



# DEBATES OF THE SENATE

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OFFICIAL REPORT  
(HANSARD)

Thursday, December 13, 2018

The Honourable GEORGE J. FUREY,  
Speaker

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## THE SENATE

Thursday, December 13, 2018

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

Prayers.

[Translation]

### ROYAL ASSENT

#### NOTICE

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

#### RIDEAU HALL

December 13<sup>th</sup>, 2018

The Honourable  
The Speaker of the Senate  
Ottawa

Mr. Speaker,

I have the honour to inform you that the Right Honourable Julie Payette, Governor General of Canada, will proceed to the Senate Chamber today, the 13<sup>th</sup> day of December, 2018, at 4:30 p.m., for the purpose of giving Royal Assent to certain bills of law.

Yours sincerely,

Assunta Di Lorenzo  
*Secretary to the Governor General  
and Herald Chancellor*

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## SENATORS' STATEMENTS

### ACADIAN REMEMBRANCE DAY

**Hon. René Cormier:** Honourable senators, I am getting a little emotional rising one last time in this chamber before we leave it for the next 10 years.

Every day from the moment I first set foot in this chamber on November 15, 2016, I have looked up at this painting by George Clausen, entitled *Returning to the Reconquered Land*. It sort of reminds me of the novel *Pélagie: The Return to Acadie* by Acadian author and Prix Goncourt winner Antonine Maillet.

This painting takes on added poignancy this week, given that today is Acadian Remembrance Day, which commemorates the deadliest day of the Great Upheaval, and that we marked International Human Rights Day at the beginning of the week.

The year 2018, which is drawing to a close, is the seventieth anniversary of the adoption of the Universal Declaration of Human Rights, which reminds us that, and I quote:

... recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world ...

[English]

Dear colleagues, while the deportation of Acadians may seem like a distant event, it left such deep wounds amongst these people that they still feel the need to remember it today. Imagine, then, what the millions of human beings who are still being displaced, deported or expelled for political, economic or climate change reasons must overcome.

[Translation]

We have a duty to remember such events so that we are reminded of the urgent need for action for the millions of people living in such awful conditions. We also have a responsibility to ensure that human rights are promoted and respected around the world.

[English]

As Canadian astronaut David Saint-Jacques orbits the Earth, sensitively reminding us how profoundly fragile our planet is, humanity urgently needs to show more solidarity to secure its future of the Earth and its remarkable home.

[Translation]

Honourable colleagues, tomorrow we will leave this chamber, "our home," thinking of all the remarkable women and men who have come before us in this place over the past 150 years. It is my ardent hope that, in the new place that will soon be our home, we will have the wisdom to remain worthy and respectful of our predecessors, and that we remain very mindful of how privileged we are to be able to serve Canadians.

[English]

Honourable senators, I wish all of you many happy, caring and loving moments with your family and friends during this holiday season.

[Translation]

May we remain filled with hope so that we and our constituents can all enjoy the same access to liberty, justice and peace in 2019.

Thank you.

**Hon. Senators:** Hear, hear!

[English]

### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Tito-Dante, Arianna, Martina-Rose Marimpietri and Rose Marie Albis-Marimpietri. They are the guests of the Honourable Senator White.

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

**Hon. Senators:** Hear, hear!

• (1340)

[Translation]

### SENATE APPOINTMENTS

**Hon. Pierre-Hugues Boisvenu:** Honourable senators, I'd like to congratulate Margaret Dawn Anderson from the Northwest Territories, Patricia Jane Duncan from Yukon, Rosemary Moodie from Ontario, and Stanley Paul Kutcher from Nova Scotia, who have all just been appointed to this chamber. However, as a francophone and kindred spirit of Nova Scotia's Acadians, I'm bitterly disappointed that Prime Minister Trudeau didn't appoint an Acadian senator to represent Nova Scotia.

Since Sir Wilfrid Laurier, all prime ministers, Conservative and Liberal, have appointed an Acadian senator to represent Nova Scotia's great Acadian community. Unfortunately, Justin Trudeau has appointed only anglophone representatives from this province, thus breaking a custom that served the Atlantic Acadian community very well.

For example, Senator Comeau, a Conservative Acadian from Nova Scotia who was a senator until 2013, introduced and ensured the passage of the National Acadian Day Act in 2003. To once again have a representative of Nova Scotia's Acadians in the Senate would have recognized their existence and also shown respect for the descendants of the French colonists who settled in Nova Scotia in the 17th century. I salute them and am honoured today to remind senators of their importance.

**Hon. Senators:** Hear, hear!

[English]

### VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Jade Fletcher. She is the guest of the Honourable Senator Boyer.

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

**Hon. Senators:** Hear, hear!

### THE SENATE

**Hon. Dennis Dawson:** Yesterday, when I asked to be put on the list to speak today, I had a very different subject in mind, but we will not be sitting tomorrow, and this is a solemn occasion.

[Translation]

I first came to Parliament 41 years ago as a member of the other place. I believe that nobody, other than my sponsor, friend and colleague Serge Joyal, has been in Parliament longer. When I came in this morning, I took a moment to solemnly acknowledge that this is the last time I'll have the opportunity, in either chamber of this building, to reflect on those years and to thank the colleagues I've worked with all this time.

I was very moved by Senator Brazeau's speech on distress and solidarity yesterday. The people in this place could sometimes demonstrate a little more solidarity, especially in the spirit of Christmas. That is certainly something we should try to do more often.

I had chosen a much more serious subject, though not a time-sensitive one. Instead, I want to reflect on what's been accomplished here with respect to same-sex marriage and human rights. This week, I gave a speech to mark the seventieth anniversary of human rights. You know, when I came here 41 years ago, there were only four or five women in Parliament. There wasn't even a ladies' washroom in the House of Commons, but women's rights were a top priority. We were working to achieve parity. We've made a lot of progress since then, but we still have a lot of work to do.

We tended to take our rights for granted. Take for example francophone rights in Ontario, which were believed to have been acquired and to be guaranteed, a *fait accompli*. Last month, we had a setback. To me, rights aren't something to be looked at through the rear view mirror. We have to turn our gaze to the future. We mustn't ever take for granted that our rights are guaranteed forever. I work with many of you, including my colleague Senator Ataullahjan, on defending LGBTI rights internationally. Still today in 2018 people are imprisoned and even executed because of their orientation.

Here in Canada, our rights can appear to be a *fait accompli*, but if we want to continue to be a source of inspiration — as we have been for women, languages, same-sex marriage — and advance human rights around the world, we have to maintain our momentum not only in the progress we've made, but also the progress that is yet to be made. We mustn't ever take our gains for granted, especially when it comes to those of our francophone colleagues outside Quebec whose rights are threatened still today.

[English]

To quote our honourable friend Senator Baker, since I said I would be brief, I want to take the opportunity to wish everyone a great break at Christmas. I was going to speak tomorrow, but since we will probably not be sitting, I want to thank you all. I'm glad that when I was sick I could count on your help, and should you be, you can count on me.

## GUARANTEED INCOME SUPPLEMENT

[Translation]

**Hon. Michael Duffy:** Honourable colleagues, as we prepare to spend time with our families and give thanks for so much, I want to bring the attention of senators to the plight of about 100,000 “forgotten Canadians.”

Part of my daily routine is to check *Blacklock’s Reporter* on my computer to see what important stories have been missed by the so-called mainstream media. On December 5, *Blacklock’s* reported that almost 90,000 poor Canadian seniors, who were entitled, were not claiming Canada Pension Plan benefits. Employment and Social Development Canada estimates that nationwide up to 9 per cent of pensioners eligible for the Guaranteed Income Supplement do not receive it.

This is serious. These are the neediest Canadians, and they’re not claiming money that is due to them because somehow they have fallen through the cracks. The GIS is paid to those who earn less than \$18,000 a year. The maximum benefit of \$897 a month, for the seniors I know on P.E.I., is essential to have even a subsistence existence.

The Minister of National Revenue, Diane Lebouthillier, got it right when she said:

... I was horrified to learn ... that over 100,000 seniors in Canada were not getting the Guaranteed Income Supplement.

Colleagues, we’re talking about more than \$1 billion going unclaimed by the people who are entitled to receive these benefits. So my question is: How do we reach out to these poorest of the poor to ensure they get the benefits to which they’re entitled?

To its credit, the federal government mailed out more than 192,000 letters to seniors it suspected were entitled but had never submitted an application. However, a total of 88,500 never responded to that reminder. When nearly 90,000 don’t reply to an offer of free money, we know we have a problem and extraordinary measures are required.

