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THE SENATE

Wednesday, March 2, 2022

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

Prayers.

SENATORS' STATEMENTS

UKRAINE

Hon. Larry W. Smith: Honourable senators, I rise today to reflect upon the tragedy that the Ukrainian people are facing and the lessons it teaches us all.

The ongoing events unfolding in Ukraine have been heartbreaking, but in the midst of chaos inspiring scenes of solidarity and hope have shone bright. In the face of an unprovoked, illegal and unprecedented invasion — the scale of which has not been witnessed in Europe since the Second World War — the Ukrainian people continue to defy the odds, standing firmly in defence of the liberties they so cherish.

[Translation]

Early reports suggested the whole country would be overrun before long and the democratically elected government overthrown. The attack is ongoing, but I think it is fair to say that the world seriously underestimated the resolve and resilience of the Ukrainian people as a whole.

[English]

From President Volodymyr Zelenskyy refusing to leave the country; to the Mayor of Kyiv and businessmen taking up arms to defend their towns and cities; to ordinary citizens, young and old, doing their part to support national efforts, Ukrainians have put on display what it means to be united.

While we as a country continue to support the Ukrainian people in their struggle, I cannot help but pause and consider the state of our Canada today — a country struggling with internal divisions and discord. If ever there was a time for us to look past our differences and embrace what it means to be Canadian, it is now. In doing so, it is my hope that we remember the Ukrainian people who are literally standing shoulder to shoulder, fighting for what it means to be free. Thank you.

[Translation]

THE LATE PAUL TERRIEN

Hon. Jean-Guy Dagenais: Honourable senators, I would like to take a few moments to pay tribute to a man who operated behind the scenes and played a significant role in our contemporary political history.

Paul Terrien was a journalist, a student of history and a writer. He penned many of the great speeches delivered by prime ministers Brian Mulroney and Stephen Harper. He died suddenly on January 25 at the age of 72.

I met Paul Terrien when I first came to the Senate 10 years ago.

Paul Terrien was a very simple man, but he had an ability to enliven friendly gatherings with historical facts and the refined sense of humour he used to describe great moments in Canadian politics.

His presence at non-political lunches that I had the privilege of attending at the old Le Parlementaire restaurant will be forever etched in my memory and that of all the lunch buddies who joined the group every month, back when we were allowed to get together, of course.

Paul Terrien first came to Parliament Hill in 1969 as a journalist for *Le Droit*. He was the Deputy News Director at the Ottawa daily for a time.

Paul was a gifted writer, an exceptionally gifted one, and from 1985 to 1993, he wrote several important speeches for former Progressive Conservative prime minister Brian Mulroney.

Later, former prime minister Stephen Harper also called upon his exceptional writing skills, which helped some of our politicians clearly and persuasively express their vision and their goals.

On the Progressive Conservative team, Paul Terrien also served as chief of staff to former foreign affairs minister and former diplomat Lawrence Cannon, whose political memoirs he later wrote.

Passionate about the speeches of francophone politicians, including Henri Bourassa, our friend also published two books listing the great speeches in Quebec's political history.

He was also passionate about sailing, the sea and ships, and wrote a book on the memoirs of the great Canadian sailor and explorer J.-E. Bernier and another book on the history of shipbuilding in Quebec.

Paul Terrien was also known for being a strong nationalist and advocate for the rights of Franco-Ontarians. Those who knew him will recall that he was always ready to debate how the French language would survive in the vast North American anglophone ocean.

In 2011, Quebec Premier Jean Charest appointed Paul Terrien as Quebec's representative in Ottawa, a position he held until Pauline Marois's PQ government came to power in September 2013.

Paul knew how to use the power of words.

I give this brief synopsis of the life of Paul Terrien in order to honour the memory of a man who loved politics, politicians, speeches and above all the French language, which was the very lifeblood of his work.

Thank you.

Hon. Senators: Hear, hear.

[English]

UKRAINE—RUSSIA'S ACTIONS

Hon. Mary Coyle: Honourable senators, I rise today to express my solidarity with the people of Ukraine and to celebrate International Women's Day.

As Vladimir Putin wages another brutal and senseless war in Ukraine, I want to honour the many brave women of Ukraine who have been working for peace for decades and their Russian sisters who have shared in their clarion call for justice.

They are women such as Oleksandra Matviychuk, chair of Ukraine's Center for Civil Liberties, who warns that, for the Kremlin, war crimes are not mistakes but tactics, and that Ukraine is only at the forefront in the battle between the authoritarian model and the values of the free world.

Consider Lyudmila Huseinova, the Civic Ombudsperson for Children's Rights in occupied Donetsk, imprisoned since 2019 for her human rights work.

Also consider Coady International Institute graduate Oksana Potapova, co-founder of Ukraine's Theatre for Dialogue and now a refugee in Romania, whose profile on the Nova Scotia institute's site quotes her as saying, "Creating a peaceful and just world will require a radical shift of power dynamics" and that she had come ". . . to Coady to learn about non-hierarchical, participatory leadership"

Colleagues, I will give the last words to Xenia Emelyanova, a Russian poet who bravely posted this moving exhortation online at the time of Russia's invasion of Ukraine back in 2014:

Destined from birth.

What's destined from birth?

That when they took you from your mother mucus-covered, dove-colored,

somewhere up there, in the heavenly spheres, it's already known

where you'll lay your head forever.

And while the blood still pulses in your soft fontanele,

you've already become that person

destined from birth.

What the hell's *destined*?

What does birth mean?

It's your ancestors, all their sins, their genes, their souls, blood and sweat,

it's your people.

It's our faces in the church crowd, Lord,

not-so-distant relations.

It's us, Your flesh and blood, from a single root,

in a single language praying to You: woe,

woe so terrible there's nothing worse, even we can't bear it, submissive though we are. Evil, black-hearted, blind, death's begun to whistle again. Our own "Hailstorms" and "Hurricanes" fired on our people, hair standing on end from the news. How many children, Lord, have we buried this winter, how many will we bury still? Help us find our strength, lift up our heads, throw off the devil's yoke. Enough of their butchery, enough baring our backs for their brand! Give us the will to act, we're up to our knees, up to the seventh generation in blood-we've already redeemed our guilt. It's time to shake off death and impotence, stop the slaughter, stop the war.

• (1410)

Thank you, wela'lioq.

[Translation]

TRIBUTE TO FRANTZ SAINTELLEMY

Hon. Amina Gerba: Honourable senators, February is the time to celebrate Black History Month, but we should celebrate Black history every day, all the time.

Today I am pleased to share with you a success story. It illustrates both resilience and humanness, but it also highlights the opportunities our country offers to those who have chosen to enrich our society and make Canada their home.

Colleagues, I rise today to pay tribute to a child who came from Haiti at age 8 and who was recently selected to be the first Black chancellor of the biggest francophone university in North America. With you and for you, I salute Frantz Saintellemy, top-level scientist, seasoned businessman and 14th Chancellor of the Université de Montréal.

The second youngest of a family of 13 children, Frantz had a very hard time learning in elementary school. Nevertheless, with help from his teacher Gérard Jeune, who encouraged his efforts, he turned things around by getting top marks.

After earning his secondary school diploma, Frantz got a scholarship to study electronic engineering and computer science in the United States and graduated in 1996 from Northeastern University.

He worked for Analog Devices in the United States and Future Electronics in Montreal before striking out on his own and buying, with a partner, a company that supplies semiconductors and software for environmental sensors, ZMDI, in Germany.

This company, which was resold four years later for \$350 million U.S., made Frantz a millionaire.

In 2012, he and his wife, Vickie Joseph, invested in renovating and converting an abandoned factory located at 3737 Crémazie Boulevard in Saint-Michel, Montreal, and Groupe 3737 was SENATE DEBATES

born. The organization's mission is to give back to the community and, in particular, to help Black youth become entrepreneurs.

With an investment of over \$20 million in private funds, the organization has welcomed more than 150 businesses and 200 not-for-profit organizations, trained more than 1,000 entrepreneurs of diverse backgrounds and cultures and generated 400 jobs.

Since 2017, Frantz has been the President and CEO of LeddarTech, a company that specializes in vehicle safety technologies. He breathed fresh life into this company, which is now valued at more than \$1 billion U.S.

I wanted to tell you about Frantz's remarkable contribution to our technological, economic and social advances and to show how immigrants contribute to the history of our country.

Honourable senators, the prosperity of diversity contributes to the prosperity of our country. We must support our fellow citizens from different backgrounds and cultures so that they can make us proud, like Frantz Saintellemy.

Thank you.

[English]

PEACE AND SECURITY

Hon. Leo Housakos: Honourable senators, I would like to take a moment to speak about the leading role Canada has to play on the world stage in promoting a peaceful resolution to the long-standing Israeli-Palestine conflict. It is with sadness and concern that I'm sure all of us in this chamber have observed the renewed bouts of violence between Israel and Palestine and the growing wave of terrorist attacks in Jerusalem targeting Israeli civilians over the last few months.

