*English*]

Senator Harder: I will simply note that Netflix is not avoiding any Canadian taxes in this arrangement. It is contributing to Canadian content voluntarily as a result of this agreement.

The Hon. the Speaker: Honourable senators, we do have an agreement that when a minister is not here senators can ask one supplementary question. If they desire to have more, they drop to the bottom of the list, and time permitting they come back.

FOREIGN AFFAIRS

MYANMAR—SUPPORT FOR ROHINGYA REFUGEES

Hon. Salma Atallahjan: Senator Harder, this month the U.S. announced a \$32 million humanitarian aid package for the Rohingya who have fled the violence for Bangladesh. The U.K. also announced it will provide \$25 million pounds to aid Rohingya refugees in Bangladesh, in addition to the

\$11 million pounds it has already promised this year. My question to you is whether the Government of Canada has any immediate plan to increase Canada's humanitarian aid to the Rohingya who have fled seeking safety in Bangladesh. I am mindful we announced \$2.5 million a few days ago for women and children.

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for the question and her ongoing interest in this issue.

The Government of Canada stands ready to always do more in humanitarian situations. I am happy to bring to the attention of the Minister of International Development the concerns of the honourable senator with respect to Canada's place in the donating world. I want to underscore the commitment of the Government of Canada to contribute its fair share not only in immediate humanitarian relief, but also in ongoing diplomatic efforts.

[*Translation*]

CANADIAN HERITAGE

CULTURE POLICY—TAX EXEMPTIONS

Hon. Claude Carignan: My question is for the Government Representative in the Senate and has to do with the definition of "Canadian content" in the agreement with Netflix. Could the leader define what is meant by Canadian content in Netflix productions and tell us what percentage of that will be French content?

You explained how \$5 million a year will be invested in the research and development of French content, but that number is not really consistent with the proportion of francophones in Canada. Will the definition of Canadian content also include certain criteria that would reflect the presence, composition and weight of francophones in Canada?

[*English*]

Hon. Peter Harder (Government Representative in the Senate): I appreciate the senator referencing the \$25 million for development that I spoke to earlier in the response to questions from the Honourable Senator Cormier.

With regard to the \$500 million and its allocation, I await greater clarification and definition from the minister herself, who has indicated that will be forthcoming.

ORDERS OF THE DAY

THE SENATE

MOTION TO AFFECT QUESTION PERIOD
ON OCTOBER 3, 2017, ADOPTED

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of September 27, 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, October 3, 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, 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: Are senators ready for the question?

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[*Translation*]

ADJOURNMENT

MOTION ADOPTED

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of September 27, 2017, moved:

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, October 3, 2017, at 2 p.m.

She said: Honourable senators, I move the motion standing in my name.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[*English*]

FOOD AND DRUGS ACT

BILL TO AMEND—THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Raine, seconded by the Honourable Senator Mockler, for the third reading of Bill S-228, An Act to amend the Food and Drugs Act (prohibiting food and beverage marketing directed at children), as amended.

Hon. Dennis Glen Patterson: Honourable senators, I rise today to speak to third reading of Bill S-228, An Act to amend the Food and Drugs Act (prohibiting food and beverage marketing directed at children).

I feel very strongly compelled to speak on this topic because of what I have seen in my home territory of Nunavut. In February of this year I attended the Kitikmeot Trade Show in Cambridge Bay, a community in the western region of Nunavut. While I was there, my attention was caught by a familiar bright red and white sign belonging to a very popular brand of cola on the trade show floor. I had the opportunity to speak to the manager of sales for that region and understood from her that her employer was hoping to increase the sale of all products under that same parent company, each one full of sugar and incredibly unhealthy.

The next day, I was horrified to see the local school children being led through the trade show floor in groups. They were given bags to fill with free pens, magnets and other paraphernalia that are often handed out at these events. I watched as a group of children about the age of five were walked past the booth in question. Each child was given multiple items branded with this company's logo.

• (1440)

Senators, we all know that branding is a powerful tool, and those children will likely be thrilled to have a drink that matches the logo on their new trinkets.

In an effort to make the sale of these products attractive to vendors, I was told that this company created a special discounted tier for the northern region to alleviate the costs for those stores that would otherwise find the wholesale price of soda prohibitive. It costs a retailer \$18 for a pack of 12 cans of pop, and at many retailers, each can is sold for \$3. So for every \$18 they spend, retailers are doubling their money, making a profit of \$18 on each pack.

Three dollars for a can of pop may seem like a lot to people living in the South, but people will pay and do pay because sugar is addictive. In the North, it can drive people to go to extreme lengths to satisfy their craving. There comes a point every year when some popular items begin to get hard to find. The sealfit

order from the previous year has started to run out and many are forced to wait until the spring for the next shipment of supplies to come into town. This has led to, believe it or not, online auctions of pop via Facebook.