I’ve written to federal Minister Jean-Yves Duclos and his provincial counterparts to urge them to comb their records to ensure that we reach those who are entitled but are not yet receiving the GIS. This money rightly belongs to these forgotten Canadians, people who contributed to benefits programs as taxpayers and helped build Canada and make it the greatest country in the world.

As we count our blessings this holiday season, let us take time to remember these poor seniors. God bless them, every one.

## ROUTINE PROCEEDINGS

## SPEAKER OF THE SENATE

PARLIAMENTARY DELEGATION TO ENGLAND, UNITED KINGDOM,  
MAY 10-14, 2018—REPORT TABLED

**The Hon. the Speaker:** Honourable senators, I have the honour to table, in both official languages, the report of the Speaker of the Senate respecting his visit to England, United Kingdom, from May 10 to 14, 2018.

[English]

## PUBLIC SAFETY

RESPONSE TO THE SUPPLY DAY MOTION ON TERRORIST ACTIVITY—  
DOCUMENT TABLED

**Hon. Peter Harder (Government Representative in the Senate):** Honourable senators, I have the honour to table, in both official languages, the document entitled *Response to the Supply Day Motion on Terrorist Activity*.

## JUSTICE

COUNCIL OF CANADIAN ACADEMIES—*THE STATE OF KNOWLEDGE  
ON MEDICAL ASSISTANCE IN DYING FOR MATURE MINORS:  
THE EXPERT PANEL WORKING GROUP ON MAID FOR  
MATURE MINORS*—REPORT TABLED

**Hon. Peter Harder (Government Representative in the Senate):** Honourable senators, I have the honour to table, in both official languages, the report of the Council of Canadian Academies entitled *The State of Knowledge on Medical Assistance in Dying for Mature Minors: The Expert Panel Working Group on MAID for Mature Minors*.

COUNCIL OF CANADIAN ACADEMIES—*THE STATE OF KNOWLEDGE  
ON ADVANCE REQUESTS FOR MEDICAL ASSISTANCE IN DYING:  
THE EXPERT PANEL WORKING GROUP ON ADVANCE  
REQUESTS FOR MAID*—REPORT TABLED

**Hon. Peter Harder (Government Representative in the Senate):** Honourable senators, I have the honour to table, in both official languages, the report of the Council of Canadian Academies entitled *The State of Knowledge on Advance Requests for Medical Assistance in Dying: The Expert Panel Working Group on Advance Requests for MAID*.

COUNCIL OF CANADIAN ACADEMIES—*THE STATE OF KNOWLEDGE ON MEDICAL ASSISTANCE IN DYING WHERE A MENTAL DISORDER IS THE SOLE UNDERLYING MEDICAL CONDITION: THE EXPERT PANEL WORKING GROUP ON MAID WHERE A MENTAL DISORDER IS THE SOLE UNDERLYING MEDICAL CONDITION*—REPORT TABLED

**Hon. Peter Harder (Government Representative in the Senate):** Honourable senators, I have the honour to table, in both official languages, the report of the Council of Canadian Academies entitled *The State of Knowledge on Medical Assistance in Dying Where a Mental Disorder is the Sole Underlying Medical Condition: The Expert Panel Working Group on MAID Where a Mental Disorder is the Sole Underlying Medical Condition*.

COUNCIL OF CANADIAN ACADEMIES—*THE STATE OF KNOWLEDGE ON MEDICAL ASSISTANCE IN DYING FOR MATURE MINORS, ADVANCE REQUESTS, AND IN WHERE A MENTAL DISORDER IS THE SOLE UNDERLYING MEDICAL CONDITION: SUMMARY OF REPORTS*—REPORT TABLED

**Hon. Peter Harder (Government Representative in the Senate):** Honourable senators, I have the honour to table, in both official languages, the report of the Council of Canadian Academies entitled *The State of Knowledge on Medical Assistance in Dying for Mature Minors, Advance Requests, and in Where a Mental Disorder is the Sole Underlying Medical Condition: Summary of Reports*.

## TREASURY BOARD

FEDERAL REGULATORY MANAGEMENT INITIATIVES—  
2017-18 ANNUAL REPORT TABLED

**Hon. Peter Harder (Government Representative in the Senate):** Honourable senators, I have the honour to table, in both official languages, the annual report on the application of section 5 of the *Red Tape Reduction Act*, entitled *Annual Report to Parliament for the 2017 to 2018 Fiscal Year: Federal Regulatory Management Initiatives*.

• (1350)

## QUESTION PERIOD

### VETERANS AFFAIRS

#### SUPPORT SERVICES FOR VETERANS

**Hon. Larry W. Smith (Leader of the Opposition):** Honourable senators, my question is for the Leader of the Government in the Senate.

For many years now, Captain Kimberly Fawcett has been fighting with the Departments of National Defence and Veterans Affairs regarding coverage for the cost of her prosthetic leg. She lost her leg in a car accident which also claimed the life of her

infant son. I didn't hear about this until I stumbled across it in social media through Charles Adler of Global News. I would encourage everyone to look at it because it's quite a story. In November her latest appeal to Veterans Affairs Canada was rejected. The department said she was not eligible for a disability award because the department claimed she was not on duty at the time of her accident. She and her husband were part of a special unit that was on call at any time to go back to Afghanistan. Her husband went into training one day because he was going to be called back. That day they had what is called a special duty arrangement whereby when two people could be on call, a husband and wife at the same time, the wife would take children or a child to a special protected area or someone who would take care of the child, and this is what she was doing. But the department said she was not eligible for the disability award because she was not, in their minds, on duty.

What was interesting was initially they deemed that she was on duty, and then someone who replaced the individual who made the decision said she was not on duty. So it was an arbitrary decision. Senator Harder, this is something you could help us with. It's not a criticism but something I think would be helpful. The amount for a prosthetic leg is \$30,000. It's not a lot of money for Veterans Affairs and the government. Could you check to see what could be done to help this woman, and maybe Minister Sajjan could do something because he's aware of it and could intervene in this case?

**Hon. Peter Harder (Government Representative in the Senate):** I'd be happy to do so.

[Translation]

### CANADIAN HERITAGE

#### BOOK OF REMEMBRANCE

**Hon. Pierre-Hugues Boisvenu:** Senator Harder, since we will soon be leaving this place, the Parliament of Canada will be vacant once the House of Commons and the Senate relocate.

A question about the famous Books of Remembrance that are currently on display in the Memorial Chamber remains unanswered. Can you tell us where these books will be stored during the 10 to 15 years of renovations?

[English]

**Hon. Peter Harder (Government Representative in the Senate):** I thank my honourable colleague for the question. I will confirm, but my understanding is there is a chapel-like area in the restoration of the West Block where the memorial books are to be kept. I'm not certain as to when that particular venue will open but I will endeavour to find out. I have not visited the site except to see where it would happen.

[Translation]

**Senator Boisvenu:** Senator Dagenais has also asked a number of times about the War of 1812 Book of Remembrance. As we know, the work has been complete for a year, now.

Can you tell us now whether the War of 1812 Book of Remembrance, written in honour of veterans from all backgrounds, including the brave Indigenous fighters who fought in this war, will also be on display in West Block with the other books?

[English]

**Senator Harder:** I will inquire.

[Translation]

## NATIONAL DEFENCE

### ICEBREAKER FLEET—DAVIE SHIPBUILDING

**Hon. Claude Carignan:** My question is for the Leader of the Government. Leader, according to documents filed in court in the Vice-Admiral Norman case, a number of senior officials at the Department of National Defence were blinded by bias against Quebec and the Davie shipyard. Despite all the efforts made, the contract for the *Asterix* was awarded to Davie, and it was the most successful procurement project in Canada in the last 30 years. Those same individuals, still employed by the government, are once again putting their anti-Quebec and anti-Davie biases ahead of the needs of the Canadian Navy by refusing to award the procurement contract for a second supply ship, the *Obelix*.

The National Assembly of Quebec passed a unanimous resolution last week calling on the government to award the *Obelix* contract.

Senator Harder, when will the government finally move forward with the *Obelix* contract? Furthermore, why is the government allowing biases against Quebec workers at the Davie shipyard to persist among its employees?

[English]

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his question. He'll know, as his question references, that this matter is before the courts in terms of the documentation. With regard to the bulk of his question, I will make inquiries and be happy to table a response.

## ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

### BUSINESS OF COMMITTEE

**Hon. Yuen Pau Woo:** Honourable senators, my question is for the Chair of the Standing Senate Committee on Energy, the Environment and Natural Resources.

Senator Galvez, we all know that Bill C-69 was sent yesterday to this committee. Only yesterday we approved a motion for committees to sit in advance of our sitting in the chamber on February 18. In other words, we can sit from the time period starting January 29.

I heard all of the passionate speeches yesterday and in the weeks before from senators across this chamber indicating that they want to see the committee begin its detailed study and are looking forward to hearing witness testimony. Can you tell us what meetings you have planned for the two weeks before we sit in the chamber, the last week of January and the first week of February?

**Hon. Rosa Galvez:** Thank you very much for the question, Senator Woo. Yes, it has been my will to meet with steering committee in order to decide about the schedule of these meetings. Unfortunately, the steering committee was not able to meet. Some senators have expressed their wish to conduct a small amount of travel to meet with people concerning Bill C-69. However, we cannot make any decision because steering is incapable of meeting. What is disrupting to myself is that, speaking with members of other steering committees, it came to my knowledge that they were not able to meet, either. I don't know exactly what's going on but the steering committee is finding it very difficult to meet.

**Senator Woo:** I'm puzzled about the inability of the steering committee to meet. We know the members of the steering committee were at committee today. Is it not correct that steering can meet, if not in person, then by email and by phone? There is lots of time for the steering committee to come to a decision on calling a meeting in the last week of January or in February. Is it not possible for steering to meet so that these committee hearings can be scheduled in time?

**Senator Galvez:** To my understanding there are some practical rules and there are some written rules. In the past, we have had several meetings where we were not meeting in person and were making decisions by telephone or email discussions. However, it seems that we are now going back to rules that say we need to meet in person and that we must have the chair and deputy chair present to make a decision.

• (1400)

**Senator Woo:** Do you think the committee should meet as soon as possible in order to deal with this important bill?

**Senator Galvez:** Absolutely. I am making it clear today that it looks incoherent to say we have a big bill to study and then push it back later in time. We have permission to meet the last week of January, first week of February. Absolutely, I think we should start our work because we implicate public money and we must make good use of public money.

**Hon. Donald Neil Plett:** I have a supplementary question, Your Honour.

Senator Galvez, is it not true that you and one member of steering met yesterday and that at today's Energy Committee, you supplied not only an agenda but also a list of witnesses that you plan on bringing, even though the steering committee has not met?

**Senator Galvez:** Thank you so very much, Senator Plett, for allowing me to clarify the situation. That meeting was scheduled a long time ago. The list of witnesses was sent to steering a long time ago, so this is not a new thing.

The meeting was scheduled at four o'clock and we were present where we were supposed to be present at four o'clock. Now, somebody didn't show up. That doesn't forbid us to meet with other colleagues. There was no steering meeting. We were there because we had the schedule to meet.

**Senator Plett:** In fact, Senator Galvez, it does mean that you cannot meet if one member doesn't show up. The rules say steering is comprised of three people. The rules say in order to have a steering meeting, three people need to be present. So if one member cannot make it, for whatever reason, that steering committee meeting cannot continue and it did, including bringing a list of witnesses and a schedule to the committee.

I understand it's frustrating for you when things don't go the way you want them to, but the rules are clear in the Senate that a steering committee is comprised of three members. All three members have to be there. If it's scheduled and not all three members are there, the meeting has to be cancelled. You cannot informally discuss it.

**Senator Galvez:** I'm sorry, but that was a long statement and no question. If I can comment on that statement, there was no steering meeting. What I distributed was something that was already distributed.

You came to this room to check on us. I consider that to be extremely unethical.

[Translation]

## HEALTH

### MEDICAL ASSISTANCE IN DYING

**Hon. Renée Dupuis:** My question is for the Government Representative in the Senate, but I'm not sure whether he'll agree to take it.

You just tabled some extremely important reports on medical assistance in dying today. Those reports address some very relevant topics, such as access to medical assistance in dying for young people under the age of 18, the matter of individuals suffering from mental illness, and the validity of advance directives made before a person becomes unfit, issues that are currently preventing people from seeking medical assistance in dying. Are you prepared to resolve the Senate into a committee of the whole to discuss the content of these reports with the Minister of Health and other stakeholders?

[English]

**Hon. Peter Harder (Government Representative in the Senate):** Thank you, senator, for the question. For those senators who weren't part of the debate on Bill C-14, the studies tabled were very much reflective of the work of the Senate in asking for

these studies because of the questions that were raised in the context of the debates here. At that time, those reports were expected to be tabled at this moment; that is, December.

Regarding how the Senate chooses to deal with those reports, I'm happy to have discussions with leadership and in the normal channels to determine how these issues can benefit from Senate consideration. I think the honourable senator is wise to urge us to have those discussions.

[Translation]

**Senator Dupuis:** If I understand you correctly, you agree that discussions should be undertaken on how the Senate could deal with these extremely serious issues, but you wish to do so in a more serene setting and atmosphere than we have experienced in the study of certain bills. I think these are real life issues that doctors have to deal with every day. The work that I've done on these issues to date leads me to suggest that it would be better to hold those discussions here in the Senate given the seriousness of the subjects.

[English]

**Senator Harder:** The honourable senator will know that these subjects, as the question suggests, are extremely sensitive. It's important they be discussed in a serene and comprehensive fashion. I will undertake to have discussions with the Minister of Justice about how the minister intends on moving forward and with respect to how the government wishes to engage on these subject matters.

It is absolutely important that these reports from a panel of experts inform our debate, both within the Senate and within broader Government of Canada responses.

## PRIME MINISTER'S OFFICE

### SENATE APPOINTMENTS

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

Senator Harder, 21 days ago I asked you two simple questions about the Trudeau's government Senate appointment process: First, which individuals and organizations nominated the last 12 senators appointed; and, second, which provinces declined to name Senate advisory appointment panellists?

Despite your \$1.5 million office budget and a multitude of staff, I'm still waiting for these answers. It only took you two days to respond to this first question when you were new to your government leader duties.

Senator Harder, yesterday Prime Minister Trudeau announced four new senators. His press release trumpeted the "high standard of . . . non-partisanship" for his independent senators. Yet two of the four new independent senators have major and obvious Liberal Party ties. I'm quite sure that "non-partisan" is not a synonym for Liberal.

Senator Harder, Prime Minister Trudeau has named to the Senate a political party candidate. We have that. A former territorial premier. We have that. Top-level political donors. We have that. An executive member of a political party association. We have that. Trudeau Foundation members. No, we don't have that!

Besides that, the only difference is that your senators' links are Liberal and ours are Conservative, but we are open and transparent about our political partisanship. Why aren't you?

**Some Hon. Senators:** Oh, oh!

**Hon. Peter Harder (Government Representative in the Senate):** I think the response has already been given.

[Translation]

## HEALTH

### GENETIC NON-DISCRIMINATION

**Hon. Claude Carignan:** My question is for the Leader of the Government in the Senate. On October 4, I asked you a question about the Trudeau government's position on Bill S-201, on genetic discrimination, being referred to the Quebec Court of Appeal over questions of its constitutionality. This bill was sponsored in this chamber by Senator Cowan.

It is rather unusual for the federal government to say that federal legislation is unconstitutional. You said you would make inquiries. The hearings are this week and I still haven't received an answer from you on the official position. Can you tell me why the Trudeau government decided to repudiate Bill S-201?

• (1410)

[English]

**Hon. Peter Harder (Government Representative in the Senate):** The Government of Canada has been consistent with the position that it took, in terms of the cabinet, when this bill was being considered, and it transparently raised and referred its concerns to the court.

[Translation]

**Senator Carignan:** What role did pharmaceutical lobbies and insurance company lobbies play in the government's decision to abandon the legislation?

[English]

**Senator Harder:** Not at all.

## ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

### BUSINESS OF COMMITTEE

**Hon. Paula Simons:** Honourable senators, would the chair of the Energy, Environment and Natural Resources Committee accept a question?

Senator Galvez, as an Albertan, I can tell you that I've been hearing — over the last 24 hours, in particular — from hundreds of Albertans who are terribly concerned about Bill C-69. I explained to them that we had voted the bill to committee and that some people didn't want to discuss it until February. Would it surprise you to know that dozens of Albertans from across the political spectrum contacted me, begging us to start the hearings as soon as possible?