Israel is a beacon of democracy in a region largely suppressed by tyranny and terrorism, and is Canada's greatest ally in the Middle East. Our two countries are linked by shared democratic values and a history of joint efforts on various matters, one of which being the promotion of peace and stability in the Middle East.

We can all appreciate that a just peace, recognizing the needs of Israel and Palestine, is a long-sought-after outcome. However, this will only be possible when the Palestinian people are free from the terrorist groups that keep them suppressed.

The Palestinian territories have long been trying to renew the electoral process, but attempts have failed for the last 15 years, largely due to the fact that neither the Palestinian Authority nor Hamas wish to hold elections for fear of losing their territorial domains. This has robbed Palestinians of any say in their governance and has undoubtedly been an impediment to any negotiated resolution between Israel and Palestine.

[Senator Gerba]

Honourable colleagues, it is clear that the status quo is a dead end, which is why I'm urging the Canadian government to work with the international community to facilitate free, fair and credible elections in the Palestinian territories, so as to break the grip of terrorist organizations and promote the peace process.

The international community has long called for more accountability and democratic governance in the region. An election under international auspices would provide the infrastructure for free and fair elections, ensure that international law is upheld and redress the inability of the current electoral framework under the Palestinian Central Elections Commission to prevent the participation of political parties controlled by terrorist entities.

International sponsorship of these elections should seek to include access to a free press and international election observers to monitor the vote. Furthermore, as promoters of democracy and the international rule of law, Canada, along with other liberal democracies, must make it clear that forces that espouse terrorism and call for the destruction of Israel have no place in this process and must ensure their participation is prohibited.

Colleagues, this is an opportunity for Canada to be a leader on the world stage in affirming its commitment to democracy and international law, and also in providing governance assistance to the Palestinian people. It is my hope that the Canadian government will consider this path forward in promoting a durable solution that grants the Israeli and Palestinian people peace and security. Thank you, colleagues.

THE HONOURABLE DIANE F. GRIFFIN

TRIBUTES

Hon. Colin Deacon: Honourable senators, this week is the last in the chamber for Senator Diane Griffin, who will be retiring from public life following a lifetime of remarkable contributions. As you know, she has asked not to have formal tributes, but reluctantly conceded that I could use my statement slot to this end.

• (1420)

The Honourable Diane Griffin was one of the first to be called to the upper chamber under the non-partisan appointment process introduced by Prime Minister Trudeau. I have known Senator Griffin for much less time than I have known of Diane Griffin. That's because of her long-standing efforts to preserve our country's vast natural spaces. Her contributions in the field of conservation began in Alberta and continued with the Island Nature Trust, the National Round Table on the Environment and the Economy and the Nature Conservancy of Canada.

Senator Griffin's efforts not only increased awareness of our need to protect natural habitats, but she long fought to bring countless areas under permanent protection, including the beautiful Malpeque Bay Salt Marsh Natural Area — a beloved place bequeathed by her late father.

I have personally had my heart warmed by the results of her efforts as I watched 20 years of magnificent sunsets over St. Peter's Lake Run on the north shore of Prince Edward Island where my wife and I once owned a cottage. It's a spectacularly rich wetland and a stunning beach overlooking the Gulf of St. Lawrence, backed by four-storey high sand dunes, now protected in perpetuity.

Given that roughly 90% of Prince Edward Island is privately owned, it is no small feat to secure donations of fragile and sensitive natural areas to either the Island Nature Trust or the Nature Conservancy. This speaks volumes about Senator Griffin's quiet determination and gives some insight as to why she received the Roland Michener Conservation Award, among other honours. Margaret and Errol Laughlin must look down so proudly on their daughter and her journey from their dairy farm in Travellers Rest, P.E.I., to her position as Chair of the Standing Senate Committee on Agriculture and Forestry, advocating for sustainable management of farm and forest resources across our country.

Although she will be retiring from the Senate, we know that Senator Griffin's passion and effort will continue to inform and inspire all those who share her goal of achieving social, environmental and economic sustainability.

Senator Griffin, none of us can match Dolly Parton's warm "thank you" video that she sent to you when you brought her Imagination Library to P.E.I. Regardless, I hope you will accept this attempt to reflect the gratitude your colleagues have for you. Thank you, Diane, for all you have done and all you will continue to do.

Hon. Senators: Hear, hear!

[Translation]

ROUTINE PROCEEDINGS

OFFICIAL LANGUAGES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING ADJOURNMENT OF THE SENATE

Hon. René Cormier: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, pursuant to rule 12-18(2), for the remainder of this session, the Standing Senate Committee on Official Languages be authorized to meet at their approved meeting time on any Monday which immediately precedes a Tuesday when the Senate is scheduled to sit, even though the Senate may then be adjourned for a period exceeding a week.

[English]

THE SENATE

NOTICE OF MOTION TO STRIKE A SPECIAL COMMITTEE ON THE INVOCATION OF THE EMERGENCIES ACT

Hon. Scott Tannas: Honourable senators, I give notice that, two days hence, I will move:

That a Special Senate Committee on the Invocation of the *Emergencies Act* be appointed to conduct a review of the public order emergency proclaimed on February 14, 2022;

That, without limiting its mandate, the committee be authorized to:

- 1. conduct a review of the circumstances that led to the proclamation being issued and the measures taken for dealing with the emergency;
- 2. examine if and how the invocation of the act affected the privileges of Parliament and of all parliamentarians;
- 3. review the application of the Senate's Rules and procedures following a proclamation of an emergency;
- 4. examine all relevant information held by the government pertaining to the public order emergency;
- 5. examine the extent to which the oath of secrecy under section 62(3) of the *Emergencies Act* affords the Parliamentary Review Committee, to be established under section 62 of that act, access to classified information;
- 6. consider proposals for amendments to the *Emergencies Act* based on issues that emerged; and
- 7. review the definition of *Parliamentary Precinct* under the *Parliament of Canada Act* to ensure security around the Parliamentary Precinct;

That the committee be composed of nine members, to be designated by the whips and liaisons of all the recognized parties and recognized parliamentary groups, by means of a notice, signed by all of them and filed with the Clerk of the Senate, who shall have the notice recorded in the *Journals of the Senate*;

That five members constitute a quorum;

That, notwithstanding rule 12-15(2), the committee be empowered to hold in camera meetings for the purpose of hearing witnesses and gathering specialized or sensitive information, and the documents and evidence related to such meetings not be made public; That the committee be authorized to retain the services of expert, professional, technical and clerical staff, including legal counsel;

That, pursuant to rule 12-18(2), the committee be empowered to meet during any adjournment of the Senate;

That the committee have the power to send for persons, papers and records; to hear witnesses; and to publish such papers and evidence from day to day as may be ordered by the committee;

That the papers and evidence received and taken and the work accomplished by the Special Senate Committee on the Pearson Airport Agreements in relation to the appendix to its final report, from December 1995, entitled *The Power to Send for Persons, Papers and Records: Theory, Practice and Problems*, during the First Session of the Thirty-fifth Parliament, be referred to the committee;

That the committee be authorized to report from time to time, submit a comprehensive interim report no later than June 15, 2022, and submit its final report no later than December 15, 2022;

That the committee be permitted to deposit its reports with the Clerk of the Senate if the Senate is not then sitting, with the reports then being deemed to have been tabled or presented in the Senate; and

That the committee retain the powers necessary to publicize its findings for 60 days after submitting its final report.

[Translation]

LEGAL AND CONSTITUTIONAL AFFAIRS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET IN CAMERA FOR THE PURPOSE OF ITS STUDY OF BILL S-210

Hon. Mobina S. B. Jaffer: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, notwithstanding rule 12-15(2), the Standing Senate Committee on Legal and Constitutional Affairs be empowered to hold an in camera meeting for the purpose of hearing witnesses and gathering specialized or sensitive information in relation to its study of Bill S-210, An Act to restrict young persons' online access to sexually explicit material.

[Senator Tannas]

• (1430)

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING ADJOURNMENT OF THE SENATE

Hon. Diane Bellemare: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, pursuant to rule 12-18(2), for the remainder of this session, the Standing Committee on Rules, Procedures and the Rights of Parliament be authorized to meet at their approved meeting time as determined by the third report of the Committee of Selection, adopted by the Senate on December 7, 2021, on any Monday which immediately precedes a Tuesday when the Senate is scheduled to sit, even though the Senate may then be adjourned for a period exceeding a week.

[English]

QUESTION PERIOD

PRIVY COUNCIL

THE HONOURABLE DIANE F. GRIFFIN

Hon. Donald Neil Plett (Leader of the Opposition): My question today is, again, for the government leader in the Senate. Leader, Senator Deacon somewhat stole my thunder here because we all have our own ways of going about doing things, and he found his.

Leader, let's see if we can agree on an answer to a question. For over five years, the Honourable Diane Griffin has been a valued member of the Senate of Canada. With her compassion, common sense and strong work ethic, she has been dedicated in working as a senator, including as Chair of the Standing Senate Committee on Agriculture and Forestry. As she approaches her retirement later this month, all honourable senators are saddened to see Senator Griffin take her leave of this place. A true environmentalist, she has been a strong advocate for the farmers and fishers of her province. A champion for literacy, Senator Griffin has been praised for her work by the founder of the Imagination Library, none other than Dolly Parton herself.