In a CBC North news article from May 30, 2016, it was reported that one lot consisting of one 355-millilitre can and two 500-millilitre bottles sold for \$52. Another lot consisting of three 355-millilitre cans was won for \$35. The winner, a 16-year-old boy, told reporters that he was prepared to go as high as \$60. His rationale? "It's worth it," he said. "There's no pop in the stores. I love drinking pop." He even admitted that he sometimes trades cigarettes for a can of cola.

By the way, stores in Nunavut routinely sell stale-dated pop. This is because it takes roughly a year between the delivery of tens of thousands of cases of this effervescent sugary syrup. So by mid-winter, this pop is beyond its manufacturer's six-month best before date.

The two big retailers routinely cast a blind eye to the stale pop because the population is addicted. No one scrutinizes the fine print on the date of manufacture, and the profit margins on pop are so high they are reluctant to deliver pop by expensive air freight. So the pop consumed voraciously by Nunavut's youth rots their teeth, is nutritionally harmful and, on top of that, is stale-dated about half the time.

Colleagues, the Government of Nunavut is keenly aware of the health epidemic this is contributing to. According to the Canadian Diabetes Association, the prevalence of diabetes in indigenous populations is at least three times higher than non-indigenous populations. That is of particular concern to a territory whose population is 85 per cent Inuit.

Indigenous populations are also at a higher risk for prediabetes, overweight and obesity, and developing Type 2 diabetes at a younger age. Indigenous women are also at a higher risk for developing gestational diabetes.

In response to this, public health officials introduced a program in schools called "Drop the Pop." Since 2005, schools have initiated a five-day program that encourages students to seek alternatives to pop when they're thirsty. Those who abstain for all five days are eligible to win prizes such as sports equipment.

The big issue is that when kids, especially, drink a lot of pop they fill up easily.

"It has very few of the nutrients that kids need to grow up healthy," said Amy Caughey, a nutritionist with the Nunavut government.

Tooth decay is another significant problem in Nunavut. In 2013, the Canadian Institute for Health Information gathered data from children aged one to five from hospitals from across the country. The data showed Nunavut had the highest rates of dental surgery for preschoolers in the country, followed by N.W.T. and Saskatchewan. Dental surgery rates were highest in communities with a higher number of Aboriginal families. According to the Nunavut health department, 500 children under the age of five in Nunavut have dental surgery every year at a cost of \$1,000 per

child for the surgery alone. That's half a million dollars, and it doesn't include the cost of travel or accommodation if the child has to be sent out of the territory, as they often do.

Honourable senators, this is unacceptable. The health and well-being of our children must be at the centre of our laws and policies. This is why I'm voting in support of Bill S-228 and why I support prohibiting the marketing of food and beverages to children. I hope you will do so, too.

Hon. Senators: Hear, hear.

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

Hon. Senators: Agreed.

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

CRIMINAL CODE

BILL TO AMEND—THIRD READING—DEBATE ADJOURNED

Hon. Marc Gold moved third reading of Bill C-305, An Act to amend the Criminal Code (mischief).

He said: Honourable senators, inspired by our beloved former colleague Senator Baker, I will be very brief.

Honourable senators, you'll recall this bill extends and expands the protection against hate-based mischief against property and places that are primarily used by religious, ethnic, national and other enumerated groups. You will recall further that this bill, which was introduced in the other place, was passed unanimously there after being studied by the appropriate committee.

I simply want to thank Senators Frum and Fraser for their comments on this bill during second reading, which were supportive, and especially thank the members of the Standing Senate Committee on Legal and Constitutional Affairs, and certainly the chair, Senator Runciman, and deputy chair, Senator Baker, who found the time, with some effort, to study this bill before we rose in June and reported back here positively.

This bill fills a gap in our current laws and protects Canadians from hate-based crimes against their institutions. I do hope that all honourable senators will join me in supporting it.

(On motion of Senator Martin, for Senator Frum, debate adjourned.)

• (1450)

Hon. Yonah Martin (Deputy Leader of the Opposition):
Honourable senators, I do intend to speak to this item, but I'm not prepared to do that yet, so I move the adjournment for the balance of my time.

THE SENATE

ROLE IN THE PROTECTION OF REGIONAL AND MINORITY
REPRESENTATION—INQUIRY—DEBATE CONTINUED

(On motion of Senator Martin, debate adjourned.)

On the Order:

Resuming debate on the inquiry of the Honourable Senator Seidman, calling the attention of the Senate to its role in the protection of regional and minority representation.

(At 2:53 p.m., the Senate was continued until Tuesday, October 3, 2017, at 2 p.m.)