I note the presence of all three members of the steering committee in the chamber. I'm wondering, given that all three members of the steering committee are here, if it would be possible, for the sake of the thousands of Albertans who are terribly concerned about Bill C-69, for you to find some way for the steering committee to meet so we could serve the people of Alberta and Canada and get to this bill.

**Hon. Rosa Galvez:** Thank you very much for the question.

I have sent emails to the two deputy chairs to try to meet when the Senate suspends today and before Royal Assent. Senator Cordy has accepted; Senator MacDonald hasn't answered the email.

**Senator Simons:** I beg the indulgence of the chamber. Am I allowed to ask a question of a deputy chair?

**Some Hon. Senators:** No.

**Senator Simons:** It is a shame, because I would like to know how Senator MacDonald would have responded to all those Albertans.

**The Hon. the Speaker:** Senators will know that, during Question Period, questions can be asked of the Government Representative in the Senate, any minister who is present or any chair of committee, but a question cannot be asked of a deputy chair.

[Translation]

## HEALTH

### GENETIC NON-DISCRIMINATION

**Hon. Pierre J. Dalphond:** My question is for the Leader of the Government in the Senate. It's a follow-up to Senator Carignan's question. Am I to understand that the Attorney General of Canada, on the instruction of the Government of Canada, is choosing not to defend legislation passed by the Parliament of Canada? Does the Attorney General not have a constitutional obligation to defend acts of Parliament?

[English]

**Hon. Peter Harder (Government Representative in the Senate):** The honourable senator would know that this was a private member's bill that did not enjoy the support of the cabinet in its deliberations. It was nonetheless voted on, and the Government of Canada has continued to express its concerns with the constitutionality of the bill, which is now law.

[Translation]

**Senator Dalphond:** I have a supplementary question for the Leader of the Government. Is the Attorney General not defending the Elections Act, which currently limits the right to vote for non-residents to five years, before the Supreme Court? Yet, the Attorney General opposes that five-year limit provision and proposes to remove it under Bill C-76. I fail to understand the logic.

[English]

**Senator Harder:** Again, I'm happy to raise this with the Attorney General of Canada and respond.

#### PRIME MINISTER'S OFFICE

OFFICE OF THE SUPERINTENDENT OF FINANCIAL INSTITUTIONS—  
*iPOLITICS*

**Hon. David Tkachuk:** Honourable senators, last week the Office of the Superintendent of Financial Institutions cancelled a \$356,000 sole-source contract to pay Torstar reporters to attend public meetings of the House of Commons Finance Committee and the Senate Banking Committee. The contract was cancelled after *Blacklock's* reporters asked questions about it. The superintendent claimed that *iPoliticsINTEL* is the only supplier that can provide parliamentary committee monitoring services. I'm sure everyone here knows that parliamentary committee hearings are open to all, and that the transcripts can be found on the Web.

Senator Harder, can you tell us why this contract was awarded? Why does OSFI need to pay a media outlet to cover public meetings of parliamentary committees?

**Hon. Peter Harder (Government Representative in the Senate):** I thank the honourable senator for his question. He will know that OSFI is independent of government, but I am happy to raise this question with the office directly and respond.

**Senator Tkachuk:** What is more intriguing is the timing of the contract. Torstar announced the purchase of *iPolitics* on September 20, 2018. On October 10, Torstar's chair, John Honderich, published an appeal for federal subsidies. The contract was given to *iPolitics* — conveniently — on October 25.

Can you tell me whether John Honderich, or any other Torstar executive, approached the Prime Minister or anyone in his office to solicit this contract?

**Senator Harder:** Again, I will make inquiries. However, I will repeat that OSFI is, of course, independent of government.

#### ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

##### BUSINESS OF COMMITTEE

**Hon. Marilou McPhedran:** Honourable senators, would Senator Galvez, as Chair of the Energy Committee, accept a question? Thank you.

Senator Galvez, could you tell us if you would be willing, at your earliest possible convenience, to speak to the Conservative deputy chair of your committee to determine if it's possible to respond to Senator Simons' concerns — and these are widely held concerns — about the refusal to meet?

**Hon. Rosa Galvez:** Yes. I had a short conversation with Senator MacDonald, who came to apologize to me, and he said that —

**Senator MacDonald:** Go ahead. What did you say?

**Senator Galvez:** He said that it was out of his control to meet with us.

**Hon. Yonah Martin (Deputy Leader of the Opposition):** On a point of order, Your Honour.

**The Hon. the Speaker:** I'm sorry; no points of order can be raised during Question Period. If you want to raise a point of order, it must be done at the beginning of Orders of the Day.

**Hon. Donald Neil Plett:** Senator Galvez, on occasion I have received a speeding ticket in an area where I thought the speed limit should be a little higher. That's why I was driving at the speed I was, because I thought the speed limit was too low. The officer gave me a ticket and said, "You may disagree with the law; however, you have to obey it, or I will give you a ticket."

Our *Rules of the Senate of Canada* are explicit in terms of the number of people who have to be at a steering committee.

**Some Hon. Senators:** Question.

**Senator Plett:** You'll get your chance.

The *Rules of the Senate of Canada* are quite explicit. There must be three members. You cannot have an informal —

**The Hon. the Speaker:** Order, please. Honourable senators, order, please.

Senator Plett has the floor. He is asking a question of Senator Galvez. I'd like to hear the question, as I'm sure other senators would as well.

**Senator Plett:** Thank you, Your Honour.

My question is this: Even though you don't agree with the Rules and you think you should be able to have a steering committee meeting simply because, all of a sudden, all the independents here have become a very cohesive group and they are all supporting you in this, we, however, are still the

opposition in this chamber, and we will remain the opposition until the next election, and then we will be the government in this chamber.

**Some Hon. Senators:** Hear, hear!

**Senator Plett:** Until then, Senator Galvez, we have the Rules. Do you not think you should obey the Rules even though you don't agree with them?

**Senator Galvez:** Senator Plett, I never said we are not following the Rules. I think the question is clear. The three of us need to meet. The question is not whether we need to meet; the question is when to meet.

**An Hon. Senator:** Today!

**Senator Galvez:** I am following the Rules. We have to meet, so we have to find a moment. The question is: Can we meet very soon? The answer is: Yes, I want to meet very soon.

• (1420)

**Senator Plett:** I think it's been quite clear in this chamber that we are not particularly happy with Bill C-69, and I think it's been quite clear that we want to have a lot of committee meetings and we want to do some travelling across the country to hear from Canadians, including the fine folks in Alberta.

You had a committee meeting today and you're going to have another one, and we are going to meet. But again, Senator Galvez, you cannot come to a committee meeting prior to steering and submit a list of witnesses that we have not been part of. Witnesses should always be the same on each side of the issue. They should not be based on —

**Senator McPhedran:** Question!

**Senator Plett:** Senator McPhedran, you can ask a question when it's your turn; right now it's mine.

Witnesses need to be the same on both sides. We want to hear both sides of the issue, not just the majority side of the issue. We want to hear both sides of the issue. You didn't do that today.

**Senator McPhedran:** Question!

**Senator Plett:** Would you commit to doing that?

**Senator Galvez:** I want to mention that I find the tone of Senator Plett talking to me extremely aggressive. I'm very close. We are only a couple of metres away. I can hear perfectly. I don't have a hearing problem.

Again, in order to prepare, we have to meet. In order to organize the travel, in order to invite the guests, in order to get agreement on the witness list, we have to meet. So let's meet.

**The Hon. the Speaker:** Senators, the time for Question Period has expired.

## ANSWERS TO ORDER PAPER QUESTIONS TABLED

### PUBLIC SAFETY—TREATMENT OF CANADIAN CITIZENS WHO ADMIT PRIOR RECREATIONAL MARIJUANA USE AT THE BORDER

**Hon. Peter Harder (Government Representative in the Senate)** tabled the reply to Question No. 74, dated February 7, 2018, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Smith, respecting the treatment of Canadian citizens who admit prior recreational marijuana use at the border.

### NATIONAL REVENUE—CANADA REVENUE AGENCY REPORT REFERENCING THE JOINT INTERNATIONAL TASKFORCE ON SHARED INTELLIGENCE AND COLLABORATION OF THE ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT

**Hon. Peter Harder (Government Representative in the Senate)** tabled the reply to Question No. 108, dated September 18, 2018, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Downe, respecting the Canada Revenue Agency report referencing the Joint International Taskforce on Shared Intelligence and Collaboration of the Organization for Economic Cooperation and Development.