Leader, for all these reasons, and more, would you agree with me that our colleague Diane Griffin has been a wonderful senator and she will indeed be missed in this place?

Some Hon. Senators: Hear, hear.

Hon. Marc Gold (Government Representative in the Senate): The answer is yes. Please allow me, as is my wont, to elaborate however briefly.

Thank you, Senator Plett, for giving me the opportunity to thank Senator Griffin for her dedication and passion over her years in the Senate. We joined the Senate pretty much at the same time, and we were — are — colleagues. Her work in this chamber, her sponsorship of Bill C-57 and her continuing resolve and determination to put Canadians first are testaments to the service she's rendered to us here in the chamber and in the country. For my part, I want to thank you, Senator Griffin, for the lovely days we spent together on a bus, a long day in Uganda, where I got the opportunity to know you much better. I'm grateful for that.

Prince Edward Island should be proud of your commitment to your province and to your fellow Islanders. Diane, enjoy your retirement. Keep your bird's-eye view on the wonders of nature that surround you in your wonderful, lovely province.

Hon. Senators: Hear, hear.

INTERNATIONAL TRADE

INTERNATIONAL MARKET ACCESS

Hon. Donald Neil Plett (Leader of the Opposition): I knew we could agree on an issue if you only tried.

Again, the next question was answered with the standing ovation that Senator Griffin got earlier today. Therefore, let me delve into another issue that's also near and dear to our colleague's heart.

Leader, the issue concerns something that both Senator Griffin and I have previously raised, which is the difficult circumstances being faced by Prince Edward Island's potato farmers through no fault of their own. I want to assure Senator Griffin that these farmers will not be forgotten as she takes her retirement from the Senate shortly. I'm sure you want to assure her of this as well.

By last Friday, leader, to qualify for a federal and provincial compensation program, Prince Edward Island potato farmers destroyed about 136 million kilograms of their own potatoes. It is devastating for any farmer to be forced to destroy a crop they worked so hard to produce.

Leader, shipments of P.E.I. potatoes to Puerto Rico resumed on February 9. When will shipments to the U.S. mainland resume? How much longer will the Trudeau government's export ban be in place?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. It's an important one. It remains a priority for the Government of Canada to restore access to the continental United States. The resumption of exports to Puerto Rico is clearly a good first step, modest though it may appear. I'm advised that the United States Department of Agriculture Animal and Plant Health Inspection Service is working expeditiously on their analysis for the continental U.S. The government will continue to take an approach with its partners, provinces and stakeholders to deal with the U.S. in terms of the U.S.'s stated science concerns. This is the best chance for a quick and complete reopening of the potato market in the U.S., which is what we all firmly hope will happen soon.

[Translation]

PUBLIC SAFETY

PUBLIC INQUIRY INTO PORTAPIQUE SHOOTING

Hon. Pierre-Hugues Boisvenu: I would like to express my appreciation for Senator Griffin's outstanding work. If you invite me and my spouse to play golf next summer in your beautiful province, I will not hesitate to say yes.

Senator Gold, in April, another Maritime province will mark the second anniversary of the largest mass shooting in Canada's history, the Portapique shooting, which claimed the lives of 22 people. The public hearings on the subject finally got under way last week, and many criticisms have been levelled at the commission responsible for the public inquiry with respect to its transparency and independence. The families of the 22 victims of the Portapique shooting are condemning the way in which the inquiry was carried out over the past two years. They were not kept informed of the proceedings of this public inquiry. Once again, the federal government forgot about them. The Premier of Nova Scotia, Tim Houston, criticized the inquiry as follows, and I quote:

Over the course of the last few weeks, I have heard family members express frustration and concern about the structure of the inquiry. They feel left in the dark. This is not only disrespectful, it should cause us all to pause and ask, if the families don't have confidence in the process, how can the public?

Another rather surprising statement was made by the Minister of Immigration, Refugees and Citizenship and Nova Scotia MP Sean Fraser, who heard the same frustrations from the victims' families. He said, and I quote, "We are united in our view that the families' confidence in this process remains a paramount consideration."

I remind you that this inquiry was set up to get answers and shed light on the RCMP's operations. This inquiry has been very unclear and obscure so far, which leads us to believe that it was mandated to hide the truth from the victims' families.

Senator Gold, why are the victims' families not playing an essential role in the public inquiry, as they should?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. I'd like to acknowledge the importance of this inquiry and the tragedy that prompted it, as well as the frustrations that have been voiced publicly.

Esteemed colleague, I will have to inquire with the government on the details of the structure of the inquiry, and I will get back to you with an answer as soon as possible.

JUSTICE

OMBUDSMAN FOR VICTIMS OF CRIME

Hon. Pierre-Hugues Boisvenu: Senator Gold, the families of the victims cannot defend themselves, as you know, because they are still not represented by an ombudsman. They have been deprived of their representative who would play a crucial role in this inquiry. This is contrary to the principle of the right to information and the right to participation enshrined in the Canadian Victims Bill of Rights.

Why did the government not take the initiative to appoint an interim ombudsman six months ago, pending the appointment of a new ombudsman, as it did with the ombudsman for criminals?

Hon. Marc Gold (Government Representative in the Senate): Once again, thank you for the question. I will add it to the list of questions for the government and I will get back to you as soon as possible.

• (1440)

[English]

CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION

ACCESS TO CANADIAN MEDIA

Hon. Paula Simons: Honourable senators, my question is also for the government leader.

On the weekend, Senator Gold, Bell, Rogers and Shaw all announced their intention to stop carrying the Russian propaganda service Russia Today, known as RT, on their cable services, but that was a purely voluntary gesture on their part, and RT remains accessible to other cable subscribers in Canada. Just today, Twitter announced that it would remove the accounts of RT and *Sputnik News* in Europe as a result of EU sanctions. But that policy doesn't apply here in Canada.

With the full understanding that the CRTC is, of course, an arm's-length regulatory agency, can you please tell us what the Canadian government is doing to reduce the volume of Russian propaganda on Canadian cable and social media sites?

Hon. Marc Gold (Government Representative in the Senate): Thank you, senator, for the question. It's an important one. The government is and has been working closely with the social media sites and has been working as well with its partners and allies to address the Russian aggression in Ukraine and the disinformation campaign and cybercampaigns that have been launched to support it.

I do not have details to share with you, but this chamber should be confident that the government, as has been revealed in the preceding days, is keeping all options on the table, and careful work is being done — everything that Canada can do — to help resist the Russian aggression. That includes the area of cyberspace. **Senator Simons:** Senator Gold, I've also fielded a lot of questions from Canadians in the last few days about FOX News, which is a mandatory part of most basic cable packages in Canada. Given increased public concerns about disinformation and misinformation on FOX News, is the government able to reconsider the prerequisites and standards for granting broadcast licences and cable carriage in this country?

Senator Gold: Again, thank you for your question; it's a rather large one. I don't have a specific answer for you, but this chamber is well aware that legislation is forthcoming from the government to address many issues surrounding social media platforms. At that point, I think, it would be a good opportunity for us to learn more about what the government's plans are in this regard.

FOREIGN AFFAIRS

PUBLIC HEALTH DISINFORMATION

Hon. Stan Kutcher: Honourable senators, my question is for Senator Gold.

Although Russian-driven or -supported disinformation, designed to destabilize our democratic system of governance, is now more visible to Canadians, it has been here for some time.

Over the pandemic, it has increased in sophistication, intensity and volume. Disinformation is coming from RT, which was described by its editor-in-chief as an "information weapon," and other sources as well. During this pandemic, much of its output has been focused on anti-vaccination and anti-public health messages. It has become linked to various conspiracy theories, such as Chinese social credit and the new world order. It has skilfully fanned pandemic fatigue, promoted anger-driven spread of disinformation and supported actions directed against our democratic institutions.

According to Marcus Kolga of the MacDonald-Laurier Institute, the aim has been to harness public anxiety and fan it toward chaos and even sedition. Indeed, we are seeing this type of disinformation starkly in the recent statement on the invasion of Ukraine issued by the Embassy of the Russia Federation in Canada.

Senator Gold, what is the Government of Canada doing to actively counter the spread of Russian-supported public health disinformation?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. Let me begin by quoting Minister Rodriguez who, on March 1, said:

We must defend Canadians from disinformation and propaganda, and we won't be deterred by malevolent foreign governments.

Protecting Canada and Canadians online is a key priority, as I mentioned in my previous answer. It's clear that disinformation poses a threat to the safety of our communities and the legitimacy of our institutions — indeed our national unity. As I mentioned,

the government is working closely with officials and allies to address disinformation and the threat of foreign interference and will continue to work to that end.

I've also been advised that the Communications Security Establishment will be assisting Ukraine to support intelligence cooperation, cybersecurity and cyberoperations.

Senator Kutcher: Senator Gold, Andrew Nikiforuk, an investigative journalist, recently called attention to a potential link between the Ottawa occupation convoy and Russian-supported disinformation, pushing anti-vaccine and anti-public-health messages and demands to overthrow the Canadian government. What is being done to fully investigate this concern? Will this be part of the mandate of the Emergencies Act review committee? What should we, as responsible parliamentarians, be doing to address this issue?

Senator Gold: Thank you for your questions, Senator Kutcher.

With respect to the investigation efforts, which was part of your question, I will make inquiries with the government and report back to this chamber.

Regarding your other questions, as previously articulated in debates, and as we all know by now, the Emergencies Act provides that the review committee will have the ability to thoroughly investigate all circumstances leading up to the proclamation of the emergency.

With regard to what we as responsible parliamentarians may do, we're aware that foreign interference through funding and threats has been reported. I would encourage all of us as parliamentarians to engage in all items consistent with the objectives of parliamentary oversight of the actions undertaken under the Emergencies Act.

SUPPORT FOR UKRAINE

Hon. Peter Harder: Honourable senators, my question is for the Government Representative in the Senate. By way of preamble, let me associate myself strongly with the comments made by Senator Smith in his eloquent statement about the need for solidarity and collective action in the face of the events with which we are so much preoccupied.

At the same time, I would like to disassociate myself from those would-be leaders who have said that Europe has been weak in its response. I do not believe that Europe has been weak or that the alliance has been weak. I particularly point to the German response, the Polish invitation to receive refugees without limit, the actions being taken by Turkey and, outside of NATO, the actions taken by Switzerland — which are quite unique and historic — in bringing a collective approach to both sanctions and actions.

Clearly, due to the events of the last few days, particularly in light of the efforts of Ukrainians themselves in resisting this aggression, new strategic opportunities have presented themselves that weren't even on the table a few days ago. I wonder if the Government Representative could tell us whether or not the Government of Canada is considering ways of supporting the military efforts, the combatants in Ukraine short of a no-fly zone — that perhaps were not on the NATO to-do list a few days ago but may well be there now. Are there other solutions about which the Government Representative could inquire of the government that would help Ukrainians defend the skies in their jurisdiction?

Hon. Marc Gold (Government Representative in the Senate): Thank you very much for your question.

With regard to the first part of your comments, the Government of Canada is working very closely with its European allies and would agree with you that the response of Europeans has been clear, strong and, we hope, effective.

Canada has provided, at the request of Ukraine, not only financial and humanitarian support but in fact what is called "lethal" support. A day does not go by without additional measures certainly being considered and often announced. For example, on March 1 Minister Anand announced the fourth tranche of military aid to be provided to Ukraine to bolster their existence. It includes 1,600 fragmentation vests and just under 400,000 individual meal packs. This comes in addition to the first few tranches of aid announced throughout the past month, including antitank weapons systems, pistols, body armour, 1.5 million rounds of ammunition, helmets and gas masks. This represents significant investment. But the government continues to work with its allies and work in contact with the people of Ukraine to see what more can be done.

• (1450)

Senator Harder: My supplementary, senator. The humanitarian crisis that one can imagine unfolding in the coming days and weeks will require more than even the generous \$100 million that Canada has already offered. I'm particularly concerned about the supply chains necessary to get humanitarian aid on the ground. I wonder if the senator can make inquiries with respect to how the supply, assembly, transport and distribution of humanitarian aid, which will be so necessary for not only days but months ahead, can be assured by the actions of Canada and its allies?

Senator Gold: Indeed, I'll certainly make inquiries. As we know, Minister Joly is currently in Poland. Poland is an important ally in this regard. News reports do reveal challenges at the border. And I will certainly make those inquiries and report back to the extent that I can.

JUSTICE

SPECIAL JOINT COMMITTEE ON MEDICAL ASSISTANCE IN DYING

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

Senator Gold, we are now in our fifth month of the new Parliament. A Special Joint Committee on Medical Assistance in Dying remains unformed. As you know, senators in this chamber are particularly interested in this committee. It was our amendment that saw to its formation. Interestingly enough, it was also a Senate amendment that foresaw that there would be a delay after an election. We had a solution for that. The government saw fit to delete and not accept.

So here we are in the situation that the Senate, in its wisdom, saw coming and we're stuck.

What's the hold up, sir? And what, if anything, do you intend to do about it?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question, senator. The Government of Canada recognizes that this is an important issue. Issues related to medical assistance in dying, or MAID, remain to be explored. With respect, it was Parliament that chose not to accept the amendment — if you'll allow me to underline that point — because in a minority Parliament the government needs the support of others.

All decisions on committee formation, of course, rest including timing, process and focus — with Parliament. I would like to advise the chamber my understanding is that discussions are under way. I have made representations on an ongoing basis with my counterparts underlining the importance to the Senate but also to the country for this to be moving forward.

I've been assured by the government that it's committed to supporting the parliamentary review of MAID legislation. It looks forward to the review, as well as reviewing the findings and recommendations of the expert panel expected on March 17.

FOREIGN AFFAIRS

ECONOMIC SANCTIONS

Hon. Larry W. Smith: Honourable senators, my question is for Senator Gold. Recently, Canada and our allies levied massive economic sanctions against major Russian players, including the president himself. Current reports suggest that the trading of crypto-currencies relative to the Russian ruble has spiked significantly on major international crypto exchanges.

There is now speculation that the sanctioned individuals and businesses could be off-loading the ruble in exchange for bitcoin and other crypto-currencies in an effort to skirt the economic sanctions by bypassing the international banking system.

Senator Gold, we need your help in terms of information. We know that the government relies heavily on the banks as well as our various agencies, such as the Financial Transactions and Reports Analysis Centre of Canada et cetera, to enforce these sanctions. Could you please tell us what the government is doing or will be doing to ensure that those sanctioned are not finding loopholes through the use of bitcoin or other crypto-currencies?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question and for raising an important challenge not only in this context but in many.

The government, as all governments are, is seized with this. But I have no specific information, senator. I'll make some inquiries and be happy to report back.

Senator Smith: A *Reuters* article of May 2021 noted that Iran, a heavily sanctioned country, had adopted bitcoin mining and was generating revenues equivalent to \$1 billion at the time. The blockchain analytics company Elliptic, which provided the data, wrote in their blog post:

The Iranian state is . . . effectively selling its energy reserves on the global markets, using the Bitcoin mining process to bypass trade embargoes.

Again, Senator Gold, I would ask if you could follow-up and provide information to this body because I think it's an important task for the government to ensure that we're doing everything in our power to prevent individuals and governments that have been mentioned in this Ukraine war from using crypto-currencies to evade sanctions.

Senator Gold: I will certainly add that to my list of questions. Thank you, senator.

CANADA-CHINA RELATIONS

Hon. Leo Housakos: Honourable senators, my question is for the government leader in the Senate. Government leader, in January, Canada's Federal Court upheld an immigration officer's decision to bar from permanent residency a Chinese citizen who worked for 20 years at a Chinese agency known as the Overseas Chinese Affairs Office.

According to the Chinese Communist Party, this office provides supports to members of the Chinese diaspora. The immigration officer determined the real purpose of the agency is to gather intelligence and exert influence on the people of Chinese descent living abroad. In other words, to engage in espionage and intimidation of foreign citizens. The court decision affirms this.

Senator Gold, in response to this court ruling, what is your government doing to counter Chinese espionage in Canada? What are you doing to protect Canadian citizens and permanent residents who are the target of these activities but are often too afraid to speak out because of what might happen to them here in Canada or to relatives back in China?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and for underlining this important challenge to our national security and indeed to the security of individuals here, Canadians of Chinese origin or Chinese citizens who are resident here, studying here.

Of course, Senator Housakos, you'll understand that any specific operational issues that may be taken, whether it's by the government, CSIS, the Communications Security Establishment or the RCMP, are not something that I would be at liberty to disclose.

But it's well known and now public as I mentioned on other occasions — both in CSIS annual reports and the National Security and Intelligence Committee of Parliamentarians' annual

reports and others — that this is a real issue that has risen to the top of our preoccupation of our intelligence communities. I'm advised that the Government of Canada is working assiduously with its partners and its agencies to do what it can to protect Canadians from such activities.

To the extent that I'm able to share more details, I shall be happy to do so. For the moment, that's as much as can I say at this juncture.

Senator Housakos: I'm glad to see the government is finally at least highlighting and recognizing that there is a problem. In the meantime, hopefully we'll get an answer in regard to Huawei and their continued infiltration into our marketplace and what the government will do about it.

Charles Burton, a respected China expert and former Canadian diplomatic in Beijing, called this court ruling an unprecedented one. He said both CSIS and the RCMP have warned the government — as you've highlighted, government leader — about the espionage activities of such Chinese organizations, but politicians "suppress the information for fear of undermining trade between the two countries."