[Translation]

## DELAYED ANSWERS TO ORAL QUESTIONS

**Hon. Peter Harder (Government Representative in the Senate):** Honourable senators, I have the honour to table the answers to the following oral questions:

Response to the oral question asked in the Senate on March 1, 2018 by the Honourable Senator Boisvenu, concerning the Prime Minister's trip to India.

Response to the oral question asked in the Senate on April 25, 2018 by the Honourable Senator Ataullahjan, concerning the report of the Special Envoy to Myanmar.

Response to the oral question asked in the Senate on September 18, 2018 by the Honourable Senator Jaffer, concerning Venezuela.

Response to the oral question asked in the Senate on September 19, 2018 by the Honourable Senator Maltais, concerning the restoration of the walls of Quebec City.

Response to the oral question asked in the Senate on September 19, 2018 by the Honourable Senator Smith, concerning oral fluid drug screen devices.

Response to the oral question asked in the Senate on September 19, 2018 by the Honourable Senator Boisvenu, concerning youth prostitution (Department of Justice Canada).

Response to the oral question asked in the Senate on September 19, 2018 by the Honourable Senator Boisvenu, concerning youth prostitution (Public Safety Canada).

Response to the oral question asked in the Senate on September 26, 2018 by the Honourable Senator McIntyre, concerning roadside cannabis testing—drug recognition experts.

Response to the oral question asked in the Senate on September 26, 2018 by the Honourable Senator Gagné, concerning the Court Challenges Program.

Response to the oral question asked in the Senate on October 3, 2018 by the Honourable Senator Housakos, concerning the United States-Mexico-Canada Agreement.

Response to the oral question asked in the Senate on October 4, 2018 by the Honourable Senator Carignan, P.C., concerning genetic non-discrimination.

Response to the oral question asked in the Senate on October 17, 2018 by the Honourable Senator Smith, concerning the social media campaign on cannabis.

Response to the oral question asked in the Senate on October 18, 2018 by the Honourable Senator McIntyre, concerning the judicial selection process.

Response to the oral question asked in the Senate on October 24, 2018 by the Honourable Senator Downe, concerning greenhouse gas emissions.

Response to the oral question asked in the Senate on October 25, 2018 by the Honourable Senator Downe, concerning the fuel consumption tax.

Response to the oral question asked in the Senate on October 30, 2018 by the Honourable Senator Gold, concerning fish harvesting.

Response to the oral question asked in the Senate on October 30, 2018 by the Honourable Senator Marshall, concerning infrastructure projects (Fisheries and Oceans Canada).

Response to the oral question asked in the Senate on October 30, 2018 by the Honourable Senator Marshall, concerning infrastructure projects (Fisheries and Oceans Canada).

Response to the oral question asked in the Senate on October 31, 2018 by the Honourable Senator Smith, concerning Statistics Canada—Privacy Commissioner—Pilot Project.

Response to the oral question asked in the Senate on November 1, 2018 by the Honourable Senator Housakos, concerning the Champlain Bridge.

Response to the oral question asked in the Senate on November 1, 2018 by the Honourable Senator Carignan, P.C., concerning the Infrastructure Bank—official languages services.

Response to the oral question asked in the Senate on November 7, 2018 by the Honourable Senator Stewart Olsen, concerning tariffs—duty relief (Finance Canada).

Response to the oral question asked in the Senate on November 7, 2018 by the Honourable Senator Stewart Olsen, concerning tariffs—duty relief (Innovation, Science and Economic Development Canada).

Response to the oral question asked in the Senate on November 7, 2018 by the Honourable Senator Carignan, P.C., concerning bilateral and multilateral agreements.

Response to the oral question asked in the Senate on November 29, 2018 by the Honourable Senator Eaton, concerning First Nations land management.

## FOREIGN AFFAIRS

### PRIME MINISTER'S TRIP TO INDIA

*(Response to question raised by the Honourable Pierre-Hugues Boisvenu on March 1, 2018)*

#### Global Affairs Canada

The following reflects a consolidated response approved on behalf of Global Affairs Canada ministers.

India is a highly valued partner, and Canada continues to deepen cooperation with India on issues of bilateral and global importance. Beyond strengthening traditional political, trade and investment ties, Canada and India continue to enhance cooperation on issues of global concern such as climate change and international peace and security. India is one of the fastest growing economies in the world, and this trip allowed Canada to deepen our ties and focus on economic opportunities for Canada and India. The Prime Minister announced a billion dollars of back and forth investments between our countries. These agreements will help create nearly 6,000 good, well-paying jobs for Canadian workers. The Prime Minister also engaged directly with the business community, including a CEO roundtable with Prime Minister Modi.

## FOREIGN AFFAIRS AND INTERNATIONAL TRADE

### REPORT OF SPECIAL ENVOY TO MYANMAR

*(Response to question raised by the Honourable Salma Ataullahjan on April 25, 2018)*

Canada announced its Strategy to Respond to the Rohingya Crisis in Myanmar and Bangladesh on May 23, 2018, informed by Special Envoy Bob Rae's final report recommendations. Consistent with the Feminist International Assistance Policy, the Strategy dedicates \$300 million over three years to address the region's humanitarian, development, and stabilization needs in a coordinated and timely fashion.

Canada co-sponsored a Human Rights Council resolution establishing an independent mechanism to collect and preserve evidence, and will continue advocating for a UN Security Council referral to the International Criminal Court. Canada also recognized the situation as genocide through a motion in the House of Commons. On June 25, 2018, in coordination with the EU, Canada sanctioned seven individuals involved in the military operations launched in Rakhine State in August 2017 under the Special Economic Measures (Burma) Regulations.

We continue to raise the issue at every opportunity in international fora, and Canada regularly convenes working group meetings with international partners. Minister Freeland hosted such a meeting of foreign ministers on the margins of the United Nations General Assembly on September 25, 2018, to coordinate and advance concrete and timely initiatives to respond to the crisis, address the issue of impunity, and promote human rights, gender equality, human dignity, and peace and security in Myanmar.

#### VENEZUELA

*(Response to question raised by the Honourable Mobina S.B. Jaffer on September 18, 2018)*

**Q. Leader, this is a humanitarian crisis and I am proud to see that Canada is stepping up to help with the \$5.3 million that Minister Freeland promised in May. However, little has been announced since that promise was made. Leader, can you provide us with an update on the funding of the humanitarian relief efforts?**

A. Since 2017, Canada has provided over \$2.2 million in humanitarian assistance directly to help the vulnerable populations affected by this crisis in Venezuela and Colombia. Funds are fully disbursed and have been channelled through experienced humanitarian organizations including United Nations agencies, Non-Governmental Organization and the Red Cross Movement. These partners continue to provide life-saving assistance on a daily basis to those impacted by this crisis. Canada has also provided an additional \$4 million in regional humanitarian funding to partners, such as the United Nations High Commissioner for Refugees (UNHCR), responding to humanitarian needs arising from crises such as population movements and migration throughout Latin America and the Caribbean.

**Q. Leader, you were involved in the Women at Risk program. Is our government going to take the step of bringing those women and babies to our country, and under the Women at Risk program?**

A. Canada regularly accepts vulnerable women through all of its refugee streams. Canada has a "women at risk" designation that the UNHCR can attach to a refugee case being referred to Canada. Venezuelans, like other nationalities, are eligible for this designation, which allows Canada to prioritize these cases for processing and enables the women to receive extra settlement support services once in Canada. In 2017, Canada resettled 413 women and their

dependants under this designation. However, many other women at risk are resettled to Canada but their cases are not coded under this specific designation.

#### CANADIAN HERITAGE

##### RESTORATION OF THE WALLS OF QUEBEC CITY

*(Response to question raised by the Honourable Ghislain Maltais on September 19, 2018)*

We are committed to revitalizing defence infrastructure and preserving our heritage buildings and structures to ensure they continue to support the evolving needs of a modern military.

We value the rich heritage of the Citadelle of Quebec. A restoration project is currently underway to repair the King's Bastion retaining wall at the Citadelle. The Department of National Defence will repair the fort using original Citadelle stone, wherever possible. In cases where damage to the original stone is too severe, a Quebec bidder was contracted to ensure additional stones meet strict regulations. Our Government has been informed by the contractor that it has made arrangements to use sandstone originating from a Quebec quarry for the second and third phase of the project. National Defence will continue to ensure requirements are met for all material used in restoring the Citadelle, an important historical landmark of Quebec City.