Senator Gold, will your government continue to put trade before the interests of those Canadian citizens who are being terrorized by a former government or will it move swiftly to put an end to these activities in Canada? Senator Gold, I would like to ask you, is there any reason your government would not support my bill that I've tabled, Bill S-237, aimed at curbing just such activities?

Senator Gold: Thank you for your question. I do not believe it is accurate to say that the Canadian government has put trade ahead of protecting Canadians. That's simply not the case.

With regard to your bill, the government has not yet taken a position, but it certainly is something that is being discussed. When the government comes to a position on your bill, it will be made known.

• (1500)

UNITED NATIONS TREATY ON THE PROHIBITION OF NUCLEAR WEAPONS

Hon. Marilou McPhedran: My question is to the Government Representative in the Senate. Russia added to its naked, illegal aggression against Ukraine a threat to use its nuclear weapons, and few doubt that the megalomaniac is capable of such massive annihilation. My question is about Canada's weak silence in the face of this particular threat. Belgium, Germany, Italy, the Netherlands and Turkey all host U.S. nuclear weapons. Twenty-six countries joined the U.S. and those five hosts to endorse the possession and use of nuclear weapons on their behalf as part of defence alliances, including Canada as a member of NATO.

Senator Gold, the Government of Canada was not even in the room for negotiations that led to the UN Treaty on the Prohibition of Nuclear Weapons, or TPNW, that was activated by sufficient ratifications in January 2021. In a few months, the first meeting of states parties to the TPNW will be hosted by Austria. Will Canada at least be an observer at that meeting along with other NATO members such as Norway?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. Canada has been working very closely with all of its allies with regard to all aspects of the free world's response to the Russian aggression.

With regard to whether or not Canada will be attending upcoming meetings, I will make inquiries. I hope to report back quickly.

ORDERS OF THE DAY

OLD AGE SECURITY ACT

BILL TO AMEND—THIRD READING—DEBATE

Hon. Jane Cordy moved third reading of Bill C-12, An Act to amend the Old Age Security Act (Guaranteed Income Supplement).

She said: Honourable senators, it is my pleasure to rise today on the traditional territory of the Algonquin Anishinaabe people and speak to third reading of Bill C-12, An Act to amend the Old Age Security Act as it relates to the Guaranteed Income Supplement.

As I stated in my second reading speech, the aim of Bill C-12 is to exempt pandemic benefits received from the calculation of Guaranteed Income Supplement, or GIS, or allowance benefits beginning in July 2022.

This legislation, once passed, will protect our most vulnerable — and valuable — low-income seniors from seeing reductions in their GIS or allowance benefits as a result of accessing pandemic benefits.

As I outlined in my second reading speech, Bill C-12 may be short, but it is extremely important to seniors in Canada who receive the Guaranteed Income Supplement benefit.

As honourable senators know, the government introduced pandemic benefits in 2020 to help people avoid catastrophic income loss.

It was the right thing to do.

The Canada Emergency Response Benefit, or CERB, and then the Canada Recovery Benefit did just that. These benefits have helped millions of Canadians, young and old, through unprecedented times. These financial supports were set up quickly to respond to the pandemic, and the benefits were made taxable to prevent misuse of the program.

However, because these benefits were made taxable, those seniors who needed to work and rely on Old Age Security and the Guaranteed Income Supplement to survive saw their benefits Colleagues, to fix this problem for the upcoming Guaranteed Income Supplement reassessment period at the end of June and going forward, the following specific benefits will be exempt from the calculation of income for GIS or allowance purposes: the Canada Emergency Response Benefit, including any amount that was issued under the Employment Insurance Act; the Canada Recovery Sickness Benefit; the Canada Recovery Caregiving Benefit; and the Canada Worker Lockdown Benefit.

Colleagues, it was brought up by some senators during second reading and again during the committee study of the bill that there was a drafting error contained in the 2021 Budget Implementation Act. They believed this error will make a \$500 government supplementary support payment that was recently sent to seniors a taxable benefit, which is not the intent.

An amendment was moved at committee by Senator Patterson to address the numbering error in the 2021 Budget Implementation Act by making changes to Bill C-12.

We know that there was a numbering error in the 2021 Budget Implementation Act. The Minister of Seniors' officials assured committee members that this error would have no material impact on the delivery of services and benefits for seniors. Finance Canada also assured us that it will not have an impact on the delivery of services to those receiving the Guaranteed Income Supplement.

I think we can all agree that the drafting error should be corrected. Government officials agree the drafting error should be corrected. There are several better options open to make this change rather than doing it here and putting seniors' GIS payments at risk. The government can use the next Miscellaneous Statute Law Amendment Act process, the next Budget Implementation Act or introduce another bill. Honourable senators, the government has expressed an interest in working with senators on resolving this.

Colleagues, the question we have to ask ourselves is this: Do we risk not passing Bill C-12 on time? Do we risk missing this deadline, which could affect 80,000 low-income seniors relying on their benefits arriving on time? Every witness who appeared before the committee urged us to pass this legislation immediately.

Thank you to the Social Affairs Committee who allowed me to ask questions during the debates.

Witnesses all shared their concerns that after passing this bill we continue to bring forward policies to help seniors deal with the challenges they face on a daily basis. We know that the seniors who will be most helped with this legislation will be mainly women, minorities and people facing disabilities. We also know that far too many of our seniors live in precarious financial situations where every dollar is necessary. We heard excellent and impassioned testimony at committee from witnesses who are dedicated to helping ensure seniors are supported to live with dignity. But we know that by passing this bill, it is not the end; there is still much left to do.

Honourable senators, this legislation is important. It might be short, but its importance to seniors cannot be overstated.

As I said earlier, every witness — four panels — who appeared before the committee supported Bill C-12, and every witness said this bill should pass immediately with no amendments.

I hope that you will support this legislation as well, and that we will pass Bill C-12.

Thank you.

Hon. Dennis Glen Patterson: Will the honourable senator take a question?

Senator Cordy: Certainly.

Senator Patterson: Senator Cordy, you quoted the officials as saying that there will be no material impact on the payments to seniors as a result of what you have agreed is a legislative drafting error.

• (1510)

Would you agree that this really means that the officials are saying that they, in Finance and in Employment and Social Development Canada, this means that they will ignore the fact that they clearly have no legislative authority under which to make these payments?

If so, is that a precedent that, in this chamber, we want to encourage; that officials will cast a blind eye to issues like whether they have the legislative authority to make payments?

Senator Cordy: Thank you, senator. I think you're making a stretch here.

I spoke to the officials in Finance. The officials in Finance were on the briefing for all senators. At that time they said that it was a drafting error. We know that the drafting error was that it was brought in in the Budget Implementation Act — I won't read it — but it was brought up then, that this would be implemented, that seniors would get the \$500.

What that did, because there was a clause removed, it meant that instead of being section 276 it was section 275. So the intent was there. It wasn't like the bill was passed and there was a different intent. The intent was there.

Officials from both departments have said that this drafting error will not affect seniors receiving the \$500, that it will not count as taxable income. I think that you're stretching it a little bit far with your comments.

Senator Patterson: Senator Cordy, I would like to ask you this: Officials have said to ignore the legislative drafting error and they will make the payments anyway.

I am wondering, how do you feel about relying on officials to ensure that we can overlook the lack of legislative authority when it was probably those same officials who were responsible for the legislative drafting error that we are now dealing with in the Senate?

Senator Cordy: Thank you very much.

Sometimes we can get very angry with governments, frustrated with governments. We can get very frustrated with officials. But public servants, I believe, are excellent people. We have got many people in this chamber who are former civil servants. I believe that they are all trying to do what is right for Canadians.

We also have to assume, senator, some responsibility for this. This bill came through this chamber. We didn't fix it. So we can't lay all the blame on the part of government officials and government overall. We also have to assume some responsibility.

What I'm saying is, it's done. It's a done deal. Let's not hold our seniors hostage. Let's make sure that they get the money. The people who are getting guaranteed income, the seniors who are getting the Guaranteed Income Supplement, are not people running around with big cars, fancy apartments. These are people who are living on the edge.

With what is happening today in the economy as a result of COVID, we know that many of them are struggling, those who are receiving the Guaranteed Income Supplement. These people have had to take part-time jobs, not full-time jobs, because that would affect their Guaranteed Income Supplement. They are working part-time.

What kind of jobs do they have? First of all, we know that they are mainly women. The stats show that they are mainly women. We know that the kinds of jobs they have are in the service industry. They are making minimum wage or barely above minimum wage. Let's not punish them because we're frustrated by the way that this bill has come to us initially, when we didn't notice it, and now again.

I trust the government officials that this will be passed in the immediate future. But in the meantime, I, for one, can't punish vulnerable seniors.

Hon. Ratna Omidvar: Senator Cordy, thank you for your sponsorship of the bill. Will you take a question?

The question of the drafting error, and fixing it, was raised in committee to the minister. Can you tell us what her response was and what her proposal and undertaking was to fix this error?

Senator Cordy: Thank you very much.

As you know, the minister explained that she did not want this holding it up. I know that some of the solutions that were provided — and I did read them in my speech — that we could have the solution in the next Miscellaneous Statute Law Amendment Act, through that process. We have done that. I know the last time was in 2017. When I hear that it was 2017, I think that we're past due to have another one shortly. I wouldn't be surprised if there was one very shortly.

We know that it could also be in the next budget implementation act. If it's not there, and we don't have the miscellaneous statutes, then perhaps you and I can get together and bring forward an amendment to the budget implementation act bill with that very item in it, or you could introduce another private member's bill. Personally, I would rather go with either one of the first two that I mentioned.

Thank you for that.

Senator Omidvar: Thank you, Senator Cordy, for that response and the suggestion.

I believe it is incumbent on this chamber to hold the minister and the government to their promise. I took it as a promise. I think we need to be on it. This is not so much a question as a commitment on our behalf, maybe others, to make sure this happens so that we are in line and everything is in order as it should be, as opposed to an accidental fixing of errors here and there.

Senator Cordy: Sometimes a statement is very valuable. Your statement was, indeed, very valuable. I think that we should each make that commitment to do something about it in the very near future. I thank you for your leadership at the committee.

Hon. Patricia Bovey: Senator Cordy, would you take another question?

Senator Cordy: Yes, I will.

Senator Bovey: Senator Cordy, I would like to thank you for your sponsorship of this bill. I just want to clarify if you heard what I heard from some of the witnesses.

Of the 185,000 people who will be affected by this, did we not hear that most of them were women and most of them over 80? Many of them are widowed or living alone.

When the question was posed, what would the effect be if this was not passed, did we not hear, as a committee, that it would be disastrous?

Senator Cordy: Thank you very much. That's a really good question.

Of course, we heard from witnesses that it would be devastating. As I said earlier, every witness who appeared before the committee, every witness, said this had to be passed immediately.

They went into great length to talk about other ways that we should be helping seniors, that this should not be the end, that we have one piece of seniors' legislation to help them and then another one in a few years' time.

It's very important that we look at policies and financial help for seniors who are living on the edge and just barely making it from paycheque to paycheque. We heard of very poor situations that seniors are living in overall.

Thank you very much, Senator Bovey.

Hon. Terry M. Mercer: I have another question for Senator Cordy.

Senator Cordy, I appreciate the fact that we have heard good words from public servants, and perhaps even the minister, that this will be fixed sometime in the future.

This is a minority government. This government could be defeated any day now. I do not see it happening in the near future, but it could happen.

Let's say that Canadians then have lost total control of their senses and elected a Conservative government. What happens then? We have no commitment from them that they will fix it this way. We have a commitment from the current government.

It seems to me that we have talked here time and again about the House of Commons putting pressure on us to get things done quickly. Well, maybe we should be putting the pressure on them, reminding them that they are the ones who are going to go to these seniors, if there was an election called quickly, looking for their votes. They would have a hell of a time explaining this to them at the door. I know that.

• (1520)

Senator Cordy: Thank you very much for your comment and your question. I saw Senator Plett smiling at some of your comments. I know Senator Plett is the same age I am, so he and I are both concerned about seniors being taken care of.

But you raised a really good point about this being done quickly. I have assurances from the minister, the department, Finance and the minister's department. I even called them last weekend to make sure that all of these things were reiterated to them. They were very gracious about taking my call on a Sunday night, so that was good.

But you're right: This has to be done quickly. I am hopeful it will be done this spring. I hate putting timelines on things, but I hope it's done quickly.

Senator Mercer: We could ask our Conservative colleagues in the upper chamber and in the leadership convention going on that you put this question to Mr. Charest and to Mr. Poilievre to maybe get them on the record as being committed to do the right thing.

Senator Cordy: I'll pass your message along to Senator Plett, even though he has heard it.

Hon. Donald Neil Plett (Leader of the Opposition): Honourable senators, I hope Canadians heard Senator Mercer questioning their sanity as depending on who they voted for. I believe Canadians are always right when they vote, and they have always been right when they have elected a Conservative government, as well. Surely to goodness, I would expect that even our fine senators from Nova Scotia would agree that Canadians are right when they elect any government.

Now I'm going to talk about this bill.

Senator Cordy talked about the good intentions of the government. I'm sure we have all heard the proverb that "the road to hell is paved with good intentions." In any event, there are good intentions here.

I'm wondering how short a bill needs to be before this government can get it right. This is a one-line bill, and they can't number a bill properly. That's really troubling to me that the fine citizens of Canada would elect a government that cannot tell the difference between 256 and 257.

With that, let me now make my non-partisan speech on this bill.

As I outlined in my second reading speech, our caucus does support this legislation. It is vitally important, because seniors who relied on pandemic relief programs should not be penalized for doing so. And yet, penalizing seniors is exactly what this government has done.

When the CERB program was announced in March 2020, seniors and senior advocacy organizations tried to get answers from the government: Would there be any negative impacts on their eligibility for other benefits, such as the Guaranteed Income Supplement, or GIS? If they accepted the COVID benefits, they were assured there would not be. This would prove, again, to be tragically false, colleagues; seniors who collected pandemic relief soon found out that those benefits would be counted against their ability to qualify for the GIS.

When the dust settled, 204,000 seniors had their benefits cut by a cumulative total of \$742.4 million. That is almost a billion dollars, colleagues — three quarters of a billion dollars.

Extracting \$742 million from any demographic in Canada is bound to have a negative impact, but removing it from the most vulnerable population — seniors living on subsistence incomes — is cruel.

Leila Sarangi, National Director of Campaign 2000, shared some of that organization's stories with the committee:

I've heard stories of hardships from seniors across the country over these past eight months: a senior woman in the Northwest Territories evicted in late fall and living in her car when temperatures were sub-zero; immigrant seniors in Ontario being evicted in online tribunals in an unusually cold January, as pandemic rent moratoriums lift; a senior with \$70.88 left after paying rent; a couple unable to afford medication on their combined monthly income of \$1,300.

Ms. Sarangi went on:

Some have been going to their places of worship, families and friends to borrow money. Others have been taking out lines of credit or loans from predatory payday lenders and wrapping up interest charges. They are unable to meet their basic needs. They are going without food, without toilet paper, without medication, and seniors have shared with me very serious health complications that are worsening by the day. Fear, stress and anxiety are increasing and, in the worst-case scenarios, we've heard of seniors taking their own lives. Colleagues, the government knew that COVID benefits were going to cause a serious problem for many seniors as far back as May 2020, but they did nothing about it. Instead, they let seniors suffer for eight months.

Ms. Devorah Kobluk, Senior Policy Analyst at the Income Security Advocacy Centre, shared the following story:

Among those impacted was the 68-year-old senior in Ottawa who reached out to the legal clinic system. She worked as a self-employed dog walker prior to the pandemic. The pandemic caused her small business to completely collapse. She used CERB to supplement her lost income, pay for groceries, personal protective equipment and taxis to medical appointments. The avalanche of unintended consequences has been devastating. She was trying to survive on approximately \$650 per month. Her rent increased because her "rent geared to income" was recalculated when she received CERB. She was at risk of homelessness, and we have heard of cases of eviction. She lost her Trillium Drug Program benefit that helped her pay for medication. We do not know if she will make it to the lump sum payment time in April.

Like other seniors in her position, with every passing month, it is becoming harder to pay for rent, rising food prices, transportation and medical supplies.

Colleagues, these are a small fraction of the 204,000 seniors who were impacted by this government's incompetence. The stories are tragic. If nothing could have been done, perhaps we could have been a bit more understanding. The government was in the midst of dealing with a global pandemic that was straining resources on every side, but the truth is that the government had no fewer than three possible avenues by which it could have easily addressed this problem sooner.

First, they could have tabled this bill a year ago. One year ago in February 2021, CERB benefits had been rolling out for almost a year. Although the GIS benefits had not been reduced, the government had known for 10 months that the impact was coming. They had 10 months to work on it, but they did not bother to draft the single-clause bill that is before us today and now needs to be reworked. Instead, they chose to do nothing, colleagues — zero.

The second thing they could have done, as explained to the Social Affairs Committee by one of the witnesses, would have been to simply continue using the 2019 year as the base year for income when determining eligibility for GIS. This would have avoided the problem of including CERB benefits in the calculation of income for seniors who were already eligible for GIS payments.

But even if all of that failed for whatever reason, the government still could have acted to minimize the impacts on seniors.

Let me explain. Two months from now, in April, the government will be sending \$742 million to seniors who had GIS clawed back from them. It will cover all of their GIS losses from July 2021 to June 2022.

• (1530)

This payment is being made under section 7 of the Department of Employment and Social Development Act, which authorizes the minister to make one-time grants without even needing to bring the issue before Parliament.

There is no need for legislation, no need for a vote, no need for a debate, no need to wait for some future Canada Revenue Agency income-tax return cycle and no need for an amendment to this bill.

You may recall the government used this same statutory authority to make two other COVID benefit payments. The first was a one-time payment to seniors in May 2020. Another payment was made in August 2021. These payments were simply announced, and the cheques sent out shortly thereafter.