An independent third-party laboratory will oversee the restoration work, and ensure all materials meet our technical requirements based on policy and direction from the Federal Heritage Buildings Review Office. Our Government will continue to preserve the Citadelle of Quebec and all national historic sites that commemorate the service and sacrifice of the Canadian Armed Forces.

#### PUBLIC SAFETY

##### ORAL FLUID DRUG SCREEN DEVICES

*(Response to question raised by the Honourable Larry W. Smith on September 19, 2018)*

##### Public Safety Canada (PS)

This Government put in place legislation, regulations and other measures to strengthen the drug-impaired driving framework well in advance of cannabis legalization. Changes were made to the *Criminal Code*:

- Creating three new offences of having concentrations of drugs in the blood in excess of set limits within two hours of driving, and corresponding penalties; and,
- Authorizing police to use approved road side oral fluid drug screeners.

The Government made \$161 million available over five years to train, equip and build capacity of front-line officers to enforce drug-impaired driving laws, with:

- \$81 million allocated to provinces and territories to enhance trainer capacity, training of front-line officers in Standard Field Sobriety Testing (SFST) and Drug Recognition Expert (DRE) evaluations and for procurement of drug screening devices; and,
- Over 14,400 law enforcement officers are trained in SFST and over 800 as DREs.

The Attorney General of Canada approved the first drug screener on August 22, 2018, which detects the presence of THC, the main impairing component in cannabis. The RCMP provided training to 87 officers, of which 54 are trainers and end users. Drug screeners are not required to enforce the legislation; they are an additional tool for use by law enforcement.

#### YOUTH PROSTITUTION

*(Response to question raised by the Honourable Pierre-Hugues Boisvenu on September 19, 2018)*

#### Department of Justice

Our Government is committed to ensuring that Canada's criminal justice system meets the highest standards of equity and fairness, hold offenders to account, shows compassion to victims and upholds the *Charter of Rights and Freedoms*.

To that end, the Minister of Justice and Attorney General of Canada was proud to have announced the appointment of Heidi Illingworth to the position of Federal Ombudsman for Victims of Crime.

Heidi Illingworth has extensive experience in the victim services field, including 20 years in front-line service delivery for victims of serious crime and interpersonal violence. A strong advocate for victims of crime, Ms. Illingworth served as the Executive Director of the Canadian Resource Centre for Victims of Crime for over 11 years.

Her appointment is part of our Government's renewed approach to appointments, which is based on openness, transparency and merit.

*(Response to question raised by the Honourable Pierre-Hugues Boisvenu on September 19, 2018)*

#### Public Safety Canada (PS)

The Government of Canada takes a strong stance against human rights abuses such as human trafficking and child sexual exploitation and is working to combat it by protecting victims and bringing perpetrators to justice. Federal efforts have been enhanced over the past two budgets.

In Budget 2017, the Government announced additional funding of \$6 million over five years to support a new web-based search technology called "Project Arachnid" implemented by the Canadian Centre for Child Protection that allows for faster identification and take-down of child pornography images.

In Budget 2018, the Government announced \$19 million over five years to increase the RCMP's capacity to investigate and counter child sexual exploitation online.

Budget 2018 included \$2.9 million annually ongoing to put in place a national hotline that will refer victims to services and supports and to law enforcement. PS has established an agreement with the Canadian Centre to End Human Trafficking to implement this initiative.

The Government introduced Bill C-21 to help fight cross-border crime.

In September and October 2018, PS undertook national consultations to gather stakeholder views to inform the development of a new national strategy to counter human trafficking. The results will be made publicly available.

#### JUSTICE

##### ROADSIDE CANNABIS TESTING—DRUG RECOGNITION EXPERTS

*(Response to question raised by the Honourable Paul E. McIntyre on September 26, 2018)*

1. What assurances can be given to New Brunswickers about the safety of their roads after October 17?

The RCMP enforces drug impaired driving laws and will continue to do so. Online training in the detection of drug impaired drivers is available for all police services through the Canadian Police Knowledge Network. Already in use by New Brunswick law enforcement to detect drug impaired drivers are the Standard Field Sobriety Test (SFST's) and Drug Recognition Expert (DRE) evaluations.

2. When will New Brunswick have a roadside detection device and more drug recognition experts?

A member of the RCMP in New Brunswick attended the instructor and end-user training session on the Drager equipment on October 16-17, 2018. New Brunswick RCMP will order one Drager DrugTest 5000 roadside detection device. The arrival date of the Drager equipment will be determined by the vendor.

3. Where in New Brunswick is this RCMP officer stationed?

As of October 5, 2018, New Brunswick's DRE are located in the following communities: Bathurst (1), Campbellton (1), Fredericton (2), Gagetown (1), Grand Falls (1), Miramichi (3), Moncton (4), Oromocto (1), Quispamsis (2), Richibucto (2), Saint John (5), Springfield (1), St Stephen (1), Sussex (1), Tracadie-Sheila (2), Woodstock(1).

4. Could he also find out when more RCMP officers in New Brunswick will receive this type of training?

In 2019, the Atlantic Provinces have one DRE certification event booked in February. It is unknown if / how many police officers from New Brunswick may attend as course candidates are identified by the training coordinators in each province or territory.

#### COURT CHALLENGES PROGRAM

*(Response to question raised by the Honourable Raymonde Gagné on September 26, 2018)*

The Government is committed to modernize the Court Challenges Program to improve access to justice and hold the Government to account for protecting human rights and official language rights. The implementation of the Court Challenges Program involves a number of important steps before it can be operational. The Minister of Canadian Heritage and Multiculturalism and the Minister of Tourism, Official Languages and La Francophonie are collaborating to finalize them. Several actions have been taken since the announcement of the Program's re-establishment in February 2017. The University of Ottawa has been selected as the independent body to administer the new program and the selection process for two Expert Panels responsible for funding decisions is currently being finalized. It is important to ensure selection of the Experts Panels is conducted with appropriate care, diligence and transparency. The modernized Program will become operational as soon as possible.

Note that the contribution agreement governing the two previous iterations of the Court Challenges Program has ended and all files have been transferred to the University of Ottawa.

#### FOREIGN AFFAIRS AND INTERNATIONAL TRADE

##### UNITED STATES-MEXICO-CANADA AGREEMENT

*(Response to question raised by the Honourable Leo Housakos on October 3, 2018)*

Trade diversification is an extremely important part of growing the Canadian economy and we're going to continue to increase our trade around the world. The North American Free Trade Agreement as an agreement has always had a path for parties to leave and that is essential. That is unchanged. Every country has the sovereign right to leave a trade agreement. Nothing in this agreement infringes on Canada's sovereign right to develop commercial relations with any country of its choosing.

Canada's trade policy will always be motivated by a focus on what is in the best interests of Canadians.

Canadians understand that diversification into fast growing markets is a priority and a necessity to grow opportunities for export and create good jobs at home as a result. China is already Canada's second largest trading partner and as we look to engage, deepen and improve our trading relationship with them; our first priority is to do so in ways that are beneficial to Canadians.

It is important to take time to get that right, to expand market access while protecting our interest and the integrity of our markets. That is why exploratory discussions will continue across a full range of opportunities and challenges.

#### JUSTICE

##### GENETIC NON-DISCRIMINATION

*(Response to question raised by the Honourable Claude Carignan on October 4, 2018)*

##### Department of Justice

The Government supports the objective of combating genetic discrimination. A part of this Act, which relates to the regulation of contracts, a matter within exclusive provincial jurisdiction under subsection 92(13) of the *Constitution Act, 1867*, is now before the Quebec Court of Appeal. The court has appointed an amicus curiae to defend the constitutionality of the Act. As the matter is now before the courts, the Government cannot comment further.

**HEALTH****SOCIAL MEDIA CAMPAIGN**

*(Response to question raised by the Honourable Larry W. Smith on October 17, 2018)*

**Health Canada**

The cannabis public education advertising campaign uses several methods to provide information to the public. Health Canada has invested advertising dollars to promote content on Facebook (which includes Instagram) and Google (which includes YouTube) for the campaign because social media is an effective way to reach youth and the young adult audience.

Although we have experienced temporary disapproval of advertisements on some social media platforms because of their policies on substances, we continue to work closely with the Government of Canada's Agency of Record (AOR), Cossette Media, to overcome these challenges. The AOR is in regular communication with Facebook and Google and has had success in getting Health Canada's cannabis public education advertisements approved on those platforms. This requires ongoing collaboration as campaign components are deployed on these platforms. For example, the AOR works with Google's Global Recreational Drug Policy team to ensure that our advertisements are reviewed by Google's correct policy team rather than by an automated approval process.