The inconvenient truth is that the government could have used this same statutory authority to make one or more payments to seniors at any time over the last year just like they are doing now. This option was available to the government all along, but they decided not to use it, even though it would have alleviated significant hardship for seniors.

Miss Laura Tamblyn Watts, CEO of the seniors' organization CanAge, told the Social Affairs Committee, in response to a question from Senator Poirier, that they were aware the government had this option and pressed them to use it. The government flatly refused.

Ms. Kobluk from the Income Security Advocacy Centre said the following about their experience after contacting the government:

Minister Khera responded with a short, I would say, form letter inviting us to meet with one of her staff officials. We replied and never had a meeting. Minister Qualtrough never replied. Minister Freeland never replied.

Instead of responding and dealing with a desperate situation, the government allowed 204,000 seniors to have their Guaranteed Income Supplement, or GIS, cut back or eliminated altogether over the last eight months.

Seniors' organizations were flooded with calls, emails and letters from seniors desperately pleading for help. Diana Cable, Director of Policy and Research at CanAge, shared some excerpts from emails she had received from seniors who were struggling because of the government's failure. I am a 70-year-old self-employed senior who has asked all the right questions to CRA and accountants . . . I was never ever told GIS would be taken if I took CRB to cover my lost employment, which cost me dearly. . . .

I have many friends who are over 70 and have been evicted and are sleeping in their cars because of this screw-up. Winter with no shelter is a death sentence for tens of thousands who have been cut off through no fault of their own. This is very scary and truly insane. How is this possible in Canada?

I had my monthly income drop below the cost of my rent....

Another of the emails reads:

I'm nearing crisis mode here. Going to have to succumb to selling my car, selling furniture, selling personal effects just to make it....

Colleagues, this is nothing short of shameful. Even as we stand here today, this legislation changes nothing for seniors until July of this year when their GIS benefits will be restored. Furthermore, the government is going to force seniors to wait another two months before repaying them the income they have lost. The money will be welcome, but the damage has been done.

What of those who lost their homes because they couldn't afford the rent? Or those who sold their car because they needed cash to buy groceries? Or those who lost their health because they couldn't afford their medication? What of those who lost their lives because the stress was simply too much?

The GIS benefits can be repaid, but the cost of an incompetent government is difficult to calculate and can never be repaid. This is a price that Canadians have been paying for far too long.

Senator Mercer, thank you for supporting us.

Colleagues, as I said last week, our caucus supports this bill, but we reject this government's incompetent, cavalier approach to enacting public policy and the impact that this has had on our most vulnerable Canadians.

Colleagues, let's pass this bill today before the government can make another mess of things — today, colleagues. Thank you.

Some Hon. Senators: Hear, hear.

Senator Patterson: Honourable senators, I rise today to speak to Bill C-12, An Act to amend the Old Age Security Act (Guaranteed Income Supplement).

Before I get to my main concern about this bill, I want to voice my concern about the hardships that Canada's seniors are facing. I heard, during the committee study, of the difficulties that seniors have faced throughout the pandemic. Minister Khera spoke at committee about how the one-time payments authorized in the December economic and fiscal update will "fully compensate" — she said that several times — seniors for Guaranteed Income Supplement, or GIS, clawbacks experienced last year.

Yet, the witnesses were all clear that this is not full compensation. True, it would replace money that they would have been entitled to had the provisions in Bill C-12 been in effect then, but it will not come close to addressing the money that seniors are out, as other senators have said, because they had to take out a payday loan at exorbitant and predatory interest rates. It does not calculate the pain and mental anguish they suffered when they were faced with losing their homes and unable to pay their bills. There is no price tag we can put on the hunger they felt when they couldn't afford groceries.

This important point arose during the committee, and I wanted to address it here today. It should also be noted that if and when this bill passes, it is incumbent upon the government to ensure that all seniors know their rights and entitlements in Canada. That means making more agents available via telephone and ensuring that there are staff who can explain these entitlements to unilingual elders in English, French and, where required, Indigenous languages.

As for my concerns with this bill, I must admit, I'm starting to feel like a broken record. I find myself constantly being pushed to rush through and, in some cases, like this one, even abdicate my duty of reviewing legislation in the name of expediency. Because this government cannot successfully manage its legislative agenda, I am told that any attempts to do the job of a senator would be obstructionist.

Why, then, are we here? Obviously, no one wants to stand in the way of Canada's seniors accessing supports. Why can't we bring these needed measures forward in a way that ensures Parliament is able to do its job?

We're told that senators shouldn't stand in the way of a bill unanimously passed in the other place, but I would note that the decision to skip committee study and second reading in the other place was not one that the opposition parties were comfortable with. They all lamented the speed at which the legislation was being rammed through but conceded they would not want to risk negatively impacting vulnerable seniors reliant on the GIS.

Surely, the government would have been told from the beginning of drafting this legislation that there was a technical issue, which they say requires March 4 to be a hard deadline to have this bill passed. Yet, it was only received in this chamber on February 21.

Colleagues, it is exactly this rushing, this lack of scrutiny that resulted in a significant drafting error in the 2021 Budget Implementation Act. I don't agree with the characterization that this is merely a typographical error. The problem is that the section in the BIA dealing with exempting the one-time payment to seniors from the calculation of income does not refer to the correct act. Instead of referring to the Old Age Security Act, which is the exact same bill and the exact same section that Bill C-12 deals with, the BIA refers to unrelated amendments to the Public Service Employment Act. Where, then, is the legal authority to exempt these payments?

• (1540)

When we raised these questions, it was met in a way that I personally felt was dismissive of our concerns. We have been told many times not to worry about this. Minister Khera, in a letter to Senator Griffin and copied to several other senators, states, "This renumbering matter has not resulted in any material impacts on benefits and services for seniors."

That means then that the department is, very strictly speaking, operating outside of the confines of the law. Again, I have to wonder, what clear legislative authority do they have to exempt the one-time payment from GIS calculation? If we are turning a wilful blind eye to a significant drafting error based on the argument that we all know what the intent was — rather than what the actual law says — what precedent are we setting, honourable senators?

If the BIA had gone through the proper rigorous legislative review, it would have caught this error and corrected it then. Now we have Bill C-12, a bill whose sole purpose is to enumerate payments that will not be counted as income for the purposes of calculating OAS.

We could absolutely amend this bill to fix the error and ensure that our officials are operating within the strict confines of the law.

Now we are being told not to do that because, if we do, we will jeopardize the payments to tens of thousands of seniors. We are being told to look the other way and wait for future legislative measures. If Bill C-12 had been introduced earlier and with enough time to also have it properly reviewed, maybe there would be more willingness to let the Senate do its job as a revising body. I am dismayed at how often we are forced to abandon our duties as senators in the name of expediency.

There are those who will point to the Miscellaneous Statute Law Amendment Act as a better vehicle to address these concerns. But this is not a matter of a missing comma or adjusting the name of an entity that now operates under a modernized name. This is a significant revision.

Minister Khera, in that same letter, promised to "put it in another legislative vehicle to resolve this in a timely fashion," but we've seen that adhering to a timely schedule is not a strong suit for this government.

But do you know what can be done in a timely fashion? Fixing this issue now. Colleagues, I'm not convinced that March 4 has to be a hard stop. I believe that the work expands to the time allotted. I find it incredible that our system would be so antiquated that a few days to do the right thing would be as catastrophic as has been portrayed. Former senior public servants in this chamber might concur that departments are able to quickly adapt to the will of Parliament.

When I became a lawyer in the 1970s and was called to the bar, I pledged to champion the rule of law. My oath included a commitment not to pervert the law or favour or prejudice anyone, but in all things I shall conduct myself honestly and with integrity and civility. When I joined the Senate in 2009, I swore another oath with a firm commitment to doing my duty to provide sober second thought. It's with both these oaths in mind that I believe I now have a solemn duty to prepare an amendment to fix this legislative law. I believe if sober second thought — to review legislation sent to us and look for flaws and potential improvements — is to mean anything, we have a solemn duty to fix this now.

Senator Cordy told us this afternoon, in answer to my question, that this chamber is partly responsible for this problem because even though we only got the bill nine days ago, we could have fixed this flaw. Well, let's take Senator Cordy up on this challenge to fix it here. In that spirit, let's fix it now.

MOTION IN AMENDMENT—DEBATE

Hon. Dennis Glen Patterson: Therefore, honourable senators, in amendment, I move:

That Bill C-12 be not now read a third time, but that it be amended in clause 1, on page 1, by replacing lines 4 and 5 with the following:

"1 (1) Subparagraph (c)(i.1) of the definition *income* in section 2 of the *Old Age Security Act* is replaced by the following:

(i.1) the amount of the payment under the program referred to in section 275 of the *Budget Implementation Act, 2021, No. 1*,

(2) The definition *income* in section 2 of the Act is amended by adding the fol-".

Thank you.