We have also been working with our provincial and territorial communications colleagues to share best practices on social media platforms in relation to cannabis public education efforts. Through this collaboration, we have been able to share information on how to produce content to avoid disapprovals.

**JUSTICE****JUDICIAL SELECTION PROCESS**

*(Response to question raised by the Honourable Paul E. McIntyre on October 18, 2018)*

Except in Canada's northern territories (Nunavut, Yukon, Northwest Territories), *Criminal Code* offences, including murder, are primarily prosecuted by the provinces. In the northern territories, the Public Prosecution Service of Canada (PPSC) is responsible for the prosecution of all *Criminal Code* offences, as well as offences under all other federal legislation. The PPSC confirms that no murder charges were stayed in the northern territories in the last two years.

**ENVIRONMENT****GREENHOUSE GAS EMISSIONS**

*(Response to question raised by the Honourable Percy E. Downe on October 24, 2018)*

**ENVIRONMENT AND CLIMATE CHANGE CANADA**

In 2016, the federal government worked with provinces, territories, and Indigenous Peoples on Canada's first comprehensive climate action plan, which includes a stringent, fair, and efficient price on carbon pollution.

Prince Edward Island's planned fuel charge will send a signal to markets and provide an incentive to reduce carbon pollution through conservation and efficiency measures.

The governments of Prince Edward Island and Canada are working together to fund priority projects that will help reduce pollution and grow the economy:

The Government of Canada's Low Carbon Economy Fund is reducing emissions and creating opportunities in Prince Edward Island by providing nearly \$35 million to support projects that:

- Provide homeowners with various incentives to increase energy efficiencies in their homes, as well as incentives for improving efficiency in low-income housing and businesses, making life more affordable for everyone.
- Help farmers reduce pollution and increase the efficiency of their operations.
- Plant trees, which help keep the air clean and absorb carbon.

Since 2016, the Government of Canada has allocated almost \$28 million for investments in public transit. Investing in Charlottetown's T3 Transit bus upgrades is one way we're working to make sure that public transit is available for all and that people can get where they need to go, quickly and safely, while reducing pollution. It's part of the Government's Investing in Canada Plan.

In addition, the Government of Canada has allocated over \$228 million for investments in green infrastructure in Prince Edward Island, for projects that reduce emissions, build resilience to the impacts of climate change, or provide additional environmental benefits such as clean air and clean water.

**FINANCE****FUEL CONSUMPTION TAX**

*(Response to question raised by the Honourable Percy E. Downe on October 25, 2018)*

**ENVIRONMENT AND CLIMATE CHANGE CANADA**

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**FISHERIES, OCEANS AND THE CANADIAN COAST GUARD****FISH HARVESTING**

*(Response to question raised by the Honourable Marc Gold on October 30, 2018)*

Marine safety, and the safety of fishermen, are priorities for Fisheries and Oceans Canada and the Canadian Coast Guard.

My department, including our Canadian Coast Guard, signed a Memorandum of Understanding with Transport Canada to promote the safety at sea of fish harvesters. We actively work with our partners and stakeholders in order to make fish harvesting safer and to reduce risks. For instance, the department conducts season opening assessments in conjunction with Transport Canada, harvesters and others where weather is considered and openings delayed if necessary. We also remind harvesters during fishery closures to contact their local area office if they are unable to retrieve their gear on time due to safety concerns, or at any point when they are in doubt over whether it is safe to retrieve gear due to weather. As part of our work with Transport Canada, we are also currently looking at ways to strengthen collaboration on vessel registration. The federal government also invested \$1.5 billion under the Oceans Protection Plan which includes several initiatives to improve marine safety and enhance Canada's search and rescue program.

My department is currently assessing in detail the contents of the Transportation Safety Board's 2018 Watchlist issued on October 29, 2018 and will collaborate with the TSB, other regulators such as Transport Canada, and our stakeholders on the required actions identified by Watchlist 2018, to ensure a safe, sustainable and prosperous fishery.

**INFRASTRUCTURE PROJECTS**

*(Response to question raised by the Honourable Elizabeth Marshall on October 30, 2018)*

The Department of Fisheries and Oceans is happy to provide the list of projects funded under phase 1 of the government's infrastructure program. In fact, we recently released the project list to the Standing Senate Committee on National Finance and appeared before the Committee in October 2018 to speak of the work that has been done. Additionally, my departmental staff is working to publish the project list on our departmental website by November 30, 2018. The \$433 million received as part of phase 1 of the government's infrastructure program has enabled the department to fund much needed projects that otherwise would have been unaffordable across our Real Property, Small Craft Harbours, Canadian Coast Guard and Science programs.

*(Response to question raised by the Honourable Elizabeth Marshall on October 30, 2018)*

The project list was recently released to the Standing Senate Committee on National Finance. The Department is currently working with other departments to share technology and best practices to determine the most effective means of posting its project information on its website. The Department is committed to publishing the project list by November 30, 2018.

## INNOVATION, SCIENCE AND ECONOMIC DEVELOPMENT

### STATISTICS CANADA—PRIVACY COMMISSIONER— PILOT PROJECT

*(Response to question raised by the Honourable Larry W. Smith on October 31, 2018)*

Statistics Canada takes its obligation to protect the privacy and personal information of Canadians very seriously. For over a hundred years Statistics Canada has been working with personal and sensitive information to provide good data that meets the needs of Canadians, businesses and communities. Any potential incident is addressed immediately. Statistics Canada reviews the case and takes action to minimize any risks. Statistics Canada also complies with Treasury Board Secretariat requirements for mandatory breach reporting of material incidents to the Office of the Privacy Commissioner.

## TRANSPORT

### CHAMPLAIN BRIDGE

*(Response to question raised by the Honourable Leo Housakos on November 1, 2018)*

Ensuring timely information is provided to Parliament is important and information continues to be provided as quickly as possible, while ensuring that on-going commercial discussions are not jeopardized.

Our private partner has worked hard to advance work despite the various challenges that the project has faced since 2016. These efforts were not in vain because the structure will be essentially completed by December 21, 2018.

However, with winter around the corner, SSL informed us in late September that it would not be able to open the new Champlain Bridge to traffic on December 21 as planned.

In recent weeks, we have had discussions with SSL in order to obtain a clearer picture of the situation and its consequences.

Talks with our private partner regarding the removal of toll-related elements in the contract are going well. At this time, we cannot confirm the financial impacts of eliminating tolls. As always, we will provide information once talks have been completed.

## INFRASTRUCTURE AND COMMUNITIES

### INFRASTRUCTURE BANK—OFFICIAL LANGUAGE SERVICE

*(Response to question raised by the Honourable Claude Carignan on November 1, 2018)*

Serving Canadians in the official language of their choice is important to the Government. The Minister of Infrastructure and Communities has spoken with officials at the Canada Infrastructure Bank (CIB) to emphasize this important obligation and has requested that the CIB provide an update on the corrective measures that have been taken to improve the situation since the complaint was made to the Commissioner of Official Languages.

Following the release of its interim report, the Commissioner has requested that the CIB provide comments within 60 days and the CIB has committed to do so. As a new Crown Corporation building out its operations, the CIB is taking its obligations to operate and communicate in both Official Languages seriously. Since the complaint was made in May 2018, the CIB has taken steps toward better serving Canadians in both Official Languages. This includes engaging with clients bilingually in-person and by phone and through a bilingual Annual Public Meeting in November 2018. The CIB continues to maintain its bilingual website and social media activity, and is building greater capacity in client-facing roles to further support the delivery of services in both official languages. The President and CEO, Pierre Lavallée, is francophone, and the CIB continues to hire new staff that is diverse and bilingual to meet its mandate, including the new Head of Project Development, François Lecavalier.

## FOREIGN AFFAIRS AND INTERNATIONAL TRADE

### TARIFFS—DUTY RELIEF

*(Response to question raised by the Honourable Carolyn Stewart Olsen on November 7, 2018)*

### Finance Canada

As of November 1, 2018, surtax revenues from the application of Canadian countermeasures totalled approximately \$597 million.

In June 2018, the Government announced support of up to \$2 billion to defend the interests of the Canadian steel, aluminum, and manufacturing industries. As of October 31, 2018, related expenditures included \$204.4 million in loans by the Business Development Bank of Canada, financial

support of \$58.5 million by Export Development Canada, and a Strategic Innovation Fund commitment of up to \$49.9 million to ArcelorMittal Canada.

In the 2018 Fall Economic Statement, the Government also announced an additional \$800 million to the Strategic Innovation Fund. Of this new funding, \$250 million is being made available in light of revenues collected through Canadian countermeasures on steel and aluminum products.

In addition to this support, the Government has provided relief to Canadian manufacturers facing surtax costs through targeted relief of up to \$110 million from surtaxes collected, as well as through \$6.8 million in surtaxes waived under the Canada Border Services Agency Duty Deferral Program.

Finally, the Government also established a Committee on Remission of Surtaxes, which provides industry associations with an opportunity to express views regarding the impact of the surtaxes.

*(Response to question raised by the Honourable Carolyn Stewart Olsen on November 7, 2018)*

The Government of Canada is taking a whole-of-government approach to support small and medium enterprises (SMEs) affected by the unjust U.S. tariffs on steel and aluminum.

The Government has made available up to 2 billion dollars to protect the interests of Canadian workers and businesses in the steel and aluminum industries.

This package includes: 1.7 billion dollars through Export Development Canada and the Business Development Bank of Canada; 250 million dollars through the Strategic Innovation Fund; 50 million dollars through Global Affairs Canada; and 75 million dollars through Employment and Social Development Canada.

Since the launch of the government support program, the BDC has provided 204.4 million dollars to 267 clients, while EDC has provided 58.5 million dollars to 24 clients.

In addition, Canada's Regional Development Agencies stand ready to support Canadian SMEs. RDAs provide tailored programs and services to help businesses identify growth opportunities and navigate disruptions.

SMEs are also eligible to apply for duty remissions, relief, and drawback, to relieve duties incurred as a result of Canadian countermeasures.

The Government continues to consult with SMEs to ensure that businesses are aware of available support measures. The full removal of these measures remains a top priority of the Government.

## PUBLIC SERVICES AND PROCUREMENT

### BILATERAL AND MULTILATERAL AGREEMENTS

*(Response to question raised by the Honourable Claude Carignan on November 7, 2018)*

VIA Rail is currently carrying out a procurement process to acquire a new fleet for the Quebec City – Windsor Corridor.

The procurement process being undertaken independently by VIA Rail is following fair, open and transparent guidelines. The Government cannot comment on such procurement processes while underway.

## INDIGENOUS AND NORTHERN AFFAIRS

### FIRST NATIONS LAND MANAGEMENT

*(Response to question raised by the Honourable Nicole Eaton on November 29, 2018)*

The legislative amendments in Bill C-86 would provide greater administrative clarity rather than expand existing authorities. Currently, the *Canadian Environmental Assessment Act*, 2012 requires that federal departments and agencies undertake environmental reviews for non-designated projects carried out on federal lands, including reserve lands, to determine whether they are likely to cause significant adverse effects. With respect to First Nations operating under the *First Nations Land Management Act*, these requirements apply until a First Nation develops its own environmental assessment process. Consequently, the changes contained in Bill C-69, if enacted, will modify the environmental assessment approach in a First Nation Land Management context in that any First Nation environmental assessment law will need to be consistent with the proposed impact assessment requirements.

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## ORDERS OF THE DAY

### CANADA REVENUE AGENCY ACT

#### BILL TO AMEND—FIRST READING

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons with Bill C-316, An Act to amend the Canada Revenue Agency Act (organ donors).

(Bill read first time.)

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

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

• (1430)

## BUSINESS OF THE SENATE

**Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate):** Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I move:

That the sitting be suspended to the call of the chair, with the bells to ring for five minutes before the sitting resumes.

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

**Hon. Senators:** Agreed.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

(The sitting of the Senate was suspended.)

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(The sitting of the Senate was resumed.)

• (1620)

## ELECTIONS MODERNIZATION BILL

BILL TO AMEND—MESSAGE FROM COMMONS—  
SENATE AMENDMENT CONCURRED IN

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons returning Bill C-76, An Act to amend the Canada Elections Act and other Acts and to make certain consequential amendments, and acquainting the Senate that they have agreed to the amendment made by the Senate to this bill without further amendment.

[English]

## BUSINESS OF THE SENATE

### EXPRESSION OF GOOD WISHES FOR THE SEASON

**The Hon. the Speaker:** Honourable senators, before calling for Royal Assent and before we adjourn and return to our families for the winter break, I would like to add my comments to those of the leaders yesterday and take a moment to extend my

best wishes to all senators, the staff in our offices, employees of the Senate administration and, of course, our pages, who will be finishing up their final exams next week.

**Hon. Senators:** Hear, hear!

**The Hon. the Speaker:** Through a demanding and exciting fall session, each member of the Senate family has provided invaluable support to this chamber on behalf of our fellow Canadians.

[Translation]

We all appreciate your loyalty, your professionalism and your many contributions to this place. I'm very proud of the challenges we've overcome and the progress we've made together over the past year.

[English]

I would be remiss if I did not mention the incredible staff at the Library of Parliament, the Parliamentary Protective Service, the International and Parliamentary Affairs Directorate and, of course, our Food Services and Translation Bureau. We, as senators, are ever grateful for your dedicated efforts and for those of all of you who ensure the smooth daily functioning of our institution.

I wish to express my thanks and best wishes as well to members of the Parliamentary Press Gallery for their commitment to seeking the truth and telling those important stories that affect all Canadians.

Honourable senators, as you know, this year is particularly special, as it will be the last time for a while that we will meet in this magnificent building. All employees and parliamentarians, past and present, feel a very deep connection to this place. And some of us, like me, will not return to work here when the renovation work is done.

Before the Centre Block closes its doors for rehabilitation, I know that many of you have taken the time to reflect on the many events that have taken place within these hallowed walls, for there is such beauty and history in this incredible place.

Colleagues, I would like to conclude by thanking you for the support and collegiality you have shown me personally both in and outside the chamber. It is an honour and a deep privilege to serve as Speaker of the Senate.

However you celebrate the holiday season, I hope you will enjoy precious time with your loved ones and friends. I look forward to seeing you all with renewed energy in 2019 in the new Senate of Canada Building, which we took possession of today.

[Translation]

I wish you all a joyful holiday and a happy new year. Thank you very much.

[English]

Honourable senators, is it your pleasure that the sitting be suspended to await the arrival of Her Excellency the Governor General?

**Hon. Senators:** Agreed.

(The Senate adjourned during pleasure.)

• (1640)

[Translation]

### ROYAL ASSENT

Her Excellency the Governor General having come and being seated at the foot of the Throne, and the House of Commons having been summoned, and being come with their Speaker, Her Excellency the Governor General was pleased to give the Royal Assent to the following bills:

An Act to amend the Export and Import Permits Act and the Criminal Code (amendments permitting the accession to the Arms Trade Treaty and other amendments) (*Bill C-47, Chapter 26, 2018*)

A second Act to implement certain provisions of the budget tabled in Parliament on February 27, 2018 and other measures (*Bill C-86, Chapter 27, 2018*)

An Act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another Act (*Bill C-51, Chapter 29, 2018*)

An Act to amend the Customs Act (*Bill C-21, Chapter 30, 2018*)

An Act to amend the Canada Elections Act and other Acts and to make certain consequential amendments (*Bill C-76, Chapter 31, 2018*)

The Honourable Geoff Regan, Speaker of the House of Commons then addressed Her Excellency the Governor General as follows:

May it Please Your Excellency:

The Commons of Canada have voted certain supplies required to enable the Government to defray the expenses of the public service.

In the name of the Commons, I present to Your Excellency the following bill:

An Act for granting to Her Majesty certain sums of money for the federal public administration for the fiscal year ending March 31, 2019 (*Bill C-90, Chapter 28, 2018*)

To which bill I humbly request Your Excellency's assent.

Her Excellency the Governor General was pleased to give the Royal Assent to the said bill.

The Commons withdrew.

Her Excellency the Governor General was pleased to retire.

(The sitting of the Senate was resumed.)

• (1650)

[English]

### DISTINGUISHED VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of our former colleague, the Honourable Anne C. Cools.

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

**Hon. Senators:** Hear, hear!

[Translation]

### ADJOURNMENT

#### MOTION ADOPTED

Leave having been given to revert to Government Business, Motions, Order No. 238:

**Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate),** pursuant to notice of December 11, 2018, moved:

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, February 19, 2019, at 2 p.m.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

(At 4:58 p.m., the Senate was continued until Tuesday, February 19, 2019, at 2 p.m.)

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