Hon. Jim Quinn: Honourable senators, one of the valuable experiences to date for me as a member of this chamber is learning from our debates. Honourable colleagues consistently bring forward thoughtful arguments that I know, as an independent senator, have influenced my own thinking on many topics we have debated. And I believe that is the value of debate — to be open to listening to the positions of others and being able to adjust one's own view so that the subject at hand ends up in a better place for all those affected by the eventual decision.

In the case of Bill C-12, there is no question that the objective of getting benefits into the hands of eligible senior citizens is beyond reproach. I want to reassure honourable colleagues that I am fully supportive of this objective.

At committee we heard from the minister and from senior government officials about the importance of approving this bill by March 4. We also heard of the processing of applications for OAS benefits for seniors having been on hold these past weeks pending the passage of Bill C-12 by March 4. That passage would allow the information flow to resume, enabling the system to process benefits by the beginning of July. The people we heard from were very focused on the process, the mechanics, if you will, of ensuring OAS income is delivered and not affected by the payments noted in the bill's only clause. After hearing the minister and officials, I have no doubt this objective will be realized in terms of getting the benefits out. They know how to do it.

At the same time, and as honourable colleagues know, we've encountered a problem emanating from the Budget Implementation Act, 2021, affecting the OAS Act. That error, which was caused by Parliament and not necessarily the public service, resulted in certain COVID payments being counted as income for OAS/GIS recipients — a situation that legislators including, I believe, all of us, want to correct. This is the general scope of Bill C-12; to exempt certain payments from income in calculating OAS/GIS benefits.

This error has been known since at least last fall. As Bill C-12 was developed and made its way through the process from the department to where it is now, this error was known.

The other place considered Bill C-12 and recognized its importance to seniors. Its importance was underscored by the fact that, after receiving second reading, it was not subject to the lower chamber's committee process and was deemed to have been read the third time. All members of the lower chamber agreed to this process, and the bill arrived at our chamber.

I, and I believe all of us, want the Senate to pass Bill C-12 in a timely manner. The amendment that has been proposed is not complicated. It is an amendment that establishes the legal foundation for the civil service to be whole and beyond reproach in delivering the COVID benefits. But some parliamentarians consider small errors that can be corrected later may also become points of discussion for other parts of government when reporting to the public, especially when those errors call into question the program's legal foundation.

• (1550)

Can we agree to amend this bill? Some of my honourable colleagues have raised a doubt, and the risk, associated with returning this bill to a House that has a minority government.

If we do agree to the proposed amendment, I understand it could be sent back to the other place before Friday. I have also heard some honourable colleagues express their concern that it may not be dealt with in a timely manner or, indeed, passed.

In a minority Parliament, political parties are more sensitive to the concerns of Canadians. An election can occur at any time. My point is that no political party in the other place wants to prevent benefits for seniors. Therefore, given its rapid, unanimous passage a few days ago, it is difficult to accept that it would not be considered and accepted by the other place before the end of the day on Friday.

I am sure the leadership in the other place does not want to jeopardize the agreement by most, if not all, parliamentarians as Bill C-12 must pass for the benefit of our senior citizens.

In closing, I want to reiterate my support for Bill C-12. I also want to feel that I have, and we have, done our jobs in improving a bill after sober second thought — more importantly, affixing an anomaly that otherwise would place public service administrators in a position of expertly administering a process, but without the appropriate legal authority in place.

Senator Cordy noted a few minutes ago that the original error was previously embraced by this chamber. How can we continue as senators knowing we place this institution in a position of accepting a bill that has a fundamental error in law? While some would argue that there are other future methods to correct this error, my 32 years of public service tells me that, in that regard, nothing can be guaranteed until it is in fact done.

We should fix the problem now and demonstrate to Canadians that the Senate is indeed an institution that plays an important role in Canada's legislative process. Thank you.

Some Hon. Senators: Hear, hear.

Hon. Jane Cordy: Honourable senators, I listened to the comments by Senator Patterson, and I want to thank him and Senator Griffin for their contribution to the study of Bill C-12 at committee. It is important for us to have these types of discussions.

Senators Patterson, Griffin and Quinn have clearly and concisely expressed their concerns regarding the numbering error contained in the 2021 Budget Implementation Act.

We saw this same amendment proposed at committee where it was defeated by committee members.

Honourable senators, during testimony the minister and departmental officials acknowledged the numbering error. In fact, all honourable senators now know there was a drafting error in the 2021 Budget Implementation Act as a result of an amendment in the other place, as explained in Senator Griffin's second reading speech. A section incorrectly references section 276 rather than section 275.

The Minister of Seniors gave assurances to committee members that she will work to ensure this numbering error is corrected, while stressing the importance of meeting the March 4 deadline for passing Bill C-12.

Colleagues, I know that if we miss the March 4 deadline there are risks to the timely processing of benefits for tens of thousands of our most vulnerable citizens.

Seniors who receive GIS benefits and work part-time, minimum-wage jobs are some of our most vulnerable citizens. We all agree the drafting error should be corrected, but the committee also heard from Finance officials and department of seniors officials that this numbering error will not have an impact on the delivery of benefits for seniors.

Honourable senators, the real risk for vulnerable seniors is great if we don't pass this bill on time.

When asked at committee by Senator Kutcher:

What do you think would be the response of Canadian seniors if this didn't go through in a timely way on the basis of what they may perceive as an arcane technicality? What would be the response and what would happen to people?

Devorah Kobluk, Senior Policy Analyst of the Income Security Advocacy Centre, had this to say:

I think the real question is, do we want more seniors in this predicament? The answer I would hope is no.

Leila Sarangi, National Director, Campaign 2000, said:

... I think the kind of harm on top of what they've already experienced would be very devastating for the seniors who we're talking about.

Honourable senators, I appreciate the senator's attention to detail, but let's not put seniors' benefits at risk. As I said at committee, let us not allow perfection to get in the way of making things better. This numbering error will not affect the delivery of benefits to seniors. We do know, however, that there is a real risk that an amendment could delay GIS payments.

Low income, vulnerable seniors who are still working deserve to not have to worry about receiving their Guaranteed Income Supplement in July.

I will repeat what I said in committee when I called on committee members to not take out our frustrations on the government or government officials, because the real negative impact of an amendment would be to our most vulnerable seniors — those who are collecting the Guaranteed Income Supplement.

As I did at committee, I will tell you that I will not be supporting this amendment.

Thank you.

Hon. Pamela Wallin: Thank you, Senator Cordy. I hear your comments, and we have heard this kind of argument so many times before, that we must do this by a certain date. We all know that this can be adjusted when the House decides to accept an amended bill. It was interesting to listen to my new colleague Senator Quinn, because those of us who have been here have all seen where things have gone through committee, things have been missed, then they've been discovered, and that it would have been a very simple act here in the Senate today to say, "Let's fix this. Let's just do it while we can."

There is no reason this cannot go to the House of Commons. If they are very concerned about the deadlines, which we all know are flexible, they have days to pass it. They still sit on Friday in the other House.

As everyone has said, this is our job. This is the chamber of sober second thought. This is the place to catch the errors and fix them. It's what we do at committee, and it's what we do here on the floor of the chamber.

Some Hon. Senators: Hear, hear.

Senator Cordy: I can sense the frustration in your voice, and we all feel those same frustrations. This is a technical amendment. This is from the statutes of the budget implementation bill, and the section referred to is section 275.

This had initially been section 276 but, because a section was deleted from the bill in the other place, it became section 275. So then when we referred to section 276 in the budget implementation bill, unfortunately the number was incorrect. But the intent was there.

I understand your frustration, but this is simply a numerical error, and I know it's an error. But it's a numerical error and we should not let the benefits to seniors be held up. Thank you.

Senator Wallin: Would you take another question?

Senator Cordy: Yes.

Senator Wallin: I understand your point. I hear you that it's somehow just a technical error. But sometimes technical errors have consequences. I think if we let these things slide and say, as we used to say in the TV business, "We'll fix it in post" — we have the opportunity to do this here, to conduct our business, to do our job, to do our work. If it's a simple fix — I'm not part of the committee, so I'm just hearing it sitting here in the chamber — it seems to me that we could do it in the time it takes to debate, disagree and fight over whether it's a technical amendment or a substantive one. It's an error that we could fix, and it seems to me that we should do just that.

Senator Cordy: Thank you. The House of Commons is somewhat tied up with establishing the parliamentary oversight committee, so I'm not sure they're going to drop that to look at this bill. And the House of Commons does not hold votes on Fridays. Looking at the week ahead, this is Wednesday, so there is not much time. I personally would not take the risk that seniors would not receive their money. • (1600)

Senator Quinn: My question is this: You can be assured that no minister, no senior representative — and there are those in this chamber with more experience than I — can tell you that they will definitively put something in or not in an act or a bill. They can't do that.

So that calls into question their ability to give us —

The Hon. the Speaker: My apologies, Senator Quinn. I have to interrupt you. Senator Cordy will be given the balance of her time on this matter at the next sitting of the Senate to entertain questions if she so desires.

(At 4 p.m., pursuant to the order adopted by the Senate on November 25, 2021, the Senate adjourned until 2 p.m., tomorrow.)

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